

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

STATE OF OREGON vs. Smith, Benjamin Jeffrey

Defendant Unable to Sign

Defendant: Smith, Benjamin Jeffrey

SWIS Number: 749181

SID Number: 18602987

FBI Number: 627664JD7

Date of Birth: 11/29/1978 (43 yrs)

Gender: Male

Race: White

Booking Number: 1534865

Booking Date/Time: 3/23/2022 1:29 PM

Understands English: Yes

Primary Language: English

Interpreter Service:

Interpreter ID or Other:

Other Names: No AKA's per Defendant

Address: 949 NE 55th Ave
Portland, OR 97213

Address Verified: No

Phone: (503) 964-9918 - Primary

Comments -

Interviewer (NDD): DMV address: 949 NE 55th Ave, Portland OR 97213

FILED
MAR 24 2022
CIRCUIT COURT
MULTNOMAH COUNTY, OREGON

CHARGES:

Custody Charges & Holds	ORS Code	Case Number(s)	Number of Counts	Security Amount
IND-S: MURDER II	163115	22CR08677	1	NO BAIL
IND-S: ATT MURDER I	163115	22CR08677	4	\$1,000,000
IND-S: ASSAULT II	163175	22CR08677	1	\$250,000
IND-S: ASSAULT I	163185	22CR08677	3	\$750,000

Security Amount Enhanced: No

Total Bail: \$2,000,000

Enhancement Comments:

Co-Defendant(s): None Per Defendant

CONVICTION HISTORY:

Known Conviction History Summary: 0 Felonies, 2 Misdemeanors, 0 PV's

Age at First Conviction:

Known Conviction History Detail: OREGON STATE: 11/5/2010-Harassment (Misd case#100849322), 11/5/2010-Criminal Misch II (Misd case#100849322),

Known Behavior History: 0 FTA Criminal, 0 FTA Traffic (Per Statewide OJIN/eCourt/eSWIS Search)

PENDING CASES: No Pending Cases

Comments -

Interviewer (NDD): ECourt clear on 3/23/22 @ 2:05pm

Verified correct copy of Original 3/24/2022

SUPERVISION STATUS: Not on Supervision

PSC Score: 15

PSC Risk Level: Low

Comments - No Comments

REFERENCES: Defendant Declined To Answer

HOUSING:

Current Living Situation: With Roommate - 20 Years

Current County of Residence: Multnomah

Number of Residences in Past 12 months: 1

Owens Residence:

Time in Portland Metro Area: 21 Years

Transportation to Court: Self (valid driver's license)

Comments -

Interviewer (NDD): O stated that he doesn't have any phone numbers memorized.

Defendant (NDD): O stated that he has been in the hospital for the last month.

Lived there for 20 years. Lives there 1 roommate [REDACTED]
Lived in the Ptlld metro area since 2001.

RELATIONSHIP:

Relationship Status: Single

Duration of Current Relationship:

Family in Area: No

Number of Children in the Home:

Children You Provide Primary Care for:

Number of Others in the Home:

Others You Provide Primary Care for:

Number of Dependants: 0

Comments -

Interviewer (NDD): O stated that he doesn't have any phone numbers memorized.

Defendant (NDD): Single
No children
No family (lives in IN)

ALCOHOL / DRUGS:

Number of Alcohol Convictions: 0

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 -

Interviewer (NDD): O stated that he doesn't have any phone numbers memorized.

Defendant (NDD): O denies any drug use.
Last use of alcohol, 3 months ago
No prior treatment

EMPLOYMENT / EDUCATION:

Current Income Source: Job

Student: No

Employer: Peninsula Iron Works

Highest Grade Completed: 12

Monthly Income:

School Name/City:

Hours Employed per Week:

Hours in School per Week:

Have you ever been in Military? No

If yes, what is your status?

Comments -

Interviewer (NDD): O stated that he doesn't have any phone numbers memorized.

Defendant (NDD): Employed @ Peninsula Iron Works, employed "off & on" for 15 years, \$32 hour
No other income
Highest grade 10th/GED
No military

MENTAL HEALTH:

Diagnosis: No

Diagnosis Name(s):

Diagnosis Source:

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 -

Interviewer (NDD): victim information unknown

Does Primary Charge require a Judicial Review? Yes

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

- [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 (DUII) ORS 813.010 if the person has, in this state or any other state, during the ten year period preceding the current DUII arrest, two prior convictions for DUII.
- [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

Verified Correct Copy of Original 3/24/2022

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?	No = 0
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?	No = 0
7. Does the defendant employed, in school, or otherwise engaged as a primary caregiver for a child for LESS THAN 20 hours per week?	No = 0
8. Does the defendant have a history of drug abuse?	No = 0

Total Score: 1

RELEASE DECISION:

Release Assessment Score: **1** (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): Defer to Court

Override: No **Requires Judicial Review:** Yes

Override Reason Comments:

Security Amount Enhanced: No

SUMMARY

Identified Risk Factors: Charge Nature

Interviewer (NDD): Defer to Court due to Charges.

O stated that he has been in the hospital for the last month. O stated that he has resided at the above address for the last 20 years and has 1 roommate. O stated that he had been working full time prior to the incident, employed there for 15 years. O denies any current alcohol or drug use. O denies any MH issues/diagnosis. Located 2 Misdemeanor convictions. No FTA's. No pending cases. O is not on supervision.

Defendant Unable to Sign - Due to COVID-19

Interviewer Initials: NDD

Interviewer Court #: 92012

No Contact Order Issued to Defendant: No

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

Verified Correct Copy of Original 3/24/2022.

Defendant

Smith, Benjamin Jeffrey

SWIS #

749181

Booking #

1534865

SID #

18602987

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.

Defendant's signature

Unable to sign due to COVID-19

Date

3/23/2022

Subscribed and sworn before me this

23rd day of March 2022

Release assistance officer

N. Derthick

Initials

NDD

Court #

92012