



List of Offenses by Guideline

Oregon Judicial Department

Updated September 1, 2024

Overview and Purpose

The Office of the State Court Administrator (OSCA) is publishing this Release Guidelines Categorization List as required by [Chief Justice Order \(CJO\) No. 24-014](#). ORS 135.223 requires the Chief Justice to establish release guidelines for Presiding Judge standing pretrial release orders. CJO 24-014 established those release guidelines and directed the State Court Administrator to determine the release guideline category into which each Oregon felony and misdemeanor falls and create a list setting out that determination.

The Release Guidelines Categorization List is intended to be available as a tool to assist the sheriff of the county, or the entity supervising the local correctional facility, with the application of the release guidelines established by CJO No. 24-014.

OSCA has also made available an Excel spreadsheet that lists each offense by statute number and allows for searching by statute number and sorting by specified categories (e.g., guideline category, penalty level, type of offense). The spreadsheet is available on the [OJD Pretrial Program website](#).

Changes from Previous Release Guidelines Categorization List

This document is effective on September 1, 2024, and it supersedes the Release Categorization List published on May 22, 2024.

This document adds several offenses to the Release Guidelines Categorization List. These offenses either were created by recent legislation (2024's House Bill 4002) or were a previously existing offense that were added to the Judicial Department's case management system.

The offenses that were added or reclassified are listed in the chart on page 2.

The list otherwise remains the same as published on May 22, 2024.

Offenses Added/Reclassified in Release Guidelines Categorization List: September 1, 2024, Update

Statute	Description	Penalty Level	Guideline Category
ORS 146.107	Trespass at death investigation scene	Misdemeanor Class B	1
ORS 475.752(3)(a)	Unlawful possession of a controlled substance – Schedule I (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.752(3)(b)	Unlawful possession of a controlled substance – Schedule II (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.752(3)(b)	Unlawful possession of a controlled substance – fentanyl/Schedule II (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.752(3)(c)	Unlawful possession of a controlled substance – Schedule III (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.752(3)(d)	Unlawful possession of a controlled substance – Schedule IV (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.814(2)(a)	Possession of hydrocodone (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.824(2)(a)	Unlawful possession of methadone (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.834(2)(a)	Unlawful possession of oxycodone (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.854(2)(a)	Unlawful possession of heroin (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.874(2)(a)	Unlawful possession of 3,4-methylenedioxymethamphetamine (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.884(2)(a)	Unlawful possession of cocaine (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1
ORS 475.894(2)(a)	Unlawful possession of methamphetamine (Drug Enforcement Misdemeanor)	Misdemeanor Unclassified	1

Release Guidelines Categories

Guideline 1: Release on recognizance

This includes:

- Any non-person misdemeanor, except those offenses listed in Guideline 2 or 3;
- Any non-person Class C felony, except those listed in Guideline 2 or 3;
- Any driving while suspended offense, except for aggravated driving while suspended; and
- Any other offense that is not included in Guideline 2 or 3.

Guideline 2: Release with court-imposed conditions

This includes:

- Any non-domestic violence person misdemeanor;
- Any driving while under the influence of intoxicants (DUII) offense;
- Any non-domestic violence Class B felony and any non-domestic violence person Class C felony, except for those offenses included in Guideline 3.

Guideline 3: Hold for arraignment, first appearance, or release decision under ORS 135.253(3)(b)

This includes:

- Any violent felony or any offense in ORS 137.700;
- Any Class A felony;
- Any sex crime (whether designated or not) and certain specified offenses;
- Any domestic violence felony or misdemeanor;
- Any felony stalking, any violation of a stalking protective order, and felony strangulation;
- Specified Class B felony-controlled substance offenses;
- Specified felony- and misdemeanor-controlled substance offenses involving minors; and
- Specified offenses.

Update Schedule and Version History

This list will be reviewed and updated on a quarterly basis to reflect changes to statutes or orders. We anticipate that the next version of this list will be published around September 1, 2024.

Version	Published Date	Reason for Change
1.0	June 22, 2022	New document
2.0	July 21, 2022	Corrected categorization of harassment (non-domestic violence) under ORS 166.065(4) from Guideline 1 to 2 and statutory reference for harassment under Guideline 3.
3.0	July 1, 2023	Reclassified categorization of bias crime in the first degree under ORS 166.165 from Guideline 2 to 3 pursuant to CJO No. 23-019 and added guideline categories for 12 offenses. These include sexual abuse by fraudulent representation (Guideline 3), unlawful possession of a marijuana item (Guideline 2), and unlawful possession of a marijuana item by a person under 21 years of age (Guideline 2). All other offenses were categorized under Guideline 1.
4.0	Sept. 27, 2023	Added guideline categories for 16 offenses. These include offenses related to undetectable firearms (Guidelines 1 or 2), unlawful possession of a controlled substance – schedule II/fentanyl (Guideline 1), and organizing a speed racing event (Guideline 1).
5.0	Jan. 1, 2024	Added guideline categories for 6 offenses. These offenses include domestic terrorism in the first degree (Guideline 2) and the second degree (Guideline 1). Technical changes to improve appearance of document and provide consistency with other OJD documents.
6.0	Apr. 16, 2024	Added guideline categories for 4 offenses, as listed on page 2. These include the new offense of interfering with an investigation into an offense against an animal (Guideline 1) and providing that abuse of a corpse in the first degree falls under Guideline 3 (rather than Guideline 2) when it constitutes a sex crime. Update offenses with an Oregon Laws citation with their assigned ORS statute number.
7.0	May 22, 2024	Reclassified to Guideline 3 multiple Class B Felony-controlled substance offenses and felony- and misdemeanor-controlled substance offenses involving minors. Added Class A misdemeanor related to commercial motor vehicles to Guideline 1.

8.0	Sept. 1, 2024	Add numerous drug enforcement misdemeanors created by House Bill 4002 (2024) and the offense of trespass at death investigation scene to Guideline 1.
-----	---------------	---

Resources

- [Online spreadsheet of this list that is searchable and sortable](#)
- For questions, comments, or changes to this list, contact:
Paula Matano
OJD Statewide Pretrial Release Coordinator
Paula.M.Matano@ojd.state.or.us

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

Any non-person misdemeanor, except those offenses listed in Guideline 2 or 3:

Oregon Laws 2023, chapter 229, section 4 (HB 2005): Selling or transferring a firearm without a serial number – prior conviction

Oregon Laws 2024, chapter 30, section 2 (HB 4043): Interfering with an investigation into an offense against an animal

ORS 18.882: Unlawfully moving damaging or using secured property

ORS 25.785(3): False statement in lieu of SSN

ORS 94.977: Salesperson/member camping contract broker no registration/license

ORS 133.076: Failure to appear on a criminal citation

ORS 133.318(1): Providing invalid foreign restraining order

ORS 133.318(2): False representation regarding foreign restraining order

ORS 133.793: Unlawful delivery of in-custody person for extradition

ORS 146.103(1): Moving/removing body/effects/weapons

ORS 146.107: Trespass at death investigation scene

ORS 153.990: False certification on issuance/filing of citation/complaint

ORS 153.992: Failure to appear in a violation proceeding

ORS 161.405: Attempt to commit a non-person or person misdemeanor¹ or non-person Class C felony

ORS 161.435: Solicitation to commit a non-person Class A misdemeanor or non-person Class C felony

ORS 161.450: Conspiracy to commit a non-person Class A misdemeanor

ORS 162.075: False swearing

ORS 162.085: Unsworn Falsification

ORS 162.235: Obstructing governmental administration

ORS 162.247: Interfering with a peace officer or a parole and probation officer

ORS 162.257: Interfering with a firefighter or emergency medical services provider

