

HB 2621 A STAFF MEASURE SUMMARY

Carrier: Rep. Williamson

House Committee On Judiciary

Action Date: 04/04/17

Action: Do pass with amendments and rescind subsequent referral to Ways and Means. (Printed A-Eng.)

Vote: 8-0-3-0

Yeas: 8 - Barker, Greenlick, Lininger, Post, Sanchez, Sprenger, Stark, Williamson

Exc: 3 - Gorsek, Olson, Vial

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

WHAT THE MEASURE DOES:

Modifies Crime Victims' Compensation Program administered by Department of Justice (DOJ). Eliminates requirement for compensation award that victim cooperate "fully" with law enforcement officials and eliminates assessment of whether victim engaged in "substantial provocation" of assailant. Establishes specified actions, including obtaining protective order, that constitutes notification to law enforcement. Directs DOJ to establish program for victims of domestic violence or sexual assault, who are not eligible for a compensation award. Increases maximum amount of compensable loss of victim's earnings or support from \$400 to \$600 per week. Includes as compensable expense cost of forensic interview related to child abuse and certain prescription medications prescribed in conjunction with counseling. Authorizes DOJ to extend 30-day period for reconsideration of compensation order, with victim's consent. Authorizes DOJ to obtain police reports and child abuse reports for purposes of crime victims compensation program.

ISSUES DISCUSSED:

- Victim-centered focus for program that is safety net for victims of violent crime who do not have insurance or other means of support
- As result of trauma, victims of domestic violence, sexual assault and stalking do not always report crime immediately or participate in prosecution

EFFECT OF AMENDMENT:

Modifies manner of determining whether applicant notified law enforcement of crime and determining good cause for failure to timely notify and cooperate with law enforcement. Includes costs of prescription medications associated with counseling, in amount up to \$1,500, as part of compensation award for survivors of deceased victims. Authorizes DOJ to reimburse applicant who incurred costs of forensic interview, related to child abuse, conducted at community assessment center.

BACKGROUND:

ORS 147.005 to 147.367 describe the Crime Victims Compensation Program administered by the Department of Justice. Under the program, victims of crime, their dependents or survivors and persons who have borne certain expenses, are eligible for an award of compensation from the Criminal Injuries Compensation Account. These expenses can include medical and counseling expenses, funeral expenses and loss of earnings.