

SB 957 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

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Meeting Dates: 3/30, 4/3

WHAT THE MEASURE DOES:

Expands the types of prior convictions that increase the offense level for the crime of public indecency to include: Using child in Display of Sexually Explicit Conduct (ORS 163.670); Encouraging Child Abuse in the First, Second, and Third Degree (ORS 163.684, 163.686, 163.687); Possession of Materials Depicting Sexually Explicit Conduct of a Child in the First and Second Degree (ORS 163.688, 163.689); and Failure to Report Child Pornography. Modifies crime of Luring a Minor to include engaging in sexual conduct in the immediate presence of a minor for the purpose of inducing the minor to engage in sexual conduct. Modifies the affirmative defense for the crime of Luring a Minor to include that the defendant had reasonable cause to believe that the person in the immediate presence of whom the defendant engaged in sexual conduct was not a minor. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Removes the emergency clause.

BACKGROUND:

Under current law, the crime of public indecency is a Class A misdemeanor. It is a Class C felony if the person has a prior conviction for public indecency or: Rape in the third, second, or first degree; Sodomy in the third, second, or first degree; Unlawful sexual penetration in the second or first degree; Purchasing sex with a minor; Sexual abuse in the third, second, or first degree; Online sexual corruption of a child in the second or first degree; Contributing to the sexual delinquency of a minor; or Sexual misconduct.

Senate Bill 957 expands the number and types of prior convictions that qualify to enhance the crime of public indecency to a Class C felony.