

## SB 170 -1 STAFF MEASURE SUMMARY

### Senate Committee On Judiciary

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**Meeting Dates:** 2/25, 3/4

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

This measure requires the Oregon Criminal Justice Commission to study occupational assaults.

#### **ISSUES DISCUSSED:**

Provisions of the measure

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

-1 The amendment replaces the measure and elevates specified occupational assaults in the fourth degree from Class A misdemeanors to Class C felonies.

#### Detailed Summary:

- Amends ORS 163.160(3) to add subsection (e), elevating an assault in the fourth degree to a Class C felony when:
  - The assault is committed against an individual who is performing their official duties as part of their employment; and
  - The assailant has two or more previous assault convictions for occupational assault in the first, second, third, or fourth degree. This tally includes equivalent crimes committed in another jurisdiction.

REVENUE: Has minimal revenue impact

FISCAL: Has minimal fiscal impact

#### **BACKGROUND:**

ORS 163.160(1) defines fourth degree assault as 1) intentionally, knowingly, or recklessly causing physical injury to another, 2) causing physical injury with criminal negligence with a deadly weapon, or 3) causing physical injury with criminal negligence through using a motor vehicle to a vulnerable individual on a public way. While these types of assaults are typically Class A misdemeanors, ORS 163.160(3) establishes criteria that elevate these to Class C felonies, including when the assault is witnessed by a victim's child, when the assault is committed against the victim of an assailant's prior assault, or the assailant has at least three previous assault convictions.