

JUVENILE SENTENCING GRID

Duration of Disposition and Other Consequences

Class	Statutory Maximum for Commitment to OYA, PSRB, or DHS. 419C. 501 can't exceed statutory maximum for each class or 25 th birthday, which ever is first Duration of Probation: 419C.504 period not exceeding 5 yrs., or 23rd birthday, whichever is first. See also 420.011- No YCF for B or C misdemeanor	Community Service 419C.462: Exception: 813:010 Driving under the influence of intoxicates No less than 80 hrs. but no more than 250 hrs. Graffiti: see ORS 41C.461	Detention 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 yrs. of age and up may be placed in jail or detained with adults	Fines 419C.459 Court considers: whether the offender is able to pay fine and whether fine would have a rehabilitative effect Supervision Fee: 419C.449	Restitution 419.450 Full Amount: Youth offender caused another person any physical, emotional or psychological injury or any loss or damage to property Emotional/ Psychological Exception: Only murder or sex offenses Relief: 419C.450 (5)
A Felony	25 years	1140-2880 hrs. (see Sentencing Grid)	Y	\$375,000	Y
B Felony	10 years		Y	\$250,000	Y
C Felony	5 years		Y	\$125,000	Y
A Misdemeanor	1 year	No more than 160 hrs.	Y	\$6,250	Y
B Misdemeanor	6 months- No YCF	No more than 160 hrs.	Y	\$2,500	Y
C Misdemeanor	30 days- No YCF	No more than 160	Y	\$1,250	Y
A Violation	N	No more than 48 hrs.	N	\$720	Y
B Violation	N	No more than 48 hrs.	N	\$360	Y
C Violation	N	No more than 48 hrs.	N	\$180	Y
D Violation	N	No more than 48 hrs.	N	\$90	Y

OYA, DHS, and PSRB Commitment

OYA with Youth Correctional Facility	ORS 419C.495 ORS 419C.478 ORS 420.011	Commitment to OYA with recommendation for YCF: must be at least 12 yrs., before 19 yrs. of age and not to exceed 25th birthday or the statutory maximum, which ever is first. Only Felonies and A Misdemeanors Duration of Placement: limited to maximum term of commitment to OYA <i>State ex rel Juv. Dept. v. Bruns, 71 Or App 573 (1984)</i>
OYA with Probation	ORS 419C.478	Commitment to OYA: at least 12 yrs. of age not to exceed statutory maximum or 23rd birthday.
DHS with Probation	ORS 419C.478	Commitment to DHS not to exceed statutory maximum or 23rd birthday.
PSRB	ORS 419C.501	Not to exceed 25th 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:

