IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |
| --- | --- | --- |
| IN THE MATTER OF:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,(Name)AN ALLEGED EXTREMELY DANGEROUS PERSON WITH MENTAL ILLNESS | ))))))))) | **Case No.** **ORDER FOR COMMITMENT OF EXTREMELY DANGEROUS PERSON WITH MENTAL ILLNESS / INITIAL COMMITMENT TO PSRB AND OSH (ORS 426.701)** |

This matter came before the Court for hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ pursuant to ORS 426.701, following notice of hearing for initial commitment. The alleged Extremely Dangerous Person with Mental Illness (EDP) appeared in custody / out of custody, in person / by video conferencing, with counsel \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, OSB # \_\_\_\_\_\_\_\_ who appeared in person / by video conferencing, and the State appeared in person / by video conferencing through \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, OSB # \_\_\_\_\_\_\_\_\_\_.

Based on the Court’s review and consideration of (check all that apply):

[ ]  The Oregon State Hospital’s records (OSH);

[ ]  The report of the court appointed examiner;

[ ]  Witness testimony by (name) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ]  Other, including \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**THE COURT** being fully informed, and based on clear and convincing evidence, **FINDS** that:

1. The alleged EDP is extremely dangerous because the person:

 [ ]  Is at least 18 years of age;

 [ ]  Is exhibiting symptoms or behaviors of a qualifying mental disorder substantially similar to those that preceded the act described in ORS 426.701(3)(a)(C); and

[ ]  Because of a qualifying mental disorder: (a) presents a serious danger to the safety of other persons by reason of an extreme risk that the person will inflict grave or potentially lethal physical injury on other persons; **and** (b) unless committed, will continue to represent an extreme risk to the safety of other persons in the foreseeable future;

2. The alleged EDP has a qualifying mental disorder that is resistant to treatment.

3. As the result of a qualifying mental disorder that is resistant to treatment, the alleged EDP committed an act under ORS 426.701(3)(a)(C).

4. The alleged EDP cannot be controlled in the community with proper care, medication, supervision and treatment on conditional release.

5. *[Include only if stipulation]* The parties stipulate that the alleged EDP is an EDP and should be committed to the jurisdiction of PSRB under ORS 426.701*.*

**THE COURT therefore ORDERS**:

1. The alleged EDP is an EDP and is placed under the jurisdiction of the Psychiatric Security Review Board (PSRB) for a maximum period of commitment of twenty-four months.

2. The EDP is committed to OSH for care, custody and treatment. If the EDP is currently being held in a secure facility other than OSH, including but not limited to jail or prison, the EDP is to remain at that placement for sufficient time to allow OSH to safely admit the EDP, as determined by OSH.

3. The Sheriff’s Office/Department shall transport the EDP from jail to OSH at a date and time to be determined by OSH.

4. *[If applicable:]* PSRB shall notify the victim, *[Name]*, who desires notification of hearings, conditional release, discharge, and escape of the EDP.

5. *[If applicable, add no contact of victims]* The EDP shall not have direct, indirect or third-party contact with the victim, *[Name]*.

6. As a result of the adjudication of mental illness, Defendant is prohibited *from* purchasing or possessing a firearm, and from shipping, transporting, receiving, or possessing a firearm or ammunition pursuant to 18 USC section 922(g)(4). Record of the firearms prohibition shall be reported to Oregon State Police who shall enter the record of the adjudication into LEDS/NICS.

7. Any and all requested documents or information, including but not limited to protected health information from medical and mental health providers, government bodies or agencies shall be released to OSH and PSRB for the purpose of, and use in, necessary treatment, examination, supervision, and any administrative reviews or hearings.

DATED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Circuit Court Judge

|  |  |
| --- | --- |
| Defense Attorney Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ph. No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  | Deputy District Attorney Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ph. No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |