

**From:** [Laura Fine](#)  
**To:** [ORLawEnf Commission](#)  
**Subject:** Fwd: "Intent" in ORS 243.317  
**Date:** Monday, November 28, 2022 9:52:00 AM

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Greetings:

The email, below, was sent to me directly. I have not responded. I'd like to discuss this at today's meeting.

Laura

----- Forwarded message -----

From: **Marc Poris** <[marc.poris@gmail.com](mailto:marc.poris@gmail.com)>  
Date: Sat, Nov 26, 2022 at 5:32 PM  
Subject: "Intent" in ORS 243.317  
To: <[attorneylaurafine@gmail.com](mailto:attorneylaurafine@gmail.com)>

Hello Commissioner Fine,

Thank you for serving on the LESC.

I'm reviewing the Commission's post-public comment meetings to refresh my memory on how the rules were finalized.

Regarding Sexual Assault, when Co-chair Slason presented Commissioners who voted to include "written reprimand" as a mitigating factor the opportunity to change their mind, he shared his screen with the definition of Sexual Assault that the legislature specified, which is in the [Definitions for ORS 243.317](#):

“Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

I don't believe that "intent" appears anywhere in there, and I think [that assumption was one of the drivers behind your vote](#) to allow "written reprimand" for Sexual Assault.

Are you able to point me to a definition of "Sexual Assault" in Oregon that requires intent?

Also, I appreciated your [question about whether the Commission should respond to the public's responses](#) because, as someone who provided feedback to the Commission, I personally do not feel as if the Commission spent the necessary time to really take the public's comments to heart and I would appreciate any and all explanations from the Commissioners as to how you all made your decisions.

Thank you,

Marc Poris  
Portland, OR

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