

Senate Bill 326

Sponsored by Senator MORSE, Representative OLSON (at the request of Don White)

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**.

Punishes stalking while incarcerated or on probation, parole or post-prison supervision by maximum five years' imprisonment, \$125,000 fine, or both.

A BILL FOR AN ACT

1
2 Relating to stalking; amending ORS 163.732.

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

4 **SECTION 1.** ORS 163.732 is amended to read:

5 163.732. (1) A person commits the crime of stalking if:

6 (a) The person knowingly alarms or coerces another person or a member of that person's im-
7 mediate family or household by engaging in repeated and unwanted contact with the other person;

8 (b) It is objectively reasonable for a person in the victim's situation to have been alarmed or
9 coerced by the contact; and

10 (c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the
11 personal safety of the victim or a member of the victim's immediate family or household.

12 (2)(a) Stalking is a Class A misdemeanor.

13 (b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if [*the person*
14 *has a prior conviction for*]:

15 (A) **The person has a prior conviction for stalking[; or] or violating a court's stalking**
16 **protective order;**

17 (B) [*Violating a court's stalking protective order.*] **The person commits the crime of stalking**
18 **while the person is incarcerated; or**

19 (C) **The person commits the crime of stalking while on probation, parole or post-prison**
20 **supervision and the person who is the victim of the stalking is a victim, witness or member**
21 **of the immediate family of a victim or witness of the crime for which the offender is on**
22 **probation, parole or post-prison supervision.**

23 (c) When stalking is a Class C felony pursuant to paragraph (b) of this subsection, stalking shall
24 be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the
25 Oregon Criminal Justice Commission.
26

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.