

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means
<b>Vote:</b>	9 - 0 - 0
<b>Yeas:</b>	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Mike Schmidt, Counsel
<b>Meeting Dates:</b>	2/18, 4/15

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**WHAT THE MEASURE DOES:** Expands crime of Intimidation in first degree to apply to actions of a person acting alone where physical injury is inflicted; where physical injury is negligently inflicted with dangerous weapon; or where person is placed in imminent fear of serious physical injury. Modifies crime of Intimidation in second degree to add conforming language. Adds “sex” and “ethnicity” to the protected groups; removes the phrase “community of persons.”

**ISSUES DISCUSSED:**

- A Jewish student in Corvallis was harassed by graffiti on his dormitory door, and then physically confronted, but the assailant acted alone and so was not eligible for prosecution under statute for Intimidation in the first degree.

**EFFECT OF COMMITTEE AMENDMENT:** Adds “sex” and “ethnicity” to the protected groups; removes the phrase “community of persons.” Removes the provision prohibiting civil compromise and preventing the conviction from being set aside.

**BACKGROUND:** House Bill 2314 A would tackle several different aspects of the law regarding intimidation. Intimidation in the first degree (ORS 166.165) requires more than one person acting together. This applies to assault and menacing as well, so that persons acting alone could not be charged with Intimidation in the first degree, even though the conduct constitutes assault and menacing. House Bill 2314 A would allow persons acting alone to be charged with Intimidation in the first degree