

SB 218 -1 STAFF MEASURE SUMMARY

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

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 2/1, 2/2, 4/8

WHAT THE MEASURE DOES:

Expands types of charges eligible for conditional discharge to include any misdemeanor or Class C felony if defendant has been accepted into specialty court.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Establishes new statute that expands types of charges eligible for conditional discharge to include any misdemeanor or Class C felony if defendant has been accepted into specialty court. Specifies waiver of rights requirements of eligible defendant and terms of probationary agreement.

BACKGROUND:

Under ORS 137.533, whenever a person pleads guilty to or is found guilty of a misdemeanor other than driving while under the influence of intoxicants or other than a misdemeanor involving domestic violence, the court may defer further proceedings and place the person on probation, upon motion of the district attorney and without entering a judgment of guilt.

Senate Bill 218 creates a new statute that expands the cases for which a court may defer further proceedings to include any misdemeanor or Class C felony if defendant has been accepted into specialty court.