

SB 618 A STAFF MEASURE SUMMARY

Carrier: Sen. Prozanski

Senate Committee On Judiciary

Action Date: 03/01/23

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 3-2-0-0

Yeas: 3 - Gelser Blouin, Manning Jr, Prozanski

Nays: 2 - Linthicum, Thatcher

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 1/31, 3/1

WHAT THE MEASURE DOES:

Provides that a court shall, in determining aggravating factors at the time of sentencing, consider whether the person was wearing body armor at the time of committing the crime. Makes technical change.

ISSUES DISCUSSED:

- Origin of measure concept
- Scope of measure if amended
- Aggravating factors in sentencing

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

Under ORS 137.080, after a plea or verdict of guilty, in a case where the court has discretion as to the extent of the punishment to be inflicted, the court may or, in some circumstances, is required, to consider certain factors in aggravation or mitigation of the punishment. ORS 137.090 outlines certain factors that a court shall consider as aggravating in determining appropriate punishment.

Senate Bill 618 A provides that a court shall consider whether the person was wearing body armor at the time of committing the crime when determining aggravating factors at the time of sentencing.