

DESCHUTES COUNTY PUBLIC SAFETY COORDINATING COUNCIL MEETING

Via ZOOM:

<https://us02web.zoom.us/j/88103424024?pwd=Wk5WaU5oWVZld3drSDY4ZlVNZlZTUT09>

Meeting ID: 881 0342 4024 Passcode: 736013

Tuesday, July 2, 2023; 3:30pm

Agenda

- I. Call to Order & Introductions**
Chair Presiding Judge Wells Ashby


- II. May Minutes** **Attachment 1**
Chair Ashby
Action: Approve May Minutes

- III. Public Comment**
Chair Ashby

- IV. Pretrial programming** **Attachment 2**
Updated PJO: Wells Ashby, Presiding Judge
Defense Crisis: Wells Ashby, Presiding Judge
Updated Electronic Monitoring Program: Trevor Stephens **Attachment 3**
Discussion

- V. HB 4002 Deflection Program Application and Updates**
TBD (Deschutes County Sheriff's Office)
Discussion

- VI. Agency Updates and Other Business**
Chair Ashby

	<p>Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please call (541) 388-6584 or send email to erik.kropp@deschutes.org.</p> <p>Condado de Deschutes alienta a las personas cualificadas con discapacidad a participar en sus programas y actividades. Esta evento/ubicación es accesible para personas con discapacidad. Si necesita hacer arreglos para hacer posible la participación, llame al (541) 388-6584 o envíe un correo electrónico a erik.kropp@deschutes.org.</p>
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Reminder!

Meeting **agendas and materials** are now located here: <https://www.deschutes.org/meetings>.

As monthly meeting minutes are approved, they'll also be posted in the "past meetings" tab.

Meetings also appear on the Deschutes County Events Calendar: <https://www.deschutes.org/calendar>.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE 11TH JUDICIAL DISTRICT
DESCHUTES COUNTY

FILED
2024
JUN 21
10:52 AM
CLERK OF COURT
DESCHUTES COUNTY
OREGON

In the Matter of Pretrial Release by Sheriff) Presiding Judge Order No. 2024-05
or Release Assistance Officer or other) Order Regarding Pretrial Release in
Designee) Deschutes County

Pursuant to ORS 135.233 and consistent with CJO No. 24-014, effective June 21, 2024, this Order directs the Sheriff, Release Assistance Officer, or other Designee of the Deschutes County Sheriff's Office Adult Jail to follow the release determinations for those individuals that are:

- a) Subject to release on recognizance;
- b) Subject to release with special conditions as specified in the order; and
- c) That are not eligible for release until arraignment.

Section 1: Authorization Criteria for Pretrial Release

Persons charged with the following offenses are to be released on recognizance, released on conditions, or held for arraignment subject to application of overriding circumstances described below in Section 3.

The State Court Administrator maintains a release guidelines categorization list of all Oregon misdemeanor and felony crimes, with each crime organized by release guideline category. Step 1 of this process is to identify the charge, located at: www.courts.oregon.gov/programs/pretrial.

Release Type: (1)

Release on personal recognizance on a release agreement with the general conditions in ORS 135.250 to include no contact with an alleged victim and obey all laws.

Offense Type:

Any non-person misdemeanor, except those offenses listed in Guideline 2 or 3;
Any nonperson Class C felony, except those offenses listed in Guideline 2 or 3;
Any driving while suspended offense

*Contact pre-trial services within 1 business day of release at (541) 312-6032 to schedule an assessment/screening. Abide by conditions of pre-trial release and check-in with pretrial services deputy as directed.

*Applies to C felony drug and property crimes only (except those listed in Guideline 2 or 3).

defined in ORS 811.182 except for a aggravated driving while suspended as defined in ORS 163.196; and any other Offense that is not included in Guideline 2 or 3.

(2) Release on conditions specified below As imposed by the court all defendants charged with...

Any non-domestic violence person misdemeanor, as defined in OAR 213-003-0001(15);
Any driving under the influence of Intoxicants (DUII) offense; 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.

Conditions (All)

Obey all laws including active restraining orders, stalking orders, sexual abuse protections orders and extreme risk protection orders.

Appear in court pursuant to release agreement.

Do not leave the State of Oregon without court approval.

Notify the court, in writing, of any change of address.

No contact with co-defendants.

Additional Conditions (DUII, all types)

Do not consume or possess alcohol; no entry into liquor stores, taverns or bars except as required for employment.

