

If you think bills, estimates, and invoices are always reasonable, you should support SB 214. But if you think they're sometimes unreasonable, you should oppose SB 214, because it authorizes courts to order criminal defendants to pay restitution that's higher than the loss they actually caused.

In other words, SB 214 would intentionally make restitution proceedings a judicial forum where a party does not have to prove the defendant caused their loss to recover. That's a topsy-turvy idea of justice.

SB 214 shifts the burden of proof to the defense in a proceeding that's already tilted in the prosecution's favor -- where the rules of evidence already don't apply and where most defendants are indigent and therefore represented by the overworked and underpaid public defenders this body continues to deny minimally fair funding to.

SB 214 violates the separation of powers by taking over the fundamental judicial function of deciding what proof is sufficient to establish a disputed fact.

SB 214 is constitutionally suspect because it creates an evidentiary presumption that benefits only one party.

Criminal defendants are disproportionately poor people and people of color. Unlike civil defendants, SB 214 makes criminal defendants liable for economic damages when causation hasn't been proven by a preponderance of the evidence. Ask yourselves whether that's not because criminal defendants are disproportionately poor and Black. This bill is what systemic racism and systemic economic injustice look like in Oregon. Please oppose it.