

# Violation Program

Due to budget cuts which required a reduction in misdemeanor trial unit attorneys, the Multnomah County District Attorney's office has adopted a policy of reducing certain non-violent misdemeanor crimes to violations. Reducing a crime to a violation means that the defendants do not have the option of a jury trial and, therefore, reduced prosecutorial resources are needed. This policy became effective July 16, 2010. The following charges will not be reduced to a violation:

- DUII
- Attempt to Elude
- Reckless Driving
- Sexual Abuse in the Third Degree or Harassment by touching a sexually intimate part
- Public Indecency or any exposure of genitalia in the presence of children
- Assault in the Fourth Degree
- Violation of a Stalking Order
- Menacing
- Recklessly Endangering another Person
- Furnishing False Information Charges
- Prostitution related offenses
- Animal Abuse
- Theft, Forgery in the Second Degree and Criminal Mischief in the Second Degree (value or damage \$250 or greater)
- Weapons crimes
- Resist Arrest unless a stand alone charge where the only risk of injury is to the defendant.

The following charges are reduced to a violation unless there are egregious facts or the person has been identified as a chronic offender:

- Criminal Mischief II – business victim and under \$250
- Criminal Mischief III
- Criminal Trespass I and II – non residential
- DWS
- Disorderly Conduct – non violent
- Failure to Carry or Present License
- Failure to Perform the Duties of a Driver Involved in an Accident
- Forgery II – business victim and less than \$250
- Furnishing Alcohol to a Minor
- Harassment
- Indecent Exposure – not in the presence of children
- Interfering with a Peace Officer
- Interfering with Public Transportation
- Possession of a Controlled Substance – residue quantities of cocaine, methamphetamine and heroin only
- Resist Arrest – only risk to defendant
- Theft II and Theft of Services – business victim and under \$250
- Theft III – business victim

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