



LC 3072 – Improving Crime Victims Compensation

Background:

The Department of Justice (DOJ) Crime Victim and Survivor Services Division (CVSSD) serves victims and survivors by funding statewide victim service programs, covering crime-related costs, and working with partners to shape best practices statewide. CVSSD brings together a diverse collection of voices throughout Oregon to make sure victims are treated fairly and compassionately.

Oregon's Crime Victims' Compensation (CVC) Program administered by CVSSD assists victims and survivors with expenses associated with a crime, including domestic violence, sexual assault, child abuse, robbery, assault, homicide, or other crimes resulting in a physical or psychological injury. In the aftermath of a crime, the CVC works with victims and survivors to provide support or ease the financial burden.

The CVC statutes have not been updated in many years, and there are several statutory impediments that slow down the payment of expenses to victims and survivors. Onerous paperwork requirements, outdated compensation limits, and other barriers should be removed to assist CVSSD with administering this important program. It is past time for the program to be updated to better meet the needs of Oregonians in the aftermath of an unspeakable tragedy or violent crime.

Concept:

LC 3072 makes several important updates to the following CVC statutes:

- Adds failure to perform the duties of a driver of a vehicle as a compensable crime;
- Updates and provides more flexibility in rules governing eligibility for compensation;
- Provides alternative options for victims and survivors who wish to report to entities other than law enforcement, including the DOJ's Bias Response Hotline, a tribal or student health center, or victim service provider;

- Eliminates the requirement that victims and survivors cooperate with law enforcement investigations and prosecutions in order to receive compensation;
- Expands eligibility to cover counseling for victims and survivors who are not comfortable making a report;
- Allows bystanders and witnesses to a violent crime to receive counseling benefits;
- Clarifies that strangulation forensic evidence kit expenses are reimbursable;
- Allows compensation of reasonable cleaning expenses when a death is involved;
- Allows compensation of lost wages for parents taking time off work to care for a minor victim;
- Allows victims to more easily access benefits for the duration of all phases of a case in the post prosecution criminal justice process;
- Increases the maximum expense reimbursement amounts for counseling and funeral costs;
- Eliminates multiple unnecessary provisions, including a notification requirement to district attorneys regarding pending CVC claims, a 30-day time limit for victims to correct incomplete applications, and a limitation on applications moving forward for victims with outstanding fines; and
- Protects as confidential application information submitted by a victim or survivor to DOJ, bringing Oregon law into alignment with federal VOCA policies.

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