ORS 162.295: Tampering with physical evidence

ORS 162.305(2)(a): Tampering with public records

ORS 162.335: Compounding

ORS 162.365: Criminal impersonation of a public servant

ORS 162.369: Possession of false law enforcement identification card

ORS 162.375: Initiating a false report

ORS 162.405, 162.415: Official misconduct in any degree

ORS 162.425: Misuse of confidential information

ORS 162.455: Interfering with legislative operations

ORS 162.465: Unlawful legislative lobbying

ORS 163.191: Intimidation by display of a noose

ORS 163.445, 163.454: Sexual misconduct if the offender is under 18 years of age

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 163.693: Failure to report child pornography
- ORS 163.715(2)(a): Unlawful use of a global positioning system device
- ORS 163A.040(3)(a): Failure to report as a sex offender
- ORS 164.043: Theft in the third degree
- ORS 164.045: Theft in the second degree
- ORS 164.125: Theft of services
- ORS 164.132: Unlawful distribution of cable television equipment
- ORS 164.140: Criminal possession of rented or leased personal property
- ORS 164.235: Possession of a burglary tool or theft device
- ORS 164.243, 164.245, 164.255: Criminal trespass in any degree
- ORS 164.265: Criminal trespass while in possession of a firearm
- ORS 164.272: Unlawful entry into a motor vehicle
- ORS 164.278: Criminal trespass at a sports event
- ORS 164.335: Reckless burning
- ORS 164.354: Criminal mischief in the second degree
- ORS 164.345: Criminal mischief in the third degree
- ORS 164.373: Tampering with cable television equipment
- ORS 164.377(4): Computer crime – Access or attempt to access without authorization
- ORS 164.775: Deposit of trash within 100 yards of waters or in waters and Discarding refuse in state waters
- ORS 164.785: Placing offensive substances in waters, on highways or other property
- ORS 164.805: Offensive littering
- ORS 164.813: Unlawful cutting and transport of special forest products
- ORS 164.825: Cutting and transport of coniferous trees without permit or bill of sale
- ORS 164.857: Unlawfully transporting metal property
- ORS 164.863: Unlawful transport of meat animal carcasses
- ORS 164.865: Unlawful sound recording
- ORS 164.875: Unlawful videotape recording
- ORS 164.882: Unlawful operation of an audiovisual device
- ORS 164.885(2): Endangering aircraft in the second degree
- ORS 164.886(4): Unlawful possession of substance that can damage certain wood processing equipment
- ORS 164.887: Interference with agricultural operations
- ORS 165.007: Forgery in the second degree
- ORS 165.017: Criminal possession of a forged instrument in the second degree
- ORS 165.037: Criminal simulation
- ORS 165.042: Fraudulently obtaining a signature
- ORS 165.047: Unlawfully using slugs

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 165.055:** Fraudulent use of a credit card
- ORS 165.065:** Negotiating a bad check
- ORS 165.080:** Falsifying business records
- ORS 165.095:** Misapplication of entrusted property
- ORS 165.100:** Issuing false financial statement
- ORS 165.102:** Obtaining execution of documents by deception
- ORS 165.109:** Failing to maintain a cedar purchase record
- ORS 165.118:** Metal property offenses
- ORS 165.540:** Obtaining contents of communications
- ORS 165.543:** Interception of communications
- ORS 165.555:** Unlawful telephone solicitation of contributions for charitable purposes
- ORS 165.570:** Improper use of emergency communications system
- ORS 165.572:** Interference with making a report
- ORS 165.577:** Cellular counterfeiting in the third degree
- ORS 165.805:** Misrepresentation of age by a minor
- ORS 165.825:** Sale of a drugged horse
- ORS 166.023(2)(a):** Disorderly conduct in the first degree
- ORS 166.025:** Disorderly conduct in the second degree (if domestic violence, then Guideline 3)
- ORS 166.065(3):** Harassment (if domestic violence, then Guideline 3)
- ORS 166.075:** Abuse of a venerated object
- ORS 166.076:** Abuse of a memorial to the dead
- ORS 166.090:** Telephonic harassment
- ORS 166.095:** Misconduct with emergency telephone calls
- ORS 166.116:** Interfering with public transportation
- ORS 166.119:** Interfering with a health care facility
- ORS 166.128:** Domestic terrorism in the second degree
- ORS 166.180:** Negligently wounding another
- ORS 166.190:** Pointing a firearm at another (if domestic violence, then Guideline 3)
- ORS 166.240:** Carrying a concealed weapon
- ORS 166.250:** Unlawful possession of firearms
- ORS 166.255:** Unlawful possession of firearms
- ORS 166.265:** Possession of an undetectable firearm
- ORS 166.267:** Import/offer for sale/sell/transfer an unfinished frame or receiver – prior conviction
- ORS 166.270:** Felon in possession of a restricted weapon
- ORS 166.300:** Killing or injuring another with firearm as cause for loss of right to bear arms

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 166.320: Setting springgun or setgun
- ORS 166.330: Use of firearms with other than incombustible gun wadding
- ORS 166.350: Unlawful possession of armor piercing ammunition
- ORS 166.370: Possession of firearm within Capitol, airport passenger terminal, or school grounds
- ORS 166.412: Selling or delivering firearm or unfinished frame or receiver to person without permit to purchase
- ORS 166.416: Providing false information in connection with a transfer of a firearm
- ORS 166.418: Improperly transferring a firearm
- ORS 166.425: Unlawfully purchasing a firearm
- ORS 166.427: Violation of registration required in trade of used firearm
- ORS 166.435: Firearm transfers by unlicensed persons
- ORS 166.438: Transfer of firearms at gun shows
- ORS 166.470: Unlawful sale, delivery, or transfer of a firearm
- ORS 166.480: Sale or gift of explosives to children
- ORS 166.543(1): Possessing a deadly weapon prohibited by an ERPO
- ORS 166.543(3): Filing an ERPO with false information or with intent to harass respondent
- ORS 166.635: Discharging weapon or throwing objects at trains
- ORS 166.638: Discharging weapon across airport operational surfaces
- ORS 166.645: Hunting in a cemetery
- ORS 166.649: Throwing an object off an overpass in the second degree
- ORS 167.007: Prostitution
- ORS 167.008: Commercial sexual solicitation
- ORS 167.062(1): Sodomasochistic abuse or sexual conduct in a live show (performance)
- ORS 167.075: Exhibiting an obscene performance to a minor
- ORS 167.080: Displaying obscene materials to minors
- ORS 167.090: Publicly displaying nudity or sex for advertising purposes
- ORS 167.122: Unlawful gambling in the second degree
- ORS 167.132: Possession of gambling records in the second degree
- ORS 167.147: Possession of gambling device
- ORS 167.222: Frequenting a place where controlled substances are used
-
- ORS 167.312: Research and animal interference (under \$2500)
- ORS 167.315: Animal abuse in the second degree
- ORS 167.320: Animal abuse in the first degree
- ORS 167.325: Animal neglect in the second degree
- ORS 167.330: Animal neglect in the first degree

ORS 167.340: Animal abandonment
ORS 167.332: Prohibition against possession of domestic animal
ORS 167.337: Interfering with law enforcement animal
ORS 167.341: Encouraging sexual assault of an animal
ORS 167.349: Encouraging animal abuse
ORS 167.351: Trading in nonambulatory livestock
ORS 167.352: Interfering with an assistance, a search and rescue or a therapy animal
ORS 167.374: Possession or control of dogs for the purpose of reproduction records
ORS 167.376: Possessing 10 or more dogs
ORS 167.383: Equine tripping
ORS 167.385: Unauthorized use of a livestock animal
ORS 167.388: Interference with livestock production (damage under \$2500)
ORS 167.390: Commerce in fur of domestic cats and dogs prohibited
ORS 167.502: Sale of certain items at unused property market prohibited
ORS 167.808: Unlawful use or possession of an inhalant with prior
ORS 167.810: Creating a hazard
ORS 167.820: Concealing the birth of an infant
ORS 167.822: Improper repair of a vehicle inflatable restraint system
ORS 167.824: Unlawful possession of undeployed air bags or air bag canisters
ORS 180.440(1)(c): Possessing cigarettes intended for sale or distribution
ORS 180.486: Violating prohibitions on smokeless tobacco products
ORS 181A.995: False info ap for private security service license/cert
ORS 192.543: Unlawful use of genetic information
ORS 192.852(1): Prohibition on obtaining confidential information
ORS 192.852(2): Employee disclosure of confidential information
ORS 194.990: Unlawful possession of an official seal
ORS 196.810: Removal of bed/bank materials or filling state waters
ORS 260.695(4): Voting or offering to vote when not entitled
ORS 323.480: Penalties for cigarette and tobacco product violations
ORS 323.482(2)(a): Unlawful distribution of cigarettes
ORS 323.630(6): Violating tobacco products tax provisions
ORS 329A.280(1): Operate childcare w/o certification
ORS 358.920: Prohibited acts at archaeological site
ORS 358.945(4): Failure to notify appropriate Indian tribe
ORS 358.950(1): Failure to notify appropriate Indian tribe
ORS 368.256: Creating a road hazard
ORS 390.235(1)(a): Failure to obtain an archaeological excavation permit
ORS 390.640: Improvement of ocean shore property without a permit
ORS 390.705(1): Unlawful placement/conduits in state recreation areas
ORS 390.705(2): Unlawful removal/natural products from ocean shore