Do not consume or possess controlled substances, including marijuana, without a valid prescription. Take prescription medication only as prescribed.

Additional Conditions – Person Crimes

No contact by any means with the alleged victim or alleged victim’s school, workplace, or residence.

No possession of firearms or ammunition. No possession of any weapon of any kind, for any reason.

Additional Conditions – Class B Felony Property and Class B Felony Drug Offenses (except those listed in Guideline 3):

Contact pre-trial services within 1 business day of release at (541) 312-6032 to schedule an assessment/screening. Abide by conditions of pre-trial release and check in with the pre-trial services deputy as directed.

- (3)** HOLD for arraignment, first appearance, or other judicial department release decision.
- Any violent felony, as defined in ORS 135.240, and any offense in ORS 137.700;
 - Any Class A felony;
 - Any sex crime (whether designated or not) as defined in ORS 163A.005, and any luring a minor, online sexual corruption (1st or 2nd degree), 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;
 - Any domestic violence felony or misdemeanor, as defined in ORS 135.230; and
 - 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.

Any of the following offenses:

Possession of a firearm or a dangerous weapon in a public building or court facility, as defined in ORS 166.370; and unlawful possession of machine guns, certain short-barreled firearms, and firearm silencers, as defined in ORS 166.272;

Failure to Appear, as defined in ORS 162.195 and ORS 162.205;

Felon in Possession of a Firearm, as defined in ORS 166.270;

Fleeing or attempting to Elude, as defined in ORS 811.540;

Resisting arrest, as defined in ORS 162.315;

Giving false information to a peace officer, as defined in ORS 807.620 and ORS 162.385;

Escape in any degree, as defined in ORS 162.145, ORS 162.155, and ORS 162.165; and unauthorized departure, as defined in ORS 162.175

Fugitive complaint in accordance with ORS 133.743 – 133.783 (Uniform Criminal Extradition Act).

Tampering with a witness, as defined in ORS 162.285

Bias crime in the first degree, as defined in ORS 166.165.

The following Class B felony-controlled substance offenses:

Manufacture of hydrocodone within 1,000 feet of a school, as defined in ORS 475.808;

Delivery of hydrocodone within 1,000 feet of a school, as defined in ORS 475.812;

Unlawful delivery of a Schedule III controlled substance to a minor, as defined in ORS 475.906(2);

Causing another person to ingest a controlled substance, as defined in ORS 475.908(1);

Applying a Schedule III controlled substance to the body of a minor, as defined in ORS 475.910(2);

Manufacture of methamphetamine, as defined in ORS 475.886; and

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

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

Using a minor in a controlled substance offense, as defined in ORS 167.262;

Unlawful delivery of a Schedule IV controlled substance to a minor, as defined in ORS 475.906(3);

Unlawful delivery of a Schedule V controlled substance to a minor, as defined in ORS 475.906(4);

Applying a Schedule IV controlled substance to the body of a minor, as defined in ORS 475.910(3); and

Applying a Schedule V controlled substance to the body of a minor, as defined in ORS 475.910(4).

Section 2: Criteria for Conditional Release

All persons with the following charges will be subject to special conditions of release as listed below.

CHARGE	SPECIAL CONDITION OF RELEASE
DUII	No consumption of alcohol; No entry into liquor stores, taverns or bars except as required for employment.
Non-DV person crimes eligible for release with special conditions	No victim contact; No entry on to premises, business or other location occupied by the victim; No possession or access to firearms or other deadly weapons; If alcohol is implicated in the crime, no consumption of alcohol. No contact order for alleged victim.
Any Category 1 Offense with Alleged victim Person is visibly intoxicated	No consumption of alcohol No possession of alcohol No controlled substances No entry into liquor stores, taverns or bars except as required for employment.

Section 3: Criteria for Overriding Circumstances:

<u>Circumstance</u>	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>
Moderate or High Risk Score (if using R.A.T.).	Move to 2	Move to 3	
One or More DUII arrests In past 12 months or currently on DUII diversion.		Move to 3	

Individual does not meaningfully participate in the release process.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
A threat of violence to victim, law enforcement officer, or anyone else connected to case.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
Possession of fentanyl, 30 grams or more.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
Possession of methamphetamine, 100 grams or more.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
Any violation of a court order.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
Outstanding warrants.	Release decision under ORS 135.235(3)(b) which may include hold for arraignment.
Any prior failure to appear in an Oregon court in the past three years, or FTA conviction in another state in the past three years.	Hold for arraignment.
Other pending criminal case.	Hold for arraignment.
3 or more separate case convictions within the past 36 months.	Hold for arraignment.
Currently on probation, parole, post-prison supervision or fugitive status.	Hold for arraignment.

