

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

In the Matter of Delegating Release	)	PRESIDING JUDGE ORDER NO. 2101-00000
Pretrial Release Officers and Authorizing	)	
Citations for Certain Offenses	)	ORDER RE RELEASE AUTHORITY FOR
During the COVID-19 Pandemic	)	CERTAIN OFENSES DURING DECLARATION
	)	OF EMERGENCY DUE TO COVID-19 PANDEMIC

This order incorporates findings made in Presiding Judge Orders issued during the COVID-19 Pandemic, including but not limited to Orders 2001-30000; 2001-00000; and 2101-30000. The Court further incorporates the findings and orders made in Presiding Judge Order Delegating the Release Authority for Pretrial Release Officers, signed in 2015.

The State of Oregon remains subject to the Governor’s Declaration of Emergency pursuant to Executive Order 20-67 and extensions. Multnomah County remains subject to the County Commission’s Declaration of Emergency pursuant to Executive Rule 388 and extensions. On Monday, March 16, 2020, Chief Justice Martha Walters issued CJO 20-006, which includes a direction that Courts must explore alternatives to current arrest and detention policies including use of citation-in-lieu of arrest where appropriate to keep jail population at a minimum.

The Multnomah County Inverness Jail is currently experiencing a severe outbreak of people infected with the COVID-19 virus. As of this date, there are nine dorms within the jail that are in quarantine status. Urgent action is needed to prevent additional spread of the virus to other incarcerated individuals and staff of the Multnomah County Sheriff’s Office.

Pursuant to the above findings and authority, I order as follows:

For all misdemeanors, excluding ones for which Oregon Statutes set forth a requirement for mandatory arrests, officers authorized to conduct arrests under ORS 133.220 may issue a citation in lieu of arrest as authorized by ORS 133.055 to 133.076.

For all Class C felony crimes that are “property” offenses, excluding charges of Unauthorized Use of a Motor Vehicle, Possession of a Stolen Motor Vehicle, and Felon in Possession of a Firearm, officers authorized to conduct arrests under ORS 133.220 may issue a citation in lieu of arrest as authorized by ORS 133.055 to 133.076.

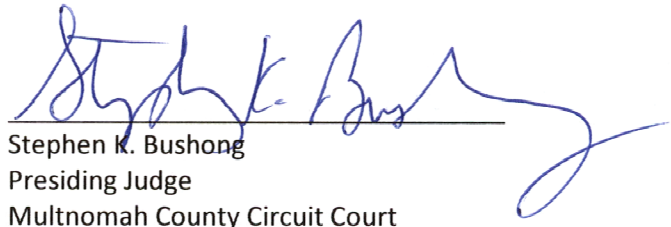
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The above-described process does not apply to any person-to-person Class A misdemeanor as defined by OAR 213-003-0001(15), or any Class C person felonies or attempts to commit a Class C person felony as defined by OAR 213-003-0001(14).

For all persons charged with Unauthorized Use of a Motor Vehicle, Possession of a Motor Vehicle and Felon in Possession of a Firearm, Release Assistance Officers are authorized to release any defendant detained pursuant to law in Multnomah County where the release assistance officer determines that release is warranted and within existing guidelines established for release, notwithstanding the exceptions listed in the Presiding Judge Order Delegating Release Authority for Pretrial Release Officers.

This order takes effect immediately and shall remain in effect until March 15, 2021, unless this order is lifted or extended by further order of the court.

DATED this 11<sup>th</sup> day of February, 2021.

  
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Stephen K. Bushong  
Presiding Judge  
Multnomah County Circuit Court