

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass and Be Placed on the Consent Calendar
Vote:	9 - 0 - 0
Yeas:	Barker, Bonamici, Cameron, Flores, Komp, Krieger, Read, Whisnant, Macpherson
Nays:	0
Exc.:	0
Prepared By:	Darian Stanford, Counsel
Meeting Dates:	5/11

WHAT THE MEASURE DOES: Modifies ORS 137.106 and ORS 419C.450 to define “appropriate supervising authority” relating to restitution obligations for adult or juvenile offenders as “any state or local agency that is authorized to supervise the defendant.” Allows such supervising authority to modify prior restitution payment schedules set by the court.

ISSUES DISCUSSED:

- “Appropriate supervising authority” refers generally to community corrections and parole and probation departments

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. Restitution is the present mechanism to compensate a crime victim’s economic losses. ORS 137.106(4) allows the court to establish a restitution payment schedule for an adult criminal defendant or to delegate this responsibility to an “appropriate supervising authority.” ORS 419C.450 provides the same authority in regard to juvenile offenders.

Presently, the term “appropriate supervising authority” is undefined by either chapter. This omission has created some confusion over who specifically may modify a defendant’s payment plan. SB 131 A addresses this confusion by defining “appropriate supervising authority” as “any state or local agency that is authorized to supervise the defendant.” The bill also specifies that a “supervising authority” is authorized to modify payment schedules but *not* to collect payments.