

OREGON STATE BAR
Legislative Proposal
Part I – Legislative Summary

RE: JUDICIAL SENTENCING OPTIONS FOR VETERANS

Submitted by: Lawyers for Veterans Steering Committee

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1. Does this amend current law or program?

a. Yes

b. No

2. PROBLEM PRESENTED (including level of severity):

Many veterans return from deployment suffering from Post Traumatic Stress Disorder (PTSD) or Traumatic Brain Injury (TBI), both of which can affect the veteran's behavior in unpredictable ways. The 2010 legislature enacted SB 999, which allows the diversion for servicemembers in criminal cases under certain circumstances. This diversion program seems to be underutilized. Veterans may find themselves in the criminal justice system, convicted of a crime and facing incarceration, when a more appropriate sentence would be probation with a treatment regimen.

3. SOLUTION:

Provide judges with authority to impose a sentence of probation on veterans who suffer from PTSD or TBI upon conviction of certain crimes. Instead of incarceration, such veterans would enter treatment.