

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action:	Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Rules
Vote:	9 - 0 - 0
Yeas:	Barton, Cameron, Hicks, Krieger, Lininger, Olson, Tomei, Williamson, Barker
Nays:	0
Exc.:	0
Prepared By:	Channa Newell, Counsel
Meeting Dates:	2/10, 2/11, 2/12

WHAT THE MEASURE DOES: Expands crime of assault in the third degree to include persons committed to state hospital who intentionally or knowingly cause physical injury to an employee or other patient of the state hospital.

ISSUES DISCUSSED:

- Injuries to state hospital employees from patients
- Rate of injuries to employees
- Mission of state hospital
- State of mind requirement
- Prior funding to Marion County District Attorney to prosecute assaults
- Status of prosecutions of assaults at state hospital

EFFECT OF COMMITTEE AMENDMENT: Removes requirement that person be committed to state hospital after finding of guilty except for insanity. Expands crime to include assault on other patients in state hospital.

BACKGROUND: Assault in the third degree is a Class C felony. Under current Oregon law, assault in the third degree includes knowingly or intentionally causing physical injury to a staff member of a youth correction facility while committed to the facility or knowingly, or intentionally causing physical injury to an emergency medical services provider who is providing services while performing official duties.

House Bill 4036-A adds intentionally or knowingly causing physical injury to an employee of the hospital or another patient by a person committed to the state hospital.