

West's Oregon Revised Statutes Annotated
Title 14. Procedure in Criminal Matters Generally
Chapter 133. Arrest and Related Procedures; Search and Seizure; Extradition
Search and Seizure
(Preservation of Biological Evidence)

O.R.S. § 133.705

133.705. Definitions

Currentness

As used in ORS 133.705 to [133.717](#):

(1) "Biological evidence" means an individual's blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or other identified biological material. "Biological evidence" includes the contents of a sexual assault forensic evidence kit.

(2) "Convicted" includes a finding of guilty or responsible except for insanity and a finding that a person is within the jurisdiction of the juvenile court under [ORS 419C.005](#).

(3) "Covered offense" means:

- (a) Aggravated murder under [ORS 163.095](#);
- (b) Murder under [ORS 163.115](#);
- (c) Manslaughter in the first degree under [ORS 163.118](#);
- (d) Manslaughter in the second degree under [ORS 163.125](#);
- (e) Aggravated vehicular homicide under [ORS 163.149](#);
- (f) Rape in the first degree under [ORS 163.375](#);
- (g) Sodomy in the first degree under [ORS 163.405](#); or
- (h) Unlawful sexual penetration in the first degree under [ORS 163.411](#).

(4) “Custodian” means a law enforcement agency as defined in [ORS 131.550](#), or any other person or public body as defined in [ORS 174.109](#), that is charged with the collection, preservation or retrieval of evidence in connection with a criminal investigation or criminal prosecution. “Custodian” does not include a court.

(5) “DNA” means deoxyribonucleic acid.

(6) “DNA profile” means the unique identifier of an individual that is derived from DNA.

(7) “Sentence” means a term of incarceration in a correctional or juvenile detention facility, a period of probation, parole or post-prison supervision and the period of time during which a person is under the jurisdiction of the Psychiatric Security Review Board.

(8) “Supervisory authority” has the meaning given that term in [ORS 144.087](#).

(9) “Victim” has the meaning given that term in [ORS 131.007](#).

Credits

Added by [Laws 2011, c. 275, § 2, eff. June 7, 2011](#), operative Jan. 1, 2012.

O. R. S. § 133.705, OR ST § 133.705

Current with emergency legislation through Ch. 112 of the 2012 Reg. Sess. Revisions to Acts made by the Oregon Reviser were unavailable at the time of publication. End of Document

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