In the Matter of Establishing)	CHIEF JUSTICE ORDER
Release Guidelines Governing)	No. 24-014
Presiding Judge Standing Pretrial)	
Release Orders)	ORDER ESTABLISHING RELEASE
)	GUIDELINES GOVERNING PRESIDING
)	JUDGE STANDING PRETRIAL RELEASE
)	ORDERS AND SUPERSEDING CJO 23-
)	019

I HEREBY FIND THAT:

1. The 2021 Legislative Assembly enacted Oregon Laws 2021, chapter 643, initially introduced as Senate Bill 48 (2021) by the Oregon Criminal Justice Commission, to reduce reliance on security release and provide statewide guidance for local pretrial release orders.
2. ORS 135.233, which codified Section 2 of Senate Bill 48, requires the following:
 - a. The presiding judge of a judicial district shall enter a standing pretrial release order, specifying to the sheriff of the county, or to the entity supervising the local correctional facility responsible for pretrial incarceration within the judicial district, both the persons who are, and the offenses that are:
 - (1) Subject to release on recognizance;
 - (2) Subject to release with special conditions as specified in the order; and
 - (3) Not eligible for release until arraignment.
 - b. The Chief Justice, with input from a Chief Justice-appointed criminal justice advisory committee, shall establish release guidelines for presiding judge standing pretrial release orders described in subparagraph 2.a. of these findings, to:
 - (1) Provide a consistent release decision-making structure across the state;
 - (2) Reduce reliance on the use of security;
 - (3) Include provisions for victim notification and input; and

- (4) Balance the rights of the defendant and presumption of pretrial release against community and victim safety, and the risk of failure to appear.
3. In 2021, the Chief Justice’s Criminal Justice Advisory Committee (CJAC) made recommendations to the Chief Justice for the initial version of the Pretrial Release Guidelines to govern Presiding Judge standing Pretrial Release Orders (PRO). The CJAC recommendations were developed by the CJAC’s Pretrial Subcommittee, which included representatives from courts, district attorneys and defense attorneys, appellate attorneys, community-based service providers and legal service providers for crime victims, law enforcement, community corrections, state and local government, and the Oregon State Bar.
4. The Pretrial Release Guidelines established in this order are based on legislative changes resulting from Senate Bill 48, effective July 1, 2022, including the following:
 - a. Circuit courts will no longer utilize security schedules that apply immediately upon a defendant’s arrest;
 - b. Instead, in accordance with a standing pretrial release order as described in paragraph 2 of these findings, either a judicial district’s pretrial release program or the local correctional facility (i.e., the sheriff or the entity supervising the local correctional facility) will determine immediate release; and
 - c. If a defendant remains in custody at arraignment, the court may consider security release if the court concludes that recognizance release and conditional release are unwarranted.
5. This order establishes the release guidelines for Presiding Judge standing PRO, with input from CJAC and as required under ORS 135.233(2).
6. Following adoption of the Pretrial Release Guidelines in Chief Justice Order (CJO) 22-010, the CJAC’s Pretrial Subcommittee reviewed implementation of the guidelines and made additional recommendations to the Chief Justice regarding categorization of bias crimes. In early 2023, a majority of CJAC members approved a recommendation on how Bias Crime in the First Degree should be classified under the guidelines. The Chief Justice adopted that recommendation in CJO 23-019, which was issued in May 2023.
7. The Chief Justice requested in January 2024 that the CJAC Pretrial Subcommittee and the Oregon Judicial Department’s (OJD) Criminal Law Committee provide court and public safety stakeholder considerations on modifying the classification of offenses involving the delivery or manufacture of a controlled substance. Additionally, the Chief Justice consulted with Presiding

Judges on the classification of these offenses under the Pretrial Release Guidelines.


8. The 2024 Legislative Assembly enacted Oregon Laws 2024, chapter 70, initially introduced as House Bill 4002 (2024), an omnibus bill intended to respond to the state's addiction and mental health crisis. Section 26 requires the Chief Justice, with input from a criminal justice advisory committee, to reevaluate and update the release guidelines for the pretrial release orders established under ORS 135.233 for persons arrested for or charged with delivery or manufacture of a controlled substance.
9. This order supersedes CJO 23-019 to address the classification of offenses involving delivery or manufacture of controlled substances and controlled substance offenses involving minors. This order amends Guideline 3 (Hold for Arraignment) to add offenses involving the delivery or manufacture of a controlled substance with a crime seriousness score of 8 or higher under Oregon's Felony Sentencing Guidelines or that involve a minor, to the list of offenses where the Presiding Judge PRO directs the sheriff or entity supervising the local correctional facility to hold the person for arraignment, first appearance, or a release decision under ORS 135.235(3)(b). Otherwise, the guidelines established by CJO No. 23-019 remain the same.

