

STAFF MEASURE SUMMARY**House Committee On Judiciary****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 04/15/15**Action:** Do Pass As Amended, Be Printed Engrossed, And Bill Be Referred To Ways
And Means.**Meeting Dates:** 04/15**Vote:**

Yeas: 8 - Barker, Barton, Greenlick, Krieger, Lininger, Olson, Post, Williamson

Exc: 1 - Sprenger

Prepared By: Jeff Rhoades, Counsel**WHAT THE MEASURE DOES:**

Establishes Task Force on Garnishment of Inmate Property. Specifies membership and states that Task Force shall study issues related to garnishment of Department of Corrections inmate property. Establishes Task Force voting procedures.

ISSUES DISCUSSED:

- Substance of the bill

EFFECT OF COMMITTEE AMENDMENT:

Replaces measure.

BACKGROUND:

Crime victims have a constitutional right to prompt restitution from the defendant who caused them harm. Restitution judgments are utilized to vindicate this right in cases where defendants are remanded to the Department of Corrections (DOC). Despite this, many victims do not see restitution payments from defendants incarcerated by DOC. Even though defendants may receive deposits into their inmate trust account for use in commissary or for making phone calls, there is no mechanism for automatically deducting money to repay victims for their loss. Further, DOC does not have an enforcement mechanism to mandate payment of restitution. This effectively means that crime victims almost never receive restitution payments from incarcerated defendants. Additionally, many defendants in DOC custody owe child support and have civil judgments against them.

House Bill 2322 A establishes a task force aimed at providing solutions to this problem. The Task Force is responsible for studying issues related to the garnishment of inmate property in satisfaction of outstanding judgments and child support. The Task Force is required to submit a report to the interim committees of the Legislative Assembly related to the judiciary no later than July 1, 2016.