

**907.5 Standards for release on probation — written reasons.**

1. Before deferring judgment, deferring sentence, or suspending sentence, the court first shall determine which option, if available, will provide maximum opportunity for the rehabilitation of the defendant and protection of the community from further offenses by the defendant and others. In making this determination, the court shall consider all of the following:

- a. The age of the defendant.
- b. The defendant's prior record of convictions and prior record of deferments of judgment if any.
- c. The defendant's employment circumstances.
- d. The defendant's family circumstances.
- e. The defendant's mental health and substance use disorder history and treatment options available in the community and the correctional system.
- f. The nature of the offense committed.
- g. Such other factors as are appropriate.

2. The court shall file a specific written statement of its reasons for and the facts supporting its decision to defer judgment, to defer sentence, or to suspend sentence, and its decision on the length of probation.

[C75, 77, §789A.1(2); C79, 81, §907.5]

[2011 Acts, ch 7, §4](#); [2012 Acts, ch 1021, §118](#); [2023 Acts, ch 19, §1342](#)

Subsection 1, paragraph e amended