

# VICTIMS' RIGHTS REQUEST FORM FOR ADULT CASES

As a victim of crime in Oregon, you have legal rights. Many of these rights go into effect automatically and can be found in the "Victims' Rights Guide." However, some rights must be requested before they go into effect. A victim, the victim's attorney, or if the victim requests, the district attorney at his or her discretion, may assert and enforce these rights on your behalf. [Oregon Constitution Art. 1, Sec. 42(4)].

**Please check the box in front of any of the right(s) (listed below) you are requesting and return this form or contact your local district attorney's office immediately if you want to exercise any of these rights. The district attorney's office will assume that you do not want to exercise these rights unless they hear from you.**

Victim Name: \_\_\_\_\_ Case No. \_\_\_\_\_

Are you represented by an attorney?  No  Yes, attorney's name \_\_\_\_\_

- To be notified in advance of any critical stage of the proceedings heard in open court. Critical stages include, but are not limited to trial, release hearing(s), plea and sentencing. [Oregon Constitution Art.1, Sec. 42(1)(a)] [ORS 135.245(5)(b)(A), ORS 147.500(5)]
- To be notified in advance about probation revocation hearings. [ORS 137.545(11)(a)]
- To obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal. [Oregon Constitution Art.1, Sec. 42(1)(b)] ORS 147.421(1)
- In a violent felony case, to be consulted by the district attorney before making a plea offer and before entering into a final plea agreement. [Oregon Constitution Art. 1, Sec 42(1)(f)] [ORS 147.512(2)(a)]
- In a case involving a sexual offense, to limit copying or dissemination of information about and recording of a sexually explicit nature [ORS 135.873(5) & (6)]
- In a case involving a sexual offense, to prevent "electronic recording" of the proceeding. Electronic recording includes video/audio & photography. [UTCR 3.180 (9)(d)(1)(a)]
- If the crime involved the transmission of body fluids, testing of the defendant for HIV and other communicable diseases. [ORS 135.139]
- In a DUII automobile collision case, that information about the case given to the defendant is also shared with you. [ORS 135.857]
- For person crimes and burglary in the first degree only ongoing involvement in any court actions that happen after the conviction such as appeal, post-conviction or federal habeas proceedings. [Oregon Constitution Art. 1, Sec 42(1)(c)] [ORS 138.627, 147.433, 147.438]

**PLEASE NOTE some important automatic rights include:**

- \*\*\* Having the court appoint a qualified interpreter to interpret proceedings (exceptions may apply) *please contact the District Attorney's Office directly.* [ORS 45.275, 45.285]
- \*\*\* Refusing an interview, deposition or other discovery request by the criminal defendant or other person acting on behalf of the criminal defendant. You also have the right to agree to the request and to have a district attorney or advocate present. [ORS 135.970(3),135.970(2),138.625(5)]

**Please keep us informed of your current contact information.**

## VICTIMS' RIGHTS REQUEST FORM FOR ADULT CASES

As a victim of crime in Oregon, you have legal rights. Many of these rights go into effect automatically. However, some of the rights need to be requested by you before they can go into effect.

**To request certain rights immediately following a criminal conviction**, you must provide your contact information directly to the individual agency responsible for supervising the offender in your case.

- If the offender is supervised locally (on probation), contact your county's community corrections agency. (your local DA Office advocate may be able to assist you to make this contact)
- If the offender is incarcerated in the state prison system, contact the Oregon Board of Parole and Post-Prison Supervision (503-945-0907).
- If the offender is found Guilty Except for Insanity (GEI), contact the Oregon Psychiatric Security Review Board (503-229-5596) or the State Hospital Review Panel (503-945-2800).

**To request the following right, you must contact the Oregon Board of Parole and Post-Prison Supervision or your county's community corrections agency.**

If you were younger than 18 years old when the crime occurred to have as a special condition of probation that the person convicted in your case (for certain crimes) not live within three miles of your home (in counties where the population is over 130,000) (other exceptions may apply). [ORS 137.540(4)(a)]

To ensure **on-going** notification of custody information, you may need to re-register with **VINE**.

**VINE** (**V**ictim **I**nformation **N**otification **E**veryday), a victim notification system, gives victims of crime 24-hour access to information about in-custody adult offenders in jail or state prison facilities, as well as youth offenders in Oregon Youth Authority youth correctional facilities. Custody information in adult cases includes:

- The location of custody
- Changes in parole or probation status
- Release information
- Transfer information
- Notification of escape(s)
- Notification of death

You can use the **VINE** service by calling 1-877-674-8463 or by going to [www.VINELINK.COM](http://www.VINELINK.COM).

Other useful information:

- To be notified when someone in the custody of the Department of Corrections is scheduled to be released, contact Victim Services for the Oregon Board of Parole and Post-Prison Supervision at 503-945-0907.
- To be notified 30 days in advance of Parole Board hearings, contact Victim Services for the Oregon Board of Parole and Post-Prison Supervision at 503-945-0907. (These hearings occur only in certain adult criminal cases.)
- If the defendant is under the authority of the Psychiatric Security Review Board (PSRB), you may be notified in advance of hearings or when the defendant is released, discharged or escapes by contacting the PSRB at 503-229-5596.
- You can request information about registered sex offenders by calling the Oregon State Police Sex Offender Information at 503-934-1258.
- To request Department of Justice Appellate Advocacy Program services for any ongoing legal actions after conviction contact 503-378-4284.

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 <http://www.doj.state.or.us/victims>.