

## USEFUL EXPLANATIONS

**VICTIM** – Person determined by the prosecuting attorney to have suffered direct financial, psychological or physical harm as a result of a crime and, in the case of a victim who is a minor, the legal guardian of the minor.

In the event no person has been determined to be a victim of the crime, the people of Oregon, represented by the prosecuting attorney, are considered the victim. (It is not intended that the defendant ever be considered the victim.)

**RELEVANT EVIDENCE** – Evidence having any tendency to prove the charge against the defendant or establish the proper sentence for the defendant.

**DEFENDANT** – The person charged with a crime. Includes an alleged youth offender in juvenile court proceedings.

**CONVICTED CRIMINAL** – The person convicted of a crime. Includes a youth offender in juvenile court.

*The 1999 Constitutional changes were enacted by the people and the Legislature of the State of Oregon. These provisions give you the rights set forth in this brochure and set the guidelines for the services provided by the Department of Justice-approved and prosecutor-based victim services program serving your needs in Clackamas County. You are encouraged to become familiar with your rights and ensure that your wishes are known to the District Attorney's Office and its Victim Assistance program.*

## SERVICES

- 24-hour Crisis Line for support and crisis intervention; regardless of law enforcement involvement.
- Assistance with applications of Domestic, Stalking & Elder Abuse Protective Orders.
- Advocating for & informing victims of Victim Rights.
- Liaison between the victim of a crime and the prosecutor or law enforcement agency, as requested.
- General information regarding the process of the criminal justice system with court accompaniment, as requested by the victim.
- Referrals to community service agencies, shelters and counselors.
- Assistance in filing for financial compensation from the State of Oregon Department of Justice through the Crime Victims Compensation Program.

### Victim Assistance Program

707 Main Street, Suite 201  
Oregon City, OR 97045

503- 655-8616

## VICTIM ASSISTANCE PROGRAM

### A Victim's Guide RIGHTS & SERVICES

24 HOUR CRISIS LINE  
503-655-8616



John S. Foote  
District Attorney  
Clackamas County

## VICTIM RIGHTS

Under Oregon Law, **YOU** have certain rights as the victim in a criminal case. It is important that you know these rights. This brochure is designed to follow the process of the case. Please read the information carefully and note that it is **your responsibility** to exercise your rights at each step in the case.

### DURING AN INVESTIGATION

- **You have the right** to be informed as soon as practical of Victim Rights. If you have questions about these rights contact:

#### VICTIM ASSISTANCE PROGRAM

(503) 655-8616

#### DISTRICT ATTORNEY

(503) 655-8431

#### THE LAW ENFORCEMENT AGENCY

where the crime was reported.

### WHEN A CRIMINAL CHARGE IS FILED WITH THE COURT

- **You have the right** to be reasonably protected from the defendant throughout the entire criminal justice process.
- **You have the right** to be present at, and upon specific request, to be informed in advance of any critical stage of the proceedings held in open court when the defendant will be present, and to be heard at the pretrial release hearing and the sentencing or juvenile court delinquency

### WHEN THE DEFENDANT APPEARS IN COURT

- **If you request**, you have the right to have your current address and phone number kept from the defendant.
- **You have the right** to a court hearing if you are being intimidated or threatened by the defendant.
- **You have the right** to refuse an interview, deposition or other requests by the defendant or any person acting on behalf of the defendant.
- **You have the right** to be told the identity of persons working for the defendant. You do not have to talk to or make a formal statement to anyone representing the defendant unless you choose to. You may request to have a deputy district attorney present if you do decide to speak with them.
- **If you request**, you have the right to be consulted by the deputy district attorney about plea negotiations on your case, if the case involves a felony crime.
- **If you request**, you have the right to be informed of any changes in court dates and hearing (includes pre-trial and trial.)

### WHEN THE CASE GOES TO TRIAL

- **You have the right** to have all relevant evidence admissible against the defendant.
- **You have the right** to obtain a copy of a transcript of any court proceeding in open court (if one is prepared), at a reasonable cost to you.

### AT SENTENCING

- **You have the right** to personally express your views to the court as a Victim Impact Statement or to ask the deputy district attorney to do so for you, or you can hire an attorney (at your own expense) to express your views.
- **You have the right** to have the judge consider ordering a compensatory fine to be paid to you by the convicted criminal when the evidence supports such an order.
- **You have the right** to know, at the time of sentencing, the actual length of time the defendant will serve in custody.

### AFTER SENTENCING

- **You have the right** to receive restitution from the convicted criminal who caused your loss or injury.
- **If you request**, you have the right to obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the defendant, convicted criminal (or youth).
- **If you request**, and provide the Board of Post-Prison Supervision with your address, you have the right to be notified of, and appear at, any Parole Hearings. The Board must be updated with your current mailing address.
- **If you request**, you have the right to be notified 30 days before the convicted criminal is released from prison.

When the Victim is heard,  
validation occurs.