I HEREBY ORDER AS FOLLOWS:

1. The release guidelines set out in Attachment A are established for the purposes required under Oregon Laws 2021, chapter 643, and apply to any standing PRO required under ORS 135.233(1).
2. Each Presiding Judge of a circuit court shall enter a standing PRO as required under ORS 135.233(1) that complies with the guidelines set out in Attachment A. Presiding Judges shall review the changes to the Pretrial Release Guidelines adopted in this order and, if their PRO is inconsistent, update their PRO no later than June 21, 2024.
3. When a Presiding Judge amends or modifies their PRO, they shall provide a copy of the order to OJD's Statewide Pretrial Release Coordinator.
4. The State Court Administrator is authorized to determine the release guideline category into which each Oregon felony and misdemeanor falls, in accordance with Attachment A, and shall create a list setting out that determination ("Release Guidelines Categorization List"). The State Court Administrator shall regularly update the Release Guidelines Categorization List and make it publicly available on the OJD website. 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 in this order.

5. This order supersedes CJO 23-019, dated May 30, 2023.
6. This order is effective immediately.

Dated this 22nd day of May, 2024.



Meagan A. Flynn
Chief Justice

**CHIEF JUSTICE RELEASE GUIDELINES GOVERNING PRESIDING JUDGE
STANDING PRETRIAL RELEASE ORDERS (ORS 135.233)**

**Creation and Effect of Standing Pretrial Release Order (PRO); Required
Methodology**

A Presiding Judge shall create and enter a standing Pretrial Release Order (PRO) that directs the entity supervising the local correctional facility to determine whether a defendant will be released on recognizance, released on conditions, or held for arraignment in accordance with Guidelines 1, 2, and 3, set out below. A PRO also may direct the entity supervising the local correctional facility to hold a defendant for arraignment or release a defendant on conditional release based on objective, nondiscretionary, person-specific criteria (“overriding circumstances”), as provided in the PRO and consistent with Guideline 4, also set out below.

The methodology just described creates a two-step decision-making process: (1) identifying the offenses in accordance with Guidelines 1, 2, and 3; and then, if applicable, (2) identifying any “overriding circumstances.”

In addition to the offenses described in Guidelines 1, 2, and 3, a PRO may direct the entity supervising the local correctional facility whether to release on recognizance, release on conditions, or hold for arraignment persons arrested on warrants, contempt charges, and probation violations.

Each Presiding Judge should work closely with the court’s local public safety stakeholders to create the PRO for the judicial district and should structure the PRO to utilize already-established local pretrial release resources.

Once entered, a PRO provides release direction to the entity supervising the local correctional facility. A PRO does not have the effect of delegating judicial release decision-making authority.

The State Court Administrator maintains a Release Guidelines Categorization List of all Oregon misdemeanor and felony crimes, with each crime organized by release guideline category, as set out in this attachment, that is publicly available on the Oregon Judicial Department website. 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 these guidelines.

Guideline 1

A PRO shall direct the entity supervising the local correctional facility to release on recognizance, on a release agreement with the general conditions in ORS 135.250, all defendants charged with the following offenses:

- A. Any nonperson misdemeanor, except those offenses listed in Guideline 2 or 3;
- B. Any nonperson Class C felony, except those offenses listed in Guideline 2 or 3;
- C. Any driving while suspended offense defined in ORS 811.182, except for aggravated driving while suspended as defined in ORS 163.196; and
- D. Any other offense that is not included in Guideline 2 or 3.

Guideline 2

A PRO shall direct the entity supervising the local correctional facility to release on court-imposed conditions all defendants charged with the following offenses:

- A. Any nondomestic violence person misdemeanor, as defined in OAR 213-003-0001(15);
- B. Any driving under the influence of intoxicants (DUII) offense, as defined in ORS 813.010 and ORS 813.011; and
- C. Any nondomestic violence Class B felony and any nondomestic violence person Class C felony as defined in OAR 213-003-0001(14), except for those offenses included in Guideline 3.

