

Senate Bill 625

Sponsored by Senator GIROD

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies crimes of intimidation in the second degree and intimidation in the first degree. Adds status as first responder to list of characteristics of victim that, as perceived by defendant, constitute motive to commit crime.

A BILL FOR AN ACT

1
2 Relating to victims of intimidation; creating new provisions; and amending ORS 166.155 and 166.165.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 166.155 is amended to read:

5 166.155. (1) A person commits the crime of intimidation in the second degree if the person:

6 (a) Tamper or interferes with property, having no right to do so nor reasonable ground to believe that the person has such right, with the intent to cause substantial inconvenience to another because of the person's perception of the other's race, color, religion, sexual orientation, disability, [or] national origin **or status as a first responder**;

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10 (b) Intentionally subjects another to offensive physical contact because of the person's perception of the other's race, color, religion, sexual orientation, disability, [or] national origin **or status as a first responder**; or

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13 (c) Intentionally, because of the person's perception of race, color, religion, sexual orientation, disability, [or] national origin **or status as a first responder** of another or of a member of the other's family, subjects the other person to alarm by threatening:

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16 (A) To inflict serious physical injury upon or to commit a felony affecting the other person, or a member of the person's family; or

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18 (B) To cause substantial damage to the property of the other person or of a member of the other person's family.

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20 (2) Intimidation in the second degree is a Class A misdemeanor.

21 (3) For purposes of this section[,] **and ORS 166.165:**

22 (a) **"Emergency medical services provider" means a person who has received formal training in prehospital and emergency care and is licensed to attend any person who is ill or injured.**

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25 (b) **"Firefighter" has the meaning given that term in ORS 162.225.**

26 (c) **"First responder" means a firefighter, peace officer or emergency medical services provider, while the person is performing official duties.**

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28 (d) **"Peace officer" has the meaning given that term in ORS 133.005.**

29 (e) "Property" means any tangible personal property or real property.

30 **SECTION 2.** ORS 166.165 is amended to read:

31 166.165. (1) Two or more persons acting together commit the crime of intimidation in the first

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 degree, if the persons:

2 (a)(A) Intentionally, knowingly or recklessly cause physical injury to another person because of
3 the actors' perception of that person's race, color, religion, sexual orientation, disability, [or] na-
4 tional origin **or status as a first responder**; or

5 (B) With criminal negligence cause physical injury to another person by means of a deadly
6 weapon because of the actors' perception of that person's race, color, religion, sexual orientation,
7 disability, [or] national origin **or status as a first responder**;

8 (b) Intentionally, because of the actors' perception of another person's race, color, religion,
9 sexual orientation, disability, [or] national origin **or status as a first responder**, place another
10 person in fear of imminent serious physical injury; or

11 (c) Commit such acts as would constitute the crime of intimidation in the second degree, if
12 undertaken by one person acting alone.

13 (2) Intimidation in the first degree is a Class C felony.

14 **SECTION 3. The amendments to ORS 166.155 and 166.165 by sections 1 and 2 of this 2019**
15 **Act apply to conduct occurring on or after the effective date of this 2019 Act.**

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