

Enrolled
House Bill 2130

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Attorney General Hardy Myers for Department of Justice)

CHAPTER

AN ACT

Relating to Criminal Injuries Compensation Account; amending ORS 147.227; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 147.227, as amended by section 7, chapter 700, Oregon Laws 2005, is amended to read:

147.227. (1) The Attorney General or the Attorney General's designee shall disburse [*up to one-half of the*] **a portion of the** moneys that the Criminal Injuries Compensation Account receives from the Criminal Fine and Assessment Account to counties and cities where prosecuting attorneys maintain comprehensive victims' assistance programs approved by the Attorney General or the Attorney General's designee. Those counties and cities shall provide the moneys to the prosecuting attorney therein to be used exclusively for the comprehensive victims' assistance program. Pursuant to consultation with a three member advisory committee, which the Attorney General shall establish administratively, and which shall consist of a representative from the Attorney General's Office, the Oregon District Attorneys Association and a prosecutor's victim assistance program, the Attorney General shall adopt rules for equitable distribution of these moneys among participating counties and cities.

(2) To qualify for approval under this section, a comprehensive victims' assistance program [*shall*] **may** not restrict services only to victims or witnesses of a particular type of crime, but shall provide services to victims and witnesses generally. The program must also, in the determination of the Attorney General or the Attorney General's designee, substantially accomplish the following:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property, including, but not limited to:

- (A) Informing victims and witnesses of their case status and progress;
- (B) Performing advocate duties for victims within the criminal justice system;
- (C) Assisting victims in recovering property damaged or stolen and in obtaining restitution or compensation for medical and other expenses incurred as a result of the criminal act;
- (D) Preparing victims for pending court hearings by informing them of procedures involved;
- (E) Accompanying victims to court hearings;
- (F) Involving victims, when possible, in the decision-making process in the criminal justice system;
- (G) Assisting victims in obtaining the return of property held as evidence;
- (H) Assisting victims with personal logistical problems related to court appearances; and
- (I) Developing community resources to assist victims of crime;

- (b) Be administered by the district attorney of the county or city attorney of the city;
- (c) Assist victims of crimes in the preparation and presentation of claims against the Criminal Injuries Compensation Account; and
- (d) Generally encourage and facilitate testimony by victims of and witnesses to criminal conduct.

(3) If a proposed victims' assistance program, although not substantially comprising all elements described in subsection (2) of this section, nevertheless comprises a significant portion thereof and if, in the determination of the Attorney General or the Attorney General's designee thereof, it would not be practicable at the current time for the district attorney or city attorney to establish a more comprehensive program, the Attorney General or the Attorney General's designee thereof may qualify the program under this section on a temporary basis and subject to such conditions as the Attorney General or the designee shall impose upon the program.

SECTION 2. This 2007 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect July 1, 2007.

Passed by House February 8, 2007

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 Chief Clerk of House

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 Speaker of House

Passed by Senate March 27, 2007

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 President of Senate

Received by Governor:

.....M.,....., 2007

Approved:

.....M.,....., 2007

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 Governor

Filed in Office of Secretary of State:

.....M.,....., 2007

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 Secretary of State