

SENATE AMENDMENTS TO SENATE BILL 1527

By COMMITTEE ON JUDICIARY

February 9

1 In line 2 of the printed bill, delete “167.167” and insert “163.187; and declaring an emergency”.
2 Delete lines 4 through 18 and insert:
3 “**SECTION 1.** ORS 163.187 is amended to read:
4 “163.187. (1) A person commits the crime of strangulation if the person knowingly impedes the
5 normal breathing or circulation of the blood of another person by:
6 “(a) Applying pressure on the throat or neck of the other person; or
7 “(b) Blocking the nose or mouth of the other person.
8 “(2) Subsection (1) of this section does not apply to legitimate medical or dental procedures or
9 good faith practices of a religious belief.
10 “(3) Strangulation is a Class A misdemeanor.
11 “(4) Notwithstanding subsection (3) of this section, strangulation is a Class C felony if:
12 “(a) The crime is committed in the immediate presence of, or is witnessed by, the person’s or
13 the victim’s minor child or stepchild or a minor child residing within the household of the person
14 or the victim;
15 “(b) The victim is under 10 years of age;
16 “(c) During the commission of the crime, the person used, attempted to use or threatened to use
17 a dangerous or deadly weapon, as those terms are defined in ORS 161.015, unlawfully against an-
18 other;
19 “(d) The person has been previously convicted of violating this section or of committing an
20 equivalent crime in another jurisdiction;
21 “(e) The person has been previously convicted of violating ORS 163.160, 163.165, 163.175, 163.185
22 or 163.190 or of committing an equivalent crime in another jurisdiction, and the victim in the pre-
23 vious conviction is the same person who is the victim of the current [*conviction*] **crime**; or
24 “(f) The person has at least three previous convictions of any combination of ORS 163.160,
25 163.165, 163.175, 163.185 or 163.190 or of equivalent crimes in other jurisdictions.
26 “(5) For purposes of subsection (4)(a) of this section, a strangulation is witnessed if the
27 strangulation is seen or directly perceived in any other manner by the child.
28 “**SECTION 2.** **This 2012 Act being necessary for the immediate preservation of the public**
29 **peace, health and safety, an emergency is declared to exist, and this 2012 Act takes effect**
30 **on its passage.”**
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