



Open Government Impact Statement

81st Oregon Legislative Assembly
2021 Regular Session

Measure: HB 2213

Only impacts on Original or Engrossed
Versions are Considered Official

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SUMMARY

Establishes process by which defense may request that prosecuting attorney consider mental health of defendant for purposes of plea offer. Authorizes prosecuting attorney to request evaluation of defendant. Requires prosecuting attorney to consider mental health information and prepare written findings.

OPEN GOVERNMENT IMPACT

Legislative Counsel has not adopted standards for drafting measures that establish exemptions from disclosure of public records.

This measure exempts from public disclosure a report from a psychological or psychiatric evaluation of the defendant requested by the prosecutor and any written findings or documents filed with the court by the prosecutor considering the mental health of the defendant for purposes of a plea offer.

If those public records that could be subject to public disclosure were instead subject to mandatory disclosure under public records law, the public could receive additional information regarding a defendant's mental health determination for purposes of a plea offer.