

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

General Rights

Your right to justice includes the right to a meaningful role in the juvenile justice process, to be treated with dignity and respect, to fair and impartial treatment, and to reasonable protection from the youth 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 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 alleged youth 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 youth offender (alleged or adjudicated).
- To have the adjudicated youth offender tested for HIV or other communicable diseases if the crime involved the transmission of bodily fluids.

If a Youth Is Taken into Custody

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 alleged youth offender or adjudicated youth offender.
- To ask to be notified if the case is handled informally rather than through the court. Informal resolutions may include:
 - Formal Accountability Agreements
 - 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 you did not have notice of, or an opportunity to speak at, certain hearings in which the youth offender was released, you can request a hearing to reconsider the release decision.

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.
- To appear and speak at a Waiver Hearing where the court determines if the case should proceed in adult court.
- To know the outcome in your case.

Rights that must be requested

- To speak at a detention or shelter hearing or at a hearing to review placement of the youth or youth offender.
- To speak at a disposition (sentencing) hearing or submit a statement in writing.

After Disposition

Automatic Rights

- To receive restitution.
- To speak at a hearing on a motion to set aside, vacate, or dismiss a case.
- To be notified of and to speak at sex offender registration determination hearings.
- To be notified of and to speak at expunction hearings.
- For youth found **Responsible Except for Insanity (REI)** there may be additional victim services available from the Department of Justice – for more information call

503-378-4284

Rights that must be requested

- To be notified about juvenile review hearings including hearings where probation may be revoked.
- In sex offense cases**
- You have a right to not be contacted by the youth offender adjudicated in your case.

For information about registered sex offenders call:

**Oregon State Police Sex Offender Information
503-934-1258**

Youth Committed to the Oregon Youth Authority (OYA)

Rights that must be requested

- To be notified when the adjudicated youth is released from an OYA Youth Correctional Facility. *You must give your contact information directly to OYA and keep this information up to date with any changes.*
- For more information concerning victim services while a youth offender is in OYA custody, contact:

503-373-7205

- You may also receive automated notifications of youth releases from an OYA Youth Correctional Facility by registering with **VINE (Victim Information and Notification Everyday)**. For more information contact:

877-674-8463
www.VINELINK.com

Youth Placed under the Jurisdiction of the Psychiatric Security Review Board (PSRB) - Juvenile Panel

Automatic Rights

- To attend and speak at PSRB hearings.

Rights that must be requested

- To get certain information about the youth offender's (patient) case from the PSRB. *You must give your contact information directly to the PSRB and keep this information up to date with any changes.*
- To be notified of PSRB hearings.

Other Information

- 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 does 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 Juvenile 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

Adjudication - When the youth offender is found "guilty" in a fact-finding hearing (trial for a juvenile offender) or has admitted responsibility (guilt).

Disposition - The sentence, which can include conditions of probation or commitment to the Oregon Youth Authority.

Diversion - A youth case handled outside the formal juvenile court process. May include intervention programs designed to prevent the youth 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 juvenile court case.

Formal Accountability Agreement (FAA) - A voluntary contract between a youth and a juvenile department whereby the youth agrees to fulfill certain conditions in exchange for not having a petition (formal charging document) filed and going in front of the juvenile court.

Taken into Custody - Arrested and charged with a crime. The youth may be lodged in detention or released to parent or guardian.

Violent Felony - Any offense that, if committed by an adult would constitute a felony and 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 the act that has brought the youth or youth offender before the juvenile court. When the victim is a minor, "victim" includes 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 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 IN THE JUVENILE JUSTICE SYSTEM



**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**