

Victims' Rights

This brochure lists rights given to victims of crime in Oregon. **Please contact your local District Attorney or Juvenile Department** for more information about your rights or about upcoming hearings. See the Victim Services Contact Information in this brochure for other options.

Some victims' rights only become rights if you request them. Contact your local District Attorney's Office Victim Assistance Program or Juvenile Department if you want to request these rights.

Upon request, your local District Attorney's Victim Assistance Program or local Juvenile Department will give you a booklet, "*Legal Rights for Crime Victims in Oregon*". This booklet has more information about victims' rights.

For more information about your rights, including what to do if your rights have not been honored, contact your local District Attorney's office or visit:

www.doj.state.or.us/victims

This brochure is available in the following languages:

Hardcopy and On-line

- English
- Spanish

On-line Only

- Korean
- Russian
- Vietnamese
- Chinese

To receive additional copies of this brochure, please call:

503-378-5348

(Salem and surrounding areas)

800-503-7983

(statewide toll free)

Victim Services Contact Information

Oregon Department of Justice Crime Victims' Services Division

1162 Court Street NE, Salem, OR 97301

503-378-5348

(Salem and surrounding areas)

800-503-7983

(statewide toll free)

www.doj.state.or.us/victims

Crime Victims' Compensation Program
800-503-7983

Statewide Legal Aid Information

www.oregonlawhelp.org

Oregon Crime Victim Law Center

503-208-8160

Oregon State Bar

800-452-7636

www.osbar.org/public

Oregon Board of Parole & Post-Prison Supervision

503-945-0907

Oregon Psychiatric Security Review Board

503-229-5596

Oregon State Police - Sex Offender Registry

503-934-1258

Oregon Youth Authority

503-373-7205

Portland Women's Crisis Line

Statewide Referral to Local Crisis Programs
888-235-5333

Catholic Charities Immigration Legal Services

503-542-2855

VINE: Victim Information Notification Everyday

877-674-8463

www.VINELINK.com

VICTIMS' RIGHTS GUIDE



MIKE SCHMIDT

District Attorney
Multnomah County, OR

VICTIMS' ASSISTANCE PROGRAM

1200 SW 1st Avenue, Suite 5300
Portland, OR 97204

503-988-3222

www.mcda.us

**Every victim, every crime,
every right, every time.**

In order to protect your rights, you must keep the District Attorney's office, or Juvenile Department updated with your contact information.

General Rights

- Your right to justice includes the right to a meaningful role in the criminal or juvenile justice process, to be treated with dignity and respect, to fair and impartial treatment, and to reasonable protection from the offender.
- Many victims' rights are automatic although you may need to "tell" someone you want to receive them.
- Other rights you must specifically request to receive the right. One way to do this is to contact your District Attorney to request these rights.
- You, your attorney, or, upon your request, the District Attorney, may assert your rights in court.
- You have the right to have a support person with you.
- If your case involved physical harm or death, you may be able to get financial help for counseling, medical or death related costs:

Crime Victims' Compensation Program
800-503-7983

- You can attend open court proceedings.
- You can get a copy of a transcript or recording of open court proceedings if one is already made. You may be charged for the transcript or recording.
- Most "personal identifiers" can usually be protected from an alleged offender. These include your phone number, address, social security number, date of birth, and bank account and credit card account numbers.
- You can get confidential HIV testing, referrals for health care and counseling if the convicted person in your case tests positive for HIV.
- You or the district attorney can ask the court to limit distribution of information and recordings in cases involving sexual or invasion of personal privacy offenses.

Rights that must be requested:

- To be notified of certain open court proceedings
- To get criminal history information about the defendant, convicted criminal, alleged youth offender or youth offender.
- That the person charged or convicted in your case get testing for HIV or other communicable diseases if the crime involved the transmission of bodily fluids.

Following An Arrest

Automatic Rights:

- The judge will consider your safety at a pre-trial release hearing
- You can refuse to speak to an attorney or private investigator for the defendant or alleged youth offender.
- You will be notified about early disposition programs that may apply to your case.
- The prosecutor will consider any of your recommendations about defendant diversion.

Rights that must be requested:

- To be notified in advance about the release hearing.
- To be consulted about the plea negotiations or final plea offer in a violent felony case.

If Your Case Goes to Trial and Sentencing

Automatic Rights:

- If a pre-sentence investigation report is ordered in your case, you can include a statement in it.
- The right to express your views at sentencing, in person or in writing.
- Rape shield laws may apply in your case.

Rights that must be requested:

- For the court to exclude media television, photography, or recording equipment during sex offense proceedings. The court may deny this request.

After Sentencing

Automatic Rights:

- Prompt restitution for your crime-related costs.
- To be heard at a hearing on a motion to set aside a conviction.

Rights that must be requested:

- To be notified of the release of a juvenile offender from an OYA Youth Correctional Facility. You must first provide your contact information to OYA.
- To receive 30 day notice about parole hearings in adult cases. First you must register with the parole board.
- To be notified when the convicted person is released from prison.
- To be notified of hearings where probation may be revoked.

- To receive information about the offender from the Psychiatric Security Review Board (PSRB) if under their jurisdiction. First you must register with the PSRB.

If your case is appealed you may have other rights.

For more information contact:

Oregon Department of Justice
Crime Victims' Services Division
800-503-7983

You have a right to not be contacted by the sex offender convicted in your case. For information about registered sex offenders call:

Oregon State Police - Sex Offender Information
503-934-1258

Other Legal Information

- You can ask for a restraining order if you are a victim of family, elder, or disabled person abuse or are threatened with such abuse.
- You can go to the police or to court and ask for a stalking protective order if you have been a victim of stalking.
- If you are a victim of sexual assault, a hospital must give you accurate information and access to emergency contraception.
- If you are a victim of domestic violence, you may be able to get financial help from the Department of Human Services through their Oregon Temporary Assistance to Domestic Violence Survivors (TA/DVS) fund.
- If you are a victim of domestic violence, sexual assault, or stalking, you may be able to:
 - Take leave from work to attend court proceedings
 - Take leave from work for medical or counseling appointments
 - Get unemployment benefits
 - End a rental agreement early
 - Have your locks changed
 - Get special arrangements for public housing
 - Set up a payment plan with the phone company
- Your immigration status should not affect your rights as a crime victim.
- Immigrant victims may have additional legal options.
- If your rights are not honored, you can assert a claim of violation of crime victims' rights. There are time limits for this right. For more information visit

www.doj.state.or.us/victims