

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means
Vote:	10 - 0 - 0
Yeas:	Garrett, Hicks, Nolan, Olson, Schaufler, Tomei, Wand, Whisnant, Barker, Krieger
Nays:	0
Exc.:	0
Prepared By:	Aaron Knott, Counsel
Meeting Dates:	2/17, 3/31

WHAT THE MEASURE DOES: Increases the penalty for the crime of strangulation, makes strangulation a Class C felony, and introduces repeat offenses as an enhancement factor.

ISSUES DISCUSSED:

- Potential lethality of strangulation
- Comparable statutory equivalents in other jurisdictions
- Potential deterrent value of the proposal
- Whether strangulation should be a crime of mandatory arrest

EFFECT OF COMMITTEE AMENDMENT: Adds strangulation to the list of crimes requiring a peace officer to make a mandatory arrest per ORS 133.055.

BACKGROUND: ORS 163.187 defines strangulation as a Class A misdemeanor carrying a maximum sentence of one year in jail. The proposed bill would raise strangulation to a Class C felony with a maximum penalty of five years imprisonment and a \$125,000 fine. This bill directs the Criminal Justice Commission to classify the crime of strangulation as a crime category four, which would constitute a presumptive sentence of probation for all but the most serious offenders. If the defendant has a previous conviction for strangulation, the crime category would be elevated from category four to category eight, carrying a presumptive prison sentence for all repeat offenders.