



“Ezra’s Law”

HB 4122

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On behalf of ODAA

HB 4122 “Ezra’s Law”

Applies to **ADULTS** convicted of:

- Assault in the First Degree
- Assault in the Second Degree
- Attempted Murder (*First or Second)
- Attempted Aggravated Murder

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State must prove at trial that the defendant *intentionally* or *knowingly* caused **PERMANENT INJURY** during the commission of one of the above serious felony crimes

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Defines **PERMANENT INJURY** as injury that significantly impairs

- Cognitive Functioning
- Vision or hearing
- Ability to walk, breathe, eat or move the person’s limbs

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- Requires sentence of 300 months in prison, similar to ***Jessica’s Law***
- ***Jessica’s Law*** was passed in a special session of the Oregon Legislature in 2006. The vote in the House was 54-6 and in the Senate it was 30-0.
- ***Jessica’s Law*** requires a 25 year mandatory minimum sentence for adults convicted of raping, sodomizing or sexually penetrating a child under 12 years of age.

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- Like *Jessica’s Law*, this law would protect our state’s most vulnerable

Oregon Law – Physical Injury and Serious Physical Injury

- Physical Injury: an injury that causes substantial pain or impairment of physical condition
- Serious Physical Injury: a physical injury that creates a substantial risk of death, or which causes serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ
- Permanent Injury: currently no definition under Oregon law

