



HB 2005 Implementation and Next Steps

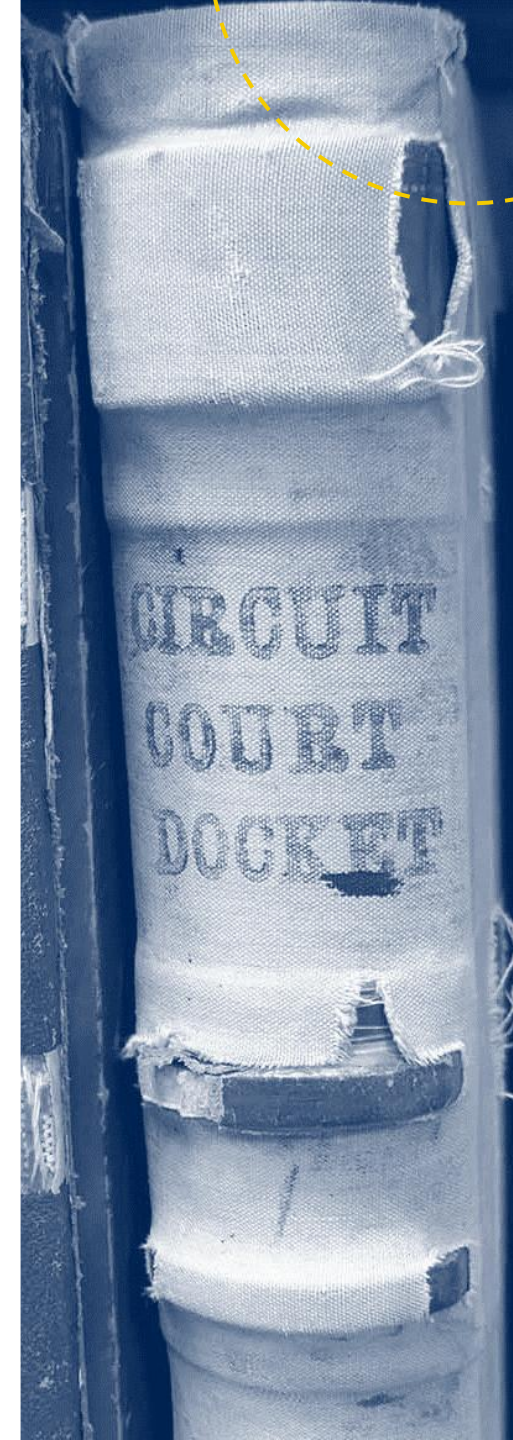


Channa Newell

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Oregon Judicial Department

House Judiciary Committee

June 16, 2026



OJD Implementation Efforts

- Court Processes
- Trainings for Judges and Staff
- Statewide Forms

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF _____

State of Oregon
v.

Plaintiff
Defendant

Case No: _____

**ORDER ON MOTION FOR
EXTENSION OF COMMUNITY
RESTORATION TIME LIMIT**

(ORS 161.370)

This matter came before the Court on _____ (date) for a hearing on a motion from _____ to extend the maximum period of community restoration, pursuant to Section 45(3), Chapter 559 (2025 Laws).

Defendant ☐ appeared (in person or remotely) / ☐ did not appear, represented by counsel (name/ bar number) _____.

The State appeared through (name/ bar number) _____.

Based on the Court's review and consideration of (check all that apply):

- ☐ The court file
- ☐ A report from a local community mental health program (CMHP), dated _____
- ☐ A report of a certified evaluator, dated _____
- ☐ The Court's inquiry and observation of Defendant at the hearing
- ☐ Statements from counsel
- ☐ Witness testimony from State's witnesses
- ☐ Witness testimony from Defendant's witnesses
- ☐ Other information: _____

THE COURT FINDS:

1. The most serious offense in the charging instrument is:

- ☐ A violation, or a misdemeanor other than a Class A misdemeanor
- ☐ A Class A misdemeanor other than a person Class A misdemeanor
- ☐ A Class A misdemeanor or contempt charge
- ☐ A felony other than aggravated murder, violent felony or crime listed in ORS 137.700(2)
- ☐ Aggravated murder, violent felony or crime listed in ORS 137.700(2)

HB 2005-Civil Commitment Changes

Expanded
considerations
for court

Changed
definitions of
danger to self and
others

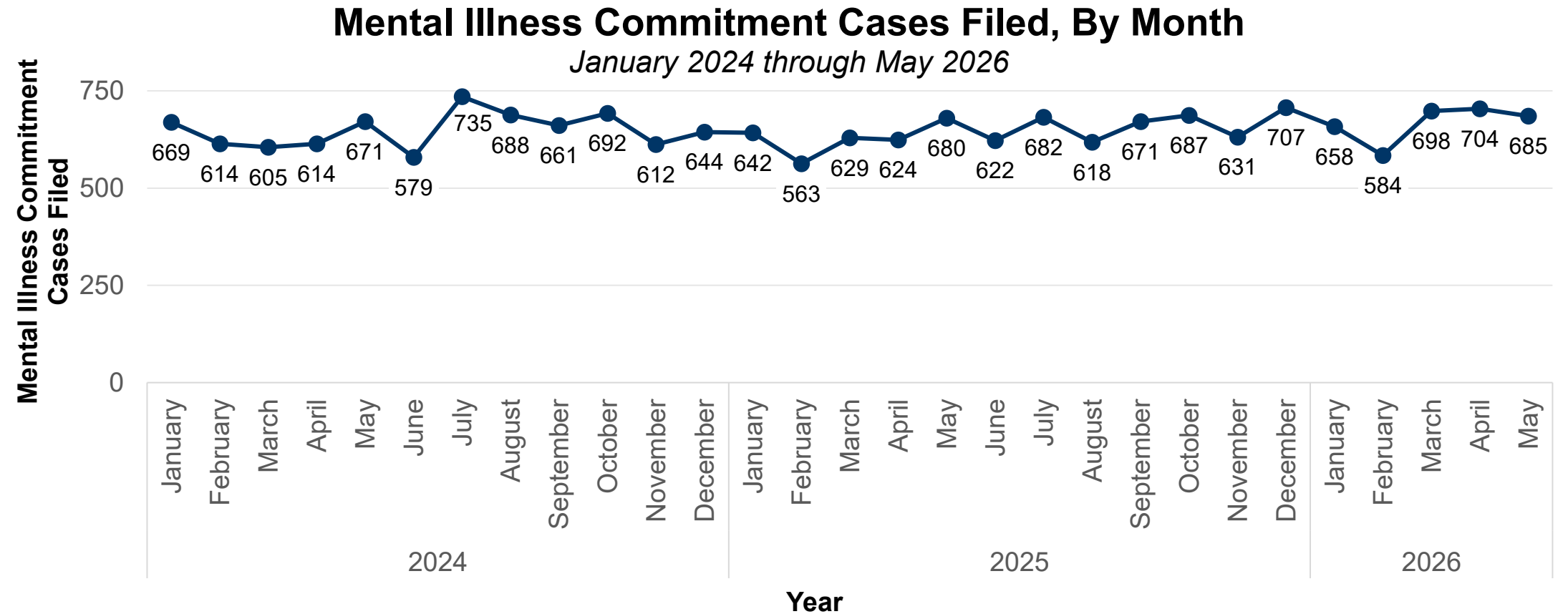
Clarified
diversion;
allowed second
14-day stay

