

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action:	Do Pass and Be Referred to the Committee on Rules
Vote:	9 - 0 - 0
Yeas:	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Bill Taylor, Counsel
Meeting Dates:	4/16, 4/18

WHAT THE MEASURE DOES: Renames the crime of intimidation as “bias crime.” Includes ethnicity and gender among the groups protected. Raises the crime seriousness where one person commits a “bias crime” that causes physical injury from a second degree offense, a Class A misdemeanor, to a first degree offense, a Class C felony. Allows the Attorney General of Oregon, in addition to a district attorney, to maintain a civil cause of action against an individual or group that is committing bias crimes. Allows the court to award special and general damages including damages for emotional distress. Creates a one year statute of limitations for these actions. Tolls the statute of limitations for any private civil lawsuit during the pendency of an Attorney General or district attorney civil lawsuit. Requires law enforcement to report to the Department of Justice statistics concerning crimes motivated by prejudice. Effective upon passage.

ISSUES DISCUSSED:

- Hate crimes
- Ability of Attorney General to bring a civil lawsuit

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Currently, a person commits the crime of intimidation in the second degree if the person intentionally, knowingly or recklessly causes physical injury to another person because the person’s perception of the other person’s race, color, religion, sexual orientation, disability or national origin or tampers with or interferes with the person’s property. It is a Class A misdemeanor. If two or more persons act together to do these things, they commit intimidation in the first degree, a Class C felony. Currently, a district attorney may bring a civil cause of action against an individual or groups which are engaged in intimidating protected groups.