



## Victims' Rights Guide

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As a victim of a crime that happened in Oregon, you have certain rights that help protect you and ensure you're treated fairly. These rights also apply to you if your child is the crime victim.

Often, you must request rights. One way to do this is to contact your District Attorney's Office.

### What rights do I have as a victim of crime?

For any case in which you're the victim or the legal guardian of the victim, you have the rights to do these things:

- Attend open court proceedings.
- Have a support person with you.
- Receive **restitution** (payment from the defendant for losses caused by the crime) for eligible crime-related expenses.
- Request a transcript or recording of open court proceedings. (You may need to pay a fee.)
- Protect information that could help an offender identify you or your home, such as your address, phone number, and Social Security number.

Your attorney can also exercise these rights for you. If you don't wish to speak at a hearing (when that right is available), you can have someone speak on your behalf.

### Your rights after an arrest

If someone is arrested for the crime, you have the rights to do the following:

- Have the judge consider your safety at any hearings on releasing the defendant.
- Have the prosecutor consider your recommendations about potential **diversion programs** (programs that offer an alternative to criminal prosecution and imprisonment, usually through treatment or care) for the defendant.
- Refuse to speak to the defendant's attorney or private investigator.
- Receive notifications about early **disposition** (the court's final determination in a case) programs that may apply to your case.

### Your rights in court proceedings

If your case goes to court, you have the rights to do the following:

- Have the court consider your schedule when setting dates for the trial and required hearings.
- To be heard at pre-trial release hearings.
- Include your statement in the pre-sentence investigation report if one is ordered.
- Know the outcome of your case.



## Your rights after disposition (sentencing)

If hearings occur on any of the following topics as part of your case, you have the right to speak at those hearings:

- Setting aside or dismissing the case.
- Removing the charge from the offender's criminal record.
- Determining whether the offender must register as a sex offender.
- Psychiatric Security Review Board (PSRB) hearings.

The outcome of your case determines who will supervise the offender and notify you about hearings. To request these notifications, provide your contact information to the following entities:

Case outcome	Where to provide your contact information
Sentenced to prison	Board of Parole and Post-Prison Supervision: 503-945-0907
Sentenced to probation	Your county's community corrections or probation department
Placed under the jurisdiction of the PSRB	PSRB: 503-229-5596

## What other rights can I request?

For any case in which you're the victim or the legal guardian of the victim, you can ask to:

- Limit the sharing of images or recordings that are sexually explicit.
- Be notified of certain open court proceedings.
- Get certain information about the criminal history of the offender.
- Test the offender for HIV or other diseases if diseases may have been transmitted.

## Rights after an arrest

If someone is arrested for the crime, you can request to:

- Be notified of certain open court proceedings.
- Be notified about an upcoming release hearing.
- Be consulted about the plea in a violent felony case.

## Rights in court proceedings

If your case goes to court, you can request to:

- Speak at a sentencing hearing or submit a written statement.
- Prevent photography and audio and video recording of court proceedings if the case involves a sexual offense.



## Rights after disposition

In sex offense cases, you have a right to not be contacted by the offender. For all criminal cases, depending on the sentence the offender receives, you can request certain rights.

Case outcome	What you can request
Sentenced to prison	<ul style="list-style-type: none"><li>• Notification when the offender is released from prison.</li><li>• 30-day notice of parole hearings.</li></ul>
Sentenced to probation	<ul style="list-style-type: none"><li>• Notification about any hearings on revoking probation.</li></ul>
Placed under PSRB jurisdiction	<ul style="list-style-type: none"><li>• Certain information about the offender's case.</li><li>• Notification of hearings.</li></ul>

## Rights for certain victims

If you are a victim of **abuse, sexual assault, domestic violence, or stalking**, you may have the right to:

- Take time off work to attend court or medical appointments.
- End a rental agreement early.
- Not be disqualified from unemployment benefits.
- Have your locks changed.
- Get special arrangements for public housing.
- Set up a payment plan with your phone company.

If you are a **victim of family or sexual abuse, stalking, or abuse against a disabled person or elder**, you can request a protective order (an order instructing a person to stop abusing or harassing you).

If you are a **victim of sexual assault**, you have the right to receive emergency contraception from a hospital.

If you are a **victim of domestic violence**, you may be able to get financial help through the Oregon Temporary Assistance to Domestic Violence Survivors fund.

If you are an **immigrant**, you may have additional legal options. Your immigration status doesn't affect your rights as a victim of crime.

If you are the **victim of a crime that involved physical injury or death**, you may be able to get financial help for costs related to counseling, medical care, and funeral expenses. Contact the Crime Victims' Compensation program for more information.

## How do I request rights?

Contact your local District Attorney's Office or Victim Assistance Program to request rights or get more information.



### **What if my case is appealed?**

If your case is being appealed (if the court is asked to reverse the decision), you may have additional rights. Contact the Oregon Department of Justice Appellate Advocacy Program for more information.

### **How can I make sure my rights are protected?**

Make sure the District Attorney's Office has your current contact information.

If you believe your constitutional rights are not being honored, you can file a claim of violation within a certain timeframe. For more information, visit [doj.state.or.us/victims-rights-enforcement](http://doj.state.or.us/victims-rights-enforcement).

### **Can I request additional copies of this brochure?**

Yes. Please call us using the contact information below. This brochure is also available in:

- Korean
- Russian
- Simplified Chinese
- Spanish
- Vietnamese

**Exercising any of these rights does not prevent a crime victim from filing a civil suit.**

### **Victim Services Contact Information**

Appellate Advocacy Program  
503-378-4284

Call to Safety: Statewide Referral to Local Crisis Programs  
1-888-235-5333

Catholic Charities Immigration Legal Services  
503-542-2855

Crime Victims' Compensation Program  
1-800-503-7983

Disability Rights Oregon, Crime Survivor Project  
502-243-2081 x243

Immigration Counseling Service  
503-221-1689



Oregon Department of Justice  
Crime Victim and Survivor Services Division  
*Every victim, every crime, every right, every time.*

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

Oregon Crime Victims Law Center  
503-208-8160

Oregon State Bar  
1-800-452-8260  
[osbar.org/public](http://osbar.org/public)

Oregon State Police Sex Offender Registry  
503-934-1258

Oregon Youth Authority  
503-373-7205

Psychiatric Security Review Board (PSRB)  
503-229-5596

Statewide Legal Aid Information  
[oregonlawhelp.org](http://oregonlawhelp.org)

Victim Information System in ORegon (VISOR)  
888-749-8080  
[visor.oregon.gov](http://visor.oregon.gov)

## Contact Us

**Crime Victim and Survivor Services Division**  
**Oregon Department of Justice**  
1162 Court St. NE  
Salem, OR 97301

Phone: 503-378-5348 or 1-800-503-7983

Fax: 503-378-5738

Website: [doj.state.or.us/victims](http://doj.state.or.us/victims)  
Email: [cvssd@doj.state.or.us](mailto:cvssd@doj.state.or.us)

## Accessible Materials

To learn about other ways to access this information and CVSSD programs, contact us.

Email: [cvssd@doj.state.or.us](mailto:cvssd@doj.state.or.us)

Call: 503-378-5348 or 1-800-503-7983