Incorporates
Declarations for
Mental Health
Treatment

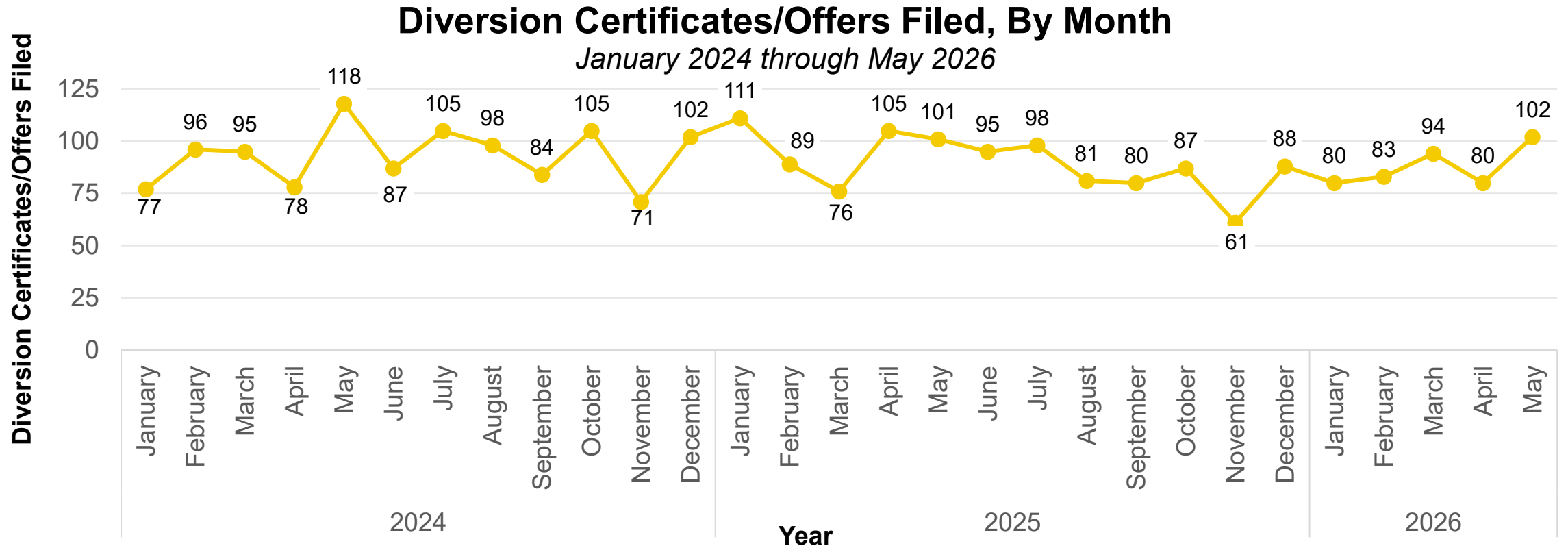


Civil Commitment Data

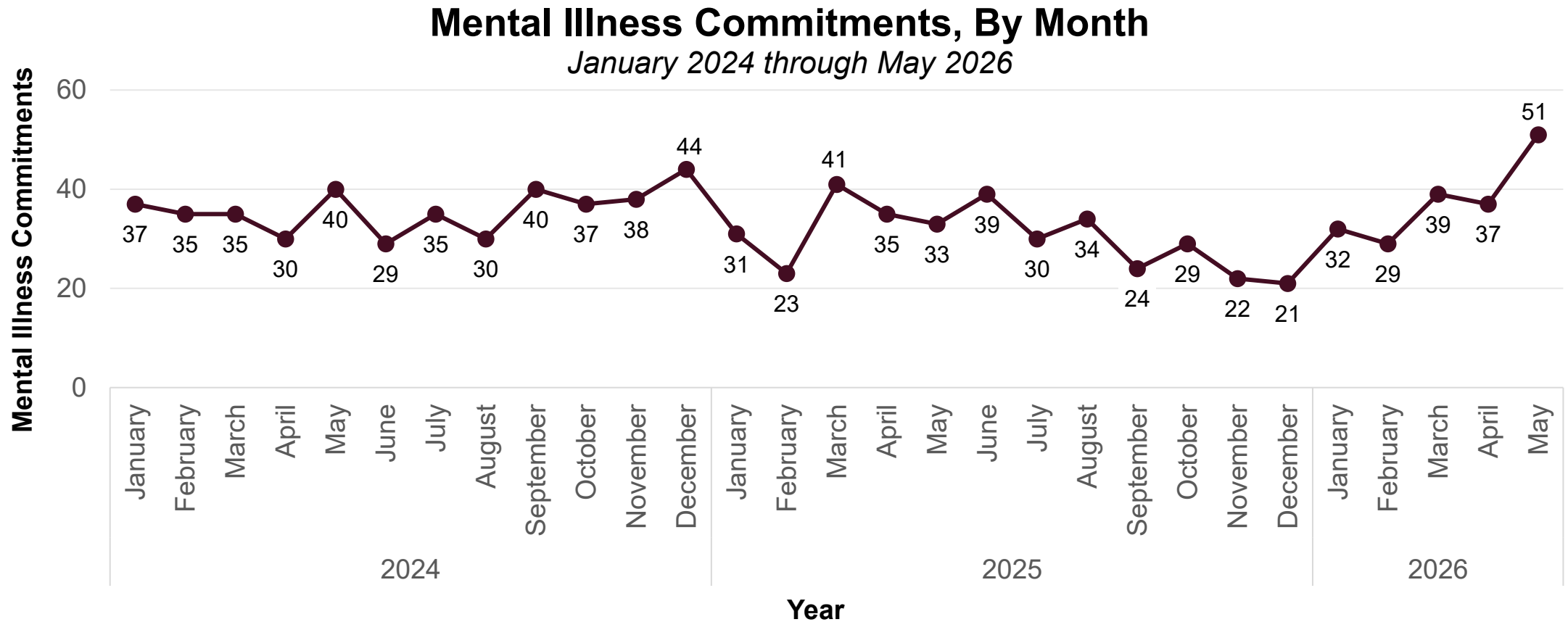
HB 2005-Civil Commitment



HB 2005-Civil Commitment



HB 2005-Civil Commitment





Civil Commitment-Next Steps

- Further data collection
- Declarations for Mental Health Treatment
- Streamline pre-hearing process
- Explore options to increase outpatient commitment and assisted outpatient treatment (AOT)
- Explore pathways between aid & assist and civil commitment
- Increased capacity

HB 2005-Aid and Assist Changes

Community
restoration time
limits

Process for pausing
time counts

Reducing
unnecessary
hearings in Ready
to Place (RTP)
process

Initial fitness
determinations

Clarification on
contested hearings

Information sharing



HB 2005-Aid and Assist Changes

Not Enacted Due to Federal Court Order:

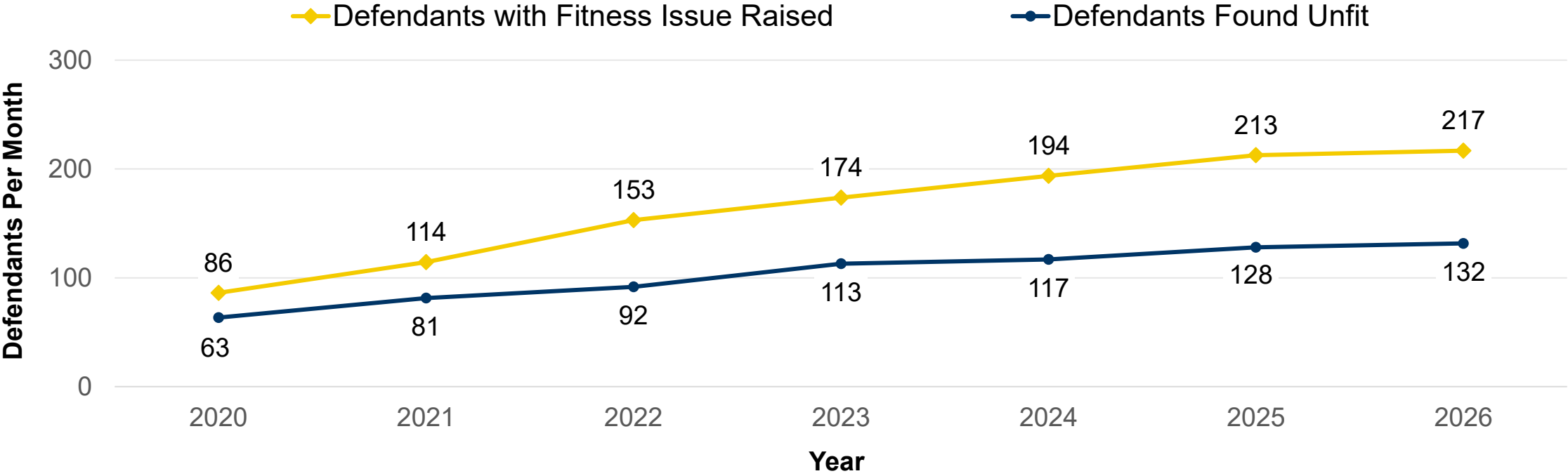
- Time Limitations at Oregon State Hospital (OSH)
- Extensions for Stays at Oregon State Hospital



