

CRIME VICTIMS' SERVICES DIVISION * CRIME VICTIMS' RIGHTS SECTION
TASK FORCE ON VICTIMS' RIGHTS ENFORCEMENT
MEETING MINUTES



Date: Monday, January 30, 2017

Committee: **Task Force on Victims' Rights Enforcement**

Attendees: Brad Berry, Debra Bridges, Juliet Britton, Dana Vidoni Carelle, David Delsman, Saydyie Derosia, Matt English, Melissa Franz, Kimberly Dailey, Suzanne Gray (for Michele Roland-Schwartz), Dennis Holmes, Jeff Howes, Kim Larson, Debbi Martin, Denise Pena, John Stein, Michael Wu
Guests: Jeff Clabaugh, Jessica Merino

Phone Attendees: Cliff Bacigalupi, Rosemary Brewer, Marc Brown, Jeff Kosmicki and Shannon Sivell

Staff Attendees: Helen O'Brien, and Sherree Rodriguez

Introductions and welcome – Helen O'Brien

Minutes - The group reviewed and adopted the October 24, 2016 minutes.

Oregon State Police (OSP) Sex Offender Registration (SOR) – Jeff Clabaugh

The OSP SOR has updated the Victim of Sex Crime Notice of Rights (VSCNR) form to comply with The Oregon Victims' Rights section 147.421 of the Oregon Revised Statutes, adopted in 2015. The previous form was adopted in 1999. Victims of sex offenses have the right to submit their information to the OSP and receive information regarding the offender related to conviction and sentencing, criminal history, imprisonment, and future release from custody.

Concerns discussed include confidentiality of victim information obtained by OSP. Jeff advised the information is kept confidential and is only provided outside the agency under the advice of General Counsel of the Department of Justice.

The OSP SOR contains records for 29,000 registered offenders. Of those, 400 are listed on the public website. Only Level 3 offenders, and those deemed predatory are kept on this list. Individuals deemed Guilty But Insane (GBI), are not listed on the SOR, in compliance with Oregon statutes.

Jeff will work with Juliet Britton and Dana Vidoni Carelle to update the GBI status and a section advising differences for adjudicated youth on the form.

Guilty Except for Insanity Q&A Evaluation – Juliet Britton

Juliet met with the General Counsel regarding no contact orders for GBI patients who contact their victims. Oregon law does allow for a no-contact order in such situations, following victim complaint. The Task Force (TF) will include this information in pertinent publications. Juliet will craft a letter to DAs discussion this issue and she will connect with Jeff Howes and Brad Berry for input. Letter will be shared with the TF.

Proposed Change to UTCR 3.180 – Brad Berry/Jeff Howes

The updated Uniform Trial Court Rules, section 3.180 allows for more liberal access of media during court proceedings. This indicates safety concerns for victims, witnesses and law enforcement, since not all recording devices are visible to court staff and recordings can be instantly broadcast publicly. This rule still allows for no public access in case of sex offenses, but it must be requested by the victim. Oregon District Attorney Association (ODAA) and many judges have expressed concerns in this regard. ODAA, is drafting a comment letter.

Victims' Rights Request Form (VRRF) Discussion

Part one of the VRRF is under review for improvements. The TF reviewed suggested areas of upgrade. Helen O'Brien will proceed with these changes and forward to the group.

ACTION STEPS:

- Jeff Clabaugh will forward the updated VSCNR form to be distributed to VAPs within the next month.
- Helen O'Brien will email the edited version of the VRRF for TF review.

Updates and Goals: Task Force and Subcommittees

Immigrant Crime Victims' Rights Subcommittee –Helen O'Brien

No updates at this time.

Juvenile Justice Subcommittee – Dana Vidoni Carelle

No updates at this time.

Best Practice – Rosemary Brewer, Helen O'Brien

The group is working on a restitution best practice paper. They will attend the Washington County Restitution Subcommittee meeting and report back to the TF.

Bench Card Update – Kim Larson

The law student working on this project will soon pass along the document for review. Brad Berry expressed a preference for a simple laminated sheet for quick reference, as it would be most accessible from the bench.

Meeting adjourned at 3:10 pm.

2017 Task Force Meeting Schedule

- April 24
- July 31
- October 30