

**In the Circuit Court of the State of Oregon
For Multnomah County**

Verified Correct Copy of Original 12/11/2017

STATE OF OREGON,

Court Nbr 17-CR-81497
Crime Report PP 17-406706

DA 2372462-1

NOT CC ELIGIBLE

Plaintiff,

v. **FILED**

TUSITALA JOHN TOESE
DOB: 05/25/1996

DEC 11 2017

Circuit Court

Multnomah County, Oregon

Defendant(s).

Information of District Attorney

ORS 163.160 (1)
ORS 166.065 (2)
ORS 166.025 (3)

The above-named defendant(s) is accused by this information of the crime(s) of COUNT 1 - ATTEMPTED ASSAULT IN THE FOURTH DEGREE, COUNT 2 - HARASSMENT (CLASS B MISDEMEANOR), COUNT 3 - DISORDERLY CONDUCT IN THE SECOND DEGREE, committed as follows:

COUNT 1

ATTEMPTED ASSAULT IN THE FOURTH DEGREE

The said Defendant(s), TUSITALA JOHN TOESE, on or about December 09, 2017, in the County of Multnomah, State of Oregon, did unlawfully and intentionally attempt to cause physical injury to another person, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

COUNT 2

HARASSMENT (CLASS B MISDEMEANOR)

The said Defendant(s), TUSITALA JOHN TOESE, on or about December 09, 2017, in the County of Multnomah, State of Oregon, did unlawfully and intentionally harass and annoy another person, by subjecting to offensive physical contact, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

COUNT 3

DISORDERLY CONDUCT IN THE SECOND DEGREE

The said Defendant(s), TUSITALA JOHN TOESE, on or about December 09, 2017, in the County of Multnomah, State of Oregon, did unlawfully and recklessly create a risk of public inconvenience, annoyance and alarm, by engaging in fighting and violent, tumultuous and threatening behavior, contrary to the statutes in such cases made and provided and against the peace and dignity of the State of Oregon,

Dated at Portland, Oregon, in the county aforesaid, on December 11, 2017.

RAYBURN OSB 122894

ROD UNDERHILL (883246)
District Attorney
Multnomah County, Oregon

By Haley A. Rayburn
Issuing Deputy, OSB # 122894

Security Amount (Def - TOESE) \$1,500 + \$1,500 + \$1,500

Uniform Complaint

AFFIRMATIVE DECLARATION

The District Attorney hereby affirmatively declares for the record, at the time of the defendant's first appearance on this charging instrument and before the court asks under ORS 135.020 how the defendant pleads to the charge(s), the State's intention that any non-person Class C felony(s) or violation(s) of ORS 475.840(3)(a), 475.854, 475.864(2), or 475.874 be treated as a Class A Misdemeanor pursuant to ORS 161.570.

Pursuant to 2005 Or Laws ch. 463 sections 1 to 7, 20(1) and 21 to 23, the State hereby provides written notice of the State's intention to rely at sentencing on enhancement facts for any statutory ground for the imposition of consecutive sentences codified under ORS 137.123 on these counts or to any other sentence which has been previously imposed or is simultaneously imposed upon this defendant.

INFORMATION OF DISTRICT ATTORNEY