Aid and Assist Data

HB 2005-Aid and Assist

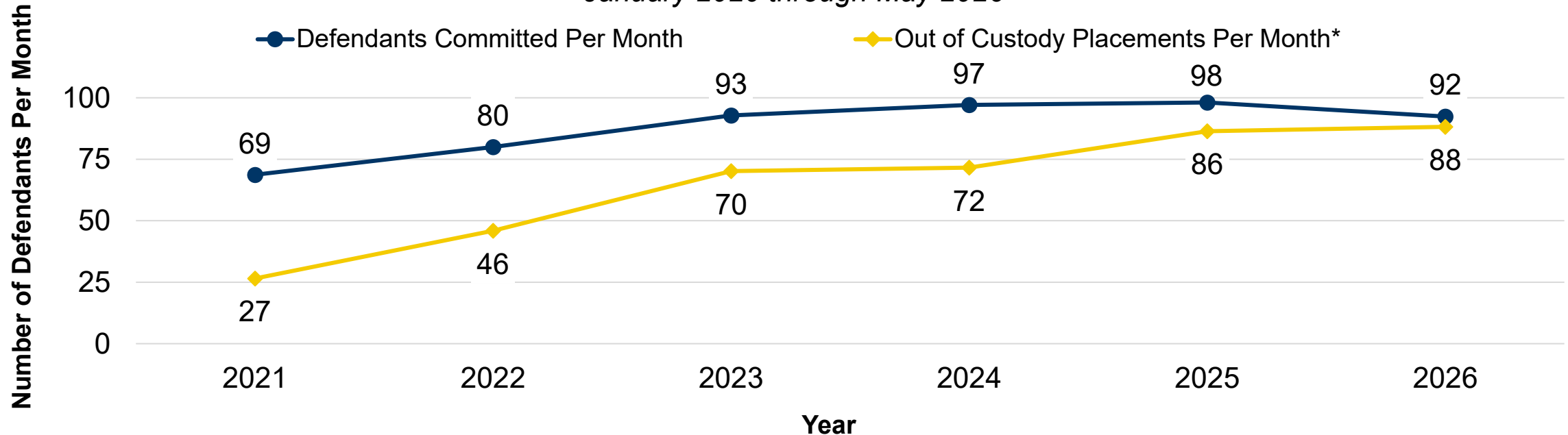
**Defendants with Fitness Issue Raised
and Defendants Found Unfit to Proceed, Per Month**
January 2020 through May 2026



HB 2005-Aid and Assist

Placement of Defendants Who Lack Fitness to Proceed: Commitments to OSH and Out-of-Custody Placements, Per Month

January 2020 through May 2026

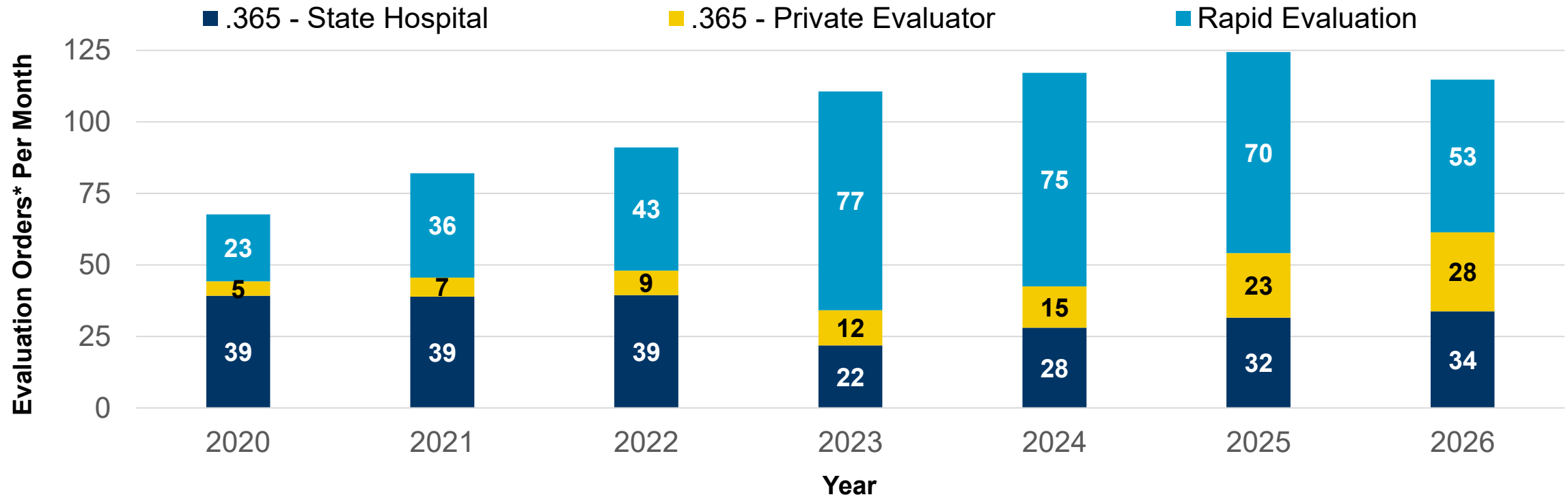


***Note:** The number of out-of-custody placements per month includes a variety of circumstances, including defendants ordered to participate in community restoration in a custodial setting such as a secure residential treatment facility, defendants participating in community restoration in a noncustodial setting, and any defendants who were released without an order to participate in services and did not immediately have their cases dismissed.

