

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

State of Oregon,	)	
Plaintiff	)	
	)	Case No.: 115760FE
vs.	)	
	)	<b>JUDGMENT</b>
	)	
Monty Wes Madsen,	)	Case File Date: 12/09/2011
Defendant	)	District Attorney File #: 11-8234

**DEFENDANT**

True Name: Monty Wes Madsen	Sex: Male
Date Of Birth: 05/27/1961	State Identification No (SID): 04989322OR
Fingerprint Control No (FPN): JJAC211073866	
Alias(es): Marty Madsen	

**HEARING**

Proceeding Date: 10/14/2013  
Judge: Kelly W Ravassipour  
Court Reporter: Wells, M

Defendant appeared in person and was 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) CHRISTOPHER A MISSIAEN, OSB Number 053267. Plaintiff appeared by and through Attorney(s) Alisa N Ray, OSB Number 124315.

**COUNT(S)**

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

**Count 1 : DUII Felony M73**

Count number 1 , DUII Felony M73, M73, Felony Class C, committed on or about 12/08/2011. Conviction is based upon a Guilty Plea on 10/14/2013.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 1 is 4 and the Criminal History Classification (CHC) is A.

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

• STIPULATION OF PARTIES

**License Suspension / Revocation**

Defendant's Drivers License is Revoked for Life.

**Probation**

Defendant is sentenced to Supervised Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

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

- Comply with all conditions and procedures of accounting office regarding payment of fines, restitution and fees imposed. Abide by the financial conditions of probation document furnished to you by the court, probation officer or Department of Justice collection agent.
- Not drive without valid permit, license and insurance.
- Obey all laws.
- Abstain from the use of intoxicants; do not consume or possess alcohol or non-prescribed controlled substances
- Enter and successfully complete alcohol/drug treatment as deemed appropriate by probation officer. Report to Jackson County Community Justice, 1101 West Main, Medford, OR 97501.
- Submit to random breath and urine testing if lawfully requested by a police officer.
- Attend Victims Impact Panel on 12/04/13

**Jail as a Condition of Probation**

Defendant is confined to jail for 90 day(s). Defendant is remanded to the custody of the Jackson 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.

**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 - Criminal	\$2,000.00			\$2,000.00
<b>Total</b>	\$2,000.00			\$2,000.00

**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
PACIFIC POWER		\$8,860.81
CITY OF CENTRAL POINT		\$1,472.00
<b>Total</b>		\$10,332.81

### **Count 2 : Reckless Driving**

Count number 2 , Reckless Driving, 811.140, Misdemeanor Class A, committed on or about 12/08/2011. Conviction is based upon a Guilty Plea on 10/14/2013.

#### **Probation**

Defendant is sentenced to Bench Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

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

Defendant shall:

- Obey all laws.

### **Count 3 : Recklessly Endangering Another Person**

Count number 3 , Recklessly Endangering Another Person, 163.195, Misdemeanor Class A, committed on or about 12/08/2011. Conviction is based upon a Guilty Plea on 10/14/2013.

#### **Probation**

Defendant is sentenced to Bench Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

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

Defendant shall:

- Obey all laws.

### **Count 4 : Criminal Mischief in the Second Degree**

Count number 4 , Criminal Mischief in the Second Degree, 164.354, Misdemeanor Class A, committed on or about 12/08/2011. Conviction is based upon a Guilty Plea on 10/14/2013.

#### **Probation**

Defendant is sentenced to Bench Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

**Count 5 : Failure to Perform Duties of Driver, Property Damage**

Count number 5 , Failure to Perform Duties of Driver, Property Damage, 811.700, Misdemeanor Class A, committed on or about 12/08/2011. Conviction is based upon a Guilty Plea on 10/14/2013.

**Probation**

Defendant is sentenced to Bench Probation for a period of 2 year(s) and shall be subject to the following conditions of Probation:

Defendant is subject to all general conditions of probation (ORS 137.540).

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

- Obey all laws.

**COUNTS DISPOSED WITH NO CONVICTION**

Count # 6 , Failure to Perform Duties of Driver, Property Damage is Dismissed.

Count # 7 , Failure to Perform Duties of Driver, Property Damage is Dismissed.

Count # 8 , Criminal Driving While Suspended 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: Monty Wes Madsen**

**Restitution**

Payee	Amount
CITY OF CENTRAL POINT	\$1,472.00
PACIFIC POWER	\$8,860.81

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	\$10,332.81
Fine - Criminal	\$2,000.00
<b>Total</b>	<b>\$12,332.81</b>

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:

**Jackson County Circuit Court**  
**100 S. Oakdale Ave**  
**Medford, Oregon 97501**  
**P: 541-776-7171**  
**F: <http://courts.oregon.gov/jackson>**

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Signed: \_\_\_\_\_  
Kelly W Ravassipour