

# 2016 Oregon Sentencing Guidelines Grid

Crime Seriousness	Three or more person felonies (juvenile or adult)	Two person felonies (juvenile or adult)	One person felony plus one or more non-person felony	One adult or juvenile person felony and no other felony	Four or more adult non-person felonies	Two or three adult non-person felonies	4+ adult "A" misdos or one adult non-person felony or 3+ juvenile non-person felonies	No more than 3 adults "A" misdos or two juvenile non-person felonies	No juvenile felonies or adult "A" misdos	Upward Dispositional Departure Maximum Sentence (for presumptive probation cases)	Post Prison Supervision
	A	B	C	D	E	F	G	H	I	Prob Term	
11	225-269	196-224	178-194	164-177	149-163	135-148	129-134	122-128	120-121	5 years (levels 9-11)	3 years (levels 7-11)
10	121-130	116-120	111-115	91-110	81-90	71-80	66-70	61-65	58-60		
9	66-72	61-65	56-60	51-55	46-50	41-45	39-40	37-38	34-36		
8	41-45	35-40	29-34	27-28	25-26	23-24	21-22*	19-20*	16-18*	3 years (levels 6-8)	18 mos. 7 F-1
7	31-36	25-30	21-24	19-20	16-18	180-90	180-90	180-90	180-90		
6	25-30	19-24	15-18	13-14	10-12	180-90	180-90	180-90	180-90	2 years (levels 4-6)	12 mos. 5 C-I
5	15-16	13-14	11-12	9-10	6-8	180-90	120-60	120-60	120-60		
4	10-11	8-9	120-60	120-60	120-60	120-60	120-60	120-60	120-60	18 mos. 1 & 2 (levels 1-2)	6 mos. 3 G-I
3	120-60	120-60	120-60	120-60	120-60	120-60	90-30	90-30	90-30		
2	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	18 mos. (levels 1-2)	1 & 2 year (levels 1-3)
1	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30	90-30		

Durational departure maximum is double the presumptive maximum or dispositional departure maximum.  
 \* Eligible for optional probation (see back side for eligibility criteria).

- Controlled Substances (shown in green)**  
(See also Substances Table on back side)
- Property Crimes (shown in blue)**  
(See also Property Table on back side)
- Person Crimes (shown in red)**
- Cigarette/Tobacco Crimes (shown in orange)**  
(See also Cigarette/Tobacco Table on back side)

Crime (Non-Measure 11)	Crime Seriousness
Abandon Child 163.535	7, 3*
Abuse of Corpse 1 166.087	5
Abuse of Corpse 2 166.085	3
Aggravated Animal Abuse 1 167.322	3
Aggravated Driving While Suspended or Revoked 163.196	7
Aggravated Harassment 166.070	6
Aggravated Identity Theft 165.803	5
Aggravated Theft 1 164.057, 164.061	8, 6, 5*
Aggravated Murder 163.095	See 163.105
Alteration of Document of Gift 97.982	4
Animal Abuse 1/Felony 167.320(4)	4
Arson 1 164.325 (see Measure 11 table)	10, 9, 8, 7*
Arson 2 164.315	Property*
Assault 3 163.165	8, 6*
Assault 4/Felony 163.160(3)	6
Assault Law Enforcement Animal 167.339	6
Assault Pub. Safety Officer 163.208	6
Attempt CS 3-11	2 Below Crime
Class A or B Felony 161.405	
Attempt CS 1-2 Class A or B Felony 161.405	1
Attempt to Elude, Felony 811.540(1)(b)(A)	2
Ballot Buying/Selling 260.718	Unranked
Bigamy 163.515	1
Blue Sky/Securities ORS ch 59	Property*

Bribe Give/Receive/Sports 165.085 165.090	2
Bribe Giving/Receiving Pub Serv-Witness 162.015 162.025 162.265 162.275	6
Burglary 1 164.225	9, 8, 7*
Burglary 2 164.215	Property*
Buying/Selling Custody Minor 163.537	8, 5*
Causing Another's Cont Subst Ingest 475.984	9, 8*
Cellular Counterfeiting 1 165.581	4
Cellular Counterfeiting 2 165.579	4
Cheating at Gambling 167.167	2
Child Neglect 1 163.547	6
Coercion 163.275	7, 6*
Computer Crimes 164.377	Property*
Computer Crime—Theft of Intimate Image 164.377(2)(c)	5
Conspiracy 161.450	Unranked
Criminal Mischief 1 164.365	Property*
Criminal Mistreatment 1 163.205	7
Criminal Nonsupport 163.555	5
Crim Negligent Homicide 163.145	8, 9*
Crim Poss of Rented or Leased Veh 164.138	Property*
Custodial Interference 1 163.257	6
Custodial Interference 2 163.245	4
Custodial Sexual Miscond 1 163.452	7
Dealing Drugs to Minor 475.906	4*
Del Marijuana to Minor 475.906	4*
Del Cont Sub W/in 1000 ft School 475.904	8
Del/Manuf Fake Cont Subst 475.840(2)	See Substances Table*
Discharge/Att Firearm/Sch 166.370(3)(a)	6
Disorderly Conduct 1 163.023	4
Disposing of Meth Waste 475.977	4
Distribute Equip Intent to Manuf Cont Subst 475.962	8
Distribute Tobacco Products w/out Lic ORS ch 323	1
Dogfighting 167.365	Unranked
Dogfighting, Participation 167.370	Unranked
Dogfighting, Poss Paraph 167.372	Unranked
Drug Pos/Manuf/Del 474.840(1),(3)	See Substances Table*
DUI/Felony 813.010(5) (as in OAR 213-004-0009)	4, 6*

