

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass
Vote:	8 - 0 - 1
Yeas:	Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
Nays:	0
Exc.:	Barker
Prepared By:	Darian Stanford, Counsel
Meeting Dates:	5/21

WHAT THE MEASURE DOES: Allows court to impose restitution in an amount less than a victim's full economic damages in person felonies if victim provides written consent. Limits scope of bill to person felonies.

ISSUES DISCUSSED:

- Bill does not apply in non-person felonies or misdemeanors
- Nature of economic damages

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: If a defendant is found guilty of a crime, a court may order that the defendant financially compensate any victim(s) of the crime. The present mechanism for compensating a crime victim's economic losses (objectively verifiable monetary losses, such as medical expenses, funeral costs, lost income, repair or replacement of damaged property, etc.) is restitution. A court can only award restitution if the crime victim actually suffered such damages.

There may be instances in which a crime victim would agree to take less than the full amount of his or her economic damages (perhaps to effectuate a plea bargain). There is presently no specific statutory authority that permits a court to award less than the full amount of economic damages (nor is such an award specifically prohibited). SB 130 A provides that authority but requires the written consent of the victim. The bill applies only to person felonies and not to non-person felonies or misdemeanors.