

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF WASHINGTON

STATE OF OREGON,

Plaintiff,

Case No. C152333CR (DA 336771)

vs.

LISA MARIE BAYER-DAY,

Defendant.

**AMENDED
 JUDGMENT OF CONVICTION
 AND SENTENCE
 (Page 2, Line 15)**

This matter came before Judge D. Charles Bailey on May 25, 2016 for sentencing. The State of Oregon appeared by Elizabeth Ann Ballard, Deputy Attorney General, and the defendant appeared in person, with court appointed counsel, Betsy A Rawls, the Court having determined the defendant to be indigent.

It appears to the Court that the defendant has been indicted, arraigned, has entered a not guilty plea, withdrawn that plea, and upon guilty plea(s), duly convicted of the crime(s) of Criminal Mistreatment in the First Degree (Class C Felony, crime seriousness 7, criminal history I) in Count 1, Criminal Mistreatment in the First Degree (Class C Felony, crime seriousness 7, criminal history D) in Count 21, Criminal Mistreatment in the First Degree (Class C Felony, crime seriousness 7, criminal history B) in Count 61, Criminal Mistreatment in the First Degree (Class C Felony, crime seriousness 7, criminal history A in Counts 66 and 67, Theft in the First Degree (Class C Felony, crime seriousness 3, criminal history A in Count 72, Aggravated Theft in the First Degree (Class B Felony, crime seriousness 5, criminal history A) in Counts 73, 74, 77, and 78, Money Laundering

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1 (Class B Felony, crime seriousness 6, criminal history A) in Count 76, and Personal Income Tax
2 Evasion (Class C Felony, crime seriousness 6, criminal history A) in Count 81.

3 It further appears to the Court that more than 48 hours have passed since plea entry, and
4 there appears no good cause why sentence should not now be passed.

5 As to Count 1, the Court FINDS substantial and compelling reasons to impose an upward
6 dispositional departure from defendant's 7-I gridblock (3 years probation) sentence based upon
7 stipulation by the parties.

8 As to Counts 1, 21, 61, 66, 67, 72, 73, 74, 76, 77, 78, and 81, it is therefore CONSIDERED,
9 ORDERED AND ADJUDGED by the Court that defendant be committed to the legal and physical
10 custody of the Corrections Department of the State of Oregon for a period of 18 months in Count 1,
11 20 months in Count 21, 25 months in Count 61, 31 months in each of Counts 66 and 67, 25 months
12 in Count 81; and pursuant to ORS 137.717 as amended by Ballot Measure 56, 10 months in Count
13 72, 16 months in Count 73, 24 months in Count 74, 25 months in in Count 76, 26 months in Count
14 77, and 28 months in Count 78. It is further ORDERED that Count 21 be served consecutive to
15 Count 1 and that **10 months of Count 61 be served consecutive and 15 (25) months concurrent**
16 with Counts 1 and 21. Further, Counts 66, 67, 72, 73, 74, 76, 77, 78, and 81 shall be served
17 concurrently with each other and concurrently with Counts 1, 21, and 61 (with it being the Court's
18 intent that the defendant serve a total of 48 months in this matter with credit for time served).

19 Pursuant to ORS 137.750 the defendant may be considered by the executing or releasing
20 authority for any form of temporary leave from custody, reduction in sentence, work release or
21 program of conditional or supervised release authorized by law for which the defendant is otherwise
22 eligible at the time of sentencing. Further, pursuant to stipulation between the State and the

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1 defendant, the defendant may be considered for release on post-prison supervision under ORS
2 421.508(4) following successful completion of an alternative incarceration program.

3 It is further ORDERED that the term of post-prison supervision shall be for a period of three
4 years in each of Counts 1, 21, 61, 66, and 67, and two years in each of Counts 72, 73, 74, 76, 77,
5 78, and 81. Violation of post-prison supervision shall subject defendant to sanctions or additional
6 imprisonment.

7 Further, the Court recommends the following conditions be made a part of defendant's post-
8 prison supervision:

- 9 1. The defendant shall have no direct or indirect contact with or be responsible as a
10 fiduciary for any of the victims or their families, without the prior written permission of
supervising officer.

11 Further, it shall be the sentence of the Court that the defendant submit a blood or buccal sample
12 at defendant's own expense, unless defendant lacks the ability to pay, to the Oregon State Police for
13 the purposes of establishing a DNA profile.

14 It is further ORDERED that Count(s) 2 through 20, 22 through 60, 62 through 65, 68
15 through 71, 75, 79, and 80 of the accusatory instrument be DISMISSED.

16 It is further ORDERED that the security deposit posted, minus the statutory fee, be applied
17 to court ordered financial obligations in this matter.

18 It is further ORDERED that defendant is sentenced to pay to the Clerk of the Court any
19 financial obligations in the Money Award section which follows and in the manner specified (which
20 section is hereby made a part of this judgment). Further, it is recommended that all amounts set
21 forth in the Money Award section be made a condition of post-prison supervision.

