

## HB 3035 -1 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/13

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#### **WHAT THE MEASURE DOES:**

Creates crime of threatening a mass injury event and designates it a Class C felony; directs the Department of Corrections and Oregon Youth Authority to distribute moneys to counties to fund supervision services for persons convicted of the crime. Takes effect on 91st day following adjournment sine die.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Modifies definition of crime of threatening a mass injury event . Provides that a person must convey a threat to cause unlawful serious physical injury or death to two or more persons at a school, place of worship, health care facility, place of business, government building, mass transit facility, park, plaza, event space or other place of assembly; directs court, when imposing a sentence on a person convicted of the crime who is under 18 years of age at the time of the offense but not subject to jurisdiction of the juvenile court, to consider the age of the person as a mitigating circumstance; directs the Criminal Justice Commission to report specified data regarding persons charged with threatening a mass injury event, victims of the crime, and moneys distributed to and expended by the Oregon Youth Authority and county juvenile departments related to the crime; deletes requirement that Department of Corrections and Oregon Youth Authority distribute funds.

##### **BACKGROUND:**

According to an Advisory Report released by the Oregon Secretary of State and Oregon Audits Division in March 2022, Oregon ranked sixth in the nation for the number of domestic violent extremist incidents between 2011 and 2020, with the number rising precipitously from 2019 to 2021. According to the Federal Bureau of Investigation, the greatest threat is posed by lone offenders, often radicalized online, who look to attack "soft targets" such as schools, places of worship, or businesses, with easily accessible weapons. The U.S. Department of justice is the governing entity that most often brings charges against individuals who commit or threaten to commit acts that would result in injuries or death to a large number of people. However, Oregon's criminal code also includes several crimes, such as homicide and coercion, under which the individual may be charged.

House Bill 3035 would create the crime of threatening a mass injury event as a Class C felony. A person could be charged with the crime if they intentionally cause fear, alarm, or terror in another person by threatening, with the intent to carry out the threat, to cause unlawful physical injury or death to two or more people, and if a reasonable person would be placed in fear, alarm or terror by the threat and believe that it was likely to be carried out. House Bill 3035 would also direct the Department of Corrections and Oregon Youth Authority to fund supervision services for persons convicted of the crime.