

Criminal History Matrix for Exceptions Under AR RBE 2.04 (4) (a) & (b)

All criminal convictions not discussed below are subject to individualized assessment requirement contained in 23.10.030

| Permissible Actions | | | |
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| | Can we deem the applicant permanently ineligible for the position? | Can we deem the applicant ineligible for the position for 10 years? | Must we perform an individualized assessment as required by City Code Section 23.10.030 |
| Position involving direct access to, or the provision of services to, children under the age of 18 | Yes, for Categories A & B and any Sex Crime as defined by ORS 163A.005(5), or their Federal or out-of-state equivalents. | N/A | Yes, for all other criminal convictions. |
| Position involving direct access to, or the provision of services to, persons with disabilities | Yes, for Categories A & B and any Sex Crime as defined by ORS 163A.005(5), or their Federal or out-of-state equivalents. | Yes, for Category C Crimes, or their Federal or out-of-state equivalents. | Yes, for all other criminal convictions. |
| Position involving direct access to, or the provision of services to, persons 65 and older | Yes, for Categories A & B and any Sex Crime as defined by ORS 163A.005(5), or their Federal or out-of-state equivalents. | Yes, for Category C Crimes, or their Federal or out-of-state equivalents. | Yes, for all other criminal convictions. |
| Position involving direct access to, or the provision of services to, persons with mental illness | Yes, for Category A, or their Federal or out-of-state equivalents. | No. | Yes, for all other criminal convictions. |
| Position involving direct access to, or the provision of services to, persons with alcohol or drug dependence or with substance-abuse disorders | Yes, for Category A, or their Federal or out-of-state equivalents. | No. | Yes, for all other criminal convictions. |

CONVICTIONS LIST

CATEGORY A¹

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| ORS 163.095, Aggravated murder | ORS 163.405, Sodomy I |
| ORS 163.115, Murder | ORS 163.411, Unlawful sexual penetration I |
| ORS 163.375, Rape I | ORS 163.427, Sexual abuse I |

CATEGORY B²

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| ORS 163.118, Manslaughter I | ORS 163.535, Abandonment of child |
| ORS 163.125, Manslaughter II | ORS 163.537, Buying or selling person under 18 |
| ORS 163.145, Criminally negligent homicide | ORS 163.547, Child neglect I |
| ORS 163.149, Aggravated vehicular homicide | ORS 163.670, Using child in display of sexually explicit conduct |
| ORS 163.165, Assault III | ORS 163.680, Paying for viewing child's sexually explicit conduct |
| ORS 163.175, Assault II | ORS 163.684, Encouraging child sexual abuse I |
| ORS 163.185, Assault I | ORS 163.686, Encouraging child sexual abuse II |
| ORS 163.187, Strangulation | ORS 163.687, Encouraging child sexual abuse III |
| ORS 163.200, Criminal mistreatment II | ORS 163.688, Possession of materials depicting sexually explicit conduct of child I |
| ORS 163.205, Criminal mistreatment I | ORS 163.689, Possession of materials depicting sexually explicit conduct of child II |
| ORS 163.225, Kidnapping II | ORS 164.057, Aggravated theft I |
| ORS 163.235, Kidnapping I | ORS 164.098, Organized retail theft |
| ORS 163.263, Subjecting another to involuntary servitude II | ORS 164.215, Burglary II |
| ORS 163.264, Subjecting another to involuntary servitude I | ORS 164.225, Burglary I |
| ORS 163.266, Trafficking in persons | ORS 164.325, Arson I |
| ORS 163.275, Coercion | ORS 164.405, Robbery II |
| ORS 163.355, Rape III | ORS 164.415, Robbery I |
| ORS 163.365, Rape II | ORS 165.013, Forgery I |
| ORS 163.385, Sodomy III | ORS 165.022, Criminal possession of forged instrument I |
| ORS 163.395, Sodomy II | ORS 165.032, Criminal possession of forgery device |
| ORS 163.408, Unlawful sexual penetration II | ORS 165.800, Identity theft |
| ORS 163.415, Sexual abuse III | ORS 165.803, Aggravated identity theft |
| ORS 163.425, Sexual abuse II | ORS 167.012, Promoting prostitution |
| ORS 163.432, Online sexual corruption of a child II | ORS 167.017, Compelling prostitution |
| ORS 163.433, Online sexual corruption of a child I | ORS 167.057, Luring a minor |
| ORS 163.435, Contributing to sexual delinquency of a minor | ORS 167.320, Animal abuse I |
| ORS 163.445, Sexual misconduct, if offender at least 18 | ORS 167.322, Aggravated animal abuse I |
| ORS 163.525, Incest with child victim | |

CATEGORY C

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| ORS 475.752, Unlawful delivery or manufacture of controlled substances, if charged as felony | ORS 475.858, Unlawful manufacture of marijuana within 1,000 feet of school |
| ORS 475.806, Unlawful manufacture of hydrocodone | ORS 475.860, Unlawful delivery of marijuana, if charged as felony |
| ORS 475.808, Unlawful manufacture of hydrocodone within 1,000 ft. of school | ORS 475.862, Unlawful delivery of marijuana within 1,000 feet of school |
| ORS 475.810, Unlawful delivery of hydrocodone | ORS 475.866, Unlawful manufacture of 3,4-methylenedioxy-methamphetamine |
| ORS 475.812, Unlawful delivery of hydrocodone within 1,000 ft. of school | ORS 475.868, Unlawful manufacture of 3,4-methyl-enedioxymethamphetamine within 1,000 feet of school |
| ORS 475.816, Unlawful manufacture of methadone | ORS 475.870, Unlawful delivery of 3,4-methylene dioxymethamphetamine |
| ORS 475.818, Unlawful manufacture of methadone within 1,000 ft. of school | ORS 475.872, Unlawful delivery of 3,4-methylene-dioxymethamphetamine within 1,000 feet of school |
| ORS 475.820, Unlawful delivery of methadone | ORS 475.876, Unlawful manufacture of cocaine |
| ORS 475.822, Unlawful delivery of methadone within 1,000 ft. of school | ORS 475.878, Unlawful manufacture of cocaine within 1,000 feet of school |
| ORS 475.828, Unlawful manufacture of oxycodone within 1,000 feet of school | ORS 475.880, Unlawful delivery of cocaine |
| ORS 475.830, Unlawful delivery of oxycodone | ORS 475.882, Unlawful delivery of cocaine within 1,000 feet of school. |
| ORS 475.832, Unlawful delivery of oxycodone within 1,000 feet of school | ORS 475.886, Unlawful manufacture of methamphetamine |
| ORS 475.846, Unlawful manufacture of heroin | ORS 475.888, Unlawful manufacture of methamphetamine within 1,000 feet of school |
| ORS 475.848, Unlawful manufacture of heroin within 1,000 feet of school | ORS 475.890, Unlawful delivery of methamphetamine |
| ORS 475.850, Unlawful delivery of heroin | ORS 475.892, Unlawful delivery of methamphetamine within 1,000 feet of school |
| ORS 475.852, Unlawful delivery of heroin within 1,000 feet of school | ORS 475.904, Unlawful delivery or manufacture of controlled substance within 1,000 feet of school |
| ORS 475.856, Unlawful manufacture of marijuana, if charged as felony | ORS 475.906, Unlawful delivery of controlled substance to minor, if charged as felony |

^{1,2} Includes Attempts per ORS 161.405, Criminal Conspiracy per ORS 161.450, and Solicitation per ORS 161.435