

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.OregonCrimeVictimsRights.org

For your convenience, toll free information lines in the following languages are available to you by calling:

877-287-1010

- English
- Spanish
- Korean
- Russian
- Vietnamese
- Chinese (Mandarin)

For additional copies of this brochure in these languages, 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.OregonCrimeVictimsRights.org

Crime Victims' Compensation Program

800-503-7983

Statewide Legal Aid Information

www.oregonlawhelp.org

Oregon Crime Victim Law Center

503-208-8160

Oregon Board of Parole & Post-Prison Supervision

503-945-0907

Oregon Psychiatric Security Review Board

503-229-5596

Oregon State Police - Sex Offender Registry

503-378-3725 x 44429

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



MICHAEL D. SCHRUNK

District Attorney
Multnomah County, OR

VICTIMS' ASSISTANCE PROGRAM

1021 SW 4th Ave., Room 804
Portland, OR 97204
503-988-3222

TTY/TDD 503-988-3302

<http://www.mcda.us/va>

**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.
- 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.
- You may have the right to take a leave from work to attend court proceedings.
- 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**

- If you *request*, you can get notice of certain open court proceedings.
- 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.
- If you *request*, you can get criminal history information about the defendant, convicted criminal, alleged youth offender or youth offender.
- 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 *request* that the person charged or convicted in your case get HIV testing if the crime involved the transmission of bodily fluids.
- 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.

Following An Arrest

- If you *request*, you will be notified in advance about the release hearing.
- 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.
- If you *request*, you will be consulted about the plea in a violent felony case.
- 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.

If Your Case Goes to Trial and Sentencing

- The court will take your schedule into account when setting trial dates or hearings that you need to attend.
- If a pre-sentence investigation report is ordered in your case, you can include a statement in it.
- You have a right to express your views at sentencing, in person or in writing.
- If you *request*, the court shall order no media television, photography, or recording equipment be allowed during sex offense proceedings.
- Rape shield laws may apply in your case.

After Sentencing

- You have a right to prompt restitution for your crime-related costs.
- If you *request*, you can be notified about juvenile review hearings.
- If you *request*, you will be notified of the release of a juvenile offender from an OYA Youth Correctional Facility. You must first provide your contact information to OYA
- If you *request*, you can get 30 days notice about parole hearings in adult cases. First you must register with the parole board.
- You have a right to be heard at a hearing on a motion to set aside a conviction.
- If your case is *appealed* you may have 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
503-378-3725 x 44429**

- If you *request*, you can be notified when the convicted person is released from prison.
- If you *request*, you can be notified of hearings where probation may be revoked.
- You have a right to agree or disagree to personal service being performed for you as a condition of probation for a youth offender.
- If your property is damaged by graffiti, you can allow, or refuse to allow, a youth offender on your property to clean it up.
- If you *request*, you can get information about the offender or youth offender from the Psychiatric Security Review Board if under their jurisdiction.

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.
- You may be able to:
 - Take leave from work
 - 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 access to the criminal and juvenile justice systems.
- Immigrant victims may have additional legal options.