

HB 2621 -2 STAFF MEASURE SUMMARY

House Committee On Judiciary

Prepared By: Josh Nasbe, Counsel

Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 3/9, 3/23

WHAT THE MEASURE DOES:

Modifies Crime Victims' Compensation Program administered by Department of Justice (DOJ). When determining eligibility for compensation, eliminates requirement that victim cooperate "fully" with law enforcement officials and eliminates assessment of whether victim engaged in "substantial provocation" of assailant. Requires DOJ to adopt administrative rules defining "good cause" for failure of victim to notify law enforcement within 72 hours of crime and for failure of victim to cooperate with law enforcement officials. Includes mental trauma resulting from crime as good cause. Describes specific conduct constituting cooperation and notification. Directs DOJ to establish compensation program for victims of domestic violence or sexual assault, who failed to timely notify law enforcement of crime. Increases maximum amount of compensable loss of victim's earnings or support from \$400 to \$600 per week. 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.

REVENUE: May have revenue impact, but no statement yet issued.

FISCAL: May have fiscal impact, but no statement yet issued

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 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, for survivors of deceased victims. Authorizes DOJ to reimburse applicant who incurred costs of forensic interview 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.