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

Corrections or suggestions? Please contact Lisa Kay, lisak@jrplaw.org

Revised 12/3/09

Driving Privileges	Sex Offender Registration	Non- Expugnable Offenses: ORS 419A.260- 419A.262
<p>Mandatory Revocation of Driving Privileges or Right to Apply: ORS 809.409, 809.412</p> <ul style="list-style-type: none"> Aggravated vehicular homicide or any degree of murder; Manslaughter or criminally negligent homicide resulting from the operation of a motor vehicle; Assault I resulting from the operation of a motor vehicle; Perjury; Making a false affidavit to Department of Transportation; Any felony with material element involving operation of a motor vehicle; Failure to perform duties of driver to injured passenger (811.705). <p>Mandatory Suspension of Driving Privileges or Right to Apply: ORS 809.411, 809.412</p> <ul style="list-style-type: none"> Conviction of any degree of recklessly endangering another person, menacing or criminal mischief resulting from the operation of motor vehicle; Reckless driving- ORS 811.140; Failure to perform duties of a driver when property is damaged- ORS 811.700; Fleeing or attempting to elude a police officer- ORS 811.540; Reckless endangerment of highway workers- ORS 811.231(1); Conviction of gasoline theft - ORS 164.043, 164.045, 164.055; Criminal trespass involving the operation of a motor vehicle- ORS 164.245; Identification Card Offenses- ORS 807.430, 807.500, 807.510, 807.520, 807.530, 807.580, 807.590, 807.600. (See ORS 809.310); Giving false information to police officer- ORS 807.620. (ORS 809.310); Assault II, III, or IV resulting from the operation of motor vehicle. <p>Mandatory Suspension of Driving Privileges or Right to Apply: ORS 809.260</p> <ul style="list-style-type: none"> Any delivery, manufacturing, or possession of controlled substances, youth offender 13-17 yrs.; Possession of firearm or weapon in public building (ORS 166.370), youth offender 13-17yrs. (ORS 809.260 (1)); Deny driving privileges to a person who is 20 yrs. or younger, but not younger than 13 yrs., when convicted of, or determined by a juvenile court to have committed, any offense involving the possession, use, or abuse of alcohol. (ORS 809.260(2)). <p>Permissive Suspension of Driving Privileges or Right to Apply: ORS 419C.472</p> <ul style="list-style-type: none"> Purchase or possession of alcohol by a person under 21; entry of licensed premises by person under 21 yrs.- ORS 471.430; Failed to appear as required by summons- ORS 419C.306. 	<p>Act defined as a sex crime under ORS 181.594(4) must comply with the registration requirements of ORS 181.596, 181.597, 181.603</p> <ul style="list-style-type: none"> Rape in any degree; Sodomy in any degree; Unlawful sexual penetration in any degree; Sexual abuse in any degree; Incest with a child victim; Using a child in a display of sexually explicit conduct; Encouraging child sexual abuse in any degree; Transporting child pornography into the state; Paying for viewing a child's sexually explicit conduct; Compelling Prostitution; Promoting Prostitution; Kidnapping I, if the victim was under 18 yrs. of age; Contributing to the sexual delinquency of a minor; Sexual misconduct if the offender is at least 18 yrs. of age; Possession of materials depicting sexually explicit conduct of a child in the first degree; 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; 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; Any attempt to commit any of the crimes set forth above; Public indecency or private indecency, if the person has a prior conviction for a crime listed in this subsection; or Burglary, when committed with intent to commit any of the offenses listed above. 	<ul style="list-style-type: none"> Criminal Mistreatment I - ORS 163.205; Rape I, II, III- ORS 163.355, 163.365, 163.375; Sodomy I, II, III- ORS 163.395, 163.405, 163.385; Unlawful Sexual Penetration I, II- ORS 163.411, 163.408; Sexual Abuse I,II, III- ORS 163.415, 163.425, 163.427; Promoting Prostitution- ORS 167.012; Compelling Prostitution- ORS 167.017; Aggravated Murder- ORS 163.095; Murder- ORS 163.115; Manslaughter I, II - ORS 163.118, 163.125; Criminally Negligent Homicide- ORS 163.145; Aggravated Vehicular Homicide- ORS 163.149; Attempted, solicitation or conspiracy to commit murder or aggravated murder; Assault I- ORS 163.185; Kidnapping I- ORS 163.235; or An attempt to commit a crime listed above except: Manslaughter II and Criminally Negligent Homicide. <div data-bbox="1203 1178 1516 1278" style="border: 1px solid black; padding: 5px; margin-top: 20px;"> <p style="text-align: center;">Note</p> <p style="text-align: center;">Records kept by the Dept. of Transportation cannot be expunged.</p> </div>
Unitary Assessment- ORS 137.290 Defense: 419C.522	Offense	
\$ 1000	ORS 475.886 or ORS 475.888	
\$ 500	Chapter 163 conviction, ORS 475.890 or ORS 475.892	
\$ 107	Felony (not Chapter 163)	
\$ 67	Misdemeanor (not Chapter 163)	
\$ 9	Driving Under the Influence of Intoxicants	
\$ 37	Violation under ORS 153.008	
\$ 42	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	