HB 2005-Aid and Assist

Evaluation Orders Prior to Initial Fitness Finding, Per Month

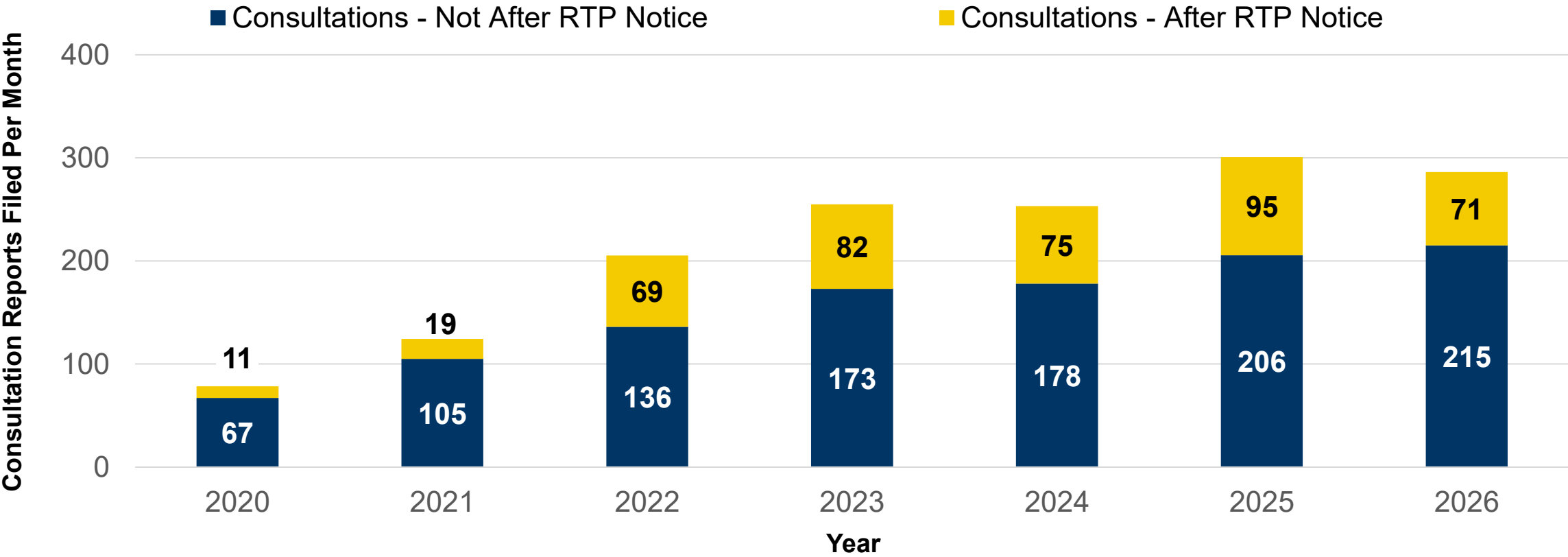
January 2020 through May 2026



*The dark blue and yellow bars show numbers of orders for evaluations under ORS 161.365, and the light blue bars show orders to release records for rapid evaluations.

