

OR. REV. STAT. ANN. § 163.375 (WEST 2011). RAPE IN THE FIRST DEGREE

(1) A person who has sexual intercourse with another person commits the crime of rape in the first degree if:

(a) The victim is subjected to forcible compulsion by the person;

(b) The victim is under 12 years of age;

(c) The victim is under 16 years of age and is the person's sibling, of the whole or half blood, the person's child or the person's spouse's child; or

(d) The victim is incapable of consent by reason of mental defect, mental incapacitation or physical helplessness.

(2) Rape in the first degree is a Class A felony.

Oregon is a mandatory Public Law 280 state except for Warm Springs. Oregon has also partially retroceded jurisdiction back to the Umatilla Reservation.