

## JUVENILE SENTENCING GRID

### Duration of Disposition and Other Consequences

Class	Statutory Maximum for Commitment to OYA, PSRB, or DHS. ORS 419C. 501  Can't exceed statutory maximum for each class or 25 <sup>th</sup> birthday, which ever is first  <b>Duration of Probation: ORS 419C.504</b> period not exceeding 5 years, or 23 <sup>rd</sup> birthday, whichever is first.  See also ORS 420.011- No YCF for B or C misdemeanor	Community Service ORS 419C.462  <b>Driving under the influence of intoxicants:</b> No less than 80 hrs. but no more than 250 hrs. <b>ORS 813.010</b>  <b>Graffiti:</b> ORS 419C.461	Detention ORS 419C.453  Not to exceed 8 days, in addition to time already spent in the facility. If a program conforms to state standards then youth may be held in detention for a maximum 30 days  18 years of age and up may be placed in jail or detained with adults	Fines ORS 419C.459  Court considers: whether the offender is able to pay fine and whether fine would have a rehabilitative effect  <b>Supervision Fee: ORS 419C.449</b>	Restitution ORS 419C.450  <b>Full Amount:</b> Youth offender caused another person physical, emotional or psychological injury; or loss or damage to property  <b>Emotional/ Psychological Injury:</b> Only for murder or sex offenses  <b>Relief:</b> <b>ORS 419C.450 (5)</b>
<b>A Felony</b>	20 years	1140-2880 hrs. (see Sentencing Grid)	Y	\$375,000	Y
<b>B Felony</b>	10 years		Y	\$250,000	Y
<b>C Felony</b>	5 years		Y	\$125,000	Y
<b>A Misdemeanor</b>	1 year	No more than 160 hrs.	Y	\$6,250	Y
<b>B Misdemeanor</b>	6 months- No YCF	No more than 160 hrs.	Y	\$2,500	Y
<b>C Misdemeanor</b>	30 days- No YCF	No more than 160 hrs.	Y	\$1,250	Y
<b>A Violation</b>	N/A	No more than 48 hrs.	N	\$720	Y
<b>B Violation</b>	N/A	No more than 48 hrs.	N	\$360	Y
<b>C Violation</b>	N/A	No more than 48 hrs.	N	\$180	Y
<b>D Violation</b>	N/A	No more than 48 hrs.	N	\$90	Y

### OYA, DHS, and PSRB Commitment

<b>OYA with Youth Correctional Facility</b>	ORS 419C.495 ORS 420.011	Commitment to OYA with recommendation for YCF: must be at least 12 years, before 19 years of age and not to exceed 25 <sup>th</sup> birthday or the statutory maximum, which ever is first. <b>Only Felonies and A Misdemeanors</b>  <b>Duration of Placement:</b> Limited to maximum term of commitment to OYA <i>State ex rel Juv. Dept. v. Bruns, 71 Or App 573 (1984)</i>
<b>OYA with Probation</b>	ORS 419C.478	Commitment to OYA: at least 12 years of age not to exceed statutory maximum or 23 <sup>rd</sup> birthday.
<b>DHS with Probation</b>	ORS 419C.478	Commitment to DHS not to exceed statutory maximum or 23 <sup>rd</sup> birthday.
<b>PSRB</b>	ORS 419C.520 et seq.	Not to exceed 25 <sup>th</sup> birthday or the statutory maximum, which ever is first.

### Blood and Buccal Samples: ORS 419C.473

- Rape- ORS 163.355, 163.365, 163.375;
- Sodomy- ORS 163.385, 163.395, 163.405;
- Unlawful Sexual Penetration- ORS 163.408, 163.411;
- Sexual Abuse I, II - ORS 163.425, 163.427;
- Public Indecency- ORS 163.465(1)(c);
- Incest- ORS 163.525;
- Using a child in a display of sexually explicit conduct- ORS 163.670;
- Burglary II- ORS 164.215, when committed with the intent to commit any offense listed above;
- Promoting or Compelling Prostitution- ORS 167.012 and 167.017;
- Burglary I- ORS 164.225;
- Assault I- ORS 163.185;
- Conspiracy or attempt to commit any Class A or Class B felony listed above;
- Murder or Aggravated Murder

#### Exceptions to Blood and Buccal Samples:

1. Adequate sample already on file with Dept. of State Police; or
2. Taking a sample would pose substantial and unreasonable risk to health

