

HB 2826 STAFF MEASURE SUMMARY

House Committee On Judiciary

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Meeting Dates: 4/12

WHAT THE MEASURE DOES:

Requires court to impose, and not suspend, minimum sentence for individual convicted of fleeing officer at speeds 30 mph over posted speed or through certain areas.

No Revenue Impact

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under current Oregon law, an individual fleeing or attempting to elude a police officer in a motor vehicle can be charged with a Class C felony. A person convicted of a Class C felony is subject to a sentence of up to five years in confinement and a maximum fine of \$125,000. ORS 161.605(3) and 161.625(1)(d). However, individuals convicted of Class C felonies often serve substantially less time than the five-year maximum.

House Bill 2826 requires courts to impose, and not suspend, a minimum sentence of imprisonment when an individual is convicted of a Class C felony for fleeing or attempting to elude a police officer while traveling at least 30 miles over the speed limit. Under HB 2826, a minimum sentence is also required if the fleeing individual drives through a residential or business district or school zone. A first conviction for this crime would result in a minimum of 30 days imprisonment, a second conviction would result in a minimum sentence of 60 days imprisonment, and any subsequent convictions would result in at least 90 days imprisonment.