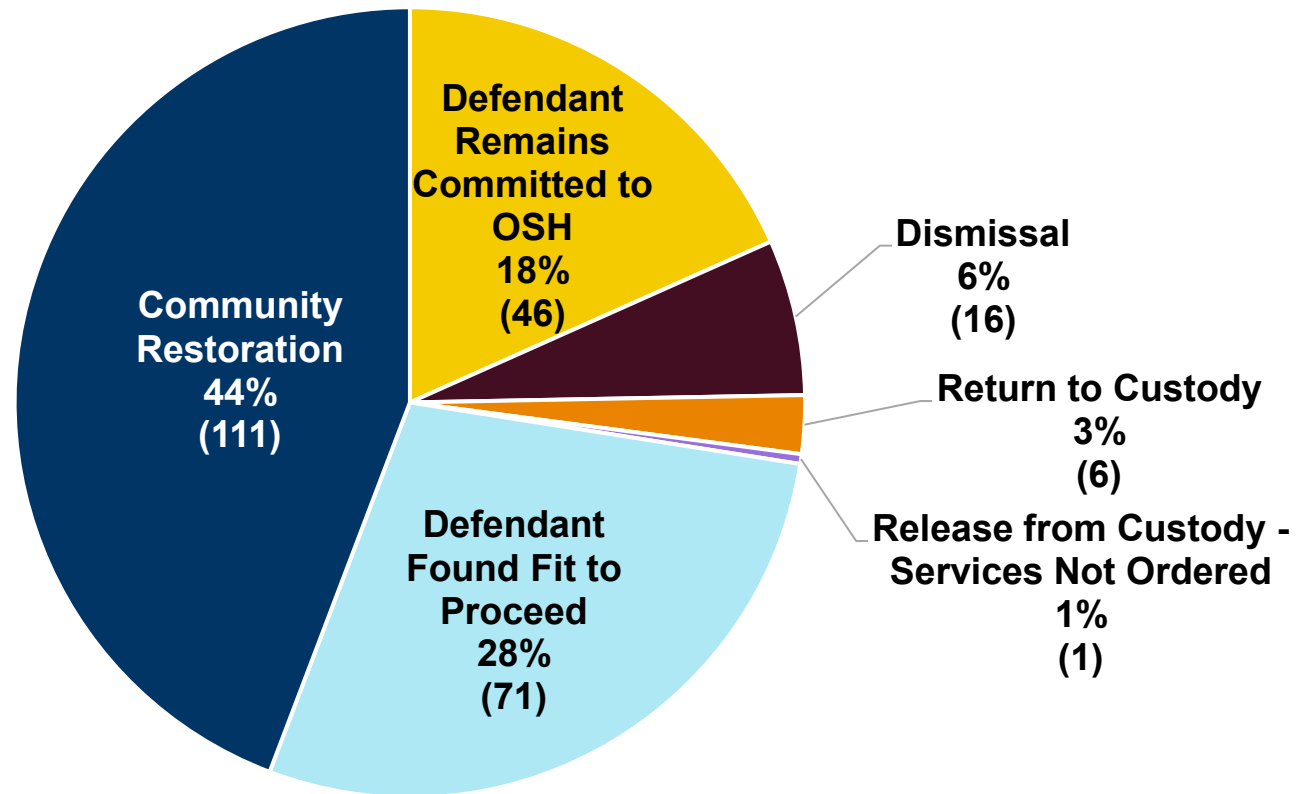
HB 2005-Aid and Assist

CMHP Consultations Filed, Per Month
January 2020 through May 2026



HB 2005-Aid and Assist

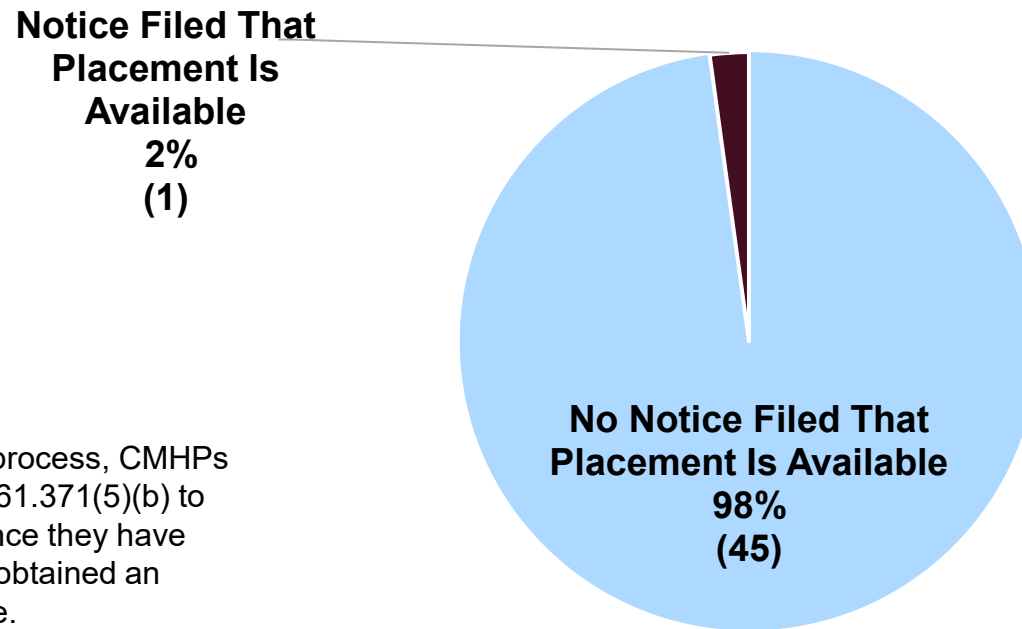
Ready-to-Place Notices, By Type of Resolution
For RTP Notices Filed Between January 1, 2026 and May 31, 2026



HB 2005-Aid and Assist