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 401.990: Emergency management and services offense
- ORS 418.215: Unlicensed private child-caring agency
- ORS 433.350: Failure to obey order to relinquish animal
- ORS 443.725(1): Operating an adult foster home without a license
- ORS 443.881: Undue influence on facility resident
- ORS 453.085: Hazardous substances prohibited acts
- ORS 453.990(4): Unlawful use of contaminated property
- ORS 459.205: Violation of disposal site permit requirements
- ORS 462.080: Unlawfully refusing to leave a racecourse
- ORS 466.095(1): Unlawful storage of hazardous waste
- ORS 466.095(1)(c): Hazardous waste treatment site without permit
- ORS 466.100(1): Unlawful disposal of hazardous waste
- ORS 466.645: Failure to immediately clean up spill or release
- ORS 466.765: Underground storage tank violation
- ORS 466.995(4): Violation of dry-cleaning regulations
- ORS 467.020: Excessive noise
- ORS 468.922: Dispo/store/treat hazardous waste in the second degree
- ORS 468.943: Unlawful water pollution in the second degree
- ORS 468A.990(1): Air pollution offense
- ORS 471.130: Selling/serving alcohol w/o requiring ID/age statement
- ORS 471.135(1): False statement or evidence of age
- ORS 471.242: Violating warehouse license provisions
- ORS 471.282: Unlawful sales and shipments of wine or cider
- ORS 471.405(1): Unlawful sale/delivery/offering for sale of alcohol
- ORS 471.405(2): Purchase/possess/transport/import alcohol
- ORS 471.405(3): Unlicensed sale/solicit/take order/peddle alcohol
- ORS 471.410(1): Furnishing alcohol to intoxicated person
- ORS 471.410(2): Furnishing alcohol to person under 21
- ORS 471.410(6)(b)(C): OLCC licensee furnishing alcoholic liquor to an underage person - 3rd offense
- ORS 471.410(6)(b)(D): OLCC licensee furnishing alcoholic liquor to an underage person - 4th or subsequent
- ORS 471.425(1): Making false representations or statements to OLCC
- ORS 471.425(2): Maintaining disorderly establishment
- ORS 471.425(3): OLCC licensee misrepresenting alcohol to customer
- ORS 471.440: Unlicensed manufacturing of liquor
- ORS 471.475: Unlicensed mixing; storing; or serving of liquor
- ORS 471.478(2): Possession of keg with no ID label

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 471.524:** Employment for alcoholic beverage delivery violation
- ORS 471.620:** Maintain/assist/permit common nuisance
- ORS 471.747:** Unlawful sale of granulated alcohol
- ORS 475.230:** Pseudoephedrine or ephedrine violation
- ORS 475.398:** Selling, distributing, or exposing for sale a kratom product to a person under 21 years of age
- ORS 475.752:** Unlawful possession of a controlled substance – Schedule II/fentanyl
- ORS 475.752(1)(d), (e):** Manufacture/delivery controlled substance in Schedule IV or V
- ORS 475.752(2)(d), (e):** Manufacture/delivery counterfeit substance in Schedule IV or V
- ORS 475.752(3)(a):** Unlawful possession of a controlled substance – Schedule I (Drug Enforcement Misdemeanor)
- ORS 475.752(3)(b):** Unlawful possession of a controlled substance – Schedule II (Drug Enforcement Misdemeanor)
- ORS 475.752(3)(b):** Unlawful possession of a controlled substance – fentanyl/Schedule II (Drug Enforcement Misdemeanor)
- ORS 475.752(3)(c):** Unlawful possession of a controlled substance – Schedule III (Drug Enforcement Misdemeanor)
- ORS 475.752(3)(d):** Unlawful possession of a controlled substance – Schedule IV (Drug Enforcement Misdemeanor)
- ORS 475.752(7):** Unlawful possession of a Schedule I controlled substance
- ORS 475.814:** Possession of hydrocodone
- ORS 475.814(2)(a):** Possession of hydrocodone (Drug Enforcement Misdemeanor)
- ORS 475.824:** Unlawful possession of methadone
- ORS 475.824(2)(a):** Unlawful possession of methadone (Drug Enforcement Misdemeanor)
- ORS 475.834:** Unlawful possession of oxycodone
- ORS 475.834(2)(a):** Unlawful possession of oxycodone (Drug Enforcement Misdemeanor)
- ORS 475.854:** Unlawful possession of heroin
- ORS 475.854(2)(a):** Unlawful possession of heroin (Drug Enforcement Misdemeanor)
- ORS 475.874:** Unlawful possession of 3,4- methylenedioxymethamphetamine
- ORS 475.874(2)(a):** Unlawful possession of 3,4- methylenedioxymethamphetamine (Drug Enforcement Misdemeanor)
- ORS 475.884:** Unlawful possession of cocaine
- ORS 475.884(2)(a):** Unlawful possession of cocaine (Drug Enforcement Misdemeanor)
- ORS 475.894:** Unlawful possession of methamphetamine
- ORS 475.894(2)(a):** Unlawful possession of methamphetamine (Drug Enforcement Misdemeanor)
- ORS 475.912:** Unlawful delivery of an imitation controlled substance
- ORS 475.914(2)(b)-(d):** Prohibited ac-s - controlled substance Schedule II, III, IV, or V

ORS 475.916: Controlled substances prohibited act related to records or fraud
ORS 475.918: Falsifying drug test results
ORS 475.920: Providing drug test falsification equipment
ORS 475.950: Failure to report precursor substances transaction
ORS 475.955: Failure to report missing precursor substances
ORS 475.960: Illegally selling drug equipment
ORS 475.965: Providing false information on precursor substances report or record
ORS 475.969: Unlawful possession of phosphorus
ORS 475.971: Unlawful possession of anhydrous ammonia
ORS 475.973(1)(b): Failure to forward transaction records
ORS 475.975(3): Failure to make/retain/send record of iodine transfer
ORS 475.975(6): Unlawful possession of iodine in its elemental form
ORS 475.975(7): Unlawful distribution of iodine in its elemental form
ORS 475.976(3): Fail to make/retain/send record of iodine matrix transfer
ORS 475.976(6): Unlawful possession of an iodine matrix
ORS 475.976(7): Unlawful distribution of an iodine matrix
ORS 475.979: Unlawful possession of lithium or sodium metal
ORS 475C.065: Violation of marijuana production license requirements
ORS 475C.085: Violation of marijuana processor license requirements
ORS 475C.093: Violation of marijuana wholesale license requirements
ORS 475C.097: Violation of marijuana retail license requirements
ORS 475C.205: Delivery of marijuana item to unlicensed premises
ORS 475C.205: Unlawful receiving of marijuana items by licensee
ORS 475C.205: Selling marijuana item outside licensed premises
ORS 475C.209: Selling or delivering an adult cannabis item to person under 21
ORS 475C.217: Licensee failing to require ID
ORS 475C.224: Licensee employing person under 21
ORS 475C.229: Unlawful import or export of a marijuana item
ORS 475C.233: Using/allowing deceptive mark/label on marijuana item
ORS 475C.237: Selling or offering for sale a substandard marijuana item
ORS 475C.241: Licensee possessing or selling mature marijuana plant
ORS 475C.245: False representation or statement to OLCC
ORS 475C.245: Maintaining a disorderly or insanitary establishment
ORS 475C.245: Supplying impure or deleterious marijuana item
ORS 475C.245: Licensee misrepresenting a marijuana item
ORS 475C.269: Violation of marijuana worker permit requirements
ORS 475C.313: Unlawful processing of cannabinoid extract into a product