A PRO shall include specific conditions of release consistent with ORS 135.260. Any release condition imposed should be available for a defendant's compliance within the county and should be the least onerous condition necessary to ensure both public and victim safety, and that the defendant returns to court as required.

A PRO shall specify if the release conditions provided in the PRO will apply to every person charged with a specific offense or, instead, to individual defendants based on either criteria provided in the PRO or resulting from a risk assessment that is conducted consistent with the law and that is reliable, unbiased, and validated consistent with these Guidelines.

If a PRO directs or permits the sheriff or the entity supervising the local correctional facility to use a risk assessment tool to determine which conditions of release are

appropriate for a specific defendant, then the PRO shall direct the sheriff or entity supervising the local correctional facility as to how and when certain release conditions must be imposed.

Courts must strive to ensure that release conditions are available to all defendants and not contingent upon a defendant's ability to pay.

Guideline 3

A PRO shall direct the sheriff or entity supervising the local correctional facility to hold for arraignment, first appearance, or a release decision under ORS 135.235(3)(b), all defendants charged with the following offenses:

- A. Any violent felony, as defined in ORS 135.240, and any offense in ORS 137.700;
- B. Any Class A felony;
- C. 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;
- D. Any domestic violence felony or misdemeanor, as defined in ORS 135.230;
- E. 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;
- F. The following Class B felony-controlled substance offenses:
 - i. Manufacture of hydrocodone within 1,000 feet of a school, as defined in ORS 475.808;
 - ii. Delivery of hydrocodone within 1,000 feet of a school, as defined in ORS 475.812;
 - iii. Unlawful delivery of a Schedule III controlled substance to a minor, as defined in ORS 475.906(2);
 - iv. Causing another person to ingest a controlled substance, as defined in ORS 475.908(1);

- v. Applying a Schedule III controlled substance to the body of a minor, as defined in ORS 475.910(2);
 - vi. Manufacture of methamphetamine, as defined in ORS 475.886; and
 - vii. Distribution of equipment, solvent, reagent, or precursor substance with intent to facilitate manufacture of controlled substance, as defined in ORS 475.962;
- G. The following felony- and misdemeanor-controlled substance offenses involving minors:
- i. Using a minor in a controlled substance offense, as defined in ORS 167.262;
 - ii. Unlawful delivery of a Schedule IV controlled substance to a minor, as defined in ORS 475.906(3);
 - iii. Unlawful delivery of a Schedule V controlled substance to a minor, as defined in ORS 475.906(4);
 - iv. Applying a Schedule IV controlled substance to the body of a minor, as defined in ORS 475.910(3); and
 - v. Applying a Schedule V controlled substance to the body of a minor, as defined in ORS 475.910(4); and
- H. Any of the following offenses:
- i. Possession of a firearm or dangerous weapon in a public building or court facility, as defined in ORS 166.370; and unlawful possession of machine guns, certain short-barreled firearms, and firearm silencers, as defined in ORS 166.272;
 - ii. Failure to appear, as defined in ORS 162.195 and ORS 162.205;
 - iii. Felon in possession of a firearm, as defined in ORS 166.270;
 - iv. Fleeing or attempting to elude, as defined in ORS 811.540;
 - v. Resisting arrest, as defined in ORS 162.315;
 - vi. Giving false information to a peace officer, as defined in ORS 807.620 and ORS 162.385;

- vii. Escape in any degree, as defined in ORS 162.145, ORS 162.155, and ORS 162.165; and unauthorized departure, as defined in ORS 162.175;
- viii. Fugitive from justice, as defined in ORS 133.747;
- ix. Bias crime in the first degree, as defined in ORS 166.165; and
- x. Tampering with a witness, as defined in ORS 162.285.

Guideline 4

In addition to the offense-specific categories described in Guidelines 1, 2, and 3, a PRO also may identify person-specific overriding circumstances that, if present, will require a sheriff or entity supervising the local correctional facility to either (1) release the defendant on conditional release; or (2) hold the defendant for arraignment. If a PRO identifies overriding circumstances, the following apply:

- A. The PRO must specify objective, nondiscretionary, person-specific criteria that constitute overriding circumstances. That criteria may include a score from a risk assessment tool that is adopted in a manner consistent with these Guidelines.
- B. Overriding circumstances should not be used to move entire offenses to a new guideline category but may apply to a narrower subset of factual circumstances that may constitute an offense.
- C. The PRO may direct that, if a defendant has been held due to overriding circumstances, a representative of the entity determining the hold shall either (1) appear at arraignment to report to the court the overriding circumstances for the hold; or (2) provide the information in writing to the court at or before arraignment.

