



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject:

Crime Victim Notification and Communications

Section – Policy Number:

E: Information Management – 2.5

Supersedes:

**I-E-2.5 7/11
 I-E-2.5 11/10
 I-E-2.5 10/03**

Effective Date:

07/30/2020

Date of Last Revised:

None

Related Standards and References:

- [Constitution of Oregon](#), Article 1, §§ 42, 43 (general victims' rights)
- [ORS 147.405](#) through 147.421 (Crime Victims' Rights)
- [ORS 420A.122](#) (Notice of release or discharge of youth offender)
- [ORS 419C.465](#) (Service to Victims)
- [ORS 419C.470](#) (Opportunities to Fulfill Obligations by the Court)
- [ORS 419C.450](#) (Restitution: Policy as Condition of Probation)
- [OYA Policy](#): I-E-1.0 (Director's Incident Notification and Report)
- I-E-2.1 (Public Record Requests for Agency Records)
- I-E-2.3 (Requests for Youth Information and Records)
- II-A-1.4 (Apprehension of Escaped Youth from OYA Facilities)
- II-F-2.4 (Court-ordered Financial Obligations [Facility])
- III-C-2.1 (Court-ordered Financial Obligations [Community])
- [OYA Forms](#): YA 3493 (Victim Request for Notification)
- YA 3494 (Parent/Guardian of Victim – Request for Notification)
- YA 3496 (Victim Notice of Youth Offender Release)
- YA 3497 (Parent/Guardian of Victim - Notice of Youth Offender Release)


Related Procedures:

- Field general procedure: [Victim Notification](#)

Policy Owner:

Community Services Assistant
 Director

Approved:



 Joseph O'Leary, Director

I. PURPOSE:

This policy directs OYA staff on proper contact with and notification of crime victims.

II. POLICY DEFINITIONS:

Contact: Includes face-to-face contact, contact by telephone, or contact in writing.

Crime victim: Any person determined by the district attorney or juvenile department to have suffered direct financial, psychological, or physical harm as a result of an act that has brought the youth before the court. When the victim is a minor, “victim” includes the legal guardian of the minor. The youth may not be considered the victim.

Unauthorized Absence: To run away or to leave an assigned location (e.g. employment, school), approved placement or substitute care placement without the consent of the parent, guardian, OYA, or court.

Youth: A person in the legal and physical custody of OYA (adjudicated youth) either in an OYA facility or placed in the community under supervision, or a person in the legal custody of the Department of Corrections and the physical custody of OYA in OYA facilities (DOC youth).

III. **POLICY:**

The State of Oregon preserves and protects the rights of crime victims ensuring crime victims have a meaningful role in the criminal and juvenile justice systems, are protected from future victimization, and are accorded due dignity and respect.

In conjunction with the provisions of its mission and the standards of state law, OYA supports crime victims’ concerns, including the right to obtain information about a youth’s conviction, sentence, imprisonment, criminal history, and release from custody.

OYA staff work with local crime victim groups, juvenile justice partners, Department of Administrative Services (DAS), courts, and law enforcement to coordinate responses to crime victim issues.

IV. **GENERAL STANDARDS:**

A. Contact with Crime Victims

1. Only OYA supervisors, case managers, mental health staff or victim liaisons are authorized to contact crime victims.
2. Staff or youth contact with a crime victim may occur only:
 - a) At the request of the crime victim or when based on a court order; and
 - b) When approved, coordinated, and supervised by authorized OYA staff.
3. Staff will work with crime victims to ensure their request for contact is documented in the youth’s case file. Staff will review available information to determine the level of contact that may occur.
 - a) The request for contact may come directly from the crime victim, through the district attorney’s office, victim assistance program, or the court.

- b) OYA field staff must follow general field procedures ([Victim Notification](#)) when an adjudicated youth is committed to an OYA facility. The procedure describes how field staff verify and execute victim notification requests.
 - c) Staff will detail the following information in the youth's case file.
 - (1) Court requirements about restitution, community service, or contact with the crime victim; and
 - (2) Crime victim contact requested and authorized by the crime victim (if any).
4. If no crime victim is identified, the case file will note the attempt to identify the victim and the result.
- B. Staff will protect the confidentiality of the crime victim's address and phone number from disclosure when so ordered by the court or as directed by law. See related policy I-E-2.1 (Public Records Requests for Agency Records) for more information.
- C. Information that may be provided to crime victims
- 1. Oregon law requires staff provide the following information to crime victims, upon their request.
 - a) "Public information" requests, as described in OYA policies I-E-2.1 (Public Records Requests for Agency Records) and I-E-2.3 (Requests for Youth Information and Records).
 - b) The crime(s) for which the youth was committed to OYA.
 - c) Whether the youth is currently placed in close custody or in the community.
 - d) The youth's projected release date from close custody.
 - e) The community where the youth is anticipated to reside upon release.
 - 2. When a crime victim requests notification, OYA has determined staff must also notify the crime victim of the following events:
 - a) When a youth escapes from an OYA facility;
 - b) When a youth is returned to an OYA facility following an escape;
 - c) Before a youth is released from an OYA facility on parole;
 - d) When a youth on parole is on unauthorized absence from a community placement;

- e) When a youth on parole is returned to a placement following an unauthorized absence;
 - f) When a youth in the physical custody of OYA is transferred to the physical custody of DOC;
 - g) When a youth's parole is revoked and the youth is returned to an OYA facility; and
 - h) When OYA custody is terminated.
- D. Staff will work with youth toward prompt tracking and payment of restitution through appropriate payment methods and completion of community service. Staff will document such activities in the youth's case file.

See OYA policies II-F-2.4 (Court-ordered Financial Obligations [Facility]) and III-C-2.1 (Court-ordered Financial Obligations [Community]).

V. Victim Information and Notification Everyday (VINE)

OYA contributes information to an automated victim notification system, Victim Information and Notification Everyday (VINE). VINE is a free and automated notification service designed to provide information to crime victims when a youth releases or escapes from an OYA facility. Members of the public may also call the VINE system to get information about youth in OYA close custody or on parole.

VINE receives information from the Juvenile Justice Information System (JJIS). Certain data elements in JJIS have carefully been identified and linked to VINE. JJIS electronically shares "public information" about youth with VINE several times a day to keep VINE current.

- A. OYA staff must provide accurate and timely JJIS entries about youth status to ensure VINE is current.
- B. The following OYA contact information is provided by VINE to crime victims:
 - 1. Adjudicated youth: The telephone number to the OYA field office responsible for the case;
 - 2. Adjudicated youth cases unassigned a parole/probation officer: The default telephone number is the OYA Director's Office;
 - 3. DOC youth in OYA custody: The telephone number for MacLaren Youth Correctional Facility.
- C. The VINE system is a tool available to victims of crime who choose to use it. The VINE system does not replace staff requirements to notify or respond to crime victims.

- D. Staff may provide information about the VINE system to crime victims and are required to do so if the crime victim requests such information.

VI. LOCAL OPERATING PROTOCOL REQUIRED: YES

Field offices must supplement this policy by addressing the following in a local operating protocol:

- A. Establish a process to inform victims of their right to notification, documentation of a victim's intent for notification, distribution of the appropriate information to crime victims and notification of victims at key events; and
- B. Establish monitoring mechanisms to ensure victims are receiving appropriate information concerning notification rights and are being provided notification in a timely manner.