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 475C.313:** Unlawful production, processing, or storing of homemade industrial hemp extracts
- ORS 475C.321:** False identification of age
- ORS 475C.329:** Providing marijuana item to a visibly intoxicated person
- ORS 475C.329:** Allow person under 21 to consume marijuana item on property
- ORS 475C.333:** Giving marijuana item as a prize
- ORS 475C.337:** Unlawful possession of a marijuana item
- ORS 475C.341:** Unlawful possession of a marijuana item by a person under 21 years of age
- ORS 475C.345:** Unlawful delivery of a marijuana item
- ORS 475C.349:** Unlawful manufacture of a marijuana item
- ORS 476.380(1):** Burning waste without a permit
- ORS 476.715:** Throwing away lighted material in a prohibited area
- ORS 477.515(1), (5):** Burning without a permit or in violation of a permit resulting in injury, loss of life, or damages
- ORS 477.710:** Fire spread prevention violation resulting in injury, loss of life, or damages
- ORS 477.740:** Unlawful use of fire resulting in injury, loss of life, or damages
- ORS 477.993(3):** Unauthorized entry into a fire scene or violation of fire prevention statutes or rules
- ORS 478.960(1):** Unlawful burning of commercial waste or other prohibited materials
- ORS 478.960(4):** Unlawful operation of equipment during fire season
- ORS 480.060:** Unlawful transportation of certain explosives
- ORS 480.070(1):** Unlawful possession of a firebomb
- ORS 480.120:** Unlawful sale, possession, or use of fireworks
- ORS 480.210:** Unlawful possession of explosives
- ORS 480.265:** Fail to report loss/theft/removal of explosive
- ORS 496.146:** Violation of Fish and Wildlife Commission rules
- ORS 496.695:** Aid assist counsel share in proceeds of wildlife violation
- ORS 496.992:** Violation of wildlife law with culpable mental state – misdemeanor
- ORS 496.994:** Obstructing the taking of wildlife
- ORS 496.996:** Unlawful taking of wildlife – decoy
- ORS chapter 497:** Wildlife offenses: licenses, tags, and permits – misdemeanor
- ORS chapter 498:** Wildlife offenses: hunting, angling, and wildlife regulations – misdemeanor
- ORS 498.016:** Taking crippled or helpless wildlife
- ORS chapter 501:** Wildlife offenses: refuges and closures – misdemeanor
- ORS chapter 506:** Commercial fishing and fisheries offenses: administration of commercial fishing laws – misdemeanor
- ORS chapter 508:** Commercial fishing and fisheries offenses: licenses and permits – misdemeanor

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS chapter 509:** Commercial fishing and fisheries offenses: general protective regulations – misdo
- ORS chapter 511:** Commercial fishing and fisheries offenses: local and special regulations – misdemeanor
- ORS 517.130:** Mineral trespass
- ORS 520.991:** Gas/oil conservation violation
- ORS 526.291:** No large commercial event permit
- ORS 526.299:** Allowing violation of large commercial event permit
- ORS 527.260(1):** Injuring forest tree belonging to another
- ORS 527.260(3):** Extracting pitch - permit violation
- ORS 527.672:** Applying herbicides by aircraft near a dwelling or school
- ORS 527.710, 527.990(1):** Violation of State Board of Forestry rules
- ORS 532.130:** Prohibited acts related to forest products
- ORS 537.130:** Appropriating water without a permit
- ORS 537.130:** Appropriating water without a permit for cannabis plant grow site
- ORS 537.387:** Unlawful water use at cannabis grow site
- ORS 537.535:** Unlawful use or appropriation of ground water
- ORS 537.535:** Unlawful use or appropriation of ground water for cannabis plant grow site
- ORS 537.747:** Violation of water well constructor licensing requirements
- ORS 537.898:** Hauling water, or arranging to haul water, to a grow site for cannabis plants
- ORS 537.898:** Providing false information regarding the hauling of water for cannabis plants
- ORS 540.461:** Failure to comply with order/rule relating to dams
- ORS 540.710:** Interfering with headgate or using water denied
- ORS 540.720:** Unauthorized use or waste of water
- ORS 540.730:** Interfering with use of or access to water
- ORS 549.400:** Obstruction, befoulment, or pollution of a ditch, lateral, canal, slough, waterway, or conduit
- ORS 550.390:** Waterway pollution
- ORS 571.501:** Violation of Oregon Hemp Commission requirements
- ORS chapter 604:** Animal offenses: brands and marks; feedlots – misdemeanor
- ORS chapter 607:** Animal offenses: livestock districts; stock running at large – misdemeanor
- ORS 609.341:** Violating exotic animal requirements
- ORS 609.405:** Violating requirements for destroying dogs and cats
- ORS 610.050:** Steal/take/molest trap/poison/device or captured animal
- ORS 618.096:** Prohibited act involving commercial weights and measures
- ORS 618.121:** Violating commercial weighing/measuring license requirement
- ORS 624.020:** Violating restaurant/bed and breakfast license requirements

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 624.320:** Violating vending machine, warehouse, commissary, or mobile unit license requirement
- ORS chapter 634:** Pesticide control offenses – misdemeanor
- ORS 646A.350:** Delivery of unrequested hazardous substances
- ORS 646A.702 to 646A.720:** Foreclosure consultant issue
- ORS 646A.725 to 646A.750:** Equity purchaser issues
- ORS 646A.765:** Violation of Mortgage Rescue Fraud Prevention Act
- ORS 647.140:** Trademark counterfeiting in the third degree
- ORS 648.992:** Signing a false document
- ORS 649.080:** Unauthorized display of name or insignia of motor vehicle association
- ORS 656.990(1):** Making false statement to Workers' Comp
- ORS 656.990(2):** Submitting false payroll report to Workers' Comp
- ORS 657B.900:** Violation of family and medical leave insurance law
- ORS 657B.900:** Willful violation of family and medical leave insurance law
- ORS 658.250:** Violation of employment listing service rules
- ORS 659.990:** Miscellaneous prohibitions relating to employment and discrimination
- ORS 659A.810:** Willful interference with administration of law and violation of orders of commissioner
- ORS 671.530:** Violating landscape construction/contracting license requirements
- ORS 671.992:** Violation of State Landscape Architecture Board rule
- ORS 676.110:** Unlawful use of doctor title
- ORS 676.115:** Unlawful use of nurse title
- ORS 676.120:** Unlawful use of deceased licensee's name
- ORS 676.789:** Sign language interpretation violation
- ORS 677.080:** Prohibited acts in medicine, podiatry, and acupuncture
- ORS 678.021:** Practicing nursing without a license
- ORS 678.023:** Unlawful use of nurse title
- ORS 678.025:** Unlawful use of advanced practice registered nurse title
- ORS 684.020:** Practicing chiropractic without a license
- ORS 686.020(1)(a):** Practicing veterinary medicine, surgery or dentistry without a license
- ORS 687.021:** Violation of massage license or permit requirements
- ORS 689.225:** Unlawfully engaging in the practice of pharmacy
- ORS 689.527:** Prohibited acts regarding drug sales
- ORS 690.015:** Prohibited acts related to cosmetic professionals
- ORS 690.360:** Viol prohibitions - electrology/tattoo/body pierce/etc.
- ORS 697.702:** Interfere with records of a debt management service provider
- ORS 701.021:** Violation of construction contractor license requirement
- ORS 701.990(2):** Unauthorized use of a contractor's license

