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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LINN

STATE OF OREGON,)
Plaintiff)
VS.)
Kim Anthony Hartsock)
Defendant)

CASE NO: 15CR35187
ORDER TO SHOW CAUSE
COURT MONITORING SERVICES

Handwritten notes: #1329471



SID:	21295250	DOB:	02/08/1954	EXPIRATION:	04/26/2018
CRIME(S):	ASSAULT IN THE FOURTH DEGREE			SENTENCE:	24 Months

The undersigned notified the Court of a violation in the above-entitled matter, based upon the attached affidavit and report, to-wit:

	1. Failed to report to this agency as directed.
	2. Change residence without notifying this agency.
	3. Absconded from supervision.
	4. Failed to pay Court-ordered financial obligations as directed.
	5. Failed to report to Court-ordered work crew or community service as directed.
	6. Consumed/possessed:
X	7. Failed to comply/complete: Abide by Court Monitoring Services directives *See attached violation report.*
	8. Violated condition:
	9. Violated condition:
	10. Committed the crime(s) of:
	11. Committed the crime(s) of:

Dated this 31st day of August 2016.

Court Monitoring Services Director

Based upon the above Court Monitoring Service's report Court records and affidavit, the State moves that the defendant's probation diversion agreement conditional discharge agreement be ^{modified} revoked and that a cite bench warrant be issued. Show cause issue for D to appear in court.

Dated this 1 day of September, 20 16

Deputy District Attorney:

Based upon the above motion, the defendant shall show cause why the above matter should not be revoked.

IT IS ORDERED that a cite bench warrant shall issue for defendants arrest.

IT IS ORDERED that defendant shall appear in the above Court on: 10/05/16 @ 1:15 pm

Circuit Court Judge, Daniel R. Murphy

**IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LINN**

PROBATION VIOLATION REPORT

DATE: August 31, 2016
TO: Linn County District Attorney
FROM: Samantha L. Lotti, CMS Director
RE: **HARTSOCK, Kim Anthony**
DOCKET#: 15CR35187

ALLEGATIONS:

1. Mr. Hartsock has violated the condition of, "... abide by the Court Monitoring Services directives."

SUBSTANTIATION:

1. On April 26, 2016, Mr. Hartsock was placed on monitored probation with this agency. Mr. Hartsock was Court ordered to report to Linn County Mental Health and follow through with the assessment and complete any treatment or after care recommended as a result of that assessment. Mr. Hartsock has reported to this agency that he has completed an assessment and no further treatment is recommended; however, he will not provide any proof of this. Mr. Hartsock does not want any of his medical records released to this agency or to the Court. This agency has explained to Mr. Hartsock on several occasions that we do not need to see any of his medical records and we do respect his privacy, but we do need to know that an assessment has been done and what the results were. This agency has also requested to Mr. Hartsock on several occasions that he sign a release of information so that we can access the assessment. Mr. Hartsock states that all ROI's have been signed, but he still does not want those records released. Mr. Hartsock has stated to this agency that if the Court wants any records, then they will need to subpoena him or Linn County Mental Health for them. It is recommended that Mr. Hartsock's judgment be amended and it state that "Upon request, sign release for mental health evaluation and treatment information to be disclosed to the probation officer, the Court and/or the District Attorney."

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AFFIDAVIT OF
COURT MONITORING SERVICES

AFFIDAVIT

STATE OF OREGON)
)
County of Linn)

ss

AFFIDAVIT

COMES NOW, Samantha L. Lotti, after having been sworn, do depose and say:
That I am the director of Court Monitoring Services in Linn County, Oregon and that I have reviewed:

X the case(s) reference in the attached Motion to Revoke

And that based upon my review, I have probable cause to believe that the defendant has violation the terms of probation.

This affidavit is made in support of the State's Motion to Revoke and request for a bench warrant.

DATED this 31st day of August 2016



Affiant Court Monitoring Services Director

AFFIRM AND ATTESTED to before me this 31 day of August, 2016.



Notary Public for Oregon

My Commission Expires: 9-25-18

