

SB 1527-5  
(LC 51)  
2/1/12 (JN/ps)

**PROPOSED AMENDMENTS TO  
SENATE BILL 1527**

1 In line 2 of the printed bill, delete “167.167” and insert “163.187; and de-  
2 claring an emergency”.

3 Delete lines 4 through 18 and insert:

4 **“SECTION 1.** ORS 163.187 is amended to read:

5 “163.187. (1) A person commits the crime of strangulation if the person  
6 knowingly impedes the normal breathing or circulation of the blood of an-  
7 other person by:

8 “(a) Applying pressure on the throat or neck of the other person; or

9 “(b) Blocking the nose or mouth of the other person.

10 “(2) Subsection (1) of this section does not apply to legitimate medical or  
11 dental procedures or good faith practices of a religious belief.

12 “(3) Strangulation is a Class A misdemeanor.

13 “(4) Notwithstanding subsection (3) of this section, strangulation is a  
14 Class C felony if:

15 “(a) The crime is committed in the immediate presence of, or is witnessed  
16 by, the person’s or the victim’s minor child or stepchild or a minor child  
17 residing within the household of the person or the victim;

18 “(b) The victim is under 10 years of age;

19 “(c) During the commission of the crime, the person used, attempted to  
20 use or threatened to use a dangerous or deadly weapon, as those terms are  
21 defined in ORS 161.015, unlawfully against another;

22 “(d) The person has been previously convicted of violating this section

1 or of committing an equivalent crime in another jurisdiction;

2 “(e) The person has been previously convicted of violating ORS 163.160,  
3 163.165, 163.175, 163.185 or 163.190 or of committing an equivalent crime in  
4 another jurisdiction, and the victim in the previous conviction is the same  
5 person who is the victim of the current [*conviction*] **crime**; or

6 “(f) The person has at least three previous convictions of any combination  
7 of ORS 163.160, 163.165, 163.175, 163.185 or 163.190 or of equivalent crimes in  
8 other jurisdictions.

9 “(5) For purposes of subsection (4)(a) of this section, a strangulation is  
10 witnessed if the strangulation is seen or directly perceived in any other  
11 manner by the child.

12 **“SECTION 2. This 2012 Act being necessary for the immediate**  
13 **preservation of the public peace, health and safety, an emergency is**  
14 **declared to exist, and this 2012 Act takes effect on its passage.”.**

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