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12-15-06  
Circuit Court Clerk Date  
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In the Circuit Court of the State of Oregon for Klamath County

State of Oregon, )  
Plaintiff, )  
vs. )  
Larry Mitchell Hopkins, )  
Defendant. )

Case No.: 0602795CR

JUDGMENT


Case File Date: 11/06/2006

DEFENDANT

True Name: Larry Mitchell Hopkins Sex: Male  
Date of Birth: 06/15/49  
Fingerprint Control No (FPN): 75163504

HEARING

Proceeding Date: 12/15/2006  
Judge: Richard B. Rambo  
Court Reporter: Courtsmart

0602795CR  
JGUC  
Uniform Criminal Judgment  
6019970  


Defendant appeared in person and was in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) William C Gourley, OSB Number 02579.

Plaintiff appeared by and through Marcus Costello, OSB Number 92264.

Defendant knowingly waived two day waiting period before sentencing.

COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

Count 1: Crim Impersonation of Officer

Count number 1, Crim Impersonation of Officer, ORS 162367, a Class C Felony, committed on or about 11/05/2006.

Conviction is based upon a plea of No Contest on 12/15/2006.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 3 and the Criminal History Classification (CHC) is E.

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**Probation**

Defendant is sentenced to Supervised Probation for a period of 24 month(s) and shall be subject to the following conditions of probation: Pursuant to the sentencing guidelines grid, defendant is subject to 120 sanction units with 60 jail units. Defendant is ordered to pay a supervision fee.

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Submit to polygraph examination(s) by a qualified polygraph examiner at the direction of the court or probation officer at defendant's expense. The results shall be admissible in probation revocation proceedings. The exam(s) shall cover compliance with the conditions of probation.
- Immediately inform the court of any change of address.
- Obey all municipal, county, state and federal laws and follow all rules, regulations and requests of the supervisory authority.
- Not associate with any person known to be on parole or felony probation or anyone who has been on felony probation within one year from the date of sentencing without approval from the court or a probation officer, except, if any, the following person(s):
- Stipulate to destruction or forfeiture of any seized property.
- Report immediately following sentencing, to Klamath County Community Corrections located at 3203 Vandenberg Road, Klamath Falls, OR 97603.
- Perform 10 sanction unit(s) of public service consisting of 20 eight-hour days to be completed at a minimum rate of 16 hours per month as directed by the probation officer.
- Submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

**Jail as a Condition of Probation**

Be sentenced to the custody of the Klamath County Supervisory Authority for a period of 20 day(s). Defendant shall receive credit for time served. Defendant may be considered, either by the executing or releasing authority or by the supervisory authority, for any form of temporary leave, reduction in sentence, work release, alternative incarceration program or program of conditional or supervised release as specified in ORS 137.750 - 137.752, and defendant shall pay any required per diem fees.

**Monetary Terms**

Defendant shall be required to pay the following amounts on this count:

**Fees and Assessments: Payable to the Court.**

Type	Amount	Modifier	Reduction	Actual Owed
Attorney Fees	\$500.00			\$500.00
County Jail Asmt	\$22.00			\$22.00
Fine	\$363.00			\$363.00
LE Medical Asmt	\$2.00			\$2.00
SC Facility Asmt	\$6.00			\$6.00
Unitary Assessment	\$107.00			\$107.00
<b>Total</b>	<b>\$1,000.00</b>			<b>\$1,000.00</b>

**Count 2: Felon Possess Firearm**

Count number 2, Felon Possess Firearm, ORS 166270, a Class C Felony, committed on or about 11/05/2006. Conviction is based upon a plea of Guilty on 12/15/2006.

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**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 2 is 7 and the Criminal History Classification (CHC) is D.

This sentence is pursuant to the following special factors:

- The parties are stipulating to a grid block of 7-D, the actual grid block is 6-E.

The court finds reason(s) for a dispositional departure, as stated on the record. This departure is pursuant to the following factor(s):

- Stipulation of the parties.

**Probation**

Defendant is sentenced to Supervised Probation for a period of 36 month(s) and shall be subject to the following conditions of probation: Pursuant to the sentencing guidelines grid, defendant is subject to 120 sanction units with 60 jail units. Defendant is ordered to pay a supervision fee.

Defendant is subject to all general conditions of probation (ORS 137.540).

Furthermore, defendant is subject to the following Special Conditions of Probation (ORS 137.540(2)): Defendant shall:

- Submit to polygraph examination(s) by a qualified polygraph examiner at the direction of the court or probation officer at defendant's expense. The results shall be admissible in probation revocation proceedings. The exam(s) shall cover compliance with the conditions of probation.
- Immediately inform the court of any change of address.
- Obey all municipal, county, state and federal laws and follow all rules, regulations and requests of the supervisory authority.
- Not associate with any person known to be on parole or felony probation or anyone who has been on felony probation within one year from the date of sentencing without approval from the court or a probation officer, except, if any, the following person(s):
- Stipulate to destruction or forfeiture of any seized property.
- Report immediately following sentencing, to Klamath County Community Corrections located at 3203 Vandenberg Road, Klamath Falls, OR 97603.
- Upon revocation of probation, having been granted a dispositional departure, be sentenced to a prison term of 20 month(s).
- Submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

**Jail as a Condition of Probation**

Be sentenced to the custody of the Klamath County Supervisory Authority for a period of 40 day(s). Defendant shall receive credit for time served. Defendant may be considered, either by the executing or releasing authority or by the supervisory authority, for any form of temporary leave, reduction in sentence, work release, alternative incarceration program or program of conditional or supervised release as specified in ORS 137.750 - 137.752, and defendant shall pay any required per diem fees.

