

COURT OF APPEALS OF OREGON

State v. Reed

348 Or. App. 116 (2026) · No. A182075 · Decided April 1, 2026

SUMMARY

The Oregon Court of Appeals affirmed Travis J. Reed’s convictions for multiple sexual offenses arising from alleged abuse of his teenage stepdaughters. The court held that the trial court did not commit reversible error in admitting evidence of Reed’s prior third-degree rape convictions under Oregon Evidence Code 404(4) and conducting the required OEC 403 analysis.

CASE DETAILS

COURT	Court of Appeals of Oregon
WRITING FOR THE COURT	Jacquot, J.; Tookey, Presiding Judge; Kamins, Judge; Jacquot, Judge
JURISDICTION	Oregon Court of Appeals
DECIDED	April 1, 2026
DOCKET	A182075
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed a judgment of conviction entered after a bench trial on numerous sexual-abuse and related charges, challenging the admission of evidence of two prior third-degree rape convictions under Oregon Evidence Code rules 404 and 403.
STANDARD OF REVIEW	The ultimate admissibility determination under OEC 403 is reviewed for abuse of discretion; whether the trial court properly applied the OEC 403 balancing test is reviewed as a question of law.
PRECEDENTIAL VALUE	Published and precedential Oregon Court of Appeals opinion
PARTIES	Travis J. Reed v. State of Oregon

TOPICS

- character evidence
- evidence
- criminal procedure
- standard of review
- appellate procedure

PRACTICE AREAS

- criminal law
- evidence
- appellate practice

QUESTIONS PRESENTED

1. Whether the trial court erred by admitting evidence of defendant's prior third-degree rape convictions under OEC 404(3) as nonpropensity evidence of knowledge or intent.
2. Whether the trial court improperly conducted its OEC 404(4) and OEC 403 analysis by failing to recognize the propensity-based nature of the prior-conviction evidence.
3. Whether the trial court abused its discretion under OEC 403 by admitting the prior convictions and related probation-condition addendum.

HOLDINGS

1. The trial court erred insofar as it admitted the prior-conviction evidence under OEC 404(3) as nonpropensity evidence of knowledge that defendant's conduct was unlawful; evidence of a defendant's sexual interest in children relies on propensity reasoning and is not admissible under a nonpropensity theory such as knowledge.
2. The trial court did not err on the grounds presented by defendant because it implicitly recognized that the evidence was propensity-based but admissible under OEC 404(4), and it conducted the required OEC 403 balancing.
3. The trial court did not abuse its discretion under OEC 403 by admitting the prior convictions and the associated probation-condition addendum.

KEY QUOTATIONS

“Thus, such evidence is not admissible under a nonpropensity theory of relevance, such as intent and knowledge as described in OEC 404(3).” (122)

“However, “[i]n cases in which the state must prove that the defendant acted for a sexual purpose,” such as prosecutions for first-degree sexual abuse, “evidence of a defendant’s prior acts or interactions with children [is likely admissible] when it is offered to establish that the defendant has a sexual interest in children, because it is relevant and probative to the issue of whether the defendant committed the act for a sexual purpose,” subject to OEC 403 balancing.” (123)

FACTUAL BACKGROUND

Defendant was charged with multiple counts arising from alleged sexual abuse of his two teenage stepdaughters over many years. In recorded police interviews admitted at trial, defendant admitted some charged acts but denied that they were performed for a sexual purpose and denied that patently sexual acts occurred. The state introduced evidence that approximately 20 years earlier defendant had pleaded guilty to two counts of third-degree rape involving sex with a 15-year-old girl, including the conviction judgment and a probation-condition addendum referring to sexual deviancy and pedophiles.

PROCEDURAL HISTORY

The Union County Circuit Court denied defendant's pretrial motion to exclude evidence of his two prior third-degree rape convictions and granted the state's motion to admit the evidence under OEC 404(3) and OEC 404(4), subject to OEC 401 and OEC 403. The court admitted the prior convictions and an associated probation-

condition addendum at defendant's bench trial. Defendant was convicted and sentenced to more than 46 years in prison, then appealed. The Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Williams, 357 Or. 1, 346 P.3d 455 (2015)
- State v. Davis, 372 Or. 618, 553 P.3d 1017 (2024)
- State v. Martinez, 341 Or. App. 10, 572 P.3d 1081 (2025)
- State v. Martinez, 335 Or. App. 643, 559 P.3d 907 (2024)
- State v. Shaw, 338 Or. 586, 614-15, 113 P.3d 898 (2005)
- State v. Cave, 298 Or. App. 30, 41, 445 P.3d 364 (2019)
- State v. Cave, 321 Or. App. 81, 90, 516 P.3d 279 (2022)
- State v. Nolen, 319 Or. App. 703, 711, 511 P.3d 1110 (2022)
- State v. Travis, 344 Or. App. 496, 504, 580 P.3d 889 (2025)
- State v. Travis, 320 Or. App. 460, 513 P.3d 614 (2022)
- State v. Gonzalez-Sanchez, 283 Or. App. 800, 806, 391 P.3d 811 (2017)
- State v. Walker, 350 Or. 540, 550, 258 P.3d 1228 (2011)
- State v. Champagne, 341 Or. App. 343, 357, 573 P.3d 412 (2025)
- State v. Estrada-Vargas, 342 Or. App. 374, 381, 576 P.3d 985 (2025)
- State v. Mayfield, 302 Or. 631, 645, 733 P.2d 438 (1987)
- State v. Romero, 236 Or. App. 640, 643-44, 237 P.3d 894 (2010)
- Beall Transport Equipment Co. v. Southern Pacific, 186 Or. App. 696, 700 n. 2, 64 P.3d 1193 (2003), adhered to as clarified on reconsideration, 187 Or. App. 472, 68 P.3d 259 (2003)
- State v. Sewell, 257 Or. App. 462, 468, 307 P.3d 464 (2013)

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