

# House Bill 2874

Sponsored by COMMITTEE ON JUDICIARY

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Grants certain rights to victims of criminal act. Limits remedy for violation of right.

## A BILL FOR AN ACT

1  
2 Relating to victims of crime.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) A victim in a criminal or juvenile delinquency proceeding has the fol-**  
5 **lowing rights:**

6 (a) **The right to have the trial or adjudication, including the imposition and execution of**  
7 **the sentence or disposition, conducted with all practicable speed.**

8 (b) **The right to the prompt and final conclusion of the criminal or juvenile delinquency**  
9 **proceeding in any related appellate or post-judgment proceeding.**

10 (2) **The sole remedy for a violation of the rights described in subsection (1) of this section**  
11 **is for the trial or proceeding to promptly occur or for the sentence to be promptly imposed**  
12 **or executed. This remedy may not be imposed if the remedy would impair the ability of the**  
13 **state to prepare or locate witnesses.**

14 (3) **Nothing in this section authorizes:**

15 (a) **The dismissal of a criminal or juvenile delinquency proceeding;**

16 (b) **The imposition of sanctions against the state or the defendant; or**

17 (c) **A court to sever into separate trials or proceedings a single charging instrument al-**  
18 **leging criminal acts committed against multiple victims.**

19 (4) **Upon the victim's request, the state may assert the rights of the victim on behalf of**  
20 **the victim.**

21 (5) **As used in this section, "victim" means any person determined by the prosecuting**  
22 **attorney or the court to have suffered direct financial, psychological or physical harm as a**  
23 **result of a crime and, in the case of a victim who is a minor, the legal guardian of the minor.**

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**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.