

## **MultCoInit-12 Ballot Title & Explanatory Statement**

**Caption:** Amends Charter: Requires County compensate injuries from property crimes, prohibits new tax

**Question:** Should County compensate \$2500 (maximum/occurrence) for property crimes since November 2024, unless certain crimes fall below 2014 levels?

**Summary:** Charter amendment would require County compensate individuals, entities for property damage, bodily injury resulting from property crimes committed within County from November 5, 2024. Qualifying crime requires “crime victim” (individual, entity with injury to property by third party criminal conduct), probable cause crime occurred, report to law enforcement, victim agreement to cooperate in civil, criminal proceedings. Claim maximum \$2500 per occurrence, adjusted annually using consumer price index. Compensation paid regardless of victim’s commercial insurance, indemnification rights. County may seek reimbursement from perpetrator for claims paid; no subrogation against victim’s insurer.

County must establish Crime Victims’ Compensation Office to design, distribute claim forms, administer claims, investigate fraudulent claims, pay claims within 60 days. Claims submitted confidentially under public records law.

Prohibits new taxes on County residents, property, businesses to fund obligations.

County compensation obligations suspended for one year after December 31, 2026, if FBI statistics show reported theft, auto theft, burglary in County for past year below 2014 levels.

Victim can enforce County obligations in court, seek damages, other remedies, recover attorney fees upon prevailing.

### **Explanatory Statement:**

**New Requirement: County to Compensate Individuals and Entities for Property Damage and Bodily Injury from Property Crimes Committed within Multnomah County since November 5, 2024**

This measure would amend the County Charter to require the County to compensate individuals and entities, including property owners or lessors of property, for property damage and bodily injury as a result of a property crime committed within the County as of November 5, 2024.

A crime qualifies as a property crime subject to the compensation provisions of the measure if:

- It involves conduct prohibited by state criminal law (ORS Chapters 131 to 169)
- It is committed by a third party against a crime victim, meaning an individual or entity who sustains injury to property as a result of a crime
- There is probable cause that a crime has occurred, even if no charges are brought
- The crime is reported to a law enforcement agency, and
- The crime victim agrees to cooperate in any civil or criminal proceeding against the perpetrator.

The maximum amount of any claim is \$2500 per occurrence, with that amount adjusted annually for inflation based on the consumer price index. The County would have the right to seek reimbursement from a perpetrator to the extent of any claim paid, but the County would not have a right of subrogation against a crime victim's insurer.

The County's compensation obligation would exist even if a crime victim has commercial insurance or an existing right to indemnification.

#### County Board to Establish Crime Victims' Compensation Office

The Board of County Commissioners would be required to establish by ordinance a Crime Victims' Compensation Office to design claim forms, make those forms available to crime victims, administer claims, investigate suspected fraudulent claims, and pay claims within 60 days of presentation by crime victims.

The claims and related information would be treated as submitted in confidence under state public records law. The County could release reasonably anonymized claims data aggregated by geography or demographics.

#### Prohibition on New Tax to Fund New County Obligations

The County would be prohibited from imposing new taxes on County residents, property located within the County, or persons doing business within the County to finance the County's obligations under the measure.

#### Suspension of County Compensation Obligation Upon Certain Conditions

After December 31, 2026, the County's compensation obligations would be temporarily suspended and inoperative for one calendar year if published Federal Bureau of Investigation statistics showed the incidence of reported crimes of theft, auto theft, and burglary for the last immediate calendar year are below those reported by the FBI in calendar year 2014.

#### Enforcement and Severability

Crime victims could enforce the County's obligations and seek damages, declaratory relief, injunctive relief, or other remedies. Prevailing crime victims would be entitled to recover costs and reasonable attorney fees.

Any portion of the amendment held invalid would not affect remaining provisions.

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2024 NOV 18 PM 4:25  
CLERK OF SUPERIOR COURT  
COUNTY OF WASHINGTON

# Prospective Petition

Mult Co Init - 12

SEL 370

## Local Initiative and Referendum

rev. 01/22 ORS 250.045,  
250.165, 250.265, 255.135

**Warning** Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. Each chief petitioner is required to provide, on the same form, their name, residence address, contact phone number and signature attesting that the information on the form is true and correct. Changes to the information provided for a chief petitioner or to the circulator pay status must be reported to the filing officer no later than the 10th day after a chief petitioner first has knowledge or should have had knowledge of the change. At least one original chief petitioner must remain throughout the petition process or the petition is void.

Petition Information		Type	
This filing is an	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment	<input checked="" type="checkbox"/> Initiative <input type="checkbox"/> Referendum	

Jurisdiction		Some Circulators may be Paid	
<input checked="" type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> District		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Title Subject or name you give your petition.  
Hold Government Accountable for Property Crimes (Alternative C)

**Petition Correspondence** Select the method of receiving notices or other correspondence from the Filing Officer.

Correspondence Recipient  Email Chief Petitioners  Mail Chief Petitioners

**Recipient Information**

Name John DiLorenzo	Email Address johndilorenzo@dwt.com
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**Chief Petitioner Information** Only chief petitioner's residential city and state will appear on petition sheets.

→ By signing this document, I hereby state that all information on the form is true and correct and attest that no circulators will be compensated money or other valuable consideration on this petition based on the number of signatures obtained by the circulator.

