

To help protect your rights, keep the District Attorney's office, or Juvenile Department updated with your current contact

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**. One way to do this is to contact your District Attorney's Office or Juvenile Department to request these rights.

Your rights may be asserted in court by you, your attorney, or the District Attorney (at your request).

*If you don't wish to speak at a hearing (when that right exists) you may have someone speak on your behalf.

Automatic Rights

- To attend open court proceedings.
- To have a support person with you.
- To receive restitution for your crime related costs. You must provide documentation of your loss to the court.
- To get a copy of a transcript or recording of open court proceedings if one is already made. If you request one, you may be charged for the transcript or recording.
- To have your "personal identifiers" protected from an offender. These include your phone number, address, social security number, date of birth, bank account and credit card account numbers.

Rights that must be requested

- To limit copying or dissemination of information, images or recordings of a sexually explicit nature.
- To be notified of certain open court proceedings.
- To get certain criminal history information about the person charged or convicted.
- To have the person charged or convicted tested for HIV or other communicable diseases if the crime involved the transmission of bodily fluids.

Following an Arrest

Automatic Rights

- To have the judge consider your safety at a release hearing.
- To refuse to speak to an attorney or private investigator for the defendant.
- To be notified about early disposition programs that may apply to your case.
- To have the prosecutor consider any of your recommendations about defendant diversion.

Rights that must be requested

- To be notified of certain open court proceedings.
- To be notified in advance about the release hearing.
- To be consulted about the plea in a violent felony case.

If Your Case Goes to Court

Automatic Rights

- To have the court take your schedule into account when setting trial dates or hearings that you are required to attend.
- If a pre-sentence investigation report is ordered in your case, you can include a statement in it.
- To know the outcome in your case.

Rights that must be requested

- To prevent "electronic recording", including video/audio & photography, of proceedings involving a sexual offense.
- To speak at a sentencing hearing or submit a statement in writing.

After Sentencing

Automatic Rights

- To receive restitution for your crime-related costs.
- To speak at a hearing on a motion to set aside, vacate or dismiss a conviction.
- To be notified of and speak at sex offender registration determination hearings.
- To be notified of and speak at expunction hearings.
- For offenders found Guilty Except for Insanity (GEI) there may be additional victim services available from the Department of Justice – for more information call:

503-378-4284

After Sentencing

Rights that must be requested

In sex offense cases

- 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

Offenders Sentenced to Prison

To receive any notifications, provide your contact information directly to the Board of Parole and Post-Prison Supervision.

Rights that must be requested

- To be notified when the convicted person is released from prison.
- To receive 30-day notice about parole hearings in adult cases.
- For more information concerning victim services while an offender is in prison, contact:

888-749-8080

You may also receive automated notifications of releases from prison by registering with **VINE** (Victim Information and Notification Everyday). For more information contact:

877-674-8463

www.VINELINK.com

Offenders Sentenced to Probation

To receive any notifications, provide your contact information directly to the local county Department of Community Corrections/Probation Department.)

Rights that must be requested

- To be notified of hearings where probation may be revoked.

If your case is **appealed** you may have other rights.

For more information contact:
Oregon Department of Justice
Appellate Advocacy Program
503-378-4284

Offenders Placed under the Jurisdiction of the Psychiatric Security Review Board (PSRB)

(To receive any notifications, provide your contact information directly to the PSRB.)

Automatic Rights

- To attend and speak at PSRB hearings.

Rights that must be requested

- To get certain information about the offender's (patient) case from the PSRB.
- To be notified of PSRB hearings.

Other Information

- If you are a victim of family, elder, sexual or disabled person abuse you can ask for a protective order.
- If you are a victim of stalking, you can go to the police or to court and ask for a stalking protective order.
- If you are a victim of sexual assault, a hospital must give you accurate information about 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 or medical or counseling appointments
 - End a rental agreement early
 - Get unemployment benefits
 - 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 you are the victim of a crime that involved physical injury or death, you may be able to get financial help for counseling, medical, or death related costs.

For more information contact:

Crime Victims' Compensation Program
800-503-7983

Victims' Rights

This brochure lists rights given to victims of crime in Oregon

Crime Victims' Rights in the criminal justice system apply to the victim of an offense as well as to the parent or legal guardian of a minor victim.

Some rights are automatic. Others must be requested.

Please contact your local District Attorney's Office/Victim Assistance Program or the Juvenile Department if you want to request rights or want more information about your rights.

If your constitutional 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

This brochure is also available in the following languages:

Russian • Spanish • Vietnamese
Korean • Simplified Chinese

To receive additional copies please call:

**Crime Victim and Survivor
Services Division
Oregon Department of Justice
503-378-5348**

(Salem and surrounding areas)

800-503-7983
(statewide toll free)

Definitions

Appealed – When an offender asks a higher court to review the decision of a lower court for legal errors that may have affected the outcome of the case.

Dissemination – The act of spreading information widely.

Diversion – A case handled outside the formal criminal court process. May include intervention programs designed to prevent the defendant from reoffending.

Expunction – Destruction or sealing of a judgement or order and all records and references to a person's act or behavior that resulted in a criminal court case.

Offender – The person who committed the illegal act.

Parole – The release of a prisoner before the completion of a sentence.

Probation – A period of supervision over an offender, ordered by the court instead of serving time in custody, an offender is ordered to follow certain conditions.

Violent Felony – Any offense that involves actual or threatened serious physical injury or is a sexual offense.

Victim – Any person determined by the district attorney, the juvenile department or the court to have suffered direct financial, psychological or physical harm as a result of a crime, and in the case of a victim who is a minor, the legal guardian of the minor.

Victim Services Contact Information

Oregon Crime Victims Law Center
503-208-8160

Statewide Legal Aid Information
www.oregonlawhelp.org

Oregon State Bar
800-452-8260
www.osbar.org/public

Psychiatric Security Review Board
503-229-5596

**Oregon Board of Parole & Post-Prison
Supervision**
503-945-0907

Oregon State Police – Sex Offender Registry
503-934-1258

Oregon Youth Authority
503-373-7205

Call to Safety
Statewide Referral to Local Crisis Programs
888-235-5333

Immigration Counseling Service (ICS)
503-221-1689

Catholic Charities Immigration Legal Services
503-542-2855

**Victim Information and Notification Everyday
(VINE)**
877-674-8463
www.VINELINK.com

VICTIMS' RIGHTS GUIDE



**Crime Victim and Survivor
Services Division
Oregon Department of Justice**

**1162 Court St. NE
Salem, OR 97301
(503) 378-5348
(800) 503-7983**

www.doj.state.or.us/victims

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