Each judicial district should consider inclusion of overriding circumstances specific to persons charged with an offense involving the delivery or manufacture of a controlled substance. An overriding circumstance may include, but is not limited to, whether the person possessed a particular type of controlled substance, meets the criteria for a substantial quantity or commercial drug offense, used a firearm, or has prior arrests or a history of failing to appear in court.

Each judicial district should identify and consider using a risk assessment tool to assist with release determinations, as provided in the judicial district's PRO. The PRO may direct the entity supervising the local correctional facility as to the appropriate use of the risk assessment score.

A judicial district may use risk assessment tools to inform decisions about which type of release is appropriate for a defendant or in setting the conditions of release. If a judicial district uses a risk assessment tool, the Presiding Judge shall review the selected tool, to ensure that it is reliable and unbiased, and the selected tool shall be validated at least every five years or following significant changes to the population or laws and policies related to arrest/citation, detention, and sentencing.

Probation Violations

Hold on warrant security amount
or if no amount is set, hold for
arraignment.

Arrest Warrants

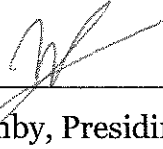
Hold at warrant amount.

*Pre-trial service deputy will complete screening for the following out-of-custody offenses:

- 1) Class A/B/C felony property and
- 2) Class A/B/C felony drug.

Presiding Judge Order 2023-02 regarding pretrial release is rescinded.

DATED this 18th day of June, 2024.



Wells B. Ashby, Presiding Judge



To: Deschutes County District Attorneys and Defense Attorneys
CC: Deschutes County Circuit Court, Angie Curtis and Christa Neal
Date: June 14, 2024
Re: Deschutes County Electronic Monitoring Program Changes (Effective Immediately)

We write to inform you of important updates regarding the Deschutes County Electronic Monitoring program. As contract managers for this resource, Community Justice recently informed the Circuit Court and the District Attorney of the immediate need to optimize available resources in order to sustain this program. Accordingly, our contracted provider will be instituting immediate changes to the maximum duration of pretrial electronic monitoring. The Circuit Court, District Attorney, and Deschutes County Sheriff are aware of these necessary changes.

Effective June 17, 2024 pretrial clients on **Alcohol Monitoring Devices will be removed from electronic monitoring after being on the device for 45 days**. Similarly, clients on **GPS monitoring will be removed after being on the device for 75 days**. Clients can be removed before this with a court order, otherwise they will be scheduled for removal once the 45 or 75-day mark has passed. If this day falls on a weekend, holiday or day when Vigilnet does not have an opening to schedule removal they will schedule this for the next available date after the 45 or 75-day mark. Notice of removal will be provided once the device has been removed. **These changes apply to any pretrial client placed on electronic monitoring on or after June 17, 2024.**

For those pretrial clients who are already on electronic monitoring one of the following will occur;

- For pretrial clients on an Alcohol Device for **more** than 45 days as of June 17, 2024: Vigilnet will send notice to the District Attorney and Defense Attorney listed in E-Court that on or after July 1, 2024 the client will be removed from monitoring. Vigilnet will reach out to the clients on or after July 1, 2024 to schedule removal.
- For pretrial clients on a GPS Device for **more** than 75 days as of June 17, 2024: Vigilnet will send a notice to the District Attorney and Defense Attorney listed in E-Court that on or after July 1, 2024 that client will be removed from monitoring. Vigilnet will reach out to the clients on or after July 1, 2024 to schedule removal.
- For pretrial clients on an Alcohol Device for **less** than 45 days as of June 17, 2024: Vigilnet will send notice of their anticipated removal date based on the new maximums to the District Attorney and Defense Attorney listed in E-Court. Vigilnet will reach out to the client after they have been on the device at least 45 days to schedule removal.
- For pretrial clients on a GPS Device for **less** than 75 days as of June 17, 2024: Vigilnet will send a notice of their anticipated removal date based on the new maximums to the District Attorney and Defense Attorney listed in E-Court. Vigilnet will reach out to the client after they have been on the device more than 75 days to schedule removal.

We appreciate your patience and understanding as we implement these changes. Should you have any questions or concerns please reach out.

Trevor Stephens
Trevor.Stephens@deschutes.org
Business Manager
Deschutes County Community Justice