

OREGON CRIME VICTIMS LAW CENTER NEWSLETTER

April 2016



UPDATE ON OCVLC'S NEW SERVICES AT THE GATEWAY CENTER

We are so excited to place one of our new attorneys at the Gateway Center for Domestic Violence in Portland starting in 2016. This collaborative effort has been a great way to reach out to even more victims and meet them where they are already receiving services. So far, our Gateway attorney Yazmin Wadia has:

- Advised victims about their rights in a criminal case, including what the grand jury process looks like and how to apply for Crime Victims Compensation
- Represented victims in contested restraining order hearings, and helped negotiate mutually agreed upon resolutions when appropriate.
- Accompanied a domestic violence victim to the criminal trial.
- Explained the process of reporting a crime to victims.
- Referred victims to appropriate resources for family law and immigration matters.

OCVLC looks forward to helping even more crime victims through our new services at the Gateway Center. We hope in the future to continue to collaborate with other counties using the family justice center model to provide services to victims of violence.

POST-CONVICTION ADVOCACY

ASSISTING CRIME VICTIMS AFTER THE TRIAL

Since our founding, OCVLC has helped crime victims advocate for their rights not only during the pretrial and trial process of a criminal case, but also during post-conviction proceedings. Under Oregon law, victims have rights in appeals, post-conviction relief, Psychiatric Supervision Review Board, and Parole Board proceedings. Victims' rights also continue to apply throughout the time an offender is on probation or parole. Below are some example cases where OCVLC has helped our clients assert their rights after conviction.

Parole Board hearings

In 1987, defendant Scott Wickee was convicted of Aggravated Murder along with his co-defendant Kevin Roper in Multnomah County. The victim was 20 years old when he was senselessly murdered by the two men. OCVLC has represented the victim's family in several Parole Board hearings over the past few years. At the latest hearing in 2016, OCVLC accompanied the family to the Parole Board hearing at the Oregon State Prison. OCVLC argued on behalf of the family that inmate Wickee should not be released early; our argument was echoed by the Multnomah County District Attorney's office. Unfortunately, the Parole Board decided to release Wickee based on the latest psychological evaluations available. OCVLC is now working with the family to ensure that appropriate parole conditions are set that provide safety for the family and the community.

Restitution issue in Clackamas County

OCVLC was contacted by a victim in a vehicular homicide case in which her son, a passenger in the car, was killed in a drunk driving crash. The offender had fled the state for a number of years before being brought back to Oregon, sent to prison, and then paroled. The victim was having difficulty receiving information from the offender's parole officer about a large amount of restitution that had yet to be paid. OCVLC represented the victim and helped her communicate with the Clackamas Parole and Probation Department in order to obtain the information she was seeking.

POST-CONVICTION ADVOCACY CONTINUED

OCVLC was able to assist the victim in obtaining information about whether the offender had been given a plan to pay restitution, what payments were being made, and whether she would face sanctions for not complying. The parole officer has now been authorized to share more of this information directly with the victim in the future.

Psychiatric Supervision Review Board case

OCVLC was referred a victim whose offender had been sentenced to PSRB supervision for felony crimes of domestic violence against her. She had also obtained a permanent stalking order against him. This offender had previously been convicted and placed on PSRB supervision for felony crimes of domestic violence against a previous partner, but PSRB terminated his supervision early in that case. Our client was referred because the offender was once again asking for early termination of his PSRB supervision. OCVLC represented the victim at the PSRB hearing and advocated for continued supervision of the offender in order to keep the victim and her family safe. Unfortunately, because the treatment providers for the offender submitted that he was not suffering from a mental disease or defect, the PSRB was compelled to terminate his supervision early. OCVLC was able to help explain the process and result to our client, and make sure that she felt heard at the hearing. We also counseled her on future safety planning and what to do should the offender try to contact her or her family in the future.

Release conditions of parolees

OCVLC has worked with a number of victims throughout the state to request that the Parole Board set specific conditions of release prior to an offender leaving prison. Recently we worked with a client in Wasco County who was facing the release of the offender who had killed her family member. The offender was proposing to move into a house that was less than 1,000 feet from one of the victim's family members. Initially, the family

member was told that nothing could be done to prevent this, despite the fact that the offender would be ordered to stay more than 1,000 feet away from the home of any of the victim's family. OCVLC represented the family in presenting the case to the Parole Board and requesting that the offender not be allowed to live on that property. The Parole Board agreed to the request, and the offender was required to find a new place to live.

Through our case work and through information provided by community partners, OCVLC has learned that the practices and policies of parole and probation departments can vary greatly from county to county when it comes to how victims are notified of changes in conditions, whether sanctions have been ordered, and the general status of a probation or parole case. While some counties are forthcoming with information for victims, others tell victims that due to "offender privacy" information concerning whether the offender is reporting as scheduled cannot be shared. OCVLC would like to see victims in every county getting consistent information. We are happy to speak with victims state-wide who are encountering issues getting this type of information post-conviction.



WHAT OUR CLIENTS ARE SAYING ABOUT OCVLC'S SERVICES:

"My attorney was great at listening and advising. She was awesome in all communication and responding to me."

