

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

State of Oregon,)	
Plaintiff)	
)	Case No.: 13CR02635
vs.)	
)	JUDGMENT
)	
FRED CHARLES WEST,)	Case File Date: 05/06/2013
Defendant)	District Attorney File #: 13-2843

DEFENDANT

True Name: FRED CHARLES WEST	Sex: Male
Date Of Birth: 01/19/1977	State Identification No (SID): 11439770OR
Fingerprint Control No (FPN): JJAC213032151	

HEARING

Proceeding Date: 11/01/2013
Judge: Kelly W Ravassipour
Court Reporter: Moreno, S

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) ZACHARY WAYNE LIGHT, OSB Number 035702. Plaintiff appeared by and through Attorney(s) KAREN S LOOMIS, OSB Number 914540.

COUNT(S)

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

Count 1 : Fleeing or Attempting to Elude a Police Officer

Count number 1, Fleeing or Attempting to Elude a Police Officer, 811.540(1)(b)(A), Felony Class C, committed on or about 05/04/2013. Conviction is based upon a No Contest Plea on 11/01/2013.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 2 and the Criminal History Classification (CHC) is A.

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

- STIPULATION OF THE PARTIES.

License Suspension / Revocation

Defendant's Drivers License is Revoked for 1 year(s).

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 60 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. TIME SPENT TO APPLY.

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.

Post-Prison Supervision

The term of Post-Prison Supervision is 1 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

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	\$200.00			\$200.00
Total	\$200.00			\$200.00

Count 2 : Criminal Mischief in the First Degree

Count number 2, Criminal Mischief in the First Degree, 164.365, Felony Class C, committed on or about 05/04/2013. Conviction is based upon a No Contest Plea on 11/01/2013.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 2 is 3 and the Criminal History Classification (CHC) is A.

This sentence is pursuant to the following special factors:

- Sentence per ORS 137.717

License Suspension / Revocation

Defendant's Drivers License is Revoked for 1 year(s).

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 18 month(s). Defendant is remanded to the custody of the Jackson Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the executing or releasing authority for any form of Work Release, Reduction in Sentence authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may not be considered by the executing or releasing authority for any form of Conditional or Supervised Release Program, Temporary Leave From Custody. The defendant may be considered by the executing or releasing authority for any form of alternative incarceration program. The Defendant may be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

Post-Prison Supervision

The term of Post-Prison Supervision is 1 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board. The court recommends as a condition of post-prison supervision:

- Pay restitution in an amount to be determined as ordered and pursuant to ORS 137.106 (b). Defense stipulates the State does not need to detail the nature and amount of economic damages as this time.

The Money Judgment amounts are hereby made a part of this judgment and it is a recommendation that they be made a condition of post prison supervision.

Monetary Terms

Defendant shall be required to pay the following amounts on this count:

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
Oregon State Police		\$507.80
Kenneth Hutchinson		\$1,000.00
COUNTRY FINANCIAL		\$1,521.03
Total		\$3,028.83

Count 3 : Fleeing or Attempting to Elude a Police Officer

Count number 3, Fleeing or Attempting to Elude a Police Officer, 811.540, Misdemeanor Class A, committed on or about 05/04/2013. Conviction is based upon a No Contest Plea on 11/01/2013.

License Suspension / Revocation

Defendant's Drivers License is Revoked for 90 day(s).

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 150 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. TIME SPENT TO APPLY.

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.

Count 11 : Recklessly Endangering Another Person

Count number 11, Recklessly Endangering Another Person, 163.195, Misdemeanor Class A, committed on or about 05/04/2013. Conviction is based upon a No Contest Plea on 11/01/2013.

License Suspension / Revocation

Defendant's Drivers License is Revoked for 90 day(s).

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 150 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. TIME SPENT TO APPLY.

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.

Count 12 : Recklessly Endangering Another Person

Count number 12, Recklessly Endangering Another Person, 163.195, Misdemeanor Class A, committed on or about 05/04/2013. Conviction is based upon a No Contest Plea on 11/01/2013.

License Suspension / Revocation

Defendant's Drivers License is Revoked for 90 day(s).

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 150 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. TIME SPENT TO APPLY.

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.

COUNTS DISPOSED WITH NO CONVICTION

- Count # 4, Reckless Driving is Dismissed.
- Count # 5, Criminal Driving While Suspended is Dismissed.
- 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, Failure to Perform Duties of Driver, Property Damage is Dismissed.
- Count # 9, Criminal Mischief in the Second Degree is Dismissed.
- Count # 10, Criminal Mischief in the Second Degree is Dismissed.
- Count # 13, Recklessly Endangering Another Person is Dismissed.
- Count # 14, Felon in Possession of a Restricted Weapon is Dismissed.
- Count # 15, Escape in the Third Degree 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: FRED CHARLES WEST

Restitution

Payee	Amount
COUNTRY FINANCIAL	\$1,521.03
Kenneth Hutchinson	\$1,000.00
Oregon State Police	\$507.80

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	\$3,028.83
Fine - Criminal	\$200.00

Total

\$3,228.83

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