

## HOUSE AMENDMENTS TO HOUSE BILL 2925

By COMMITTEE ON JUDICIARY

April 18

1 On page 1 of the printed bill, line 2, after “ORS” delete the rest of the line and delete line 3  
2 and insert “135.290; and declaring an emergency.”.

3 Delete lines 5 through 30 and delete pages 2 through 5 and insert:

4 **“SECTION 1. (1) When a release assistance officer or a release assistance deputy makes**  
5 **a release decision under ORS 135.235 involving a defendant charged with a sex crime or a**  
6 **crime constituting domestic violence, the release assistance officer or deputy shall include**  
7 **in the decision an order that the defendant be prohibited from contacting the victim while**  
8 **the defendant is in custody. The release assistance officer or deputy shall provide the de-**  
9 **fendant with a written copy of the order.**

10 **“(2) When a defendant who is charged with a sex crime or a crime that constitutes do-**  
11 **mestic violence is arraigned, the court shall enter an order continuing an order issued under**  
12 **subsection (1) of this section or, if no such order has been entered, enter an order prohibiting**  
13 **the defendant from contacting the victim while the defendant is in custody.**

14 **“(3) Except as provided in subsection (4) of this section, an order described in subsection**  
15 **(1) or (2) of this section:**

16 **“(a) Shall apply at any time during which the defendant is held in custody on the charge;**  
17 **and**

18 **“(b) Shall remain valid until the defendant is sentenced for the crime, the charge is dis-**  
19 **missed or the defendant is acquitted of the crime.**

20 **“(4) Upon petition of the victim, the court may enter an order terminating an order en-**  
21 **tered under subsection (1) or (2) of this section if the court finds, after a hearing on the**  
22 **petition, that terminating the order is in the best interests of the parties and the commu-**  
23 **nity.**

24 **“(5) As used in this section:**

25 **“(a) ‘Domestic violence’ has the meaning given that term in ORS 135.230.**

26 **“(b) ‘Sex crime’ has the meaning given that term in ORS 181.594.**

27 **“SECTION 2. ORS 135.290 is amended to read:**

28 **“135.290. (1) A supervisor of a defendant on conditional release who knowingly aids the defend-**  
29 **ant in breach of the conditional release or who knowingly fails to report the defendant’s breach is**  
30 **punishable by contempt.**

31 **“(2) A defendant [*who knowingly breaches any of the regulations in the release agreement imposed***  
32 ***pursuant to ORS 135.260 is punishable*] may be punished by contempt if the defendant knowingly:**

33 **“(a) Breaches any of the regulations in the release agreement imposed pursuant to ORS**  
34 **135.260; or**

35 **“(b) Violates an order entered under section 1 of this 2011 Act.**

1        **“SECTION 3. Section 1 of this 2011 Act and the amendments to ORS 135.290 by section**  
2 **2 of this 2011 Act apply to persons charged with a crime committed on or after the effective**  
3 **date of this 2011 Act.**

4        **“SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**  
5 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
6 **on its passage.”.**

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