**Monetary Terms**

Defendant shall be required to pay the following amounts on this count:

**Fees and Assessments: Payable to the Court.**

Type	Amount	Modifier	Reduction	Actual Owed
County Jail Asmt	\$22.00			\$22.00
Fine	\$363.00			\$363.00
LE Medical Asmt	\$2.00			\$2.00
SC Facility Asmt	\$6.00			\$6.00

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Type	Amount	Modifier	Reduction	Actual Owed
Unitary Assessment	\$107.00			\$107.00
<b>Total</b>	<b>\$500.00</b>			<b>\$500.00</b>

**COUNTS DISPOSED WITH NO CONVICTION**

Count # 3 is Dismissed.

**MONEY AWARD**

**Judgment Creditor: State of Oregon**

**Judgment Debtor: Larry Mitchell Hopkins**

Defendant is ordered to pay the following monetary totals, including restitution or compensatory fine amounts stated above, which are listed in the Money Award portion of this document:

Type	Actual Owed
Attorney Fees	\$500.00
County Jail Asmt	\$44.00
Fine	\$726.00
LE Medical Asmt	\$4.00
SC Facility Asmt	\$12.00
Unitary Assessment	\$214.00
<b>Total</b>	<b>\$1,500.00</b>

The court may increase the total amount owed by adding collection fees and other assessments. These fees and assessments may be added without further notice to the defendant and without further court order.

Subject to amendment of a judgment under ORS 137.107, money required to be paid as a condition of probation remains payable after revocation of probation only if the amount is included in the money award portion of the judgment document, even if the amount is referred to in other parts of the judgment document.

Any financial obligation(s) for conviction(s) of a violation, which is included in the Money Award, creates a judgment lien.

**Payment Schedule**

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be made as follows:

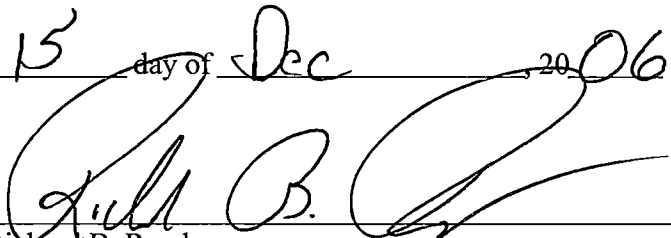
Payments are to be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

**Klamath County Courts  
316 Main  
Klamath Falls, OR 97601**

Dated the 15 day of Dec, 2006

Signed:

  
Richard B. Rambo

# FELONY GUIDELINES SENTENCING REPORT

## PART A

\* PLEASE PRESS FIRMLY

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<b>IDENTIFICATION</b>	1 Court Case # 06-2795CR	2 Offender's Last Name Hopkins	First Larry	MI M	3 Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	4 Birthdate 6/15/49	
	5 County of Sentencing Klamath	6 Race <input type="checkbox"/> White <input type="checkbox"/> Nat. Am. <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other			7 SID #	8 Date Found Guilty 12/15/06	
	9 Guilty By 1 <input checked="" type="checkbox"/> Plea w/charges(s) dropped 2 <input type="checkbox"/> Plea to lesser included 3 <input type="checkbox"/> Plea to original charge(s)			4 <input type="checkbox"/> Stipulated Facts 5 <input type="checkbox"/> Bench Trial 6 <input type="checkbox"/> Jury Trial		10 Supervision Status At Offense 1 <input type="checkbox"/> None    3 <input type="checkbox"/> Post-Prison/Parole 2 <input type="checkbox"/> Probation    4 <input type="checkbox"/> Incarceration/Escape	
	11 Did The Case Involve 1 <input type="checkbox"/> No stipulations    3 <input type="checkbox"/> Stipulated grid block and presumptive sentence 2 <input checked="" type="checkbox"/> Stipulated grid block only    4 <input type="checkbox"/> Stipulated grid block and departure sentence						

<b>CRIME SERIOUSNESS</b>	12 Most Serious Offense (Primary Offense) Crim. Impersonation of Officer	13 ORS 162367	14 Seriousness Ranking 3
	15 Offense Modifiers    1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy	16 <input type="checkbox"/> Firearm Used	
	17 Second Most Serious Offense Felon Poss. Firearm	18 ORS 166270	19 Seriousness Ranking 7/10
	20 Offense Modifiers    1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy	21 <input type="checkbox"/> Firearm Used	
	22 Third Most Serious Offense	23 ORS	24 Seriousness Ranking
25 Offense Modifiers    1 <input type="checkbox"/> Attempt or Solicitation    2 <input type="checkbox"/> Conspiracy	26 <input type="checkbox"/> Firearm Used		
27 <input type="checkbox"/> Supplement attached to report additional current convictions			

<b>HISTORY</b>	28 <b>CRIMINAL HISTORY CLASSIFICATION</b> (CIRCLE)	A   B   C   D <b>E</b> F   G   H   I
	Record all prior felony and A-misdemeanor convictions on Criminal History Worksheet and attach.	

