



**DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL**

MEMORANDUM

DATE: February 1, 2016

TO: Honorable Jeff Barker, Co-Chair
House Committee on Judiciary

FROM: Aaron Knott, Department of Justice Legislative Director

SUBJECT: HB 4082 – Adding services and other items of value to the charge of promoting prostitution

This testimony is presented in support of HB 4082.

BACKGROUND

As written, ORS 167.012 states that a person commits the crime of promoting prostitution if, with the intent to promote prostitution, the person knowingly receives or agrees to receive money or other property, other than as a prostitute being compensated for personally rendered prostitution services, pursuant to an agreement or understanding that the money is derived from a prostitution activity.

The Oregon Legislature recognized via ORS 164.125, establishing the crime of Theft of Services, that items not historically considered to be either cash or “goods” may nonetheless retain sufficient value as to be the subject of theft. These services can include labor, professional services, toll facilities, transportation, communications services, entertainment, security, the provision of the use of equipment, and other transactions of value not fairly describable as “goods.”

The proposed change to ORS 167.012 is consistent with this larger definition of value, and is altogether appropriate to an economic structure that often trades in favors and other non-monetary forms of compensation in lieu of a cash exchange. This definitional expansion retains all procedural protections in place for defendants in terms of standard of proof and the requirement that the item of value be derived, beyond a reasonable doubt, from the proceeds of prostitution activities.

CONTACT

Please contact Department of Justice Legislative Director Aaron Knott with any questions or concerns at aaron.d.knott@doj.state.or.us or 503-798-0987.