

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



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Date: Monday, July 27, 2015

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

Attendees: Terry Thompson, Seantel Heisel, Jeff Howes, Kristin Winges-Yanez, Doug Hanson, Denise Pena, John Stein, Juliet Britton, Matt English, Jeff Kosmicki

Phone Attendees: Rosemary Brewer, Meg Garvin, Chanpone Sinlapasai-Okamura, Marc Brown

Staff Attendees: Shannon Sivell, Helen O'Brien, Ronelle Shankle, and Sherree Rodriguez

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**Introductions and welcome – Helen O'Brien**

After initial introductions, Helen introduced Marc Brown, attending by phone as the Office of Public Defense Services new appointment, replacing Shawn Wiley.

The February 23, 2015 minutes were reviewed and adopted.

**Sex Offender Registration – Kristi Winges-Yanez**

House Bill 2320, recently enacted in the 2015 Legislative session, introduced the creation of a three-tier classification system for sex offenders, based on risk. Oregon Board of Parole and Post-Prison Supervision will provide the majority of oversight for this task. This means an increase of ten staff, including two support specialists working to notify victims. Classification deadline is 2019. Two new board members will be appointed. Kristi asked that interested parties or referrals be directed to her. The Psychiatric Security Review Board will be the responsible agency for those sex offenders who are guilty except for insanity; Oregon Youth Authority for juveniles. Juveniles who are adjudicated do not have to register until their six month hearing for termination of supervision. Some will not be required to register. Victim notification will be discussed at the Oregon District Attorneys Association (ODAA) Conference. Level three sex offenders will be listed on the Oregon State Police website, significantly increasing the number of listings.

**Juvenile Justice System – Victim Rights on Dismissed Charges – Seantel Heisel**

A paper published through National Crime Victim Law Institute raised the question of victims' rights when charges are dismissed through plea negotiation. There are no processes currently in place to assure that those rights are protected. The Juvenile Justice subcommittee is working on a Best Practice document, and needs support from the larger board for widest influence. Seantel agreed to bring the document to this board for review at the January 2016 meeting. There is a need to clarify victim rights in the Juvenile Justice System overall. Shannon suggested working out a proposal to be ready for the next legislative session.

**National Institute of Corrections (NIC) Local Mapping Exercise – Denise Pena**

Denise contacted NIC for technical assistance addressing the post-conviction process and the victims involved. Phase one was gathering information. Phase two was the mapping meeting held in June with

Melissa Hooks, NIC facilitator, from Washington DC. Many gaps were identified; the summary will be out by week's end. Phase three will be held in Washington DC with national experts, August 13-14, 2015. The goal is to provide better communication and more seamless services for crime victims. A brochure may be developed from this project.

**Best Practice Membership – Helen O'Brien**

A new Best Practice group is forming; membership to date includes Rosemary Brewer and Johanna Costa.

**ORS 135.970 and 135.815 – Helen O'Brien**

In most, but not all, counties, crime victims are offered the opportunity to request the following right:

1) That your address and telephone number be withheld from the defendant. [ORS 135.970(1)]

There is some overlap between this ORS and ORS 135.815 that requires clarification. Two of the larger counties do not currently offer this right on their VRRF form, one reason provided is that the right is misleading to crime victims. If modified, it may be possible to eliminate the reference on the form.

**ACTION:** The group will discuss ways to improve this statute at the next meeting.

**Right to Limit Information and Not Reporting to Parole Officer – Johanna Costa**

ORS 135.873 addresses the right to limit information of sexual conduct by a child. Modification is in order to further protect victim rights. Protective orders are not effectively doing so.

Regarding ORS 137.633 – an offender can receive up to 50% of time off the sentence under certain circumstances. There is not an adequate system in place to notify victims of this when it occurs and needs review.

**ACTION:** Helen will ask Michael Schmidt, Executive Director CJC for update on 137.633

**Updates and Goals: Task Force and Subcommittees**

***Immigrant Crime Victims' Rights Subcommittee – Chanpone Sinlapasai***

There was an outreach event in Woodburn in May and one is scheduled in Hood River in September. The emphasis is to locate and assist victims of forced labor.

***Juvenile Justice Subcommittee – Terry Thompson***

The June meeting was well attended. The group has created a survey to determine practices around the state. Approximately 1/3 of counties have responded.

**ACTION:** Seantel will create a notification flow chart. Helen will send the survey to VAPs.

**Previous Business:**

**Best Practice HIV**

After having solicited input from this group and further input from additional resources as suggested at a previous Task Force meeting, this Best Practice is complete and will be labeled as a product of the Task Force and housed on the DOJ website.

**Non-Compliance – Helen O'Brien**

Non-Compliance is in the queue for future reference.

Meeting adjourned at 3:00pm.