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 701.990(3):** Use of a contractor's license with intent to deceive
- ORS 702.012:** Violation of athlete agent registration requirements
- ORS 702.027:** Intentional violation of restrictions on athlete agents
- ORS 703.993:** Practicing as an investigator without a license
- ORS 704.020:** Fail register outfitter/guide
- ORS 704.021:** Out/guide-no proof compliance
- ORS 704.030(1):** False statement in reg application
- ORS 704.030(2):** Carry pass exceed insurance limit
- ORS 704.030(3):** Out/guide-no license/reg/decals
- ORS 704.065:** Outfitter/guide-no boat decals
- ORS 726.040:** Engaging in pawnbroker business without a license
- ORS 802.189:** Knowingly obtaining/using personal info from MV record
- ORS 802.195:** Unlawfully obtaining or using SSN from MV record
- ORS 803.070:** False statement on title or transfer of vehicle
- ORS 803.075:** False swearing relating to titling of vehicles
- ORS 803.085:** Selling an untitled vehicle
- ORS 803.114:** Knowingly submitting false notice of transfer
- ORS 803.225:** Fail to designate replica/specially constructed vehicle
- ORS 803.375:** False application for vehicle registration
- ORS 803.385:** False swearing relating to registration of vehicles
- ORS 805.350:** Violation of farm registration limits
- ORS 805.360:** Failure to register a farm vehicle properly
- ORS 805.370:** False certification on farm registration
- ORS 806.050:** Falsification of financial responsibility
- ORS 806.050(1)(c):** False certification of financial responsibility
- ORS 806.055:** Giving false liability insurance information to police
- ORS 806.300:** Failure to surrender license/registration
- ORS 807.430:** Misuse of identification card
- ORS 807.510:** Transfer documents for misrepresentation
- ORS 807.520:** False swearing to receive license
- ORS 807.530:** False application for license
- ORS 807.570:** Failure to carry or present license
- ORS 807.580:** Using invalid license
- ORS 807.590:** Permitting misuse of license
- ORS 807.600:** Using another's license
- ORS 809.110:** Failure to surrender canceled registration or title
- ORS 809.500:** Failure to return suspended/revoked/canceled license
- ORS 811.127:** Organizing a speed racing event

ORS 811.140: Reckless driving
ORS 811.172: Improperly disposing of human waste
ORS 811.231: Reckless endangerment of highway workers
ORS 811.507: Operating motor vehicle while using mobile electronic device (third offense in 10 years)
ORS 811.700: Failure to perform duties of a driver – property
ORS 811.740: False accident report
ORS 813.050: Out-of-service orders for operators of commercial motor vehicles
ORS 815.085: Servicing with or selling unapproved brake fluid
ORS 815.090: Replacement of vehicle windows with unapproved material
ORS 815.095: Unlawful sale/install/representation pollution control system
ORS 815.233: Causing unreasonable sound amplification - 3 or more priors
ORS 815.305: Disconnection/alteration of pollution control equipment
ORS 815.320: Unlawful certification of compliance with pollution control regulations
ORS 815.325: Unlawful requiring repair for pollution control requirements certification
ORS 815.415: Unlawful repair of an odometer
ORS 815.420: Unlawfully removing an odometer repair notice
ORS 815.425: Failure to submit an odometer disclosure
ORS 818.400: Failure to comply with commercial vehicle enforcement requirements
ORS 819.010: Failure to comply with vehicle destruction requirements
ORS 819.012: Failure to follow procedures for a totaled vehicle
ORS 819.018: Failure to notify purchaser of vehicle condition
ORS 819.040: Illegal salvage procedures
ORS 819.420: Failure to obtain vehicle ID number
ORS 819.430: Trafficking in vehicles with destroyed/altered ID numbers
ORS 821.260: Hunting/harassing animals from snowmobile/ATV
ORS 822.005: Acting as a vehicle dealer without a certificate
ORS 822.045: Vehicle dealer offenses
ORS 822.055: Fail to return revoked/canceled/suspended dealer certification
ORS 822.060: Illegal consignment practices
ORS 822.065: Violation of a consigned vehicle transfer
ORS 822.070: Conducting an illegal vehicle rebuilding business
ORS 822.090: Unlawful subleasing of a motor vehicle
ORS 822.100: Conducting motor vehicle dismantling without certificate
ORS 822.135: Improperly conducting vehicle dismantling business
ORS 822.150: Fail to return revoked/canceled/susp dismantler cert/ID
ORS 822.200: Operating an illegal towing business
ORS 822.325: Fail to return revoked/suspended vehicle transporter certificate
ORS 822.500: Operating commercial driver training school without certificate

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 825.990(2): Violation of out-of-service notice
- ORS 825.990(3): Violation of hazardous waste regulations
- ORS 830.035(2): Boat operator fleeing or attempting to elude
- ORS 830.053: False report of boat theft
- ORS 830.315: Reckless boating
- ORS 830.325: Boating DUII
- ORS 830.383: Failure to remedy hazardous boating condition
- ORS 830.450: Violation of Charter Boat Equipment Requirements
- ORS 830.475(1): Failure to perform duties of boat operator
- ORS 830.591: Failure to proceed to aquatic invasive species check station
- ORS 830.730: False statement/information to peace officer or Marine Board
- ORS 830.955(1): Unlawful installation of submersible polystyrene device
- ORS 830.992: Conceal/misrepresent boat's identity ORS 837.080: Prohibited operation of an aircraft
- ORS 837.365(2)(a): Unlawful operation of an unmanned aircraft system
- ORS 837.370(3)(c): Unlawful operation of an unmanned aircraft system over private premises
 - prior convictions

Any non-person Class C felony, except those offenses listed in Guideline 2 or 3:

- ORS 86A.103: Engaging in residential mortgage transactions without a license
- ORS 86A.154: Fraud/deceit regarding mortgage banker/broker business
- ORS 97.745: Indian graves and protected objects – prohibited acts
- ORS 109.281: Charge/accept/pay prohibited adoption fees
- ORS 161.405: Attempt to commit a non-person Class B felony
- ORS 161.435: Solicitation to commit a non-person Class B felony
- ORS 161.450: Conspiracy to commit a non-person Class C felony
- ORS 162.065: Perjury
- ORS 162.265: Bribing a witness
- ORS 162.275: Bribe receiving by a witness
- ORS 162.305(2)(b): Tampering with lottery records
- ORS 162.325: Hindering prosecution
- ORS 162.355: Simulating legal process
- ORS 162.365(3)(b): Criminal impersonation of a peace officer, judge, or justice of the peace
- ORS 162.367: Criminal impersonation of a peace officer
- ORS 163.452: Custodial sexual misconduct in the first degree (if the offender is under 18 years of age)
- ORS 163.715(2)(b): Unlawful use of a global positioning system device
- ORS 163A.040(3)(b): Failure to report as a sex offender

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 164.055: Theft in the first degree
- ORS 164.125(5)(c): Theft of services over \$1,000
- ORS 164.135: Unauthorized use of a vehicle
- ORS 164.138: Criminal possession of a rented motor vehicle
- ORS 163A.040(3)(b): Failure to report as a sex offender
- ORS 164.055: Theft in the first degree
- ORS 164.125(5)(c): Theft of services over \$1,000
- ORS 164.135: Unauthorized use of a vehicle
- ORS 164.138: Criminal possession of a rented motor vehicle
- ORS 164.140(4)(b): Criminal possession of rented or leased personal property over \$500
- ORS 164.162: Mail theft or receipt of stolen mail
- ORS 164.172: Engaging in a financial transaction in property derived from unlawful activity
- ORS 164.215: Burglary in the second degree
- ORS 164.315: Arson in the second degree
- ORS 164.338: Arson incident to the manufacture of a controlled substance in the second degree.
- ORS 164.365: Criminal mischief in the first degree
- ORS 164.377(3): Computer crime – Alter/damage/destroy computer
- ORS 164.377(5)(b): Computer crime – Oregon State Lottery
- ORS 164.868: Unlawful labeling of a sound recording
- ORS 164.869: Unlawful recording of a live performance
- ORS 164.872: Unlawful labeling of a videotape recording
- ORS 164.885(1): Endangering aircraft in the first degree
- ORS 164.886: Unlawful tree spiking
- ORS 164.889: Interference with agricultural research
- ORS 165.013: Forgery in the first degree
- ORS 165.022: Criminal possession of a forged instrument in the first degree
- ORS 165.032: Criminal possession of a forgery device
- ORS 165.055(4)(b): Fraudulent use of a credit card over \$1000
- ORS 165.065(3)(b): Negotiating a bad check with prior conviction for the same or theft by deception by means of a check
- ORS 165.070: Possessing fraudulent communications device
- ORS 165.074: Unlawful factoring of payment card transaction
- ORS 165.085: Sports bribery
- ORS 165.090: Sports bribe receiving
- ORS 165.579: Cellular counterfeiting in the second degree
- ORS 165.692: Making false claim for health care payment
- ORS 165.800: Identity theft

