Chapter 142

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Stolen Property

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142.010 Officer's custody of stolen property is subject to order of magistrate or court. When property alleged to have been the subject of a theft comes into the custody of a peace officer, the peace officer shall hold it subject to the order of the magistrate or court, as provided in ORS 142.020. [Amended by 1971 c.743 §334]

142.020 Delivery of stolen property to owner. (1) On satisfactory proof of the title of the owner of the property, the magistrate who examines the charge against the person accused of the crime shall order it to be delivered to the owner, or the duly authorized agent of the owner, on the paying by the owner of the reasonable and necessary expenses incurred in its preservation, which shall be ascertained and certified by the magistrate.

(2) If property that is the subject of a theft has not been delivered to the owner, the court before which a trial is had for the stealing thereof may, on like proof and condition, order its delivery to the owner or the agent of the owner. [Amended by 1971 c.743 §335]

142.030 Rights and authority conferred by order of delivery. The order provided for in ORS 142.020 entitles the owner or the agent of the owner to demand and receive the possession of the property from the officer having it in custody and authorizes such officer to deliver it accordingly; but it does not affect the rights of third persons.

142.040 Disposal of unclaimed money or property; sale of property. If stolen property is not claimed by the owner within 60 days from the conviction of the person charged with the theft, the officer having it in custody shall, if it is money, pay it into the county treasury. If it is other property, the officer may dispose of the property in accordance with ORS 98.245 or sell it as upon an execution and, after paying the expenses of the sale and preservation of the property, which shall be ascertained and certified by the clerk of the court, pay the proceeds into the county treasury. [Amended by 1971 c.743 §336; 1997 c.480 §4]

142.050 Title of purchaser at sale. A sale of property pursuant to ORS 142.040 conveys a good title to the purchaser as against any person.

142.060 Crediting and appropriating proceeds of sale paid into county treasury; rights of owner. Money paid into the county treasury pursuant to ORS 142.040 shall be credited and appropriated as a fine imposed upon a person convicted of theft; but the owner of the property, at any time within six years of the conviction, upon making satisfactory proof of ownership before the county court of the county, may, by the order of such court, have the proceeds repaid to the owner from the county treasury. [Amended by 1971 c.743 §337]

142.070 Powers and duties of peace officers respecting theft and slaughter of animals and other property. All persons serving as special officers for the enforcement of any state or municipal law hereby are vested with the full powers of peace officers in so far as the same may be necessary or convenient for the apprehension of any persons engaged in, or accused of, the theft or slaughter of livestock, livestock carcasses, poultry, killed or dressed, or other personal property and products of the same or different kind from farms, pastures, ranges, industrial plants and other places of production or robbing the owners of such personal property, or other persons in possession of the same; for the prevention of such crimes; and for obtaining and seeking to obtain evidence of such crimes. It is the duty of all peace officers in the State of Oregon to enforce all laws for the protection of the property and the prevention of the crimes above mentioned.

142.080 [Amended by 1973 c.836 §77; renumbered 133.460]

142.090 [Amended by 1973 c.836 §78; renumbered 133.465]

142.100 [Amended by 1973 c.836 §79; renumbered 133.470]

142.110 [Amended by 1973 c.836 §80; renumbered 133.475]

142.120 [Renumbered 133.485]

142.130 [Renumbered 133.495]

142.210 [Amended by 1973 c.836 §76; renumbered 133.455]

142.990 [Repealed by 1973 c.836 §358]