



Attorney General's Task Force on Victims' Rights Enforcement

Meeting Minutes

October 25, 2021; 1:30 to 3:10 pm

Teams Video Meeting

Attendees: Rachel Andrew, Brad Berry, Alison Bort, Rosemary Brewer, Dana Vidoni Carelle, Saydyie DeRosia, Matt English, Meg Garvin, Jeff Howes, Debbi Martin, Robyn Masella, Hayley Pursell, Alison Wilkerson

Absent: Ashley Anstett, Debra Bridges Bridget Budbill, Steve Doell, Rhea Dumont, Kimberly (Dailey) Rose, John Stein

CVSSD Attendees: Helen O'Brien, Sherree Rodriguez, Shannon Sivell, Stephanie Stocks

Welcome – Helen O'Brien welcomed the task force and the group introduced themselves. Membership changes include Lt. Rachel Andrew of the Portland Police Bureau, who was present for the first time, as was Alison Wilkerson of Disability Rights Oregon. Luis Garcia will join the group as an immigration attorney, since Chanpone Sinlapasai has accepted a judicial position with Multnomah County. Judge David Delsman has retired. Oregon State Police is working on an appointment to replace Matthew Lawson.

Minutes – The group approved the minutes from the April meeting.

Disability Rights Oregon (DRO)– Alison Wilkerson

DRO is working on the Crime Survivor Project, which provides direct services for survivors with disability. They have two attorneys, including Alison and two advocates who assist survivors with self-advocacy.

Questions and answers:

Are you seeing challenges from defense in terms of proving disability?

~ Not yet as they have been obvious. They had one first amendment challenge, but it was settled in advance.

Are there age limits? Do they need guardian permissions if under 18?

~ There have been some instances of parents working with DRO and some of minors working directly with them as well.

Where do you get your referrals?

~ Referrals come from eastern Oregon and direct referrals from Oregon Crime Victims Law Center (OCVLC).

Bartol Decision and Juvenile Commutation

The task force discussed the ramifications of the Bartol decision and juvenile commutation of sentences and how this effects victims. Victims can register with the parole board and get more information.

Multnomah county has made the decision to contact victims directly for commutations. The Governor's office notifies directly if there is a pardon. In State death penalty cases, victim notification is being done by the Department of Justice (DOJ) Appellate Advocacy Program.

The Oregonian printed the list of commutations, which has placed a heavy burden for victim notification on all concerned with victim support, including OCVLC. It is far from ideal for victims to learn of



something so traumatizing in the newspaper. There are two groups of commutations: one under consideration and one already commuted.

OCVLC's Most Recent Work – Rosemary Brewer

OCVLC has represented victims in contested restraining order proceedings. There is a big increase in restraining order cases and FAPA contested hearings. They have had some luck in a few counties postponing some hearings until criminal cases close.

Plain Language Edits – Helen O'Brien

Crime Victim and Survivor Services Division (CVSSD) is working to get all public documents on their website accessible for those with disabilities. Part of the process is auditing the documents for plain language readability. In this case, it will allow the public to more clearly understand language that is written from a legal perspective. Edits of the Victims' Rights Guide and the Victims' Rights in the Juvenile Justice System brochures were discussed by the group. The group suggested some further edits related to simplifying some areas and specifying certain rights in others.

ACTION: Helen will revise the document and send it back to the editors. She will send out the updated version for the group to review.

New Best Practice – Privacy Rights Related to Press Releases

Helen and Rosemary are working on a new best practice document related to privacy rights related to press releases. Law enforcement (LE) representatives will review, and the paper will be brought before the group for further review before distribution.

Victims' Rights Guides and QR Code Sticker success

CVSSD has found the new quick response (QR) code stickers successful with LE. The QR code leads electronically to the Victims' Rights Guide on the DOJ website. Over 8,000 have been distributed in the last few months. Some agencies have opted to print them on their officer's business cards.

Subcommittee Updates

Immigrant Subcommittee – Helen O'Brien

There is interest among immigration attorneys to get LE to certify on T visas. Certification is not required. Certification must be based on an investigation not just an interview. A new law (HB 3265) that doesn't allow for inquiring about or sharing immigration/status information, might be a barrier for LE to become involved. The group will check in with US Citizenship and Immigration for further clarification.

Juvenile Justice Subcommittee Update – Dana Vidoni Carelle / Debbi Martin

The juvenile justice system has a tool kit that helps provide structure for county advocates to use in their system. On the DOJ website, there is [a letter](#) that explains the "clarification" process of youth offenders working through the responsibility for what they have done. It is designed to provide helpful information for victims. The document is under review for plain language compliance. They are looking at adding additional languages and culturally specific resources on the toolkit.

The group discussed an overview of concerns for exploited trafficked youth at their recent meeting. SB 133 passed that allows OYA to provide a little more information to victims.

The Post-Conviction Advocacy Network (PCAN) Subcommittee – Robyn Masella

Subject matter at the recent PCAN meeting included: new parole officers being trained at DPSST focused on victims' rights and trauma informed communication. They reviewed mission accomplished updates and set goals for 2022.



The group is looking at the process of when adults in custody are returned to the county where the crime was committed. They are looking at opportunities for victim voice, and more consistent procedure across the counties.

Victim Representation at Legislative Hearings – Matt English

There is consensus among LE about a legislature concern that victims were not being heard in some of the hearings. The task force discussed the need to reach out to victim rights groups to inform them of the need and invite their participation. The increased emphasis on criminal justice reform has meant that victim voices are not necessarily at the forefront of the conversation.

ACTION: When aware of a legislative hearing the group will reach out to Helen or others on the task force to invite participation.

Meeting adjourned at 3:10 pm

2022 Scheduled Meetings: January 24, April 25, July 25, October 24