

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR MULTNOMAH COUNTY
MOTION FOR RELEASE OR SECURITY AMOUNT CHANGE**

STATE OF OREGON vs. Swinney, Alan James

Defendant Unable to Sign

Defendant: Swinney, Alan James

SWIS Number: 825585

SID Number: 23916733

FBI Number: 466777RD0

Date of Birth: 5/18/1970 (50 yrs)

Gender: Male

Race: White

Booking Number: 1508794

Booking Date/Time: 9/30/2020 6:38 AM

Understands English: Yes

Primary Language: English

Interpreter Service:

Interpreter ID or Other:

Other Names: No AKA's per Defendant

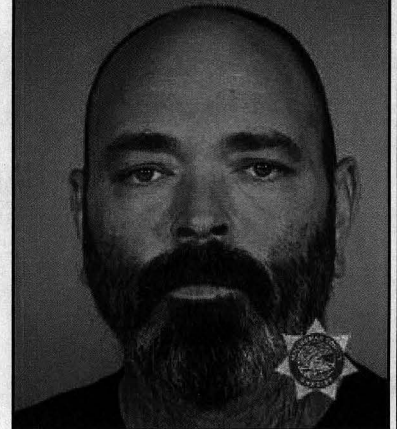
Address: 37890 Meeker St
Sandy, Or 97055

Address Verified: No

Phone: (432) 202-9157 - Primary - Can Text

Comments - No Comments

DCJ Recog Use Only



FILED

OCT 01 2020

CIRCUIT COURT

CHARGES:

Custody Charges & Holds	ORS Code	Case Number(s)	Number of Counts	Security Amount
IND-S: ATT ASSAULT IV	163160	20CR50067	1	\$1,500
IND-S: ASSAULT IV	163160	20CR50067	1	\$2,500
IND-S: ASSAULT II	163175	20CR50067	3	\$505,000
IND-S: MENACING	163190	20CR50067	1	\$2,500
IND-S: UNLAW TEAR GAS ETC 2	163212	20CR50067	2	\$5,000
IND-S: POINT FA AT ANOTHER	166190	20CR50067	1	\$2,500
IND-S: UNLAW USE WEAPON	166220	20CR50067	3	\$15,000

Security Amount Enhanced: No

Total Bail: \$534,000

Enhancement Comments:

Co-Defendant(s): None Per Defendant

CONVICTION HISTORY:

Known Conviction History Summary: 1 Misdemeanors, 0 PV's

Age at First Conviction:

Known Conviction History Detail: TEXAS: DUII (misd)/1995

Known Behavior History: (Per Statewide OJIN/eCourt/eSWIS Search)

EMPLOYMENT / EDUCATION:

Current Income Source: No Employment or benefits

Student: No

Employer:

Highest Grade Completed: 12

Monthly Income:

School Name/City:

Hours Employed per Week:

Hours in School per Week:

Have you ever been in Military? Yes

If yes, what is your status? Honorable Discharge

Comments -

Defendant (JF): Disability thru VA, GED/1986

MENTAL HEALTH:

Diagnosis: Yes

Diagnosis Name(s): PTSD

Diagnosis Source: VA

Taking Medication(s): No

Medication(s):

Prior MH Treatment: No

Program Name:

Current MH Treatment: No

Program Name:

Comments - No Comments

VICTIM RELATIONSHIP (Person to Person Crimes Only): None Per Defendant

Comments -

Defendant (JF): Stranger/Unknown

PENDING CASES: None Per OJIN/eCourt**Comments -** No Comments**SUPERVISION STATUS:** Not on Supervision**PSC Score:** 0**PSC Risk Level:** Not Available**Comments -** No Comments**REFERENCES:** None Per Defendant**HOUSING:****Current Living Situation:** With Roommate - 3 Years**Current County of Residence:** Clackamas**Number of Residences in Past 12 months:****Owns Residence:** No**Time in Portland Metro Area:** 8 Months**Transportation to Court:** Self (valid driver's license)**Comments -** No Comments**RELATIONSHIP:****Relationship Status:** Divorced**Duration of Current Relationship:** 8 Years**Family in Area:** No**Number of Children in the Home:** 0**# Children You Provide Primary Care for:** 0**Number of Others in the Home:** 1**# Others You Provide Primary Care for:** 0**Number of Dependents:** 0**Comments -** No Comments**ALCOHOL / DRUGS:****Number of Alcohol Convictions:** 1**Number of Drug Convictions:** 0**Prior Alcohol/Drug Treatment:** No**Program Name:****Current Alcohol/Drug Treatment:** No**Program Name:**

Current Drug Type Used	Frequency	Under Influence
None Per Defendant		

Comments - No Comments

Does Primary Charge require a Judicial Review? Yes

If Yes, it is because of the following: [Check all that apply.]