Name John DiLorenzo	Contact Phone 503-704-5162
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Residence Address street, city, state, zip  
1736 SW Prospect Drive, Portland, OR 97201

Mailing Address if different	Email Address
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Signature 	Date Signed 11-4-2024
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Name	Contact Phone
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Residence Address street, city, state, zip

Mailing Address if different	Email Address
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Signature	Date Signed
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Name	Contact Phone
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Residence Address street, city, state, zip

Mailing Address if different	Email Address
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Signature	Date Signed
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NOV - 4 AM 11:35  
MULTI-COUNTY  
DIRECTOR OF ELECTIONS

## ALTERNATIVE C

### CHARTER AMENDMENT HOLD GOVERNMENT ACCOUNTABLE FOR PROPERTY CRIME

The following is adopted as Section 12.80 to the Multnomah County Charter:

**12.80** The Electors of Multnomah County find as follows:

- a. The People have a right to keep their property and possessions safe and have an expectation that their county government will devote sufficient resources to preserve and protect their property; and
- b. The incidence of property crimes committed in Multnomah County have increased significantly over the last decade; and
- c. For many county residents, the economic impacts of property crimes are devastating and can lead to housing and food insecurity, as well as disruptions in employment and other facets of daily life; and
- d. The increase in property crimes has disproportionately affected our County's most vulnerable and historically marginalized communities; and
- e. Over the past decade, prosecutions for felonies, misdemeanors, and juvenile offenses has significantly declined; and
- f. The County's leadership has attempted to address homelessness, drug dependence, behavioral health issues, and other public safety concerns by emphasizing funding of non-governmental, private-sector organizations, which has ultimately resulted in less accountability, less transparency, and less control by public officials with no apparent success; and
- g. Whether intentionally or unintentionally, the County has effectively abdicated its responsibility to provide its residents with a baseline level of safety and crime prevention, which has disproportionately affected communities of color and other vulnerable populations; and
- h. County policies emphasizing "harm reduction," enablement, and absence of consequences have contributed to the increase in theft, vandalism, robberies, assaults, carjackings, graffiti, and other antisocial behaviors, which diminish the quality of life of the County's residents regardless of their income, age, gender, race, nationality, immigration status, or neighborhood location.

**12.81.** The County shall insure and indemnify persons and owners or lessors of property for property damage and bodily injury as a result of any Crime committed within the County

boundaries from November 5, 2024, unless this section is suspended and not operative pursuant to Section 12.87.

**12.82.** "Crime" includes any conduct which is prohibited by ORS Chapters 131-169, by a third party against a Crime Victim, in which there is probable cause that a crime has occurred, regardless of whether charges are initiated, provided the Crime is reported to a law enforcement agency and the Crime Victim agrees to cooperate in any civil or criminal proceeding which might be filed against the perpetrator of the crime.

**12.83.** "Crime Victim" means any person who has sustained injury to property resulting from a Crime committed in Multnomah County. The maximum amount of any claim shall be no more than \$2,500 per occurrence, adjusted each year for inflation based on the consumer price index. "Person" means any individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, or any other combination of persons doing business as an entity generally recognized as having the capacity to sue or be sued.

**12.84.** The obligation of the County to insure and indemnify a Crime Victim pursuant to Sections 12.81-83 herein shall be without regard to any commercial insurance or right to indemnification which the Crime Victim may otherwise possess. The County shall have the right to pursue any person who committed a Crime for damages to reimburse it to the extent to which it has paid a Claim. However, the County shall have no right of subrogation as against any insurer of a Crime Victim.

**12.85.** (A) The Board of County Commissioners shall by ordinance establish an office for Crime Victims' Compensation, which shall design claim forms similar to those generally utilized by commercial insurance carriers, and make them available to Crime Victims. The Crime Victims' Compensation Office shall administer claims, be empowered to investigate suspected fraudulent claims, and must process and pay claims within 60 days of presentation by Crime Victims.

(B) Claims described in this section and other related information are submitted to the County in confidence as described in ORS 192.355(4). In accepting the claim forms described in this section and other related information, the County obliges itself in good faith not to disclose such information. This subsection does not prevent the County from releasing data about claims that is aggregated by geographic or demographic categories if the data is reasonably anonymized.

**12.86.** The County shall not impose new taxes on residents of the County or on property located within the County or on persons doing business within the County to finance the obligations of the County pursuant to Section 12.80 through 12.89.

**12.87.** After December 31, 2026, the obligations of the County under Section 12.81 shall be temporarily suspended and rendered inoperative for a period of one calendar year following publication of statistics from the Federal Bureau of Investigation showing that the incidence of reported crimes for each of the following categories: (i) theft; (ii) auto theft and (iii) burglary; occurring within Multnomah County for the last immediate calendar year have fallen below those which were reported by the Federal Bureau of Investigation for calendar year 2014.

**12.88.** Any Crime Victim may seek recourse in the way of damages, declaratory relief, injunctive relief, or other remedies allowed by law for the purpose of enforcing the County's obligations pursuant to Sections 12.80 through 12.89. A prevailing Crime Victim shall be entitled to recover costs and reasonable attorney fees incurred in prosecuting the claim against the County or in enforcing the County's obligations pursuant to Section 12.80 through 12.89.

**12.89.** If any portion of this amendment (sections 12.80 through 12.89) is held by any court to be invalid or if application of any of its provisions to any person or circumstances is held by any court to be invalid, then the other provisions or applications shall not be affected thereby. If the retroactive application of this Amendment to November 5, 2024, as provided in Sec. 12.81, is held by any court to be invalid, then the effective and operative date of the Amendment shall be as otherwise provided by law.