Ready-to-Place Notices Where Defendant Remains Committed to OSH, By Whether CMHP Has Filed Notice That a Placement Has Been Secured

For RTP Notices Filed Between January 1, 2026 and May 31, 2026

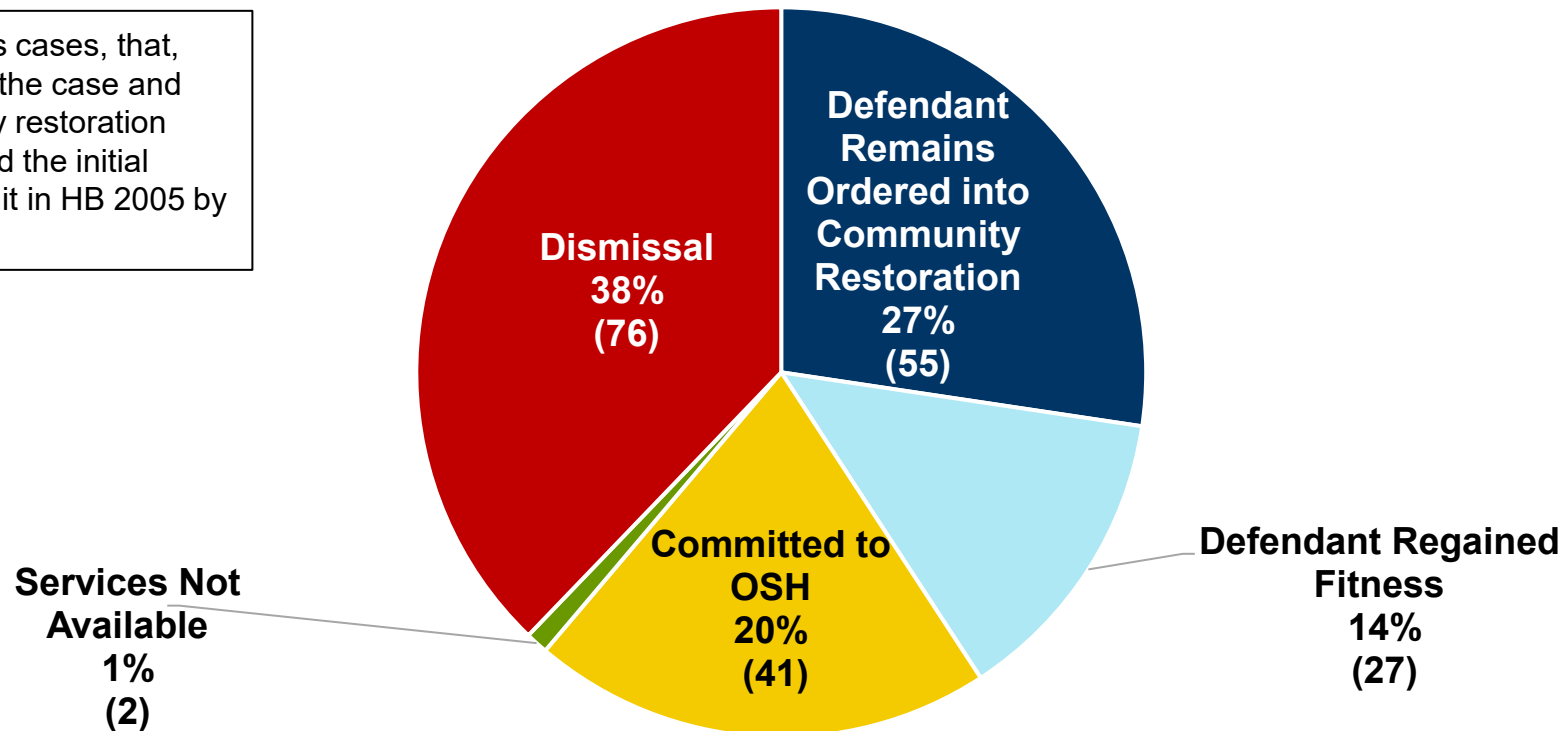


Note: As part of the RTP process, CMHPs are required under ORS 161.371(5)(b) to file notice with the court once they have secured a placement and obtained an anticipated availability date.

