

WHAT INFORMATION CAN BE RELEASED TO VICTIMS OF JUVENILE OFFENSES

The Oregon Constitution, Article I § 42, Rights of victim in criminal prosecutions and juvenile court delinquency proceedings

(b)The right, upon request, to obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal and equivalent information regarding the alleged youth offender or youth offender

ORS 419A.255 Maintenance; disclosure; providing transcript; exceptions to confidentiality

(6)Notwithstanding any other provision of law, and subject to subsection (8) of this section, the following are not confidential and not exempt from disclosure:

- ❖ The name and date of birth of the youth offender
- ❖ The basis for the juvenile court's jurisdiction over the youth offender
- ❖ The date, time and place of any juvenile court proceeding in which the youth offender is involved
- ❖ The act alleged in the petition that if committed by an adult would constitute a crime if jurisdiction is based on ORS 419C.005
- ❖ That portion of the juvenile court order providing for the legal disposition of the youth offender when jurisdiction is based on ORS 419C.005
- ❖ The names and addresses of the youth offender's parents or guardians

(7)Notwithstanding any other provision of law, and subject to subsection (8) of this section, when a youth has been taken into custody under ORS 419C.080, the following information shall be disclosed unless, and only for so long as, there is a clear need to delay disclosure in the course of a specific investigation, including the need to protect the complaining party or the victim:

- ❖ The youth's name and age and whether the youth is employed or in school
- ❖ The youth offense for which the youth was taken into custody
- ❖ The name and age of the adult complaining party and the adult victim, unless the disclosure of such information is otherwise prohibited or restricted
- ❖ The identity of the investigating and arresting agency
- ❖ The time and place that the youth was taken into custody and whether there was resistance, pursuit of a weapon used in taking the youth into custody

(8)Except as provided in ORS 419A.300 and 420.048, only the juvenile court and the county juvenile department may disclose the information under subsections (6) and (7) of this section if the information is subject to disclosure, unless otherwise directed by the court.

ORS 420A.122 When a youth is committed to the Oregon Youth Authority for placement in a youth correctional facility, the following information can be released to the victim when a juvenile is released from the facility:

- ❖ name and date of birth,
- ❖ names and addresses of the youth offender's parents or guardians,
- ❖ name and contact information of the attorney for the youth offender,
- ❖ name and contact information of the assigned parole officer,
- ❖ dates of release or discharge,
- ❖ type of placement to which the youth offender was released,
- ❖ the specific offense,
- ❖ terms of parole, and
- ❖ other conditions required by the court.

QUICK REFERENCE GUIDE

INFORMATION YOU CAN RELEASE TO VICTIMS UPON REQUEST

- ✓ The youth's name, age and whether the youth is employed or in school
- ✓ Name and addresses of youth's parents or guardians
- ✓ The offense for which the youth was taken into custody
- ✓ The name and age of the adult complaining party or the adult victim unless the disclosure of the information is otherwise prohibited or restricted
- ✓ The identity of the investigating and arresting agency
- ✓ The time and place that the youth was taken into custody and whether there was resistance, pursuit or a weapon used in taking the youth into custody
- ✓ The basis for the juvenile court's jurisdiction over the youth offender
- ✓ The date, time and place of any juvenile court proceeding in which the youth offender is involved
- ✓ The act(s) alleged in the petition
- ✓ Information equivalent to conviction, sentence, imprisonment, criminal history, and future release from physical custody