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 165.810: Unlawful possession of a personal identification device
- ORS 165.813: Unlawful possession of fictitious identification
- ORS 166.015: Riot
- ORS 166.023(2)(b): Disorderly conduct in the first degree
- ORS 166.085: Abuse of a corpse in the second degree
- ORS 166.382: Unlawful possession of a destructive device
- ORS 166.384: Unlawful manufacture of a destructive device
- ORS 166.438(5)(b): Transfer of firearms at gun shows with two prior convictions for the same
- ORS 166.450: Obliteration or change of identification number on firearms
- ORS 166.642: Felon in possession of body armor
- ORS 166.651: Throwing an object off an overpass in the first degree
- ORS 166.660: Unlawful paramilitary activity
- ORS 167.062(3): Sodomasochistic abuse or sexual conduct in a live show
(financing/management)
- ORS 167.109: Internet gambling
- ORS 167.127: Unlawful gambling in the first degree
- ORS 167.137: Possession of gambling records in the first degree
- ORS 167.164: Possession of a gray machine
- ORS 167.167: Cheating
- ORS 167.212: Tampering with drug records
- ORS 167.312: Research and animal interference (over \$2500)
- ORS 167.325(3): Animal neglect in the second degree with 2 priors, or 11 or more animals, or
in the presence of a child with prior DV
- ORS 167.330(3): Animal neglect in the first degree with one prior, or 10 animals, or in the
presence of a child
- ORS 167.333: Sexual assault of an animal, where offense is not designed as a sex crime
- ORS 167.355: Involvement in animal fighting
- ORS 167.431: Participation in cockfighting
- ORS 167.388: Interference with livestock production (damage under \$2500)
- ORS 167.339: Assaulting a law enforcement animal
- ORS 167.365: Dogfighting
- ORS 167.370: Participating in dogfighting
- ORS 167.372: Possessing dogfighting paraphernalia
- ORS 167.428: Cockfighting
- ORS 167.439: Forcible recovery of a fighting bird
- ORS 244.355: Failing to file complete/accurate trading statement
- ORS 247.125: Unlawful alteration of a voter registration card
- ORS 260.402: Make/receive/record contribution in false name

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

- ORS 260.555: Prohibitions relating to circulation, filing, or certification of initiative, referendum, or recall petition
- ORS 260.558: Unlawful payment related to certain election petitions
- ORS 260.665(2)(e): Undue influence regarding political contribution
- ORS 260.715: Prohibited conduct – elections
- ORS 279C.875: Wage violations by a contractor or subcontractor
- ORS 314.075: Tax evasion
- ORS 314.835: Disclosure of tax return/report information
- ORS 323.480: Penalties for cigarette and tobacco product violations
- ORS 323.482(2)(b), (c): Unlawful distribution of cigarettes
- ORS 323.630(3): Distributing tobacco products without a license
- ORS 323.630(4): False reports per the Tobacco Products Tax Act
- ORS 323.630(5): Transport tobacco - no permit; invoice; bill of lading
- ORS 323.630(7): Fraudulent tobacco receipts or invoices
- ORS 359.240: Diverting proceeds from a consigned work of fine art
- ORS 411.630: Unlawfully obtain public assistance or attempt/aid/abet
- ORS 411.675: Obtain/attempt to obtain pay furnish public asst recipient need
- ORS 411.840: Obtain/attempt/aid or abet/dispose food stamp benefit
- ORS 432.993: Unlawful use of a vital record or report
- ORS 433.010(1): Willfully causing the spread of a communicable disease
- ORS 462.415(2): Unlawful entry of an animal in a race
- ORS 468.953: Supplying false information to an agency
- ORS 471.440: Unlicensed manufacturing of liquor
- ORS 475.752(1)(c): Manufacture/delivery of a controlled substance in Schedule III
- ORS 475.752(2)(c): Manufacture/delivery counterfeit substance in Schedule III
- ORS 475.752(8): Unlawful possession of a Schedule II controlled substance
- ORS 475.806: Manufacture of hydrocodone
- ORS 475.810(2): Delivery of hydrocodone
- ORS 475.824: Unlawful possession of methadone
- ORS 475.834: Unlawful possession of oxycodone
- ORS 475.884: Unlawful possession of cocaine
- ORS 475.894: Unlawful possession of methamphetamine
- ORS 475.914(2)(a): Prohibited acts - controlled substance Schedule I
- ORS 475.967: Possession of a precursor substance
- ORS 475.977: Possessing or disposing of methamphetamine manufacturing waste
- ORS 475C.229: Unlawful import or export of a marijuana item
- ORS 475C.337: Unlawful possession of a marijuana item
- ORS 475C.341: Unlawful possession of a marijuana item by a person under 21 years of age

Guideline 1: Release on personal recognizance on a release agreement with the general conditions in ORS 135.250

ORS 475C.345: Unlawful delivery of a marijuana item
ORS 475C.349: Unlawful manufacture of a marijuana item
ORS 475C.361: Arson incident to manufacture of cannabinoid extract in the second degree
ORS 496.992: Violation of wildlife law with culpable mental state – felony
ORS chapter 498: Wildlife offenses: hunting, angling, and wildlife regulations – felony
ORS chapter 506: Commercial fishing and fisheries offenses: administration of commercial fishing laws – felony
ORS 526.806: Unlawful export of unprocessed timber
ORS 532.140: Prohibited acts related to forest product brands and marks
ORS 647.145: Trademark counterfeiting in the second degree
ORS 677.080(4): Practicing medicine without a license
ORS 679.020(1): Practicing dentistry without a license
ORS 702.030: Violation of restrictions on inducement of student athletes
ORS 702.054(1): Athlete agent fail to give notice of contract
ORS 803.080: Unlawfully publishing certificate of title forms
ORS 803.230: Forge/alter/produce/use vehicle titles/registration
ORS 807.500: Unlawful production ID/license/permit/form/camera card
ORS 811.127: Organizing a speed racing event
ORS 815.410: Illegal odometer tampering
ORS 815.430: Submitting a false odometer disclosure
ORS 819.300: Possession of a stolen vehicle
ORS 819.310: Trafficking in stolen vehicles
ORS 822.605: False swearing regarding vehicle related business regulation
ORS 830.475: Failure to perform duties of boat operator – injury or death
ORS 837.995: Intentionally interfering with unmanned aircraft

Any driving while suspended offense defined in ORS 811.182, except for aggravated driving while suspended as defined in ORS 163.196:

Includes attempt, solicitation, or conspiracy to commit driving while suspended

Any other offense that is not included (but not limited to the following) in Guideline 2 or 3:

ORS 468.951: Environmental endangerment
ORS 651.991(1): Employer violation of safety regulation, rule, standard, or order
ORS 651.991(2): Unauthorized advance inspection notice
ORS 651.992(3): False statement/representation/certification safety filing

Guideline 2: Release on court-imposed conditions

Any non-domestic violence person misdemeanor, as defined in OAR 213-003-0001(15):

- ORS 161.405:** Attempt to commit a non-domestic violence person Class C/unclassified felony
- ORS 161.435:** Solicitation to commit a non-domestic violence person misdemeanor or Class C felony
- ORS 161.450:** Conspiracy to commit a non-domestic violence person misdemeanor
- ORS 163.160:** Assault in the fourth degree (if domestic violence, then Guideline 3)
- ORS 163.187:** Strangulation (if domestic violence, then Guideline 3)
- ORS 163.190:** Menacing
- ORS 163.192:** Endangering person protected by FAPA order
- ORS 163.195:** Recklessly endangering another person
- ORS 163.200:** Criminal mistreatment in the second degree
- ORS 163.212:** Unlawful use of an electrical stun gun, tear gas or mace in the second degree (if domestic violence, then Guideline 3)
- ORS 163.465:** Public indecency
- ORS 163.472:** Unlawful dissemination of an intimate image
- ORS 163.476:** Unlawfully being in a location where children regularly congregate
- ORS 163.545:** Child neglect in the second degree
- ORS 163.575:** Endangering the welfare of a minor
- ORS 163.700:** Invasion of personal privacy in the second degree
- ORS 163.709:** Unlawful directing of light from a laser pointer
- ORS 163.732(2)(a):** Stalking (non-domestic violence)
- ORS 165.815:** Criminal impersonation
- ORS 166.065(4):** Harassment (if domestic violence, then Guideline 3)
- ORS 166.155:** Bias crime in the second degree (if domestic violence, then Guideline 3)
- ORS 166.385:** Possession of a hoax destructive device
- ORS 609.098, 609.990(3)(a):** Maintaining a dangerous dog
- ORS 811.060:** Vehicular assault (if domestic violence, then Guideline 3)
- ORS 837.374(2), (3):** Unlawful interference with aircraft, if aircraft manned at time of offense

Any driving under the influence of intoxicants (DUI) offense (ORS 813.010, ORS 813.011).