HB 2005-Aid and Assist

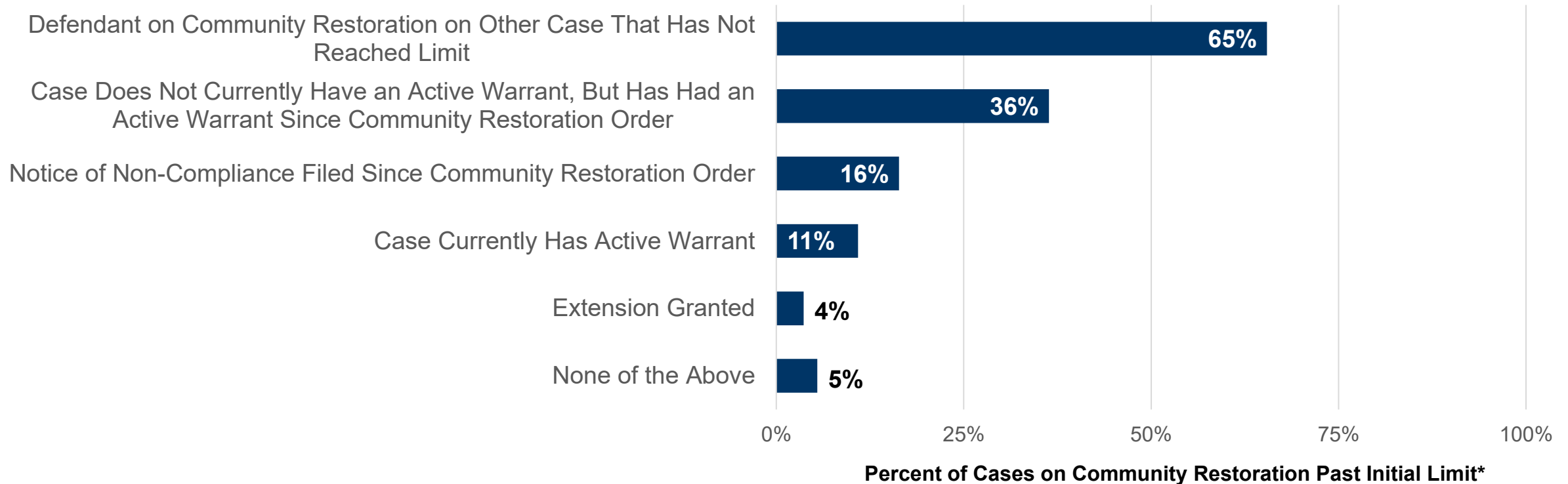
Community Restoration That Could Have Reached Initial Community Restoration Time Limits*, by Community Restoration Outcome

***Note:** This chart includes cases, that, based on the charges on the case and the date of the community restoration order, would have reached the initial community restoration limit in HB 2005 by May 31, 2026.



HB 2005-Aid and Assist

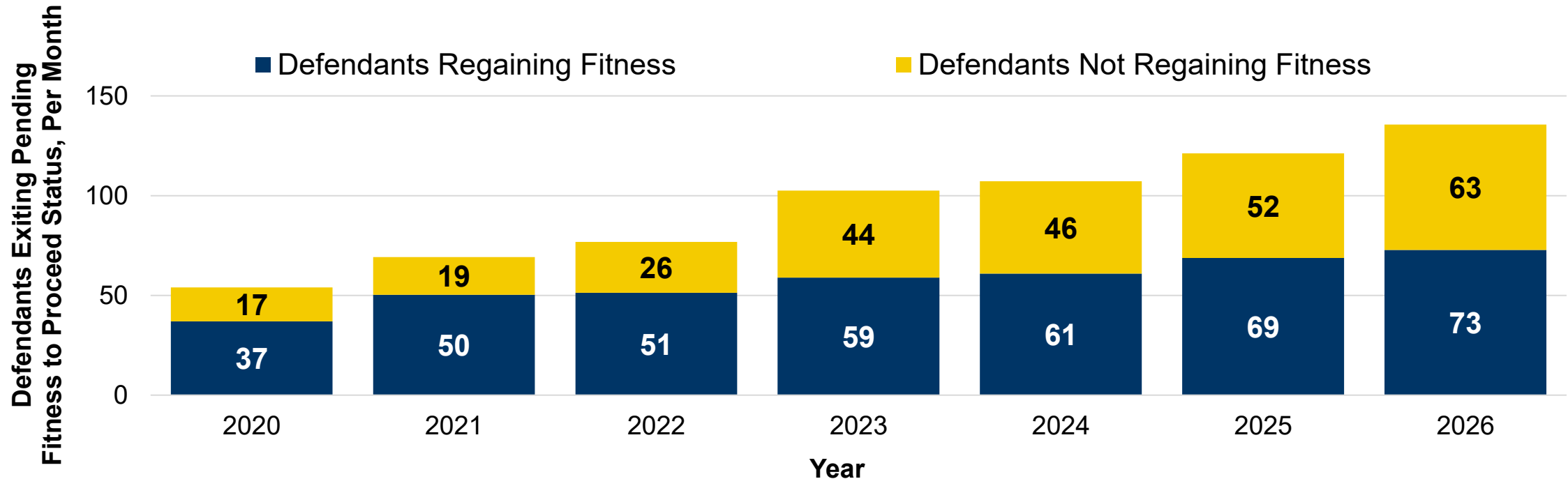
Characteristics of Cases on Community Restoration Past Initial Limit*



***Note:** This chart includes cases that, based on the charges on the case and the date of the community restoration order, would have reached the initial community restoration limit in HB 2005 by May 31, 2026, but remain ordered into community restoration. Because some cases may fit in multiple categories, percentages may add up to more than 100%.

