

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF
MARION**

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 17CR36832
vs.	)	
	)	JUDGMENT
	)	
Rachael Ann Isom,	)	Case File Date: 06/06/2017
Defendant	)	District Attorney File #: 17-4761

DEFENDANT

True Name: Rachael Ann Isom	Sex: Female
Date Of Birth: 08/18/1977	State Identification No (SID): 15560843OR

Alias(es): Rachel Isom

HEARING

Proceeding Date: 10/03/2017
Judge: Rafael Caso
Court Reporter: Recording, FTR

Defendant appeared in person and was not in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) RONALD M HELLEWELL, OSB Number 832310. Plaintiff appeared by and through Attorney(s) KEIR BOETTCHER, OSB Number 113320.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 2 : Making a False Claim for Health Care Payment

Count number 2, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 05/08/2015. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 2 is 6 and the Criminal History Classification (CHC) is I.

Probation

Defendant is sentenced to Supervised Probation for a period of 36 month(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance, cannabis or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10

days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.

- Submit to a risk and needs assessment as directed by the supervising officer

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- It is hereby further ordered and adjudged that the clerk apply payment upon this money award as provided by law and apply any bail or security on deposit herein toward this money award and, to the extent permitted by law, disburse them first to compensatory fines, then to restitution, Crime Victim Assessment, fines, assessments, fees and then to other costs adjudged herein.
- Defendant cannot work for any program funded with Medicaid money.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

Fees and Assessments: Payable to the Court.

Type	Amount	Modifier	Reduction	Actual Owed
Fine - Felony	\$200.00			\$200.00
Total	\$200.00			\$200.00

Compensatory Fine/Restitution:

Restitution is ordered to be paid to the court and disbursed to the payee(s) named below.

Payee	Not To Exceed	Amount
Department of Human Services		\$29,030.00
Total		\$29,030.00

Payee	Amount
Oregon DHS Joint and Several Liability with: Jeffrey Copeland Case#: 17CR36915	\$29,030.00
Total	\$29,030.00

Count 5 : Theft in the First Degree

Count number 5, Theft in the First Degree, 164.055, Felony Class C, committed on or about 07/30/2015. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 5 is 3 and the Criminal History Classification (CHC) is G.

Probation

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of Probation:

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)):
Defendant shall:

- Comply with the same terms and conditions as listed on count 2 in this case.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Count 6 : Making a False Claim for Health Care Payment

Count number 6, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 10/27/2015. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 6 is 6 and the Criminal History Classification (CHC) is F.

Probation

Defendant is sentenced to Supervised Probation for a period of 36 month(s) and shall be subject to the following conditions of Probation:

Defendant is subject to the following general conditions of probation (ORS 137.540):

- Pay supervision fees, fines, restitution or other fees ordered by the court.
- Not use or possess controlled substances except pursuant to a medical prescription.
- Submit to testing for controlled substance, cannabis or alcohol use if the probationer has a history of substance abuse or if there is a reasonable suspicion that the probationer has illegally used controlled substances.
- Participate in a substance abuse evaluation as directed by the supervising officer and follow the recommendations of the evaluator if there are reasonable grounds to believe there is a history of substance abuse.
- Remain in the State of Oregon until written permission to leave is granted by the Department of Corrections or a county community corrections agency.
- If physically able, find and maintain gainful full-time employment, approved schooling, or a full-time combination of both. Any waiver of this requirement must be based on a finding by the court stating the reasons for the waiver.
- Change neither employment nor residence without prior permission from the Department of Corrections or a county community corrections agency.
- Permit the parole and probation officer to visit the probationer or the probationer's work site or residence and to conduct a walk-through of the common areas and of the rooms in the residence occupied by or under the control of the probationer.
- Consent to the search of person, vehicle or premises upon the request of a representative of the supervising officer if the supervising officer has reasonable grounds to believe that evidence of a violation will be found, and submit to fingerprinting or photographing, or both, when requested by the Department of Corrections or a county community corrections agency for supervision purposes.
- Obey all laws, municipal, county, state and federal.
- Promptly and truthfully answer all reasonable inquiries by the Department of Corrections or a county community corrections agency.
- Not possess weapons, firearms or dangerous animals.
- If recommended by the supervising officer (SO), successfully complete a sex offender treatment program approved by the SO and submit to polygraph examinations at the direction of the SO if the probationer: (A) Is under supervision for a sex offense under ORS 163.305 to 163.467; (B) Was previously convicted of a sex offense under ORS 163.305 to 163.467; or (C) Was previously convicted in another jurisdiction of an offense that would constitute a sex offense under ORS 163.305 to 163.467 if committed in this state.
- Participate in a mental health evaluation as directed by the supervising officer and follow the recommendation of the evaluator.
- Report as required and abide by the direction of the supervising officer.
- If required to report as a sex offender under ORS 163A.010 or 163A.015, report with the Department of State Police, a city police department, a county sheriff's office or the supervising agency: (A) When supervision begins; (B) Within 10 days of a change in residence; (C) Once each year within 10 days of the probationer's date of birth; (D) Within 10 days of the first day the person works at, carries on a vocation at or attends an institution of higher education; and (E) Within 10 days of a change in work, vocation or attendance status at an institution of higher education.
- Submit to a risk and needs assessment as directed by the supervising officer

