



To: Members of the Senate Judiciary Committee

From: Lt. John Troncoso, Keizer Police Department
Oregon Association Chiefs of Police

Date: March 25th, 2015

Re: Testimony in Favor of SB 526

Chair Prozanski and members of the Senate Judiciary Committee, my name is John Troncoso and I am a Lieutenant with the Keizer Police Department. I am here today on behalf of the Oregon Association Chiefs of Police to urge your support of SB 526.

SB 526 makes a number of changes. The most important part of SB 526 is the change to the definition of physical injury to add physical trauma. The definition of physical trauma includes but is not limited to fractures, cuts, punctures, bruises, burns or other wounds. This would fix recent court of appeals decisions which make it difficult to prosecute child abuse and dv cases.

Without the addition of physical trauma, all we had to work with for non-life threatening injuries was impairment of physical condition or substantial pain. In many cases, this is a subjective test and it is up to the victim to convey this. In some cases, victims are either too afraid to pass this information on, or are simply unwilling to do so. By adding physical trauma and its definitions, we are able to take this aspect of the law out of the subjective realm and more appropriately place it into the objective realm, because bruises, cuts and fractures can be medically documented as well as photographed, regardless of a victim's reluctance to make a disclosure.

SB 526 makes strangulation a felony if the defendant commits the strangulation knowing the victim is pregnant. That is already the law for Assault IV, this amendment simply makes strangulation and assault IV mirror each other.

SB 526 adds a minor child to the definition of victim for purposes of crimes they are immediately present for or witness. This is a great provision to allow for consecutive sentences for each child who witnesses and is present for acts of domestic violence.