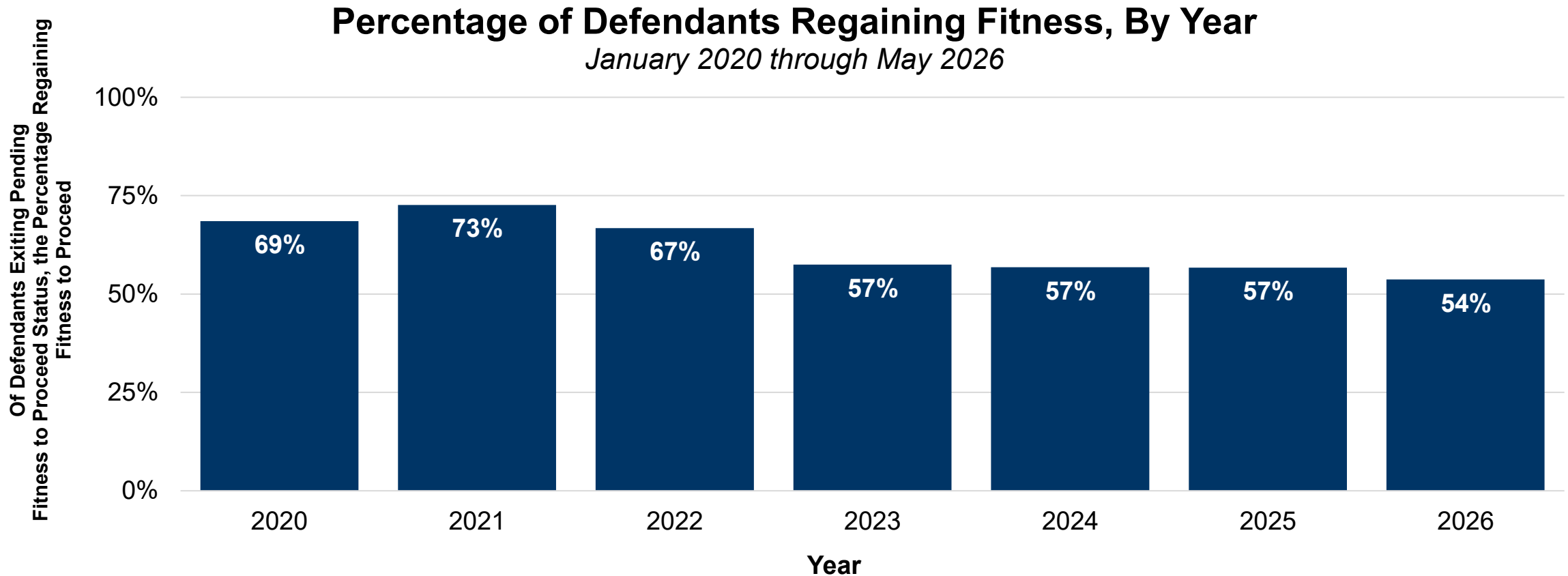
HB 2005-Aid and Assist

Defendants Exiting Pending Fitness to Proceed Status After Lacking Fitness to Proceed, Per Month, By Whether the Defendant Regained Fitness



Note: The numbers in this chart include all defendants exiting pending fitness to proceed status after being found unfit to proceed in Oregon's circuit courts, and are not limited to defendants committed to OSH.

HB 2005-Aid and Assist

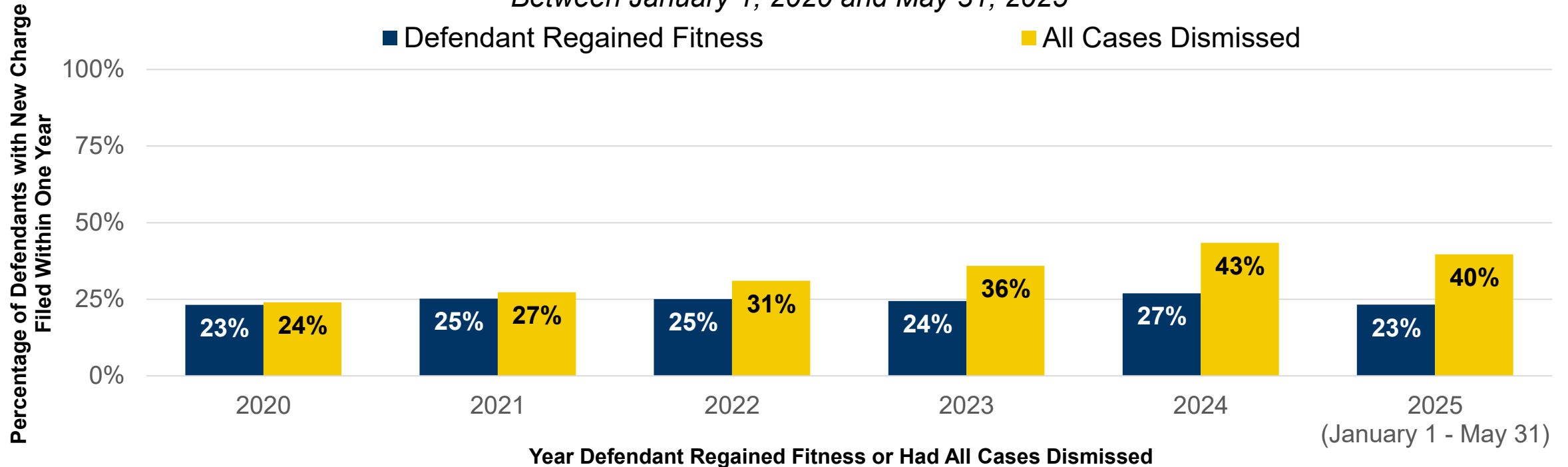


Note: The numbers in this chart include all defendants exiting pending fitness to proceed status after being found unfit to proceed in Oregon's circuit courts, and are not limited to defendants committed to OSH.

HB 2005-Aid and Assist

Percent of Defendants with New Charges Filed Within One Year of Regaining Fitness or Having All Cases Dismissed

*For Defendants Regaining Fitness or Having All Cases Dismissed
Between January 1, 2020 and May 31, 2025*





Aid and Assist-Next Steps

- Data
- Capacity
- Offramps or alternative
- Connections to civil commitment/assisted outpatient treatment
- Meaningful restoration and treatment



Thank you!



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