Includes attempt, solicitation, or conspiracy to commit DUI

Any non-domestic violence Class B felony and any non-domestic violence person Class C felony as defined in OAR 213-003-0001(14), except for those offenses included in Guideline 3 to be held for arraignment:

Guideline 2: Release on court-imposed conditions

- Oregon Laws 2023, chapter 229, section 4 (HB 2005):** Selling or transferring a firearm without a serial number – two or more prior convictions
- ORS 59.055:** Unlawful offer or sale of securities
- ORS 59.135:** Fraud/deceit regarding securities/securities business
- ORS 59.165:** Violation of broker/advisor/salesperson license requirements
- ORS 97.981:** Purchase or sale of body parts prohibited
- ORS 97.982:** Alteration of document of anatomical gift prohibited
- ORS 161.405:** Attempt to commit a non-domestic violence Class A felony or a non-domestic violence person Class B felony (if domestic violence, then Guideline 3)
- ORS 161.435:** Solicitation to commit a non-domestic violence Class A felony or non-domestic violence person B felony
- ORS 161.450:** Conspiracy to commit a non-domestic violence Class B felony or a non-domestic violence person Class C felony
- ORS 162.015:** Bribe giving
- ORS 162.025:** Bribe receiving
- ORS 162.117:** Public investment fraud
- ORS 162.185:** Supplying contraband (drugs)
- ORS 162.185:** Supplying contraband (weapons)
- ORS 163.160(3):** Assault in the fourth degree (if domestic violence, then Guideline 3)
- ORS 163.193:** Assisting another person to commit suicide
- ORS 163.196:** Aggravated driving while suspended or revoked
- ORS 163.205:** Criminal mistreatment in the first degree
- ORS 163.207:** Female genital mutilation
- ORS 163.208:** Assaulting a public safety officer
- ORS 163.213:** Unlawful use of an electrical stun gun, tear gas or mace in the first degree
- ORS 163.245, 163.257:** Custodial interference in any degree
- ORS 163.263, 163.264:** Subjecting another person to involuntary servitude in any degree
- ORS 163.275:** Coercion
- ORS 163.432:** Online sexual corruption of a child - second degree (if a sex crime then Guideline 3)
- ORS 163.433:** Online sexual corruption of a child-first degree
- ORS 163.472(2)(b):** Unlawful dissemination of an intimate image, with prior conviction for the same
- ORS 163.479:** Unlawful contact with a child
- ORS 163.515:** Bigamy
- ORS 163.525:** Incest with a non-child victim
- ORS 163.535:** Abandonment of a child
- ORS 163.537:** Buying or selling a person under 18 years of age

Guideline 2: Release on court-imposed conditions

- ORS 163.547:** Child neglect in the first degree
- ORS 163.555:** Criminal nonsupport
- ORS 163.689:** Possession of materials depicting sexually explicit conduct of a child in the second degree
- ORS 164.057:** Aggravated theft in the first degree
- ORS 164.075:** Theft by extortion
- ORS 164.098:** Organized retail theft
- ORS 164.125(5)(d):** Theft of services over \$10,000
- ORS 164.170:** Laundering a money instrument
- ORS 164.377(2)(c):** Computer crime – theft of an intimate image
- ORS 164.395:** Robbery in the third degree
- ORS 164.886(3):** Unlawful tree spiking that results in physical injury to another person
- ORS 165.074(3):** Unlawful factoring of payment card transaction with prior conviction for same
- ORS 165.581:** Cellular counterfeiting in the first degree
- ORS 165.803:** Aggravated identity theft
- ORS 166.070:** Aggravated harassment
- ORS 166.087(1)(b):** Abuse of a corpse in the first degree
- ORS 166.125:** Domestic terrorism in the first degree
- ORS 166.220:** Unlawful use of a weapon
- ORS 166.265:** Manufacturing, importing, selling, or transferring an undetectable firearm
- ORS 166.265:** Possession of an undetectable firearm – prior conviction
- ORS 166.267:** Import/offer for sale/sell/transfer an unfinished frame or receiver – two or more prior convictions
- ORS 166.385(3):** Possession of a hoax destructive device during the commission of a felony
- ORS 166.410:** Manufacture/import/sale/transfer of firearm or silencer
- ORS 166.429:** Firearms used in a felony
- ORS 166.435(5)(b):** Firearm transfers by unlicensed persons with prior conviction for the same
- ORS 166.643:** Unlawful possession of body armor
- ORS 167.320(4):** Animal abuse in the first degree while committing other enumerated crimes
- ORS 167.322:** Aggravated animal abuse in the first degree
- ORS 323.482(2)(d):** Unlawful distribution of cigarettes
- ORS 468.926:** Dispo/store/treat hazardous waste in the first degree
- ORS 468.939:** Unlawful air pollution in the first degree
- ORS 468.946:** Unlawful water pollution in the first degree
- ORS 475.752(1)(b):** Manufacture/delivery controlled substance in Schedule II
- ORS 475.752(2)(b):** Manufacture/delivery counterfeit substance in Schedule II
- ORS 475.752(6)(a):** Manufacture or delivery of substance causing death

Guideline 2: Release on court-imposed conditions

- ORS 475.752(7):** Unlawful possession of a Schedule I controlled substance
- ORS 475.810(3):** Delivery of hydrocodone to a minor
- ORS 475.816:** Unlawful manufacture of methadone
- ORS 475.820:** Delivery of methadone
- ORS 475.826:** Manufacture of oxycodone
- ORS 475.830(2):** Delivery of oxycodone
- ORS 475.854:** Unlawful possession of heroin
- ORS 475.874:** Unlawful possession of 3,4- methylenedioxymethamphetamine
- ORS 475.876:** Manufacture of cocaine
- ORS 475.890(2):** Delivery of cocaine
- ORS 475.890(2):** Delivery of methamphetamine
- ORS 475C.337:** Unlawful possession of a marijuana item
- ORS 475C.341:** Unlawful possession of a marijuana item by a person under 21 years of age
- ORS 475C.349:** Unlawful manufacture of a marijuana item
- ORS 475C.365:** Causing another person to ingest marijuana
- ORS 609.098, 609.990(3)(b):** Maintaining dangerous dog resulting in death
- ORS chapter 645:** Trade regulations and practices: commodity transactions
- ORS 646.725:** Restraint of trade or commerce
- ORS 646.730:** Monopolize trade or commerce
- ORS 647.150:** Trademark counterfeiting in the first degree
- ORS 811.705:** Failure to perform duties of a driver – injury
- ORS 837.365(2)(b), (2)(c):** Unlawful operation of an unmanned aircraft system

Guideline 3: Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)

Any violent felony, as defined in ORS 135.240, and any offense in ORS 137.700, which include but are not limited to the following:

ORS 161.405, 161.435, 161.450: Attempt, solicitation, or conspiracy to commit a violent felony, as defined in ORS 135.240, and any offense in ORS 137.700.

