

VICTIMS' RIGHTS REQUEST FORM FOR JUVENILE 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 in the Juvenile Justice System" brochure. However, some rights you must request 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 or juvenile department immediately if you want to exercise any of these rights. The district attorney's office or juvenile department will assume that you do not want to exercise these rights unless they hear from you.

- To be notified in advance of any critical stage of the proceedings heard in open court. [Oregon Constitution Art.1, Sec. 42(1)(a)] [ORS 419C.273] (**Please see the other side of this form for more information on critical stage proceedings**)
- To be heard at a detention or shelter hearing [ORS 419C.273(2)(a)(A)]
- To be heard at a hearing to review placement of the youth offender [ORS 419C.273(2)(a)(B)]
- To be heard at the dispositional hearing [ORS 419C.273(2)(a)(C)]
[You have the right to be heard at a release hearing, but you must notify the District Attorney or the Juvenile Department if you want to exercise this right – OR Const. Art. 1, Sec. 42(1)(a)]
- To obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal and equivalent information regarding the alleged or adjudicated youth. [Oregon Constitution Art.1, Sec. 42(1)(b)] ORS 420A.122]
- In a violent felony case, that the district attorney or juvenile department consult with you before making a plea offer and before entering into a final plea or formal accountability agreement.
[OR Const. Art. 1, Sec. 42(1)(f)] [ORS 419C.230 (3)]
- 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)]
- If the crime involved the transmission of body fluids, testing of adjudicated youth for HIV and other communicable diseases. [ORS 419C.475(1)]
- In a DUII automobile collision case, that information about the case given to the youth offender, is also shared with you. [ORS 419C.270 (6)]

PLEASE NOTE some important automatic rights include:

*** Having the court appoint a qualified interpreter to interpret proceedings (exceptions may apply) [ORS 45.275, 45.285]

*** Refusing an interview, deposition or other discovery request by the alleged or adjudicated youth or other person acting on their behalf. You also have the right to agree to the request and to have a district attorney or advocate present.
[OR Const. Art. 1, Sec. 42(1)(c)] [ORS 419C.276(3)]

To request other rights that apply after a juvenile disposition, contact the Juvenile Department, Oregon Youth Authority, or Juvenile Psychiatric Security Review Board. (*See the other side of this form for more information.*)

Please keep us informed of your current contact information.

Name of Victim

Name of Minor Victim's Parent/Guardian

Mailing Address

City / State / Zip

Daytime Phone #

E-Mail Address

Name of the Alleged Youth Offender (if known)

Case # (if known)

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The Oregon Constitution gives victims the right to be present at and, upon specific **request**, to be informed in advance of any critical stage of the proceedings.

“**Critical stage of the proceeding**” means a hearing that:

- Affects the legal interests of the youth or youth offender;
- Is held in open court; and
- Is conducted in the presence of the youth or youth offender.

A “**critical stage of the proceeding**” includes, **but is not limited** to:

- Detention and shelter hearings;
- Hearings to review placements;
- Hearings to set or change conditions of release;
- Hearings to transfer proceedings or to transfer parts of proceedings;
- Waiver hearings;
- Adjudication and plea hearings;
- Dispositional hearings, including but not limited to restitution hearings;
- Review or dispositional review hearings;
- Hearings on motions to amend, dismiss or set aside petitions, orders or judgments;
- Probation violation hearings, including probation revocation hearings, when the basis for the alleged violation directly implicates a victim’s rights;
- Hearings for relief from the duty to report under ORS 181.823 (sex offender registration); and
- Expunction hearings.

The following crime victims’ rights apply after a juvenile disposition:

- For youth under **probation** supervision with the county Juvenile Department, if you previously **requested**, you will continue to be notified of critical stage hearings unless you **request** not to.
- For youth **committed to the custody of the Oregon Youth Authority**,
 - You must provide your contact information directly to the Oregon Youth Authority, even if you have already supplied information to the county juvenile department. For further information or assistance call **503-373-7205**.
 - Youth committed to the Oregon Youth Authority for placement in a youth correctional facility (close custody) may be **paroled** (released under supervision from close custody). For youth committed to a youth correctional facility, you may **request** to be notified of release from close custody. Youth on parole are supervised by the Oregon Youth Authority.
 - **VISOR** (Victim Information System in Oregon), a victim notification system, gives victims of crime 24-hour access to information about youth offenders in custody at Oregon Youth Authority youth correctional facilities. You can use the VISOR service by going to <https://visor.oregon.gov>.
- If the youth is under the authority of the Juvenile Psychiatric Security Review Board, you may be notified in advance of hearings, or when the youth is released, discharged or escapes, by providing your contact information to the Oregon Psychiatric Security Review Board at **503-229-5596**. If you want to be notified as soon as possible of an escape, notify the facility where the youth offender is committed.
- “In addition to any other remedy provided by law, the parent or parents of an unemancipated minor child shall be liable for actual damages to person or property caused by any tort (wrongful act) intentionally or recklessly committed by such child”. [See ORS 30.765 for the complete statute]. Please seek legal advice for further information.
- 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 see www.doj.state.or.us/victims.