



Even if you do not assert these rights, you will still receive notice of any trial date (if subpoenaed). Unless subpoenaed, you do not need to attend sentencing for the judge to order restitution to you.

For more information on your victim rights in Oregon, please review the *Victims' Rights Guide* and the *General Information for Crime Victims* brochures provided to you. You may also request a *Legal Rights for Crime Victims In Oregon* pamphlet from your Victim Advocate.

**Oregon law grants crime victims the following rights in all criminal court proceedings:**

(a) 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. Critical stage hearings include those listed in the grid on the front of this document and are as defined in the Oregon Constitution (Art. 1, §42), Senate Bill 233, ORS 147.500(5), ORS 137.545(11)(a), 144.260(3), and ORS 419C.273;

(b) The right, upon request, to obtain information about the conviction, sentence, imprisonment, criminal history and future release from physical custody of the criminal defendant or convicted criminal and equivalent information regarding the alleged youth offender or youth offender (Art. 1, §42);

(c) The right to refuse an interview, deposition or other discovery request by the criminal defendant or other person acting on behalf of the criminal defendant provided, however, that nothing in this paragraph shall restrict any other constitutional right of the defendant to discovery against the state (Art. 1, §42);

(d) The right to receive prompt restitution from the convicted criminal who caused the victim's loss or injury (Art. 1, §42);

(e) The right to have a copy of a transcript of any court proceeding in open court, if one is otherwise prepared (Art. 1, §42);

(f) The right to be consulted, upon request, regarding plea negotiations involving any violent felony [Art. 1, §42, ORS 147.512(2)(a)];

(k) In a DUII automobile collision case, the right to request that information and reports about the case that have been disclosed to the defendant are also made available to you (ORS 135.857);

(l) The right to be reasonably protected from the criminal defendant or the convicted criminal throughout the criminal justice process and from the alleged youth offender or youth offender throughout the juvenile delinquency proceedings, the right to have decisions by the court regarding the pretrial release of a criminal defendant based upon the principle of reasonable protection of the victim and the public, as well as the likelihood that the criminal defendant will appear for trial and the right to have remedy by due course of law for violation of the victim's rights (Art. 1, §43); and

(m) For person crimes and burglary in the first degree only, to request ongoing involvement in any court actions that happen after the conviction such as appeal, post-conviction or federal habeas proceedings including, but not limited to: reasonable, accurate and timely notice from the Department of Justice when an appeal, post-conviction or federal habeas proceeding is started; to attend and be heard at certain public hearings related to the proceedings; to consult with the state and receive other details of the case; to participate by contacting the Department of Justice; and to be informed by the Department of Justice of the outcome of the proceedings. (*For further information about all of these rights, please see the Department of Justice, Crime Victims' Services Division information at [www.doj.state.or.us/victims](http://www.doj.state.or.us/victims)*). (ORS 138.627, 144.750, 147.433, 147.438, 161.326, 419C.531)

If you feel your crime victims' rights are not honored, you may have legal options, but you must act immediately. Please contact your Victim Advocate for more information about your options.