

HB 3059 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 2/8, 3/17, 4/6

WHAT THE MEASURE DOES:

Repeals statute authorizing law enforcement officers to command dispersal of unlawful assemblies.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Amends ORS 131.675, dispersal of unlawful or riotous assemblages. States that certain authorized officials may go among the persons assembled and order the persons to disperse. Removes language requiring an arrest if persons fail to disperse as ordered.

BACKGROUND:

Currently, ORS 131.675 directs local authorities, when any five or more persons, whether armed or not, are unlawfully or riotously assembled in any county, city, town or village, to go among the persons assembled, or as near to them as they can with safety, and command them in the name of the State of Oregon to disperse. If, so commanded, they do not immediately disperse, the officer must arrest them or cause them to be arrested.

House Bill 3059 repeals ORS 131.675 removing statutory authority for law enforcement to order persons to disperse from a location.