

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
1-877-287-1010

VINE: Victim Information Notification Everyday
1-877-674-8463
www.VINELINK.com

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

Oregon Crime Victim Law Center
1-503-208-8160

Oregon Board of Parole/Post-Prison Supervision
1-503-945-0907

Oregon Psychiatric Security Review Board
1-503-229-5597

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

Oregon Youth Authority
1-503-373-7205

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 8th Avenue, Room 400
Eugene, Oregon 97401
541-682-4523**

**Every Victim, Every Crime,
Every Right, Every Time**

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.
- 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.
- You may have the right to take leave from work to attend court proceedings.
- If your case involved physical harm or death, you may be able to get financial help for counseling, medical or death-related costs. Call:
Crime Victims' Compensation Program
1-800-503-7983
- If you request, you can get notice of certain open court proceedings.
- 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 copy.
- If you request, you can get criminal history information about the defendant, convicted criminal, alleged youth offender or youth offender.
- Most "personal identifiers" can usually be protected from an alleged offender.
- You can request that the person charged or convicted in your case get HIV testing if the crime involved the transmission of bodily fluids.
- You can get confidential HIV testing, counseling, and referrals for health care if the convicted person in your case tests positive for HIV.
- You or the district attorney can ask the court to limit the distribution of information and recordings in cases involving sexual or invasion of personal privacy offenses.

FOLLOWING AN ARREST

- If you request, you can be notified about any release hearings.

- The judge will consider your safety at any pretrial release hearing.
- You can refuse to speak to an attorney or private investigator for the defendant or alleged youth offender.
- If you request, you will be consulted about the plea in a violent felony case.
- 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.

IF YOUR CASE GOES TO TRIAL OR SENTENCING

- The court will consider your schedule, to the extent the court is aware of it, when setting trial or hearings that you need to attend.
- Your past sexual behavior is usually not to be discussed in court.
- If you request, the court shall order no media television, photography, or recording equipment be allowed during sex offense proceedings.
- You have a right to express your views at sentencing, in person or in writing. If a pre-sentence investigation report is ordered, you can have a statement included in it.

AFTER SENTENCING

- You have a right to prompt restitution for your crime-related costs.
- If you request, you can be notified about juvenile review hearings.
- If you request, you will be notified of the release of a juvenile offender from an OYA Youth Correctional Facility. You must first provide your contact information to OYA.
- You have a right to be heard at a hearing on a motion to set aside conviction.
- You have the right to know about convicted sex offenders. Call:
Oregon State Police
Sex Offender Information
1-800-551-2934
- You have a right not to be contacted by the sex offender convicted in your case.

- If you request, you can get 30 days notice of parole hearings in adult cases. First you must register with the parole board.
- If you request, you can be notified of release from a correction facility.
- If you request, you can be notified of hearings where probation may be revoked.
- You have a right to agree or disagree to personal service being performed for you as a condition of probation for a youth offender.
- If your property is damaged by graffiti, you can allow, or refuse to allow, a youth offender on your property to clean it up.
- If you request, you can get information about the offender or youth offender from the Psychiatric Security Review Board if under their jurisdiction.
- If your case is appealed you may have rights. For more information contact:

Oregon Department of Justice
Crime Victims' Services Division
1-800-503-7983

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.
- 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 the Oregon Temporary Assistance to Domestic Violence Survivors (TA/DVA) fund. You may be able to: Take leave from work, get unemployment benefits, end a rental agreement early, have your locks changed, get special public housing arrangements, set up a payment plan with the phone company.
- Immigrant victims may have additional legal options or rights.
- Your immigration status should not affect your access to the criminal and juvenile justice systems.