22 **MONEY AWARD**

23 The State of Oregon is the creditor and the defendant, Lisa Marie Bayer-Day, is the debtor.

1. \$629.00 Court Appointed Attorney Fees.

2. \$200.00 Fine in Count 1.

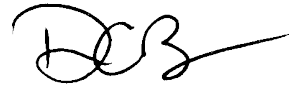
3. \$117,635.07 Victim Restitution.

Pay to victim as outlined in the attached 'Restitution Notice' (by this reference incorporated herein)

TOTAL MONEY AWARD: \$118.464.07

All financial obligations specified in the Money Award shall be made payable to the State of Oregon and shall be paid through the Clerk of the Court (150 North First Avenue, First Floor, Hillsboro, Oregon 97124) at a payment rate and schedule to be determined by supervising officer, to be paid in full 90 days prior to the expiration of supervision. Payments shall be disbursed by the Clerk of the Court as set forth in ORS 137.146.

Signed: 9/23/2016 08:26 AM



Circuit Court Judge, D. Charles Bailey

Court Reporter: FTR 202C
cc: Betsy A Rawls 9/8/16
Control #: jwas215355885
jlc

Amended Restitution Notice

State v. Lisa Marie Bayer-Day = C152333CR (DA 336771)

Contact information provided on this notice is **CONFIDENTIAL** and may not appear in a judgment or in any court document that may be public record pursuant to HB 2340.

Attention Defense Attorney: Pursuant to ORS 135.815 and ORS 135.970, you may not disclose to the defendant the addresses, telephone numbers and personal identifiers of the victims and witnesses contained in these materials without prior authorization of the trial court.

Count #	Payable to:	Check Memo Line	Amount
1	Rhonda Cole Agent Cashier/24	Beneficiary Claim #29733142	6609.27 (2000.00 compensatory fine)
21	Shelby Plummer Agent Cashier/24	Beneficiary Claim #545737556	510.10 (510.10 compensatory fine)
61	Jim Adams Agent Cashier/24	Beneficiary Claim #26202069	1610.89 (1000.00 compensatory fine)
66	Wayne Rock		2080.39 (1000.00 compensatory fine)
	John Allison Agent Cashier/24	Beneficiary Claim #24141179	1440.00 (800.00 compensatory fine)
	Larry Cunningham		123.30
	Nathaniel Denbroder Agent Cashier/24	Beneficiary Claim #29414276	737.659500.00 compensatory fine)
	Sylvia Gandee		12.08 (12.08 compensatory fine)
	Gary Goodlin Agent Cashier/24	Beneficiary Claim #541643618	288.00 (288.00 compensatory fine)
	Jung Hansen Agent Cashier/24	Beneficiary Claim #29712633	308.46 (308.46 compensatory fine)
	Dave Hicks		966.94 (500.00 compensatory

			fine)
	Jeremy Hood Agent Cashier/24	Beneficiary Claim #609320376	153.11 (153.11 compensatory fine)
	Marilyn Krause Agent Cashier/24	Beneficiary Claim #538687052	360.85 (360.85 compensatory fine)
	Richard McConnell Agent Cashier/24	Beneficiary Claim #543290290	122.72 (122.72 compensatory fine)
	Deanna L. Elle		1548.10 (700.00 compensatory fine)
	SAIF Corporation Attn: Cashiers		4748.37
67	Van Allen Basford Agent Cashier/24	Beneficiary Claim #28337299	2709.24 (1000.00 compensatory fine)
	Charles Mosley Agent Cashier/24	Beneficiary Claim #26340889	750.00 (500.00 compensatory fine)
	Andrew Murdoch Agent Cashier/24	Beneficiary Claim #547901360	53.24 (53.24 compensatory fine)
	Suzanne Nicolas Agent Cashier/24	Beneficiary Claim #535901239	8000.00 (2000.00 compensatory fine)
	Curtis Renfroe Agent Cashier/24	Beneficiary Claim #29450330	273.54 (273.54 compensatory fine)
	Ryan Shallock Agent Cashier/24	Beneficiary Claim #544025021	52.31 (52.31 compensatory fine)
	Elizabeth Smith		2030.82
	Gregory Sneed Agent Cashier/24	Beneficiary Claim #541153646	1500.00 (1000.00 compensatory fine)
	Leroy Springer Lifeways Inc		290.00 (290.00 compensatory fine)
	Thomas Douglas Agent Cashier/24	Beneficiary Claim #263745889	26.06 (26.06 compensatory fine)

	Samantha Weaver Lifeways Inc		1085.40 (700.00 compensatory fine)
	Emmanuel Wilson Agent Cashier/24	Beneficiary Claim #337509649	720.00 (720.00 compensatory fine)
72	Dorean Callari		8769.85
73	Shirley Burnett		19,374.21
74	Gladys Wayman Action Payee Services Inc		11,500.00 (2000.00 compensatory fine)
76	Steele and Evan Welcher		24,484.17
77	Wilbert Tay		Restitution satisfied
78	Ina Carlson		Restitution satisfied
81	OR Department of Revenue		14,396.00
		TOTAL	\$117,635.07

TBD



FINAL



June 29, 2016