

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass

Vote: 9 - 0 - 0

Yeas: Barker, Bonamici, Cameron, Flores, Komp, Krieger, Shields, Whisnant, Macpherson

Nays: 0

Exc.: 0

Prepared By: Bill Taylor, Counsel

Meeting Dates: 2/19

WHAT THE MEASURE DOES: Increases the penalty for participating in dog fighting from a Class A misdemeanor to a Class C felony. Increases the penalty for possessing dog fighting paraphernalia from a Class A misdemeanor to a Class C felony. Defines for the purpose of dog fighting paraphernalia a “tread mill” as a carpet mill made of narrow sections of carpet, a modified electric treadmill for the purposes of conditioning dogs, or a slat mill with running surface constructed of wood, plastic or fiberglass. Requires that possession of this material be for the purposes of training a dog as a fighting dog. Requires that the person know the purpose for which the material is possessed or that the person should have known the purpose.

ISSUES DISCUSSED:

- Under ORS 161.705, a judge can decide to treat a Class C felony as a Class A misdemeanor
- Judge could reduce the penalty associated with attending a dog fight to a Class A misdemeanor
- Nineteen other states treat attending a dog fight as a Class C felony
- “Dog fights” within the meaning of ORS 167.365 and ORS 167.370 are staged events dogs with handlers and referees. “Dog fights” are not two dogs fighting in the park.

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, it is a Class A misdemeanor to participate in a dog fight. This includes attending or advertising a dogfight. Current law lists a “tread mill” as “dog fighting paraphernalia” but does not define the term. It is a Class C felony to own, possess, breed or train a fighting dog, or to promote dog fighting or allow it on one’s property.