

A-Engrossed Senate Bill 914

Ordered by the Senate April 11
Including Senate Amendments dated April 11

Sponsored by COMMITTEE ON JUDICIARY (at the request of Judge Michael Marcus)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Directs Department of Corrections to establish uniform presentence report forms that require report writers to provide analysis of means to reduce future criminal behavior and to determine availability of programs and treatment to offender.]

Directs Department of Corrections to require that presentence report provide analysis of disposition most likely to reduce offender's criminal conduct and provide assessment of availability of relevant programs or treatment to offender.

A BILL FOR AN ACT

1
2 Relating to presentence reports; amending ORS 144.791.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 144.791 is amended to read:

5 144.791. (1) When a person is convicted of a felony, including a felony sexual offense, the sen-
6 tencing court may order a presentence report upon its own motion or upon the request of the dis-
7 trict attorney or the defendant.

8 (2) The sentencing court shall order a presentence report if the defendant is convicted of a fel-
9 ony sexual offense unless:

10 (a) The defendant, as part of the same prosecution, is convicted of aggravated murder;

11 (b) The felony sexual offense requires the imposition of a mandatory minimum prison sentence
12 and no departure is sought by the court, district attorney or defendant; or

13 (c) The felony sexual offense requires imposition of a presumptive prison sentence and no de-
14 parture is sought by the court, district attorney or defendant.

15 (3) The Department of Corrections shall:

16 **(a) Require that a presentence report provide an analysis of what disposition is most**
17 **likely to reduce the offender's criminal conduct, explain why that disposition would have that**
18 **effect and provide an assessment of the availability to the offender of any relevant programs**
19 **or treatment in or out of custody, whether provided by the department or another entity;**

20 [(a)] (b) Determine what **additional information** must be included in [a] the presentence report;
21 and

22 [(b)] (c) Establish a uniform presentence report form.
23

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.