

## HB 2717 -3 STAFF MEASURE SUMMARY

### House Committee On Judiciary

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**Prepared By:** Whitney Perez, Counsel

**Meeting Dates:** 3/7, 4/6

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#### WHAT THE MEASURE DOES:

Expands Assault in Third Degree to include intentionally, knowingly or recklessly causing physical injury to mass transit district or transportation district employee while employee is acting within scope of employment.

#### ISSUES DISCUSSED:

- Possible deterrent effect of increased penalty for this offense
- Need to educate public
- Examples of past assaults of transit employees
- Who should be included within this offense

#### EFFECT OF AMENDMENT:

-3 Clarifies who is considered a public transit employee within this provision.

*REVENUE: May have revenue impact, but no statement yet issued*

*FISCAL: May have fiscal impact, but no statement yet issued*

#### BACKGROUND:

There are four levels of assault in Oregon: Assault in the Fourth Degree, usually an A misdemeanor; Assault in the Third Degree, usually a C felony; Assault in the Second Degree, a B felony; and Assault in the First Degree, an A felony. Assault in the Fourth Degree is committed when a person intentionally, knowingly or recklessly causes physical injury to another.

There are a variety of acts included in Assault in the Third Degree, including intentionally, knowingly or recklessly causing physical injury, by means other than a motor vehicle, to a public transit vehicle operator while operating the vehicle. House Bill 2717 expands Assault in the Third Degree to cover intentionally, knowingly or recklessly causing, by means other than a motor vehicle, physical injury to a mass transit district or transportation district employee while the employee is acting within the scope of employment. It also provides definitions for mass transit district and transportation district.