

137.700 Offenses requiring imposition of mandatory minimum sentences.

(1) Notwithstanding ORS 161.605, when a person is convicted of one of the offenses listed in subsection (2)(a) of this section and the offense was committed on or after April 1, 1995, or of one of the offenses listed in subsection (2)(b) of this section and the offense was committed on or after October 4, 1997, or of the offense described in subsection (2)(c) of this section and the offense was committed on or after January 1, 2008, the court shall impose, and the person shall serve, at least the entire term of imprisonment listed in subsection (2) of this section. The person is not, during the service of the term of imprisonment, eligible for release on post-prison supervision or any form of temporary leave from custody. The person is not eligible for any reduction in, or based on, the minimum sentence for any reason whatsoever under ORS 421.121 or any other statute. The court may impose a greater sentence if otherwise permitted by law, but may not impose a lower sentence than the sentence specified in subsection (2) of this section.

(2) The offenses to which subsection (1) of this section applies and the applicable mandatory minimum sentences are:

- (a)(A) Murder, as defined in
ORS 163.115..... 300 months
- (B) Attempt or conspiracy to commit aggravated murder, as defined in
ORS 163.095..... 120 months
- (C) Attempt or conspiracy to commit murder, as defined in
ORS 163.115..... 90 months
- (D) Manslaughter in the first degree, as defined in
ORS 163.118..... 120 months
- (E) Manslaughter in the second degree, as defined in
ORS 163.125..... 75 months
- (F) Assault in the first degree, as defined in
ORS 163.185..... 90 months

- (G) Assault in the second degree, as defined in
ORS 163.175..... 70 months
- (H) Except as provided in paragraph (b)(G) of this subsection,
kidnapping in the first degree, as defined in
ORS 163.235..... 90 months
- (I) Kidnapping in the second degree, as defined in
ORS 163.225..... 70 months
- (J) Rape in the first degree, as defined in
ORS 163.375 (1)(a), (c) or (d)... 100 months
- (K) Rape in the second degree, as defined in
ORS 163.365..... 75 months
- (L) Sodomy in the first degree, as defined in
ORS 163.405 (1)(a), (c) or (d)... 100 months
- (M) Sodomy in the second degree, as defined in
ORS 163.395..... 75 months
- (N) Unlawful sexual penetration in the first degree, as defined in
ORS 163.411 (1)(a) or (c)..... 100 months
- (O) Unlawful sexual penetration in the second degree, as defined in
ORS 163.408..... 75 months
- (P) Sexual abuse in the first degree, as defined in
ORS 163.427..... 75 months
- (Q) Robbery in the first degree, as defined in
ORS 164.415..... 90 months

- (R) Robbery in the second degree, as defined in
ORS 164.405..... 70 months
- (b)(A) Arson in the first degree, as defined in ORS 164.325,
when the offense represented a threat of serious physical injury
..... 90 months
- (B) Using a child in a display of sexually explicit conduct, as defined in
ORS 163.670..... 70 months
- (C) Compelling prostitution, as defined in
ORS 167.017..... 70 months
- (D) Rape in the first degree, as defined in
ORS 163.375 (1)(b)..... 300 months
- (E) Sodomy in the first degree, as defined in
ORS 163.405 (1)(b)..... 300 months
- (F) Unlawful sexual penetration in the first degree, as defined in
ORS 163.411 (1)(b)..... 300 months
- (G) Kidnapping in the first degree, as defined in
ORS 163.235, when the offense is committed in furtherance of the commission or
attempted commission of an offense listed in subparagraph (D), (E) or (F) of this
paragraph..... 300 months
- (c) Aggravated vehicular homicide, as defined in
ORS 163.149..... 240 months