"Everyone was kind and helpful."

"They all showed they cared and were concerned for me and my son's safety, and did everything they could to help."

"[My attorney] treated me like this was her number one priority...she communicated with me in an effective and timely manner which allowed me to do the same for my daughter and put her at ease that someone was going to protect her."

"IT'S SO GREAT TO
KNOW THAT THIS TYPE
OF ORGANIZATION IS
OUT THERE FOR
VICTIMS"



SPOTLIGHT ON COMMUNITY PARTNER: DVRC

The Domestic Violence Resource Center was established in October 1975 in Beaverton as Women Together, a community-based social group started by a domestic violence survivor to address the needs of battered women in Washington County. DVRC is a non-profit agency providing free services to adult and child survivors of domestic violence within Washington County and surrounding areas, and is the County's sole provider of services specifically to victims and survivors of domestic violence. DVRC offers protective order advocacy, professional counseling, confidential shelter, 24-hr crisis line response, safety planning, resource referrals, and community trainings.

Learn more at: www.dvrc-or.org

HOUSING CRISIS



Oregon's current housing crisis, which came to the forefront of the news last year, continue to impact victims of crime who seek new housing in order to escape abuse. [In October of 2015, Portland officially declared a homeless and housing emergency.](#) The problem of rapidly climbing rents, and low availability of low-income and affordable housing remains a state-wide issue. [Home prices also have risen sharply, by 10.7% over the last year, according to Zillow.](#) Most counties in Oregon have very few shelter beds for domestic and sexual violence victims, and placing survivors in transitional and permanent housing continues to be very difficult given the current housing landscape.

The Oregon Legislature took on this issue in the 2016 short session, moving new laws through designed to help renters and preserve affordable housing.

Increased housing expenditures: The Oregon Department of Housing and Community Services will receive a \$10 million increase to their budget for Emergency Housing Assistance. Other budget increases were targeted at preservation of affordable housing, continuing the foreclosure legal assistance program, and directed money toward increasing housing-related legal assistance.

Tenant protections - HB 4143: This bill protects tenants state-wide by requiring 90 days notice (instead of 30) for any rent increase, and prohibits landlords from increasing rent for month-to-month tenants during the first year of their occupancy. The City of Portland previously implemented a similar law in late 2015.

These new laws supplement renter protections and protections for victims of domestic violence, stalking, and sexual assault that are already on the books.

If you are working with a crime victim experiencing housing difficulties, check with your [local Legal Aid office](#) or [contact the Oregon Housing and Community Services office for resources.](#) OCVLC is also available to provide referrals and limited help with lease-breaking for victims.

OTHER NOTABLE NEW LAWS FROM THE 2016 SHORT SESSION

SB 1567 - CRIMINAL IMPERSONATION: This bill makes it a crime to impersonate another person without their consent resulting in the harm of humiliation, harassment, or threat of physical harm. This bill was designed to address abusive behaviors such as impersonating a victim on social media in order to solicit sexual activity. Before this law, this type of behavior could not be prosecuted under our identity theft statute because it did not involve financial fraud.

SB 1571 - MELISSA'S LAW: This bill primarily directs every law enforcement agency in Oregon to adopt procedures regarding collection, testing, retention and destruction of sexual assault forensic evidence kits. These procedures must be in writing and available to the public.

SB 1600 - STATUTE OF LIMITATIONS ON FIRST DEGREE SEX CRIMES: This bill eliminates the statute of limitations on prosecution of first degree sex crimes if there is new and corroborating evidence of the crime, removing the current 12 year statute of limitations.

Thank you to Sybil Hebb of the Legislative Alliance to End Violence Against Women for providing information used in this summary.

NEW STAFF MEMBER

CAROL SCHRADER – PROJECT MANAGER

Carol returns to OCVLC after a six month strategic planning project with the Multnomah County Domestic Violence Coordination Office. She has prior experience as an attorney for domestic violence survivors, a manager of crime victims' rights compliance projects with the Oregon Department of Justice and National Crime Victim Law Institute, and as the executive director of a small nonprofit. Carol enjoys hiking, reading a good book, visiting with friends, and making ice cream.



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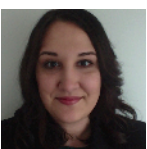
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Executive Director



MELANIE KEBLER
Senior Staff Attorney



NELLY WRIGHT
Staff Attorney



YAZMIN WADIA
Staff Attorney



AMANDA BURNETT
Victim Advocate and Administrative Specialist



WE SERVE OREGON

We serve clients across the state and we are looking for more referrals from outside the greater Portland area. Please contact us to refer a crime victim who may benefit from our services, or if you are an attorney interesting in volunteering to provide pro bono legal services to victims.

HOW TO CONTACT OCVLC

Phone: 503-208-8160

Email: info@ocvlc.org

Fax: 1-866-838-4142



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Frequent office visitor Bandit enjoys some relaxation time at the beach.

**YOUR
DONATION
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CRIME
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OCVLC is a 501(c)(3) non-profit organization funded by grants and private donations. All of our legal services are offered at no cost to the crime victims we serve. By donating to OCVLC, you can make a huge difference in the life of a crime victim.

[Click here to donate](#)