IN THE CIRCUIT COURT OF THE STATE OF OREGON

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

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| IN THE MATTER OF:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,(Name)AN ALLEGED EXTREMELY DANGEROUS PERSON WITH MENTAL ILLNESS | ))))))))) | **Case No.** ORDER FOR RECOMMITMENT **WITH HEARING** OF EXTREMELY DANGEROUS PERSON WITH MENTAL ILLNESS / RECOMMITMENT TO PSRB (ORS 426.702) |

This matter came before the Court for hearing on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ pursuant to ORS 426.702, following a Notice of Hearing for Recommitment. 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*):

[ ]  Certification of Recommitment;

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

[ ]  Witness testimony (*e.g. court appointed psychiatrist or psychologist or other witness*)

 by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_;

[ ]  Other, including \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. **THE COURT** **takes judicial notice of** the findings made by the court at the initial commitment hearing regarding the act(s) described in ORS 426.701(3)(a)(C).

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

1. The alleged EDP was previously committed as an Extremely Dangerous Person With Mental Illness under the jurisdiction of the Psychiatric Security Review Board (PSRB).
2. The PSRB or its designee issued a Certification of Recommitment to the alleged EDP and informed the court in writing that it was served on the alleged EDP and the date thereof.
3. The Certification informs the alleged EDP that they are still extremely dangerous and suffer from a qualifying mental disorder that is resistant to treatment.
4. (*If applicable*) The Certification of Recommitment found that the alleged EDP cannot be controlled in the community, with proper care, medication, supervision, and treatment on conditional release, and must be committed to OSH.
5. The alleged EDP protested a further period of commitment within 14 days of service of the Certification of Recommitment. The PSRB or its designee informed the court that the alleged EDP timely protested the recommitment.
6. The alleged EDP is still extremely dangerous and suffering from a qualifying mental disorder that is resistant to treatment, and that the alleged EDP committed the act(s) described in ORS 426.701(3)(a)(C).
7. *(If applicable)* The victim(s) \_\_\_\_\_\_\_\_\_\_ desire(s) notification of any Psychiatric Security Review Board (PSRB) orders and hearings, conditional release, discharge, or escape of Defendant.
8. Placement (*Check applicable)*:

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

[ ]  The alleged EDP can be controlled in the community with proper care, medication, supervision and treatment on conditional release.

**THE COURT** therefore **ORDERS**:

9. The EDP is an Extremely Dangerous Person with Mental Illness for purposes of ORS 426.702 and is recommitted to the jurisdiction of the Psychiatric Security Review Board (PSRB) for a maximum period of 24 months.

10. Placement (*check which applies*):

 [ ]  The EDP is placed at 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.

 [ ]  The EDP is placed / shall remain at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (*name of facility where currently placed*).

11. Transport (*If applicable*) The Sheriff’s Office/Department or CMHP shall transport the EDP from jail or other location to OSH at a date and time to be determined by OSH.

12. *(If applicable)* PSRB shall notify the victim(s), identified in Section 7 of this Order’s Findings, of any PSRB orders or hearings, conditional release, discharge, and escape of the EDP.

13. *(If applicable)* The EDP shall not have direct, indirect or third-party contact with the victim(s), identified in Section 7 of this Order’s Findings.

14. As a result of the adjudication of mental illness, EDP 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.

15. All public bodies, as defined in ORS 174.109, and any private medical provider in possession of records concerning EDP, shall provide those records, including but not limited to protected health information, to OSH and PSRB upon their request, for the purpose of, and use in, necessary treatment, examination, supervision, and any administrative reviews or hearings.

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

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| EDP’s Attorney Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ph. No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  | State’s Attorney Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ph. No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

cc: Psychiatric Security Review Board

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