

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass the A-Engrossed Measure
Vote:	5 – 0 – 0
Yeas:	Atkinson, Burdick, Ferrioli, Metsger, Devlin
Nays:	-
Exc.:	-
Prepared By:	Erin Seiler, Administrator
Meeting Dates:	6/24

WHAT THE MEASURE DOES: Requires defendant convicted of murdering a pregnant victim, who is at least 15 years of age at time of committing murder and who knew the victim was pregnant, to be sentenced to life imprisonment or life imprisonment without possibility of release or parole. Establishes procedures related to sentencing. Classifies crime of assault in second degree as assault in first degree if defendant knows victim is pregnant. Punishes crime of assault in fourth degree as Class C felony if defendant knows victim is pregnant. Applies to conduct occurring on or after effective date of Act.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Under ORS 163.115(5)(a), a person convicted of murder is to be punished by imprisonment for life, provided they were at least 15 years of age at the time of committing the murder. Currently, when a defendant is 15 years old and convicted of murder, the court must order that the defendant shall be confined for minimum of 25 years without possibility of parole, release to post-prison supervision, release on work release or any form of temporary leave or employment at a forest or work camp. Upon completion of a minimum period of confinement, the State Board of Parole and Post-Prison Supervision, upon the petition of a prisoner, is required to hold a hearing to determine whether the prisoner is likely to be rehabilitated within a reasonable period of time.

House Bill 3505-A requires a person convicted of murdering a pregnant woman, and who knew the victim was pregnant, to be sentenced to life imprisonment without possibility of release or parole, or life imprisonment. The measure was introduced following the death of Heather Snively in Washington County, who was eight months pregnant when she was murdered on June 5, 2009.