

HB 2988 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 5/2

WHAT THE MEASURE DOES:

Classifies crime of harassment involving offensive physical contact as Class A misdemeanor and person crime, when committed in presence of minor child or stepchild of, or minor child residing with, defendant or victim.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Under ORS 166.065 (1)(a)(A), the crime of harassment is committed when a person intentionally harasses or annoys another person by subjecting the other person to offensive physical contact. Ordinarily a Class B misdemeanor, punishable by a maximum of six months' imprisonment and a \$2,500 fine, House Bill 2988 elevates the offense to a Class A misdemeanor, punishable by a maximum of one year's imprisonment and a \$6,250 fine, when the crime is committed in the immediate presence of, or is witnessed by, a minor child or stepchild of, or a minor child residing with, the defendant or the victim. Under current law, the crimes of Assault in the Fourth Degree and Strangulation can be elevated from a Class A misdemeanor to a Class C felony under identical circumstances. House Bill 2988 also classifies this elevated form of harassment as a person Class A misdemeanor for purposes of the defendant's criminal history under the felony sentencing guidelines.