

## HB 4151 -1, -2 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Meeting Dates:** 2/9, 2/11

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#### WHAT THE MEASURE DOES:

The measure creates a new theory for the crime of *initiating a false report* where a person, with criminal negligence, causes the deployment of an "enhanced law enforcement response" that results in physical injury to or the death of another person and designates it as a Class C person felony. The measure defines "enhances law enforcement response" to be a response that involves one or more of several listed qualities, such as the dispatch of two or more officers, evacuation of bystanders, or initiation of shelter-in-place directives.

#### ISSUES DISCUSSED:

##### EFFECT OF AMENDMENT:

-1 The amendment changes the definition of "enhanced law enforcement response" in the measure to require that the response involve two or more officers *and* involve one or more of the additional listed qualities and adds the dispatch of specialized or tactical teams to the list.

*Fiscal Impact: Has minimal fiscal impact*

*Revenue Impact: No revenue impact*

-2 Modifies the description of the crime to require that the person intentionally cause the deployment and recklessly cause *serious* physical injury to or the death of another person as a result.

*Fiscal Impact: Has minimal fiscal impact*

*Revenue Impact: No revenue impact*

#### BACKGROUND:

In Oregon, a person commits the crime of *initiating a false report* if they knowingly send a false alarm to law enforcement or other emergency organizations. ORS 162.375. The crime is a Class A misdemeanor and if a SWAT team or similar group is deployed, the statute requires the sentencing court to impose at least 10 days of incarceration (30 days if someone died or was seriously physically injured). "Swatting" is when a person reports a false emergency to emergency personnel, such as law enforcement, to attempt to elicit a law enforcement response, sometimes to a particular location or person's location (so named after the law enforcement special weapons and tactics teams commonly called SWAT). In April 2025, an [active shooter threat at Silverton High School](#) turned out to be one such "swatting" event. The school was locked down and law enforcement swept the school before ultimately determining the call to have been a hoax.