

BEFORE THE PSYCHIATRIC SECURITY REVIEW BOARD
OF THE STATE OF OREGON

In the Matter

of

) PSRB No. [REDACTED]
) [REDACTED] County No. [REDACTED]
)
)
) ORDER OF DISCHARGE
)

[REDACTED]
[REDACTED] was found guilty except for insanity of the crime [REDACTED]
[REDACTED] and was placed under the jurisdiction of the Psychiatric Security Review Board for a maximum period of time not to exceed [REDACTED] by [REDACTED] County Circuit Court Judge [REDACTED] on [REDACTED].

On its own motion, the Psychiatric Security Review Board reviewed its record in the case and FINDS AS FACT that [REDACTED] was placed under the jurisdiction of the Psychiatric Security Review Board for a maximum period of time not to exceed [REDACTED] by [REDACTED] County Circuit Court Judge [REDACTED] on [REDACTED]. Based upon credit for time served, [REDACTED] jurisdiction expires on [REDACTED].

IT IS HEREBY ORDERED, pursuant to ORS 161.346(1)(a), that [REDACTED] be discharged from the jurisdiction of the Psychiatric Security Review Board on [REDACTED].

This order may be appealed pursuant to ORS 161.348.

DATED this _____ day of _____, 2016.

Psychiatric Security Review Board Member

BEFORE THE PSYCHIATRIC SECURITY REVIEW BOARD
OF THE STATE OF OREGON

In the Matter
of

) PSRB No. [REDACTED]
) [REDACTED] County No. [REDACTED]
) DA# [REDACTED]
)
) ORDER OF DISCHARGE
)

This matter came before the Psychiatric Security Review Board on [REDACTED], for a hearing pursuant to ORS 161.336(5)(a). Board members present were Elena Balduzzi, Psy.D., Judy Uherbelau and Kate Lieber, J.D., Chair. [REDACTED] was present with [REDACTED] attorney, [REDACTED]; Assistant Attorney General [REDACTED] was present representing the State. The burden of proof as well as the burden of going forward was on [REDACTED].

In his opening statement, [REDACTED] requested that his client be discharged from the Board's jurisdiction because he no longer presents a substantial danger to others. Assistant Attorney General [REDACTED] noted that the stipulation to mental disease or defect was supported by the record and indicated the State's position that the "danger" jurisdictional prong was also supported by the record.

The Board, having heard testimony and having received one-hundred twenty-eight exhibits without objection, and after considering all the evidence admitted on the record, FINDS AS FACT that:

1. [REDACTED] was found guilty except for insanity of the crimes of [REDACTED] and was placed under the jurisdiction of the Psychiatric Security Review Board for a maximum period of time not to exceed [REDACTED] by [REDACTED] County Circuit Court [REDACTED] on [REDACTED]
2. [REDACTED] sustained his burden of proving by a preponderance of the evidence his fitness for discharge in that he no longer continues to pose a substantial danger to others. This finding is based upon the expert testimony of [REDACTED], M.D., at the hearing as well as the information contained in the psychiatric evaluation conducted by [REDACTED] as found in Exhibit [REDACTED]. There, [REDACTED] indicates that it is his opinion that [REDACTED] no longer presents a substantial danger to others, even when his disease is active. [REDACTED] testified that [REDACTED] has not shown himself to have a past history of dangerousness and also that he believes [REDACTED] is unlikely to stop taking the medications that contribute to his mental health stability.

The Board CONCLUDES AS A MATTER OF LAW that pursuant to ORS 161.346(1)(a), [REDACTED] must be discharged from the jurisdiction of the Psychiatric Security Review Board.

This order may be appealed pursuant to ORS 161.348.

DATED this _____ day of _____, 2014.

Psychiatric Security Review Board Member