

SB 980 -1 STAFF MEASURE SUMMARY

Senate Committee On Judiciary

Prepared By: Gillian Fischer, Counsel

Meeting Dates: 4/8

WHAT THE MEASURE DOES:

Directs the Department of Justice (DOJ) to provide an accounting for court ordered financial obligations for which it is the debtor.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-1 Directs the Department of Justice (DOJ) to provide an accounting of court-ordered financial obligations in which the department is a judgment debtor. Allows money held in an inmate's transitional fund to be subject to garnishment from civil judgments that include a money award for a crime victim entered against an inmate resulting from a crime committed by the inmate in which the Department of justice is a judgment creditor. This act to become operative July 1, 2020.

BACKGROUND:

There are three levels of priority for the application of collected moneys to court-ordered financial obligations, with Level I obligations having the highest priority and Level III obligations having the lowest priority. The levels are as follows:

(a) Level I obligations are compensatory fines imposed pursuant to ORS 137.101, awards of restitution defined in ORS 137.103 and fines, fees or court-appointed attorney fees imposed in a criminal action.

(b) Level II obligations are child support obligations and civil judgments including a money award for a crime victim entered against an inmate resulting from a crime committed by the inmate.

(c) Level III obligations are civil judgments including a money award entered against an inmate resulting from an action for the inmate's assault or battery of a Department of Corrections or Oregon Corrections Enterprises employee.

Senate Bill 980 -1 would allow judgments of a crime victim entered against an inmate resulting from a crime committed by the inmate in which the Department of justice is a judgment creditor to be classified as Level II obligations.