

NOTICE FOR THE EUGENE REGISTER-GUARD

On Monday, October 18, 2021, at 7:30 p.m., the Eugene City Council will conduct a public hearing on the following ordinance:

AN ORDINANCE CONCERNING THE CRIME OF INTIMIDATION BY DISPLAY OF A NOOSE AND INCREASING THE MAXIMUM PENALTY FOR VIOLATING SECTION 4.731 OF THE EUGENE CODE, 1971 (BIAS CRIME IN THE 2ND DEGREE); ADDING SECTION 4.732 TO THE EUGENE CODE, 1971; AND AMENDING SECTION 4.990 OF THAT CODE.

As our state and community recover from the COVID-19 pandemic, this public hearing will be held remotely using virtual meeting technology. Information about online or other options for participation will be available by 5 p.m. on October 18, 2021, at <https://www.eugene-or.gov/3360/Webcasts-and-Meeting-Materials>. Written testimony may be sent to mayorcouncilandcitymanager@eugene-or.gov or to Eugene City Manager's Office, 101 West 10th Avenue, Suite 203, Eugene, OR 97401. Written testimony must be received by Monday, October 18, 2021, at 5 p.m.

This ordinance is posted on the City of Eugene website at <http://www.eugene-or.gov> and is also available by calling the City Manager's Office at 541-682-5010.

Notice posted on Sunday, October 3, 2021.

ORDINANCE NO. _____

AN ORDINANCE CONCERNING THE CRIME OF INTIMIDATION BY DISPLAY OF A NOOSE AND INCREASING THE MAXIMUM PENALTY FOR VIOLATING SECTION 4.731 OF THE EUGENE CODE, 1971 (BIAS CRIME IN THE 2ND DEGREE); ADDING SECTION 4.732 TO THE EUGENE CODE, 1971; AND AMENDING SECTION 4.990 OF THAT CODE.

THE CITY OF EUGENE DOES ORDAIN AS FOLLOWS:

Section 1. Section 4.732 of the Eugene Code, 1971, is added to provide as follows:

4.732 Intimidation by Display of a Noose.

- (1) ***A person commits the crime of intimidation by display of a noose if:***
- (a) ***The person, with the intent to intimidate another person or place another person in fear of imminent bodily harm, knowingly places a noose:***
 - 1. ***On public property; or***
 - 2. ***On private property without the written consent of the property owner;***
 - (b) ***The other person is intimidated or placed in fear of imminent bodily harm by the display; and***
 - (c) ***A reasonable person would be intimidated or placed in fear of imminent bodily harm by the display.***
- (2) ***As used in this section:***
- (a) ***“Intimidate” means to threaten another person in a manner that compels or deters the other person’s conduct.***
 - (b) ***“Noose” means a tied loop in the end of a length of rope or cord.***

Section 2. Subsection (1) of Section 4.990 of the Eugene Code, 1971, is amended by amending the penalty for violation of Section 4.731 of the Eugene Code, 1971, and adding a penalty for violation of Section 4.732 of that Code to provide as follows:

4.990 Penalties – Specific.

(1) Violation of the following sections is punishable by fine or confinement in jail, or both, up to the amounts indicated opposite each. In addition, the court may order any treatment,

related to the violation, deemed necessary for rehabilitation of the offender and the safety of the community.

Section	Penalty
4.731	[2,500] 6,250 fine or 1 year in jail, or both
4.732	6,250 fine or 1 year in jail, or both

Section 3. The City Recorder, at the request of, or with the consent of the City Attorney, is authorized to administratively correct any reference errors contained herein, or in other provisions of the Eugene Code, 1971, to the provisions added, amended or repealed herein.

Passed by the City Council this

____ day of _____, 2021

City Recorder

Approved by the Mayor this

____ day of _____, 2021

Mayor