



# Oregon

John A. Kitzhaber, M.D., Governor

## Governor's Advisory Committee on DUII

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**DATE:** February 7, 2013  
**TO:** House Judiciary Committee  
**FROM:** Chuck Hayes, Chair  
Governor's Advisory Committee on DUII  
**SUBJECT:** House Bill 2125

This letter is in behalf of the Governor's Advisory Committee (GAC) on DUII and offers our support of House Bill 2125 which requires a person to pay restitution as a requirement of driving under the influence of intoxicants diversion agreement.

The GAC on DUII committee believes that this bill would help in reinforcing that people entering into DUII diversion agreements should be responsible for their irresponsible actions and not use diversion as a means of escaping accountability.

This bill will also help those people understand that the state not only expects them to take the opportunity diversion affords them to become responsible when operating a vehicle, but this change in the law also means they must pay restitution for an injury caused by their past behavior if they are to be granted the diversion opportunity by the court.

Currently in Oregon, if a person is convicted of DUII, they are required to pay restitution when appropriate, this is the practice in many other states as well. This bill creates consistency in the law relating convictions to diversion adding accountability, holding anyone responsible for restitution claims that resulted from their dangerous or irresponsible actions when they were driving under the influence. Because a person is able to enter into a diversion agreement should not make them immune from any restitution ordered by the court.

### Summary

The Governor's Advisory Committee on DUII supports this bill and believes that it is another positive step in protecting our citizens from the dangers and careless actions of people who elect to drive under the influence of intoxicants in Oregon.

Ceh  
02/05/13