<b>GUIDELINE SENTENCE</b>	29 The presumptive guideline sentence for the primary offense is:	
	1 <input type="checkbox"/> A prison term of _____ to _____ months and a post-prison supervision term of _____ months.	2 <input checked="" type="checkbox"/> A probationary sentence of <u>30</u> months.
	30 Additional current convictions:	
	<b>PRESUMPTIVE RANGE</b>	<b>BASE RANGE</b>
Second most serious _____ to _____ months	_____ to _____ months	_____ to _____ months
Third most serious _____ to _____ months	_____ to _____ months	_____ to _____ months

SUBMIT PROMPTLY TO:  
**OREGON CRIMINAL JUSTICE COMMISSION**  
 Agricultural Building, Suite #350  
 635 Capitol Street NE  
 Salem, OR 97301

DISTRIBUTION:    White    OCJC    Pink    Defense  
                           Green    Court    Goldenrod    DOC  
                           Canary    Prosecutor

### PART B

31 Court Case # <u>06-2795CR</u>	32 Offender's Last Name <u>Hopkins</u>	First <u>Larry</u>	MI <u>M</u>	33 Sentencing Date <u>12/15/06</u>	34 PSI Ordered 1 <input type="checkbox"/> Yes 2 <input type="checkbox"/> No
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### SENTENCE DISPOSITION

**PROBATION**

35 Probation Length: 36 months  
 Bench  
 Supervised

IMPOSITION OF:

	CUSTODY UNITS	JAIL	days
36 Most Serious Offense	<u>120</u>	<u>60</u>	
37 2nd Most Serious Offense	<u>120</u>	<u>60</u>	
38 3rd Most Serious Offense			
39 Total			

40 Total Financial Conditions \$ 1500.00

41 Type of Treatment or Evaluation:  
 Drug  Alcohol  Mental Health  Sex Offender  Other

**PRISON**

43 Most Serious Offense (Primary): \_\_\_\_\_ months

44 Second Most Serious: \_\_\_\_\_ months  
 Concurrent  Consecutive to primary sentence

45 Third Most Serious: \_\_\_\_\_ months  
 Concurrent  Consecutive to primary sentence

46 Total Term of Imprisonment: \_\_\_\_\_ months

47 This prison term runs:  Concurrently  Consecutively  
 to prior sentence in Case # \_\_\_\_\_

48 Post-prison Supervision: \_\_\_\_\_ months

49 Gun Minimum Imposed:  Yes

Sentence Pursuant to ORS 137.635:  Yes

Sentence Pursuant to ORS 137.700 (Ballot Measure 11):  Yes

Sentence Pursuant to ORS 137.717 (Repeat Property Offender):  Yes

**FOR OFFENDERS IN 8-G, 8-H OR 8-I**

42 Eligible for Optional Probation  Yes  No

If ineligible, cite reason(s):  
 1 Treatment not available  
 2 Firearm use  
 3 Supervision status at offense

**DEPARTURES**

50 A departure sentence was imposed for the:  
 1 Most Serious Offense  
 2 2nd Most Serious Offense  
 3 3rd Most Serious Offense

51 Type of departure sentence:  
 1 Dispositional  
 2 Durational  
 3 Dispositional and Durational  
 4 Dangerous Offender  
 5 Custody Units

52 Factors cited as a basis for departure sentence:  
**MITIGATING FACTORS**  
 A. Victim Involvement  
 B. Defendant Under Duress  
 C. Defendant's Mental Capacity  
 D. Offense Accomplished by Another  
 E. Defendant's Minor Role  
 F. Defendant's Cooperation w/State  
 G. Harm or Loss Less than Typical  
 H. Conviction Free for Significant Period  
 I. The Offender is Amenable to Treatment  
 J. Other

**AGGRAVATING FACTORS**  
 A. Deliberate Cruelty to Victim  
 B. Victim Particularly Vulnerable  
 C. Violence Toward Victim or Witness  
 D. Persistent Similar Offenses  
 E. Weapon Use  
 F. Violation of Public Trust  
 G. Multiple Victims or Incidents  
 H. Crime Part of Organized Operation  
 I. Permanent Injury to Person  
 J. Harm/Loss Greater Than Typical  
 K. Motivated by Race, Religion or Sexual Orientation of Victim  
 L. Other