

D R A F T

SUMMARY

Adds status as peace officer or firefighter to list of characteristics of victim of crimes of intimidation in the second degree and intimidation in the first degree.

A BILL FOR AN ACT

Relating to victims of intimidation; amending ORS 166.155 and 166.165.

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

SECTION 1. ORS 166.155 is amended to read:

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

(a) Tampers 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 peace officer or firefighter**;

(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 peace officer or firefighter**; or

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

(A) To inflict serious physical injury upon or to commit a felony affecting

1 the other person, or a member of the person's family; or

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

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

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

6 **(a) "Firefighter" has the meaning given that term in ORS 162.225.**

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

8 **(c) "Property" means any tangible personal property or real property.**

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

10 166.165. (1) Two or more persons acting together commit the crime of in-
11 timidation in the first degree, if the persons:

12 (a)(A) Intentionally, knowingly or recklessly cause physical injury to an-
13 other person because of the actors' perception of that person's race, color,
14 religion, sexual orientation, disability, [or] national origin **or status as a**
15 **peace officer or firefighter;** or

16 (B) With criminal negligence cause physical injury to another person by
17 means of a deadly weapon because of the actors' perception of that person's
18 race, color, religion, sexual orientation, disability, [or] national origin **or**
19 **status as a peace officer or firefighter;**

20 (b) Intentionally, because of the actors' perception of another person's
21 race, color, religion, sexual orientation, disability, [or] national origin **or**
22 **status as a peace officer or firefighter,** place another person in fear of
23 imminent serious physical injury; or

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

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

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