

HB 2676 -1 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Gillian Fischer, LPRO Analyst

Meeting Dates: 2/2, 2/9

WHAT THE MEASURE DOES:

Modifies Department of Justice (DOJ) crime victim compensation program. Defines cleaning expenses and expands definition of “compensable crime.” Provides that law enforcement notification of commission of crime must occur within reasonable time unless the DOJ finds the applicant acted reasonably under the circumstances. Directs the department to adopt rules regarding terms and maximum amounts of compensation allowed if victim is eligible for compensation award. Amends eligibility criteria for compensation of a victim. Authorizes compensation for counseling expenses for witness to death of victim and increases maximum counseling benefit for friend or acquaintance of deceased victim. Provides that medication prescribed in conjunction with counseling expenses is compensable. Authorizes compensation for lost wages for parents of minor victim. Increases maximum amount allowed for funeral expenses and provides compensation for cleaning expenses related to death of person. Provides that claims associated with review of assailant’s case or hearing on assailant’s release do not expire. Repeals provisions directing DOJ not to process compensation application if victim owes financial obligation associated with prior criminal conviction. Provides that information submitted to DOJ by applicant is confidential. Repeals provisions directing DOJ to notify district attorney when compensation claim is filed and defer compensation if prosecution is pending.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Replaces the measure. Modifies Department of Justice (DOJ) crime victim compensation program. Defines cleaning expenses and expands definition of “compensable crime.” Provides that law enforcement notification of commission of crime must occur within reasonable time unless the DOJ finds the applicant acted reasonably under the circumstances. Directs the department to adopt rules regarding terms and maximum amounts of compensation allowed if victim is eligible for compensation award. Amends eligibility criteria for compensation of a victim. Authorizes compensation for counseling expenses for witness to death of victim and increases maximum counseling benefit for friend or acquaintance or first person to discover the body of a deceased victim. Includes emotional and mental injury in definition of injury. Provides that medication prescribed in conjunction with counseling expenses is compensable. Authorizes compensation for lost wages for parents of minor victim. Increases maximum amount allowed for funeral expenses at discretion of program and provides compensation for cleaning expenses related to death or injury of person. Provides that claims associated with review of assailant’s case or hearing on assailant’s release do not expire. Repeals provisions directing DOJ not to process compensation application if victim owes financial obligation associated with prior criminal conviction. Provides that information submitted to DOJ by applicant is confidential. Repeals provisions directing DOJ to notify district attorney when compensation claim is filed and defer compensation if prosecution is pending.

BACKGROUND:

DOJ is responsible for a conglomeration of functions and activities. The Crime Victim and Survivor Services Division (CVSSD) compensates victims of violent crime for losses they sustain as a result of criminal actions and is organized into sections specific to the goals of the Division as a whole. CVSSD administers and monitors grants from eight major funds, providing partial funding to nearly every non-profit and system-based victims program in the state. It also provides direct advocacy programs, monitors bias crimes, and collects restitution and criminal

HB 2676 -1 STAFF MEASURE SUMMARY

finances and fees on behalf of victims and the state.

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. The CVC statutes have not been updated in many years and current compensation limits and eligibility requirement updates could allow victims to more easily access the intended benefits.

House Bill 2676 would update rules governing compensation eligibility criteria to expand who is eligible, remove certain prohibitions, and provide more flexibility to the CVC when providing compensation. The measure updates compensation limits and costs eligible for compensation, eliminates certain notice requirements, and protects application information submitted as part of a compensation request.