

# Measure 11 / Oregon Mandatory Minimum Sentences

## Measure 11, Measure 73 and Legislatively-Adopted Mandatory Minimum Sentences

Crime	Sentence	Created By	Exceptions
Aggravated Vehicular Homicide	20 years	HB 2740	
Arson I	7 years, 6 months	SB 1049	SB 1049
Assault I	7 years, 6 months	Measure 11	
Assault II	5 years, 10 months	Measure 11	SB 1049
Attempted Aggravated Murder / Conspiracy	10 years	HB 3439	
Attempted Murder / Conspiracy	7 years, 5 months	HB 3439	
Compelling Prostitution	5 years, 10 months	SB 1049	
Kidnapping I	7 years, 6 months or 25 years	Measure 11 / HB 3511	
Kidnapping II	5 years, 10 months	Measure 11	SB 1049
Manslaughter I	10 years	Measure 11	
Manslaughter II	6 years, 3 months	Measure 11	HB 2494
Murder	25 years	Measure 11	
Rape I	8 years, 4 months or 25 years	Measure 11, HB 3511, Measure 73	
Rape II	6 years, 3 months	Measure 11	HB 2379
Robbery I	7 years, 6 months	Measure 11	
Robbery II	5 years, 10 months	Measure 11	SB 1049
Sexual Abuse I	6 years, 3 months	Measure 11	HB 2379
Sodomy I	8 years, 4 months or 25 years	Measure 11, HB 3511, Measure 73	
Sodomy II	6 years, 3 months	Measure 11	HB 2379
Unlawful Sexual Penetration I	8 years, 4 months or 25 years	Measure 11, HB 3511, Measure 73	
Unlawful Sexual Penetration II	6 years, 3 months	Measure 11	HB 2379
Using a Child in Display of Sexually Explicit Material	5 years, 10 months or 25 years	SB 1049, Measure 73	

Arson is a Measure 11 crime only when the offense represented a threat of serious physical injury.

**Measure 11:** Passed by voters in 1994. Established minimum mandatory sentences for 16 violent crimes and serious sex offenses.

**HB 3439:** Passed by legislature in 1995. Added Attempted Murder and Attempted Aggravated Murder.

**SB 1049:** Passed by legislature in 1997. Allows judges to make exceptions in Assault II, Kidnapping II and Robbery II cases when offender had no prior serious felony convictions. See ORS 137.712 for details. Added Arson, Compelling Prostitution and Using a Child in a Display of Sexually Explicit Material.

**HB 2494:** Passed by legislature in 1999. Provides exception for Manslaughter II when the victim is a sick or injured child being treated solely by spiritual means.

**HB 2379:** Passed by legislature in 2001. Allows judges to make exceptions for offenders without prior serious felony convictions when the offender is within 5 years of age of the victim, the victim was at least 12 years of age and the victim's lack of consent was due solely to the victim's age.

**HB 3511:** Passed by legislature in 2006. "Jessica's Law For Oregon" provides for 25 year sentence for sex crimes against a child under 12 or Kidnapping I in the furtherance of sex crimes against a child under 12.

**HB 2740:** Passed by legislature in 2007. Added Aggravated Vehicular Homicide for drivers who kill while intoxicated and have a previous conviction for killing while intoxicated. Elevated charges for other repeat intoxicated drivers who kill or maim.