

**SB 339 A -A3 STAFF MEASURE SUMMARY**

**House Committee On Judiciary**

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**Prepared By:** Gillian Fischer, LPRO Analyst

**Meeting Dates:** 4/18, 5/3, 5/9

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**WHAT THE MEASURE DOES:**

Authorizes a court to order a person convicted of harassment for touching a sexual or other intimate part of another, under ORS 166.065(4)(a)(A), to successfully complete a sex offender treatment program if recommended by the supervising probation officer and to submit to polygraph examinations at the direction of the supervising officer.

**ISSUES DISCUSSED:**

**EFFECT OF AMENDMENT:**

-A3 Expands scope of court authority to order defendant to successfully complete a sex offender treatment program if recommended by the supervising probation officer to include when a person is convicted of any sex crime as defined in ORS 163A.005.

**BACKGROUND:**

Oregon statute provides that a court may sentence a defendant to probation and order them to follow general conditions unless specifically excluded by the court. In addition to the general conditions, the court may impose any special conditions of probation that are reasonably related to the crime of conviction or the needs of the defendant for the protection of the public or reformation of the offender. However, under ORS 137.540, a court may only impose conditions requiring an evaluation and/or sex offender treatment as recommended by a supervising probation officer if a person is on supervision for a sex offense under ORS 163.305-163.467.

Senate Bill 339 A adds the crime of harassment for the touching of a sexual or intimate part of another to the list of crimes for which a court may order sex offender treatment as part of supervision requirements.