

## Victim/Witness Assistance Program

As part of the District Attorney's Office, this program is available to assist victims of crimes. The VWAP recognizes that crime victims have certain rights, including the right to be treated with dignity and compassion. **For further information and assistance call 278-6265.** The following services are available at no cost:

- \*Making referrals to public and private social service agencies that can provide needed services.

- \*Providing information about case status throughout the criminal proceedings.

- \*Verifying and documenting financial losses so that the court can order the offender to pay restitution.

- \*Assisting in the return of property held by the police agency or court.

- \*Offering preparation for court hearings and trials and providing accompaniment to court.

- \*Solving scheduling, babysitting, emergency, and transportation problems.

- \*Assisting with the completion of the application process for State of Oregon Crime Victims' Compensation benefits.

### Crime Victims' Compensation

What happens if the victim suffers injuries and does not have the ability to pay medical bills? The State Legislature enacted the Oregon Crime Victims' Compensation Act in 1977 to help victims of violent crimes and their dependents. The law provides benefits that remove or reduce the financial burden placed on innocent people who are seriously injured either physically or mentally. To file a claim for benefits, contact the Victim Assistance Program.

## IF YOU ARE A VICTIM...

### DO NOT BLAME YOURSELF

Victims are innocent people who suffer harm when **someone else breaks the law**. It is essential for a victim to recognize that he or she is not at fault.

### TALK ABOUT YOUR FEELINGS

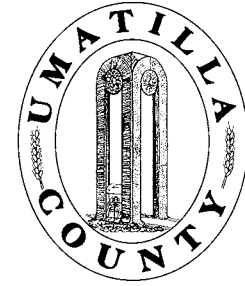
Find someone who is willing to listen. Victims usually do not need advice, but rather just someone with whom to talk.

### DO NOT BE AFRAID TO SEEK OUTSIDE HELP

There are times when the healing process requires help from a professional. Clergy, counselors, therapists, psychologists and psychiatrists may be valuable help.

### BE REALISTIC ABOUT THE CRIMINAL JUSTICE SYSTEM

Certain aspects of the system may be exasperating. Be prepared for **multiple** delays, changes in court dates, and other unexpected events that can, and often do, occur. The legal system can be frustrating in its attempt to blindly administer justice, a goal of ultimate importance. The process is dynamic and unfamiliar to all but those who have studied the justice system for years. It seeks to protect everyone and will accept no compromise in its efforts to be fair and to apply the rule of law, as justice requires.



## UMATILLA COUNTY VICTIM/WITNESS ASSISTANCE PROGRAM

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District Attorney's Victim/Witness  
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**Christopher R. Brauer**  
District Attorney



# **INFORMATION ABOUT CRIME VICTIM'S RIGHTS**

Oregon's Laws and Constitution recognize that the victim of a crime has certain rights. This pamphlet is provided to generally assist victims/witnesses and should not be considered an exhaustive compilation of all rights, responsibilities, or services.

## **CRIMINAL PROCEEDINGS (EXCLUDING JUVENILE DELINQUENCY PROCEEDINGS)**

Upon specific request, the victim has the right to be informed, in advance, of any critical stage of the court proceedings.

The victim has the right to be present at any court hearing or trial.

## **PRETRIAL RELEASE HEARINGS**

Upon timely request, the victim has the right to be notified of the release hearing and the right to appear at the hearing.

If the victim chooses to appear, he or she has the right to be heard on relevant issues.

Pretrial release decisions consider reasonable protection of the victim and the public. Any pretrial release order must prohibit the criminal defendant from having any contact with the victim.

The pretrial release order may be revoked if the defendant contacts, threatens, or intimidates the victim during release.

## **DUI DIVERSION HEARINGS**

If the victim received property damage as a result of a defendant's driving under the influence of intoxicants, he or she has the right to appear at the diversion hearing, if applicable (not all defendant's are eligible for diversion.) The victim needs to contact our office if he or she chooses to be present.

## **SENTENCING HEARING**

The victim has the right to appear and to be heard.

## **PLEA NEGOTIATIONS**

Upon timely request, the victim of a violent felony has a right to be consulted by the district attorney's office regarding plea negotiations.

## **INFORMATION AND RECORDS**

The victim has the right to obtain information about the conviction, sentence, imprisonment, criminal history, and future release from physical custody of the criminal defendant or convicted criminal (or youth offender) from the public body who is the custodian of records. The victim may be charged the actual cost of copies.

The victim has the right to obtain a transcript or tape of any criminal proceeding in court (if prepared). There may be fees for the transcript or tape.

If by the nature of the charge against the criminal defendant, transmission of bodily fluids may have been involved, the victim may ask the district attorney to seek defendant's consent or a court order requiring the defendant to submit to a test for HIV or other communicable diseases.

## **ACCESS TO SEX OFFENDER REGISTRATION INFORMATION**

The victim can obtain information about the registered sex offender, including prison status, release information, parole status and area of residence from the Oregon State Police toll-free number.

## **LIMITS ON CONTACTS BY THE DEFENDANT OR DEFENSE**

A victim has the right to be reasonably protected from the criminal defendant or the convicted criminal (or youth offender) throughout the criminal justice process.

Upon request, the victim has the right to have the court order that the victim's address and phone number not be given to the defendant unless good cause is shown to the court.

If contacted by the defense, the victim has the right to be informed of the identity and capacity of the person making the contact. The victim has the right to have a deputy district attorney present during the interview by the defense. The victim has the right to refuse an interview by the defense.

## **NOTICE OF PROSPECTIVE RELEASE ON PAROLE OR POST-PRISON SUPERVISION**

Upon request, the victim has the right to be notified by the State Board of Parole and Post-Prison Supervision of the impending release of the convicted criminal on parole or post-prison supervision.

## **OTHER RIGHTS, REMEDIES AND PROTECTIONS**

The victim has the right of prompt restitution from the convicted criminal.

The District Attorney, the VWAP, and the various law enforcement agencies should be considered a resource by the victim/witness and should be consulted, when appropriate, to assist as justice requires.