ORS 163.095, 163.107, 163.115, 163.118, 163.125, 163.145, and 163.149: Any degree of murder, manslaughter, or homicide

ORS 163.165, 163.175, 163.185: Assault in the first, second, or third degree

ORS 163.225, 163.235: Kidnapping in the first or second degree

ORS 163.365, 163.375: Rape in the first or second degree

ORS 163.395, 163.405: Sodomy in the first or second degree

ORS 163.408, 163.411: Unlawful sexual penetration in the first or second degree

ORS 163.427: Sex abuse in the first degree

ORS 163.670: Using a child in a display of sexually explicit conduct

ORS 164.325: Arson in the first degree

ORS 164.405, 164.415: Robbery in the first or second degree

ORS 166.005: Treason

ORS 167.017: Compelling prostitution

Any Class A felony:

ORS 161.405: Attempt to commit any degree of murder or aggravated murder or treason

ORS 161.435: Solicitation of murder or treason

ORS 161.450: Conspiracy to commit a Class A felony, murder, or treason

ORS 164.225: Burglary in the first degree

ORS 164.325: Arson in the first degree

ORS 164.342: Arson incident to the manufacture of a controlled substance in the first degree

ORS 166.275: Unlawful possession of a weapon by a prison inmate

ORS 166.720: Racketeering

ORS 167.262: Use of a minor in controlled substance offense

ORS 475.752(1)(a): Manufacture or delivery of a Schedule I controlled substance, aside from methamphetamine

ORS 475.752(2)(a): Manufacture or delivery of a counterfeit Schedule I substance

ORS 475.818, 475.820(3), 475.822: Unlawful manufacture or delivery of methadone within 1000 feet of school, or delivery to someone under 18

ORS 475.828, 475.930(3), 475.832: Unlawful manufacture or delivery of oxycodone within 1000 feet of school, or delivery to someone under 18

Guideline 3: Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)

- ORS 475.846, 475.850, 475.852, 475.848:** Unlawful manufacture or delivery of heroin, including within 1000 feet of school
- ORS 475.866, 475.868, 475.870, 475.872:** Unlawful manufacture or delivery of MDMA, including within 1000 feet of school
- ORS 475.880(3), 475.882, 475.878:** Unlawful manufacture or delivery of cocaine within 1,000 feet of school, or delivery to someone under 18
- ORS 475.888, 475.890(3), 475.892:** Unlawful manufacture or delivery of methamphetamine or delivery to someone under 18
- ORS 475.904:** Unlawful manufacture or delivery of controlled substance within 1,000 feet of school
- ORS 475.906(1):** Penalties for unlawful deliveries to minors (Schedule I or II substance)
- ORS 475.908(2):** Causing another person to ingest a controlled substance
- ORS 475.910(1):** Application of a Schedule I or II controlled substance to the body of another person
- ORS 475C.357:** Arson incident to manufacture of cannabinoid extract in the first degree
- ORS 475C.365:** Causing another person to ingest marijuana without their consent
- ORS 475C.369:** Administration of marijuana to another person under 18
- ORS 837.374:** Interference of unmanned aircraft system with aircraft - death or serious physical injury
- ORS 837.995:** Unmanned aircraft system – causing or attempting to cause firing of bullet or other projectile

Any sex crime (whether designated or not), as defined in ORS 163A.005, including any luring a minor, purchasing sex with a minor, and first-degree invasion of personal privacy, and any attempt to commit luring a minor, purchasing sex with a minor, and first-degree invasion of personal privacy:

- ORS 161.405, 161.450:** Attempt or conspiracy to commit a sex crime or any offense listed below, except burglary with the intent to commit a sex crime.
- ORS 163.225:** Kidnapping in the second degree with a child victim, with certain exceptions
- ORS 163.235:** Kidnapping in the first degree with a child victim
- ORS 163.266(a), (b), or (c):** Trafficking in persons
- ORS 163.355, 163.365, 163.375:** Rape in any degree
- ORS 163.385, 163.395, 163.405:** Sodomy in any degree
- ORS 163.408, 163.411:** Unlawful sexual penetration in any degree
- ORS 163.413:** Purchasing sex with a minor
- ORS 163.415, 163.425, 163.427:** Sexual abuse in any degree
- ORS 163.429:** Sexual abuse by fraudulent representation

Guideline 3: Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)

- ORS 163.432, 163.433:** Online sexual corruption of a child in any degree with reasonable knowledge of a five-year (or more) age difference
- ORS 163.435:** Contributing to the sexual delinquency of a minor
- ORS 163.445, 163.452, 163.454:** Sexual misconduct if the offender is over 18 years of age
- ORS 163.465(2)(b), 163.467:** Public or private indecency with a prior sex crime conviction
- ORS 163.525:** Incest with a child victim
- ORS 163.670:** Using a child in a display of sexually explicit conduct
- ORS 163.684, 163.686, 163.687:** Encouraging child sexual abuse in any degree
- ORS 163.688:** Possession of materials depicting sexually explicit conduct of a child in the first degree
- ORS 163.701:** Invasion of personal privacy in the first degree
- ORS 164.215, 164.225:** Burglary in any degree, when the intended crime is a sex crime
- ORS 166.087(1)(a):** Abuse of a corpse in the first degree
- ORS 167.012:** Promoting prostitution
- ORS 167.017:** Compelling prostitution
- ORS 167.057:** Luring a minor
- ORS 167.333:** Sexual assault of an animal, where the offense is designated as a sex crime

Any domestic violence felony or misdemeanor (ORS 135.230):

Includes any attempt of a domestic violence felony or misdemeanor.

- **ORS 135.230** defines “**domestic violence**” as abuse between family or household members.
 - “**Abuse**” means:
 - Attempting to cause or intentionally, knowingly, or recklessly causing physical injury;
 - Intentionally, knowingly, or recklessly placing another in fear of imminent serious physical injury; or
 - Committing sexual abuse in any degree as defined in ORS 163.415, 163.425, and 163.427.
 - “**Family or household members**” means any of the following:
 - Spouses or former spouses;
 - Adult persons related by blood or marriage;
 - Persons cohabitating with each other;
 - Persons who have cohabitated with each other or been involved in a sexually intimate relationship; or
 - Unmarried parents of a minor child.

Guideline 3: Hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b)

- Misdemeanor DV offenses include, but are not limited to:
- **ORS 163.160**: Assault in the fourth degree
- **ORS 163.187**: Strangulation
- **ORS 163.212**: Use of ESG/tear gas/mace in the second degree
- **ORS 163.415**: Sexual abuse in the third degree
 - **ORS 166.025**: Disorderly conduct in the second degree
 - **ORS 166.065(3), (4)**: Harassment
 - **ORS 166.155(1)(b), 166.155(1)(c)**: Bias crime in the second degree
 - **ORS 166.190**: Pointing a firearm at another
 - **ORS 811.060**: Vehicular assault

Any felony stalking, as described in ORS 163.732, any violation of a stalking protective order as described in ORS 163.750, and felony strangulation as described in ORS 163.187.

The following Class B felony-controlled substance offenses:

ORS 475.808: Manufacture of hydrocodone within 1,000 feet of a school

ORS 475.812: Delivery of hydrocodone within 1,000 feet of a school

ORS 475.906(2): Delivery to minor of controlled substance Schedule III

ORS 475.908(1): Causing another person to ingest a controlled substance

ORS 475.910(2): Applying a Schedule III controlled substance to the body of a minor

ORS 475.886: Manufacture of methamphetamine

ORS 475.962: Distribution of equipment, solvent, reagent, or precursor substance with intent to facilitate manufacture of controlled substance

The following felony-and misdemeanor-controlled substance offenses involving minors:

ORS 167.262: Using a minor in a controlled substance offense

ORS 475.906(3): Unlawful delivery of a Schedule IV controlled substance to a minor

ORS 475.906(4): Unlawful delivery of a Schedule V controlled substance to a minor

ORS 475.910(3): Applying a Schedule IV controlled substance to the body of a minor

ORS 475.910(4): Applying a Schedule V controlled substance to the body of a minor

Any of the following offenses (does not include attempt, solicitation, or conspiracy to commit these offenses):

ORS 133.747: Fugitive from justice

ORS 162.145, 162.155, 162.165: Escape in any degree
ORS 162.175: Unauthorized departure
ORS 162.195, 162.205: Failure to appear in any degree
ORS 162.285: Tampering with a witness
ORS 162.315: Resisting arrest
ORS 162.385: Giving false information to a peace officer
ORS 166.165: Bias crime in the first degree
ORS 166.270: Felon in possession of a firearm
ORS 166.272: Unlawful possession of machine guns, certain short-barreled firearms, and
firearm silencers
ORS 166.370: Possession of a firearm or dangerous weapon in a public building or court
facility
ORS 807.620: Giving false information to a peace officer
ORS 811.540: Fleeing or attempting to elude