

O.R.S. § 144.791

CWest's Oregon Revised Statutes Annotated Currentness

Title 14. Procedure in Criminal Matters Generally

■ Chapter 144. Parole; Post-Prison Supervision; Work Release; Executive Clemency; Standards for Prison Terms and Parole; Presentence Reports (Refs & Annos)

■ Presentence Reports

→144.791. Presentence report in felony conviction cases

- (1) When a person is convicted of a felony, including a felony sexual offense, the sentencing court may order a presentence report upon its own motion or upon the request of the district attorney or the defendant.
- (2) The sentencing court shall order a presentence report if the defendant is convicted of a felony sexual offense unless:
- (a) The defendant, as part of the same prosecution, is convicted of aggravated murder;
 - (b) The felony sexual offense requires the imposition of a mandatory minimum prison sentence and no departure is sought by the court, district attorney or defendant; or
 - (c) The felony sexual offense requires imposition of a presumptive prison sentence and no departure is sought by the court, district attorney or defendant.
- (3) The Department of Corrections shall:
- (a) Require that a presentence report provide an analysis of what disposition is most likely to reduce the offender's criminal conduct, explain why that disposition would have that effect and provide an assessment of the availability to the offender of any relevant programs or treatment in or out of custody, whether provided by the department or another entity;
 - (b) Determine what additional information must be included in the presentence report; and
 - (c) Establish a uniform presentence report form.

CREDIT(S)

Laws 1995, c. 520, § 4 (enacted in lieu of 144.790); Laws 2005, c. 473, § 1.

HISTORICAL AND STATUTORY NOTES

O.R.S. § 144.791

2008 Electronic Update

2005 Legislation

Laws 2005, c. 473, § 1, amended this section by adding new Subsec. (3)(a) and re-designating former Subsecs. (3)(a) and (b) as new Subsecs. (3)(b) and (c).

O. R. S. § 144.791, OR ST § 144.791

The statutes are current through laws enacted during the 2008 Special Session of the 74th Oregon Legislative Assembly and effective through January 1, 2009. Revisions to Acts made by the Oregon Reviser were unavailable at time of publication.

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