Furthermore, Defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Comply with the same terms and conditions as listed on count 2 in this case.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Count 9 : Theft in the First Degree

Count number 9, Theft in the First Degree, 164.055, Felony Class C, committed on or about 01/27/2016. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 9 is 3 and the Criminal History Classification (CHC) is F.

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 20 day(s). Defendant is remanded to the custody of the Marion County Sheriff for transportation to the Supervisory Authority for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the Defendant shall pay any required per diem fees.

This sentence shall be concurrent with all previously imposed sentences.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Count 10 : Making a False Claim for Health Care Payment

Count number 10, Making a False Claim for Health Care Payment, 165.692, Felony Class C, committed on or about 05/05/2016. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 10 is 6 and the Criminal History Classification (CHC) is E.

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 10 day(s). Defendant is remanded to the custody of the Marion County Sheriff for transportation to the Supervisory Authority for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the Defendant shall pay any required per diem fees.

This sentence shall be concurrent with all previously imposed sentences.

Post-Prison Supervision

The term of Post-Prison Supervision is 24 month(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

Count 13 : Theft in the First Degree

Count number 13, Theft in the First Degree, 164.055, Felony Class C, committed on or about 08/23/2016. Conviction is based upon a Guilty Plea on 10/03/2017.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 13 is 3 and the Criminal History Classification (CHC) is E.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

The court finds substantial and compelling reason for a Downward Durational Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

- Stipulation of Parties

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 12 month(s) 1 day(s). Defendant is remanded to the custody of the Marion Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the executing or releasing authority for any form of reduction in sentence, temporary leave from custody, work release, or program of conditional or supervised release authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may not be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

This sentence shall be concurrent with all previously imposed sentences.

Post-Prison Supervision

The term of Post-Prison Supervision is 12 month(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

COUNTS DISPOSED WITH NO CONVICTION

Count # 1, Making a False Claim for Health Care Payment is Dismissed.

Count # 3, Theft in the First Degree is Dismissed.

Count # 4, Making a False Claim for Health Care Payment is Dismissed.

Count # 7, Theft in the First Degree is Dismissed.

Count # 8, Making a False Claim for Health Care Payment is Dismissed.

Count # 11, Theft in the First Degree is Dismissed.

Count # 12, Making a False Claim for Health Care Payment is Dismissed.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

MONEY AWARD INCLUDING RESTITUTION

Judgment Creditor: State of Oregon

Judgment Debtor: Rachael Ann Isom

Restitution

Payee	Amount
Department of Human Services	\$29,030.00

Payee	Amount
Oregon DHS Joint and Several Liability with: Jeffrey Copeland Case#: 17CR36915	\$29,030.00

Payees are to be paid as ordered under Monetary Terms.

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Amount Owed
Restitution Joint and Several	\$29,030.00
Restitution	\$29,030.00
Fine - Felony	\$200.00
Total	\$58,260.00

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

Payment Schedule

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

Marion County Circuit Court
100 High St. NE
Salem, Oregon 97301
P: 503.588.5105
F: <http://courts.oregon.gov/Marion>

Dated the _____ day of _____, 20____

Signed: 10/3/2017 01:57 PM

Signed: _____

Rafael Caso

Rafael Caso, Pro Tem Judge