



Local Governments Support SB 473 – Creates the crime of threatening a public official

Problem

There are current offenses (Menacing- ORS 163.190, Harassment-166.065, and Stalking- ORS 163.732) that address similar conduct but do not address specifically “public officials,” who are often targets of these crimes simply by virtue of serving the public. Additionally, as public officials, there is a heightened standard to meet for these current offenses when determining an imminent threat, rather than behavior that is considered expressive and speech-based contact. People who work for the public should feel safe reporting for work every day so that they can continue to serve the public.

Solution

SB 473 creates the crime of threatening a public official and provides that the crime is punishable as a Class A misdemeanor on first offense and provides that the crime is punishable as a Class C felony if a person has a prior conviction for the same offense at the time of the current offense. The bill provides for definitions of “public official”, “threatening communication”, and “immediate family”. The escalated penalties for this crime, would provide some assurance that continued threatening behavior will not be tolerated, with the prospect of potential prison time after a first conviction for this offense.

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