

SB 205 STAFF MEASURE SUMMARY

**Senate Committee On Judiciary and Ballot Measure 110
Implementation**

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Meeting Dates: 2/4

WHAT THE MEASURE DOES:

Allows the court to order that a person be committed to the state hospital or other secure mental health facility while a petition for commitment is pending.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Currently under ORS 426.701, the courts do not have the authority to detain an individual who is alleged to be extremely dangerous while the civil commitment petition is pending. When individuals are returned from the Oregon State Hospital (OSH) after a determination that they are permanently unable to aid and assist, the courts must either set over the aid and assist hearing or dismiss the criminal case. This results in either a mentally ill individual who cannot be prosecuted sitting in jail, or alternately, an extremely dangerous person being released into the community prior to their hearing.

Senate Bill 205 allows the court to order an individual to be committed to OSH or other secure mental health facility while a petition is pending.