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Driving Privileges	Sex Offender Registration	Non- Expungable Offenses: ORS 419A.260- 419A.262
<p><b>Mandatory Revocation of Driving Privileges or Right to Apply: ORS 809.409, 809.412</b></p> <ul style="list-style-type: none"> <li>Aggravated vehicular homicide or any degree of murder;</li> <li>Manslaughter or criminally negligent homicide resulting from the operation of a motor vehicle;</li> <li>Assault I resulting from the operation of a motor vehicle;</li> <li>Perjury or making a false affidavit to DOT under any law regulating vehicle registration or operation;</li> <li>Failure to perform duties of a driver to injured passenger (ORS 811.705);</li> <li>Any felony with material element involving operation of a motor vehicle (UUMV, etc.).</li> </ul> <p><b>Mandatory Suspension of Driving Privileges or Right to Apply: ORS 809.411, 809.412, 809.428</b></p> <ul style="list-style-type: none"> <li>Any degree of recklessly endangering another person, menacing or criminal mischief resulting from the operation of motor vehicle;</li> <li>Reckless driving- ORS 811.140;</li> <li>Failure to perform duties of a driver when property is damaged- ORS 811.700;</li> <li>Fleeing or attempting to elude a police officer- ORS 811.540;</li> <li>Reckless endangerment of highway workers- ORS 811.231(1);</li> <li>Any degree of theft of gasoline;</li> <li>Criminal trespass involving the operation of a motor vehicle- ORS 164.245;</li> <li>Identification Card Offenses- ORS 807.430, 807.500, 807.510, 807.520, 807.530, 807.580, 807.590, 807.600. (See ORS 809.310);</li> <li>Giving false information to police officer- ORS 807.620. (ORS 809.310);</li> <li>Assault II, III, or IV resulting from the operation of motor vehicle.</li> </ul> <p><b>Mandatory Suspension of Driving Privileges or Right to Apply: ORS 809.260</b></p> <ul style="list-style-type: none"> <li>Delivery, manufacture, or possession of controlled substances by youth offender 13-17 years;</li> <li>Possession of firearm or dangerous weapon in public building (ORS 166.370), youth offender 13-17 years;</li> <li>Any offense involving the possession, use or abuse of alcohol by youth offender 13-20 years;</li> </ul> <p><b>Permissive Suspension of Driving Privileges or Right to Apply: ORS 419C.472</b></p> <ul style="list-style-type: none"> <li>Purchase or possession of alcohol by a person under 21; entry of licensed premises by person under 21 years- ORS 471.430;</li> <li>Failed to appear as required by summons- ORS 419C.306.</li> </ul>	<p><b>Act defined as a sex crime under ORS 181.594(5) must comply with the registration requirements of ORS 181.592 et seq.</b></p> <ul style="list-style-type: none"> <li>Rape in any degree;</li> <li>Sodomy in any degree;</li> <li>Unlawful sexual penetration in any degree;</li> <li>Sexual abuse in any degree;</li> <li>Incest with a child victim;</li> <li>Using a child in a display of sexually explicit conduct;</li> <li>Encouraging child sexual abuse in any degree;</li> <li>Transporting child pornography into the state;</li> <li>Paying for viewing a child's sexually explicit conduct;</li> <li>Compelling Prostitution;</li> <li>Promoting Prostitution;</li> <li>Kidnapping I, if the victim was under 18 years of age;</li> <li>Contributing to the sexual delinquency of a minor;</li> <li>Sexual misconduct if the offender is at least 18 years of age;</li> <li>Possession of materials depicting sexually explicit conduct of a child in the first degree;</li> <li>Kidnapping in the second degree if the victim was under 18 years of age, except by a parent or by a person found to be within the jurisdiction of the juvenile court;</li> <li>Online sexual corruption of a child in any degree if the offender reasonably believed the child to be more than five years younger than the offender;</li> <li>Any attempt to commit any of the crimes set forth above;</li> <li>Public indecency or private indecency, if the person has a prior conviction for a crime listed in this subsection; or</li> <li>Burglary, when committed with intent to commit any of the offenses listed above.</li> </ul>	<ul style="list-style-type: none"> <li>Criminal Mistreatment I - ORS 163.205;</li> <li>Rape I, II, III- ORS 163.355, 163.365, 163.375;</li> <li>Sodomy I, II, III- ORS 163.395, 163.405, 163.385;</li> <li>Unlawful Sexual Penetration I, II- ORS 163.411, 163.408;</li> <li>Sexual Abuse I,II, III- ORS 163.415, 163.425, 163.427;</li> <li>Promoting Prostitution- ORS 167.012;</li> <li>Compelling Prostitution- ORS 167.017;</li> <li>Aggravated Murder- ORS 163.095;</li> <li>Murder- ORS 163.115;</li> <li>Manslaughter I, II - ORS 163.118, 163.125;</li> <li>Criminally Negligent Homicide- ORS 163.145;</li> <li>Aggravated Vehicular Homicide- ORS 163.149;</li> <li>Aggravated driving while suspended or revoked – ORS 163.196;</li> <li>Attempted, solicitation or conspiracy to commit murder or aggravated murder;</li> <li>Assault I- ORS 163.185;</li> <li>Kidnapping I- ORS 163.235; or</li> <li>An attempt to commit a crime listed above except: Manslaughter II and Criminally Negligent Homicide.</li> </ul> <div data-bbox="1203 1167 1516 1268" style="border: 1px solid black; padding: 5px; text-align: center;"> <p><b>Note</b></p> <p>Records kept by the Dept. of Transportation cannot be expunged.</p> </div>

Unitary Assessment- ORS 137.290 Defense: ORS 419C.522	Offense	Offense Surcharge \$35 for Felonies and Misdemeanors and \$45 for violations committed 10/1/09 -7/1/11
\$ 107	Felony	
\$ 67	Misdemeanor	
\$ 97	Driving Under the Influence of Intoxicants	
\$ 37	Violation under ORS 153.008	
\$ 1000 (in addition to applicable assessment above)	ORS 475.886 or ORS 475.888	
\$ 500 (in addition to applicable assessment above)	ORS chapter 163 conviction, ORS 475.890 or ORS 475.892	
\$ 42 (in addition to applicable assessment above)	Commercial Driver Driving Violation: (A) ORS 811.100 by driving at a speed at least 10 miles greater than is reasonable and prudent under the circumstances; or (B) ORS 811.111 (1)(b) by driving at least 65 miles per hour	

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