

VICTIMS RIGHTS

SB 212: Victim Notification “as soon as practicable”

SB 212 rewrites the criteria for programs distributing victim assistance funds to city and county offices for victim services. The measure adds a requirement that notice be given to victims of their rights as soon as practicable. ORS 147.227 governs the distribution of Criminal Fine and Assessment Account Funds to city and county offices for victim services. The District Attorney Based Victim Assistance programs and the Oregon District Attorney’s Association worked together to rewrite the language to better reflect current practice. The only substantive change to the statute is the requirement that victims be notified of their rights as soon as practicable.

VITAL STATISTICS

Effective Date: May 26, 2009
2009 ORS Site: Chapter 176

SB 218: Crime Victim Compensation Program Changes

SB 218 makes the following changes related to crime victims’ compensation program benefits:

- Increases the aggregate damages to the victim and to the dependents of a victim that are not considered a compensable loss from \$44,000 to \$47,000.
- When the case against an assailant of a victim is under direct or collateral review or when the assailant of a victim has a parole hearing scheduled, compensable losses may include crime-related counseling expenses up to a maximum of \$5000 and other expenses including transportation and lodging necessary for a victim to attend hearings and oral arguments up to a maximum of \$3000.
- In cases of homicide, a claim for reasonable counseling expenses for surviving family members may continue until five years have elapsed from the date of the determination order (increased from 3 years).

VITAL STATISTICS

Effective Date: January 1st, 2010
2009 ORS Site: Chapter 272

SB 220: AG Authorization to Issue VAWA Grants

SB 220 authorizes the Attorney General to administer the federal Violence Against Women Act grants and any other state or federal grant related to service for victims of violent crimes, property crimes and crimes involving fraud and deception.

VITAL STATISTICS

Effective Date: January 1st, 2010
2009 ORS Site: Chapter 411

SB 233: Statutory Framework for Exercise of Victims Rights

SB 233 creates a statutory framework for victims to exercise their constitutional rights as set forth in Sections 42 and 43, Article I of the Constitution of the State of Oregon. The measure authorizes the Attorney General to adopt rules to establish a non-judicial process to determine if violations have occurred and to make nonbinding recommendations for achieving full compliance with victims’ rights laws in the future. SB 233 clarifies when a district attorney and when probation department will notify a victim of a probation hearing.

VITAL STATISTICS

Effective Date: May 26th, 2009
2009 ORS Site: Chapter 178



JUSTICE



SB 248: Default Prohibition on Victim Info Disclosure

SB 248 creates a default prohibition on disclosure of personal information of victims and witnesses to youth offenders in juvenile proceedings. Requires defense attorney to request protected information from either a district attorney's office or from a juvenile department. SB 248 conforms ORS 419C.276 to the comparable adult non-disclosure statute outlined in ORS 135.815. Under current law, a victim or witness must request that their personal information be kept from the offender, the court does not do so automatically.

VITAL STATISTICS

Effective Date: January 1st, 2010
2009 ORS Site: Chapter 113

SB 928: Employer Safety Accommodations for Victims

SB 928 requires employers to make reasonable safety accommodations for victims of domestic violence, sexual assault and stalking that may include, but are not limited to, a transfer, reassignment, modified schedule, unpaid leave from employment, changed work telephone number, changed work station, installed lock, implemented safety procedure or any other adjustment to a job structure, workplace facility or work requirement in response to actual or threatened domestic violence, sexual assault or stalking. Further, the measure specifies that it is an unlawful employment practice for an employer to:

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Effective Date: January 1st, 2010
2009 ORS Site: Chapter 478

- Refuse to hire an otherwise qualified individual because the individual is a victim of domestic violence, sexual assault or stalking.
- Discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an individual with regard to promotion, compensation or other terms, conditions or privileges of employment because the individual is a victim of domestic violence, sexual assault or stalking.
- Refuse to make a reasonable safety accommodation requested by an individual who is a victim of domestic violence, sexual assault or stalking, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer, as determined under ORS 659A.121. Prior to making a reasonable safety accommodation, an employer may require an individual to provide certification that the individual is a victim of domestic violence, sexual assault or stalking.

