

Oregon Department of Justice

Office of the Attorney General

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HB 2676 – 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 resulting in a physical or psychological injury, including but not limited to domestic violence, sexual assault, child abuse, robbery (CVC cannot replace items that were stolen during the robbery), assault, and homicide. 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 Onerous paperwork requirements, outdated compensation limits, and other barriers should be removed to assist CVSSD with administering this important program.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:

HB 2676 makes several important updates to the CVC statutes:

- Provides more flexibility in rules governing eligibility for compensation;
- Provides new alternative options for victims and survivors who are uncomfortable reporting to law enforcement, including obtaining any abuse protection order or no contact order issued by a state, local, tribal or federal court (current law only includes certain state-issued orders), any forensic exam or medical assessment (current law only includes sexual assault exams and assessments), reporting to a tribal or student health center; and other alternatives as determined by DOJ by rule.

- 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;
- Clarifies that strangulation forensic evidence kit expenses are reimbursable;
- Allows bystanders and witnesses to a violent crime and the person who discovers a deceased victim to receive counseling benefits;
- Allows compensation of cleaning expenses resulting from a physical injury or death;
- Allows compensation of lost wages for parents and guardians taking time off work to care for a minor victim;
- Allows victims and survivors to more easily access benefits for the duration of all phases of a case in the post-prosecution criminal justice process;
- Increases maximum expense reimbursement amounts for counseling, loss of support, 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 and survivors 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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