Ballot Measure 11 Crimes (ORS 137.700 and 137.707)		
Crime	Months	CS
Agg. Veh. Homicide 163.149	240	10
Arson 1 164.325 (CS 10 only)	90	10
Assault 1 163.185	90	10, 9*
Assault 2 163.175	70**	9
Att Agg Murder 163.095, 161.405	120	10
Compelling Prostitution 167.017	70	8
Conspiracy Agg Murder 163.095, 161.450	120	Unranked
Att Murder 163.115, 161.405	90	9
Conspiracy Murder 163.115, 161.450	90	Unranked
Kidnapping 1 163.235	90, 300***	10
Kidnapping 2 163.225	70**	9
Manslaughter 1 163.118	120	10
Manslaughter 2 163.125	75**	9, 8*
Murder 163.115	300	11****
Rape 1 163.375	100, 300***10,	9*
Rape 2 163.365	75**	8
Robbery 1 164.415	90	9
Robbery 2 164.405	70**	9
Sexual Abuse 1 163.427	75**	8
Sexual Penetration 1 163.411	100, 300***10,	9*
Sexual Penetration 2 163.408	75**	8
Sodomy 1 163.405	100, 300***10,	9*
Sodomy 2 163.395	75**	8
Use Child Display Sex Act 163.670	70	8

\* See Crime Categories on back side for Crime Seriousness Level criteria.  
 \*\* ORS 137.712 may authorize court to impose sentence of less than Measure 11 minimum.  
 \*\*\* 300-month minimum applies only to adult defendants and for crimes committed on or after April 24, 2006. See ORS 137.700 for complete information about 300-month minimum.  
 \*\*\*\* If defendant at least 15 and knew victim was pregnant, then unranked.

DWSR/Felony 811.182	4, 6*
Elections Fraud 247.125, 247.171(5), 247.420(2), 253.710	Unranked
Encouraging Ch Sex Abuse 1 163.684	8
Encouraging Ch Sex Abuse 2 163.686	5
Endangering Person Protected by FAPA Order	163.192 4
Escape 1 162.165	7
Escape 2 162.155	6
Exporting Unprocessed Logs 526.992(2)(b)	Unranked
Failure to Appear 1 162.205	4
Failure to Maintain Drug Records 475.914	4
Fail to Reg Sex Offender 181.599	1
False Info Environment Agency 468.953	1
False Peace Officer ID 162.367	3
False Receipt Invoice Cigarette Sales ORS ch 323	1
False Receipt Invoice Tobacco Product Sales ORS ch 323	1
False Rpt to Evade Cig. Tax 323.480(3)	1
False Report Tobacco Products Tax ORS ch 323	1
False Swearing/Vehicle Business 822.605	1
Felon in Possession of Body Armor 166.642	2
Felon in Possession of Firearm 166.270	6
Female Genital Mutilation 163.207	8
Filing False Health Care Claim 165.692	6
Filing False Refund Claim 323.480(6)	Unranked
Firearms Alter ID Mark 166.450	1
Firearms Manuf/Import/Transfer 166.410	6
Firearms/Unlawful Possession 166.272	6
Food Stamp Fraud 411.840	2
Forcible Recovery Fighting Bird 167.439	1
Forg/Alter Vehicle Title/Reg 803.230	1
Forged Instrmt/Poss 1 165.022	Property*
Forgery 1 165.013	Property*
Forgery Device—Possession 165.032	4
Fraud/Credit Card \$750+ 165.055(3)(a)	Property*
Furnish Firearm Commit Fel 166.429	7
Gambling Felonies 167.137	3
Hindering Prosecution 162.325	6
Hit & Run/Boat 830.475	6
Hit & Run/Vehicle 811.705	8, 6*
Identity Theft 165.800	Property*
Impersonate Officer/Judge/JP 162.365(2)(b)	3
Incest 163.525	6, 1*
Inmate/Poss Firearm/Weapon 166.275	8, 7*
Intent Poss. Firearm/Dang Weapon in Public Bldg 166.370(1)	6
Intent Poss. Firearm Court Facility Against Order 166.370(2)(a)(C)	6
Invasion of Personal Privacy I 163.701	6
Interfere w/Ag. Research 164.889	Property*
Interfere w/Livestock Prod 167.388	Property*
Intimidation 1 166.165	6
Labeling Videotape 164.872	Property*
Labeling Sound Recording 164.868	Property*
Luring a Minor 167.057	6
Mail Theft/Receipt of Stolen Mail ORS 164.162	6

Continued on back side.

NOTICE: This guide should be used only to refresh the user's memory and as a reference tool to better assist one's client. It is not a substitute for reading the sentencing guidelines — contact OCLDA to purchase the *Felony Sentencing in Oregon* manual.  
 © OCLDA. Effective May 5, 2016. OCLDA thanks Jesse Wm. Barton for his assistance in creating this guide. To purchase copies (\$20 members, \$25 nonmembers) of the Guidelines Grid contact: Oregon Criminal Defense Lawyers Association, 101 East 14th Avenue, Eugene, OR 97401, (541) 686-8716, www.oclda.org, info@oclda.org. Version 6.6.16.