



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 07/20
- I-E-2.5 07/11
- I-E-2.5 11/10
- I-E-2.5 10/03

Effective Date:

04/28/2023

Date of Last Revision/Review:

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.115](#) (Parole of adjudicated youths; disclosure of information to victims; rules)
- [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)OAR 416-106 Disclosure of Adjudicated Youth Information to Victims
- [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 Restitution)
- [OYA Forms](#): YA 3493 (Victim Request for Notification)
YA 3494 (Parent/Guardian of Victim – Request for Notification)
YA 3496 (Victim Notice of Adjudicated Youth Release)
YA 3497 (Parent/Guardian of Victim - Notice of Adjudicated Youth Release)
- [Attachment A](#): Adjudicated Youth Progress Scale

Related Procedures:

- [COM I-E-2.5](#) Victim Notification of Youth Status

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:

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.

OYA has identified diversity, equity and inclusion as an agency priority and initiative, with a goal to build a respectful, diverse, equitable and inclusive environment for youth and staff that is free from harassment, discrimination and bias. Data shows youth of color and LGBTQ+ youth are disproportionately represented in the juvenile justice system. While OYA is only one part of that system, it plays a critical role in addressing the historical and systemic inequities it perpetuates. Individuals of color are also disproportionately represented in the system as victims of crime. Therefore, OYA strives to extend equity and inclusion to victims of crime.

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 Justice Crime Services Division, courts, and law enforcement to coordinate responses to crime victim issues.

IV. GENERAL STANDARDS:

A. Contact with Crime Victims

1. Only OYA managers, 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 may contact a crime victim to seek information about:
 - a) The impact of the crime on the victim to inform a youth's case plan; or
 - b) The potential impact to the victim if OYA parole's the youth.
 4. 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 procedure COM I-E-2.5 [Victim Notification of Youth Status](#) when an adjudicated youth is committed to an OYA facility. The procedure describes how field staff verify and execute victim notification requests.
 - c) Staff must 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).
 5. If no crime victim is identified, staff must note the attempt to identify the victim and the result in the youth's case file.
- B. Staff must 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 below-listed 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.
 - f) Factors listed in [ORS 420A.122\(2\)](#) when a youth is being released on parole.
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.
3. Upon request of the victim or when staff are seeking information about case planning or parole, staff may share progress on a prescribed metrics scale (see [Attachment A](#)) that the youth has made while in a youth correctional facility in the following areas:
- a) Completion of assigned services and reformation goals;
 - b) Overall level of engagement in services and reformation goals;

- c) Recognition of the impact of the youth's actions on the victim;
- d) Recognition of the impact of the youth's actions on the community; and
- e) Completion of a transition plan for parole.

Staff must not share with the victim detailed information about the specific treatment or goals in the youth's case plan, or other detailed information about the youth's history or prognosis.

- D. Staff must work with youth toward prompt tracking and payment of restitution through appropriate payment methods, and 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 Restitution).

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.

Attachment A: Adjudicated Youth Progress Scale

Progress Category	Category Description	Progress Scale	Scale Description
Completion of assigned services and reformation goals	Risk, need, and development areas are assessed. Services and reformation goals are identified based on the relevant risk, need or development area, including, but not limited to, offense-specific treatment (e.g., violent offense, sex offense), mental health treatment, social and emotional skill development, and vocational programs.	1	No services or goals have been started.
		2	Some goals and services have been started, but none have been completed.
		3	Some goals and services have been completed, but some are still in progress.
		4	Most goals and services have been completed.
		5	All goals and services have been completed.
Progress Category	Category Description	Progress Scale	Scale Description
Overall level of engagement in services and reformation goals	Engagement is defined as attendance and participation in services and goal areas, commitment to working on problems for which they have responsibility, and collaboration with service providers.	1	Minimal or no engagement (e.g., refuses to attend services offered).
		2	Sporadic or inconsistent engagement (e.g., might attend services, but not consistently; or does not participate).
		3	Limited engagement (e.g., attends assigned services regularly, but does not always participate).
		4	Moderate engagement (e.g., attends all assigned services, and usually participates).
		5	High engagement (e.g., attends all assigned services and actively participates).
Progress Category	Category Description	Progress Scale	Scale Description
Recognition of the impact of the adjudicated youth's actions on the victim.	Can take full ownership of the crime without blaming the victim, other individuals, or circumstances. Demonstrates remorse for the crime, which includes a cognitive understanding (able to accurately recount the details of the crime without minimizing or omitting information; able to articulate the history and circumstances in their own life that contributed to their decision to commit the crime) and emotional understanding (demonstrating an understanding of the emotional impact of the crime on all affected parties; working to resolve emotions related to history and circumstances in their own life that contributed to their decision to commit the crime; identifying ways to give back that relate to their understanding of the emotional impact) of the different ways the crime may have impacted the victim, their loved ones, or others in their life emotionally, financially, and physically.	1	Does not take ownership or accountability for the crime. Does not recognize the impact of their actions.
		2	Minimal ownership or accountability for the crime. Minimal recognition of the impact of their actions.
		3	Moderate ownership or accountability for the crime. Moderate recognition of the impact of their actions.
		4	Full ownership and accountability for the crime. Full cognitive understanding of the impact of their actions.
		5	Full ownership and accountability for the crime. Full cognitive and emotional understanding of the impact of their actions.

Attachment A: Adjudicated Youth Progress Scale

Progress Category	Category Description	Progress Scale	Scale Description
Recognition of the impact of the adjudicated youth's actions on the community.	Can take full ownership of the crime without blaming the victim, other individuals, or circumstances. Demonstrates remorse for the crime, which includes a cognitive understanding (able to accurately recount the details of the crime without minimizing or omitting information; able to articulate the history and circumstances in their own life that contributed to their decision to commit the crime) and emotional understanding (demonstrating an understanding of the emotional impact of the crime on all affected parties; working to resolve emotions related to history and circumstances in their own life that contributed to their decision to commit the crime; identifying ways to give back that relate to their understanding of the emotional impact) of the different ways the crime may have impacted community safety, resources, and property.	1	Does not take ownership or accountability for the crime. Does not recognize the impact of their actions.
		2	Minimal ownership or accountability for the crime. Minimal recognition of the impact of their actions.
		3	Moderate ownership or accountability for the crime. Moderate recognition of the impact of their actions.
		4	Full ownership and accountability for the crime. Full cognitive understanding of the impact of their actions.
		5	Full ownership and accountability for the crime. Full cognitive and emotional understanding of the impact of their actions.
Progress Category	Category Description	Progress Scale	Scale Description
Completion of a transition plan for parole.	A transition plan includes identification of the type of resources and services (elements) needed for the adjudicated youth to succeed in the community. Often includes specific services and resources arranged in the community for the adjudicated youth to use.	1	The plan is not started.
		2	Some elements of the plan are identified. No elements are arranged.
		3	All elements of the plan are identified. Some elements are arranged.
		4	All elements of the plan are identified. Most elements are arranged.
		5	The plan is complete. All elements are identified, and all elements are arranged.