

THE POST-CONVICTION PROCESS

"As a federal prosecutor I saw first-hand the horrific and lasting impact violent crime has on innocent victims and their families. Now as your Attorney General, I am deeply committed to protecting your rights inside and out of the courtroom."

Attorney General
JOHN R. KROGER

Information for Victims

The Oregon Department of Justice, Crime Victims' Services Division stands ready to assist you.

You may have worked with a victims advocate in the local District Attorney's Office during the original trial.

When a case moves into the Post-Conviction process the case is turned over to the Department of Justice.

Please Contact Us to Find Out More

Salem and Surrounding Areas
503-378-5348

Statewide Toll Free
800-503-7983

Web Address
www.doj.state.or.us

In order for the Department of Justice to be successful in working with you, it is important for you to keep your contact information current.

After The Criminal Conviction & Sentencing

Victims of crime have rights in legal proceedings after conviction and sentencing.

In the criminal justice system, a defendant has multiple opportunities to challenge a conviction and/or sentence through legal actions called an appeal, a post-conviction proceeding, or a federal habeas corpus proceeding.

In each of these legal proceedings, the State of Oregon is represented by attorneys from the Department of Justice. While these attorneys cannot represent you, the individual crime victim, you may always consult or hire an attorney to help you exercise your rights.

For victims who wish to stay informed or involved in their case through these processes, the Department of Justice, Crime Victims' Services Division, Crime Victims' Rights Section has a Victims' Advocate available to keep you informed about the case as it proceeds through the legal phases.

Crime Victims' Rights in Appeals, Post-Conviction & Federal Habeas Cases

- The right to be notified of these rights by the District Attorney;
 - The right to reasonable, accurate and timely notice from the Department of Justice if an appeal, a petition for post-conviction relief or a federal court action is filed;
 - The right to notice from the Psychiatric Security Review Board if a hearing is scheduled,
 - The right to attend any public hearing related to these proceedings;
 - The right to be reasonably protected from the offender if the offender is present during any of the proceedings;
 - The right to have your schedule taken into account in scheduling these proceedings;
 - The right to inspect, in advance of the proceeding, any public record on which the disposition of the petition will be based;
 - The right to be heard, either orally or in writing, at certain hearings;
 - The right to consult with state's attorney on the case;
 - The right to be informed by the state of the outcome of the proceeding
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Frequently Asked Questions by Victims & Survivors

After an offender is convicted and sentenced, the case may not be over. The offender may take legal actions to challenge the conviction or the sentence.

How long does the next step take and what happens next?

- There are several steps in these legal challenges. Depending on what challenges the offender pursues, the overall process can take several years to complete.

What do I have to do next?

- You don't have to do anything about the legal action;
- If you want to know about each step along the way, stay in touch with the state during this process by contacting our Crime Victims' Services Division; or
- If you do not wish to stay involved during these legal processes you can simply tell us so.

What does the Department of Justice do?

- The Department of Justice will automatically be advised of any legal actions filed by the offender and will begin working on the case;
- The Department of Justice reviews the case for any legal errors to ensure a fair and just legal process was used; and
- The Department of Justice works to uphold the conviction and sentence.

How will I get information?

- If you ask to be kept informed, the Crime Victims' Services Division will provide you with information by phone, mail or email.

What if I have costs related to these legal actions?

- The Department of Justice has crime victims' compensation funding available for counseling and travel expenses directly related to participation in these proceedings;
- For more information about these funds, please contact us.

Contact Information

For more specific information on Crime Victims' Rights in Oregon, contact us at:

OREGON DEPARTMENT OF JUSTICE Crime Victims' Services Division Crime Victims' Rights Section

Mailing Address
1162 Court St NE
Salem, OR 97301

Physical Address
Promontory Plaza
4035 12th Street Cut Off # 200
Salem, OR 97302

Salem and Surrounding Areas
503-378-5348

Statewide Toll Free
800-503-7983

E-Mail
cvsd.email@doj.state.or.us

Web Address
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IMPORTANT NOTE

It is up to you to let us know how involved you wish to be in this process. You may choose to not receive any further information, you may choose to receive notices of actions but not participate, or you may wish to attend hearings and receive copies of filings.

Please contact us in writing or access our on-line forms to verify your choice.



THE MANY STEPS OF JUSTICE

JOHN R. KROGER
Attorney General
Oregon Department of Justice

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