

## HB 2852 -1, -2 STAFF MEASURE SUMMARY

### House Committee On Veterans and Emergency Management

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**Prepared By:** Cassie Passon, Counsel

**Meeting Dates:** 4/8, 4/13

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#### WHAT THE MEASURE DOES:

Directs Office of Emergency Management to study and make recommendations regarding improvements to operations of office and submit report on its findings to Legislative Assembly by January 1, 2023.

*REVENUE: No revenue impact*

*FISCAL: Has minimal fiscal impact*

#### ISSUES DISCUSSED:

- Looting during 2020 Labor Day fires and resulting prosecutions
- Flexibility to take circumstances into account during sentencing
- Measure not to apply to public health emergencies
- Cost of loss due to theft during recovery efforts
- Increased police patrols in effected areas
- Measure's ability to act as deterrent

#### EFFECT OF AMENDMENT:

-1 Replaces the measure. Requires courts, when determining aggravation, to consider whether crime was committed during an emergency that involved loss or damage to private or publicly owned property or mandatory evacuation, and that defendant took advantage of circumstances related to the emergency. Requires courts, when determining aggravation, to consider if crime was committed within one year after an emergency ceased to be in effect, and that defendant took advantage of circumstances related to recovery from the emergency. Defines emergency as state of emergency declared by the Governor under ORS 401.165, a state of emergency declared by a city or county by ordinance or resolution as described in ORS 401.309, or catastrophic disaster declared by the Governor pursuant to Article X-A, section 1, of the Oregon Constitution.

-2 Replaces the measure. Requires courts, when determining aggravation, to consider whether crime was committed during an emergency, mandatory evacuation, or within one year after an emergency ceased to be in effect and that defendant took advantage of circumstances related to the emergency, mandatory evacuation or recovery from emergency. Defines emergency as state of emergency declared by the Governor under ORS 401.165 due to natural disaster, a state of emergency declared by a city or county by ordinance or resolution as described in ORS 401.309 due to natural disaster, or catastrophic disaster declared by the Governor pursuant to Article X-A, section 1, of the Oregon Constitution due to natural disaster. Defines natural disaster as including but not limited to a fire, earthquake, flood, volcanic eruption, or tsunami.

#### BACKGROUND:

The Office of Emergency Management (OEM) is located within the Oregon Military Department and manages a statewide system that coordinates emergency services and disaster communications. OEM also coordinates Oregon's 9-1-1 program, awards grants for emergency response equipment to local governments, and oversees search and rescue efforts by lead by county sheriffs. The Director of OEM is the liaison between the Governor's Disaster Cabinet and the State's Emergency Coordination Center which serves as a central communications hub when there is a multijurisdictional response to an emergency.

**HB 2852 -1, -2 STAFF MEASURE SUMMARY**

House Bill 2852 directs the Office of Emergency Management (OEM) to study operational improvements and report its recommendations to the Legislative Assembly.