

TASK FORCE ON SPECIALTY COURTS

Oregon State Legislature

900 Court Street NE Salem, OR 97301

<https://www.oregonlegislature.gov>



RECOMMENDATION PROPOSAL

For questions or assistance filling out this form, please reach out to task force staff:
jules.dellinger@oregonlegislature.gov or patricia.pascone@oregonlegislature.gov.

Please submit one form per policy recommendation. There is no limit on the number of forms you may submit for discussion.

Task force members are encouraged to collaborate. If you collaborate, please submit one form per recommendation and list all group members' names.

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| Name(s) of submitter(s) |
| Chris Behre |
| Proposal number and draft number (as applicable): |
| 1.1 |
| What problem are you trying to solve? |
| Ensuring that specialty courts are enrolling participants who are best suited to the program based on objective, evidence-based eligibility standards administered by the court, and expanding specialty court charge eligibility. |
| Title of proposal (25 words or less): |
| Giving specialty court judges discretion to determine who enters their specialty court |
| Task Force Study Topic (eligibility, accountability, administration, funding): |
| Eligibility, accountability, and administration |
| <u>Detailed</u> description of proposal (50 words or more): |



Currently, many specialty courts require that the district attorney consent to an individual entering a specialty court. This requirement, which exists both in court policy and in the conditional discharge statute (ORS 475.245), strips the court of its discretion to determine which individuals are best suited to enter the court it operates. This often results in lower admissions, as the district attorney can essentially veto entry, even if the court believes the individual would benefit and be successful in the program.

Enforcement:

How will the legislature make sure the policy is followed, if applicable?

Statutory mandate and statutory revision

Reporting mechanisms:

What information will be collected so the legislature knows if the policy is working as intended?

No change in reporting would be needed. Court coordinators would report numbers of applicants and approvals.

Agency responsible for implementation:

Treatment court coordinators.

