

Request Your Rights:  
Critical Stage Hearings

**When completing your *Victim Rights Request Form* please read below.**

**These are additional hearings you have the right to attend. Please write-in any additional hearings you wish to be notified about or attend on the *Victim Rights Request Form* under the “Specific Hearings” section.**

“Critical stage hearings” means those hearings held in open court at which the defendant is present, including:

- Arraignment
- Release hearings
- Hearings to modify the conditions of release
- Preliminary hearings
- Hearings related to the rescheduling of trial
- Hearings on motions or petitions to amend, dismiss, or set aside a charge, conviction, order, or judgment; or to suppress or exclude evidence
- Entry of guilty or no contest pleas
- Trial
- Restitution hearings
- Sentencing
- Probation violation or revocation hearings, when the basis for the alleged violation directly implicates a victim’s rights
- Hearings for relief from the requirement to report as a sex offender
- Hearings related to a deferred sentencing agreement

COMMUNITY RESOURCES  
CONTACT INFORMATION

[www.OregonCrimeVictimsRights.org](http://www.OregonCrimeVictimsRights.org)  
1-877-287-1010

VINE: Victim Information Notification Everyday  
1-877-674-8463  
[www.VINELINK.com](http://www.VINELINK.com)

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

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

Oregon Psychiatric Security Review Board  
503-229-5597

Oregon State Police Sex Offender Information  
1-800-551-2934

Oregon Youth Authority  
503-373-7205

Lane County Parole & Probation  
541-682-3040

Womenspace  
541-485-6513

Domestic Violence 24-Hour Hotline  
1-800-281-2800

Sexual Assault Support Services (SASS)  
541-343-7277

Sexual Assault 24-Hour Hotline  
1-800-788-4727

Senior & Disabled Services  
541-682-4038

Centro Latino Americano  
541-687-2667

VICTIMS’ RIGHTS  
GUIDE



**Lane County District Attorney’s Office  
Victim Services Program  
125 East 8<sup>th</sup> Avenue, Room 400  
Eugene, Oregon 97401  
541-682-4523**

Every Victim, Every Crime,  
Every Right, Every Time

*In order to protect your rights, you must keep the District Attorney's office, or Juvenile Department updated with your contact information.*

## General Rights

- Your right to justice includes the right to a meaningful role in the criminal or juvenile justice process, to be treated with dignity and respect, to fair and impartial treatment, and to reasonable protection from the offender.
- Many victims' rights are automatic although you may need to "tell" someone you want to receive them.
- Other rights you must specifically request to receive the right. One way to do this is to contact your District Attorney to request these rights.
- You, your attorney, or, upon your request, the District Attorney, may assert your rights in court.
- You have the right to have a support person with you.
- If your case involved physical harm or death, you may be able to get financial help for counseling, medical or death related costs:

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

- You can attend open court proceedings.
- You can get a copy of a transcript or recording of open court proceedings if one is already made. You may be charged for the transcript or recording.
- Most "personal identifiers" can usually be protected from an alleged offender. These include your phone number, address, social security number, date of birth, and bank account and credit card account numbers.
- You can get confidential HIV testing, referrals for health care and counseling if the convicted person in your case tests positive for HIV.
- You or the district attorney can ask the court to limit copying or dissemination of information about and recording of a sexually explicit nature.

### Rights that must be requested:

- To be notified of certain open court proceedings
- To get criminal history information about the defendant, convicted criminal, alleged youth offender or youth offender.
- That the person charged or convicted in your case get testing for HIV or other communicable diseases if the crime involved the transmission of bodily fluids.

## Following An Arrest

### Automatic Rights:

- The judge will consider your safety at a pre-trial release hearing
- You can refuse to speak to an attorney or private investigator for the defendant or alleged youth offender.
- You will be notified about early disposition programs that may apply to your case.
- The prosecutor will consider any of your recommendations about defendant diversion.

### Rights that must be requested:

- To be notified in advance about the release hearing.
- To be consulted about the plea negotiations or final plea offer in a violent felony case.

## If Your Case Goes to Court

### Automatic Rights:

- If a pre-sentence investigation report is ordered in your case, you can include a statement in it.
- The right to reasonably express your views at sentencing, in person or in writing.
- Rape shield laws may apply in your case.

### Rights that must be requested:

- To prevent "electronic recording", including video/audio & photography, of proceedings involving a sexual offense.

## After Sentencing

### Automatic Rights:

- Prompt restitution for your crime-related costs.
- To be heard at a hearing on a motion to set aside a conviction.

### Rights that must be requested:

- To be notified of the release of a juvenile offender from an OYA Youth Correctional Facility. You must first provide your contact information to OYA.
- To receive 30 day notice about parole hearings in adult cases. First you must register with the parole board.
- To be notified when the convicted person is released from prison.
- To be notified of hearings where probation may be revoked.
- To receive information about the offender from the Psychiatric Security Review Board (PSRB) if under their jurisdiction. First you must register with the PSRB.

If your case is **appealed** you may have other rights.

For more information contact:

**Oregon Department of Justice**  
**Crime Victim and Survivor Services Division**  
800-503-7983

You have a right to not be contacted by the sex offender convicted in your case. For information about registered sex offenders call:

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

## Other Legal Information

- You can ask for a restraining order if you are a victim of family, elder, or disabled person abuse or are threatened with such abuse, or if you are a victim of sexual abuse.
- You can go to the police or to court and ask for a stalking protective order if you have been a victim of stalking.
- If you are a victim of sexual assault, a hospital must give you accurate information 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 proceedings
  - Take leave from work for medical or counseling appointments
  - Get unemployment benefits
  - End a rental agreement early
  - Have your locks changed
  - Get special arrangements for public housing
  - Set up a payment plan with the phone company
- Your immigration status should not affect your rights as a crime victim.
- Immigrant victims may have additional legal options.
- 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](http://www.doj.state.or.us/victims)