- 10/1/2020
Verified Correct Copy of Original
- ☐ [A] Involves offenses of murder, aggravated murder or treason.
- ☒ [B] Involves offenses set out in ORS 137.700 and ORS 137.707.
- ☐ [C] Involves a violation of a Family Abuse Prevention Act restraining order under ORS 107.720, or any offense which involved domestic violence as defined in ORS 135.230, or Harassment, ORS 166.064, when it is stated objectively and in writing in the custody information provided by a law enforcement officer that the victim is a "family or household member" as defined in ORS 135.230.
- ☐ [D] Any offense which is included in the group of offenses defined as "Person Felonies" or "Person Class A misdemeanors," as defined in OAR 213-003-001 by the Oregon Criminal Justice Commission, and the release assistance officer verifies: (a) that the individual has any additional person felony or person Class A misdemeanor charge pending disposition in any court or for which the person is on probation, parole, post-prison supervision, or (b) is presently on any form of supervised pretrial release on any pending charge, or (c) is arrested and booked into jail on a bench warrant issued for revocation of a pretrial release agreement while on supervised pretrial release for any pending charge.
- ☐ [E] Any offense of Driving While Under the Influence of Intoxicants (DUI) ORS 813.010 if the person has, in this state or any other state, during the ten year period preceding the current DUI arrest, two prior convictions for DUI.
- ☒ [F] Any **firearm** offense under ORS 166.220, ORS 166.250, ORS 166.270, ORS 166.272.
- ☐ [G] Any convicted person serving a sentence of incarceration or a sanction imposed by the court or an agency.
- ☐ [H] Any offense of Failure to Register / Report as a Sex Offender ORS 181.599.
- ☐ [I] Any probable cause arrest under ORS 133.310 (6) if the no contact order in the underlying case is for any felony offense, any person misdemeanor, any misdemeanor charge of harassment or menacing, or punitive contempt proceeding for violating any abuse prevention act restraining order or for violating a stalking order.
- ☐ [J] Each of the following methamphetamine offenses: (a) Manufacture of methamphetamine under ORS 475.886, (b) Manufacture of methamphetamine within 1000 feet of a school under ORS 475.888, (c) Delivery of methamphetamine within 1000 feet of a school under ORS 475.892, (d) Delivery of methamphetamine under ORS 475.890, (e) Delivery of methamphetamine to a minor under ORS 475.906.
- ☐ [K] Burglary in the first degree, ORS 164.225, and the burglary was of a dwelling.
- ☐ None of the above

Scoring Tool**Response**

1. Is the current offense a drug offense (MCS, DCS, PCS, including attempts) or is it an offense charged under ORS Chapter 166 or 181?	Yes = 1
2. Does the defendant have one or more charge(s) pending in court at the time of arrest?	No = 0
3. Does the defendant have one or more warrants outstanding in another locality for charges unrelated to the current arrest?	No = 0
4. Does the defendant have one or more misdemeanor or felony convictions?	Yes = 1
5. Does the defendant have two or more failure to appear events?	No = 0
6. Has the defendant had three or more address changes in the past 12 months?	Yes = 1
7. Is the defendant employed, in school, or otherwise engaged as a primary caregiver for a child for LESS THAN 20 hours per week?	Yes = 1
8. Does the defendant have a history of drug abuse?	No = 0

Total Score: **4****RELEASE DECISION:****Release Assessment Score:** **4** (Score of 6 or more requires a Judicial Review)**Does Primary Charge require a Judicial Review?** Yes**Administrative Hold:** No **Reason:****Release Decision:** Release Decision Deferred to Judge at next Court Appearance with following recommendation(s).**Recommendation(s):** PRS Evaluation Only**Override:** No **Requires Judicial Review:** Yes**Override Reason Comments:****Security Amount Enhanced:** No**SUMMARY****Identified Risk Factors:** ORS Chapter 166 offense, conviction history, unstable housing, unemployment

Interviewer (JF): Def stated that he has been living with a roommate for the last 3 months and moved here from Texas approximately 8 months ago. Def stated that he has no family in the area and is currently on disability through the VA. Def denies any drug use and stated that he does have MH concerns, but is not currently taking medication or involved in treatment. Recommending release to PRS Eval only due to the severity of the charges. RS>4

Defendant Unable to Sign - Due to Covid-19**Interviewer Initials:** JSF**Interviewer Court #:** 92059**No Contact Order Issued to Defendant:** No

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MOTION FOR RELEASE OR SECURITY AMOUNT CHANGE

SIGNATURE PAGE

DEFENDANT: SWINNEY, ALAN

SWIS: 625585 BOOKING #: 1508794 SID: 23916733

I the undersigned, being duly sworn, say the information on the Motion for Release or Security Amount Change is true. I understand that the information will be used to decide if I should be released or have my security amount reduced. I understand that if I don't tell the truth I can be charged with perjury or false swearing and, if convicted, I can be imprisoned. I further understand that community contacts will be made to verify this information. I authorize the Court to make these contacts to verify this information.

Defendants Signature: UNABLE DUE TO COVID-19

Date

09 / 30 / 2020

SUBSCRIBED AND SWORN before me this 30th day of SEPTEMBER, 2020

[Signature]
Release Assistance Officer

Reviewed by _____

[Signature]
Recog Officer Initials

92059
Recog Officer Court #