



## **SUPPORT HB 4075 – Removing Barriers to Allow Crime Victims Access to Restitution**

[HB 4075](#) is the result of a 2021 interim workgroup with stakeholders from the courts, district attorneys, defense bar, Department of Justice, victim advocates and the Department of Revenue. Stakeholders met over several months to help create a bill that provided meaningful reform in the area of restitution while addressing concerns raised during the 2021 Session including the timely disclosure of loss documentation to defense counsel and the ability for defense counsel to contest restitution requests.

### **WHAT THE BILL DOES:**

#### **Clarifying & Streamlining Court Process (Section 1)**

- Sets a clear timeline of 90-days for the district attorney on behalf of victims to file a motion requesting restitution.
- Requires the motion to contain documentation supporting the amount of restitution requested.
- Provides an opportunity for the defendant to object and request a hearing.
- Clarifies that the amount of restitution is presumed reasonable if the damages are documents in the “form of a record, bill, estimate or invoice from a business, health care entity or provider or public body...”.

#### **Redirect Funds to Crime Victims (Section 3)**

- Redirects 50% of restitution ordered to insurance carriers to to the Criminal Injuries Compensation Account (estimated at \$650,000 a year).
- This account pays medical and mental health bills of victims of violent and sexual assault crimes.

#### **Elevating Restitution Payments (Section 6 & Section 7)**

- Makes restitution a Level 1 financial obligation.
- Ensures restitution for crime victims is collected prior to any court fines and fees. Creates a possible expediated pathway to expunction for justice-involved individuals.