

Victims Compensation Boards and Open Meeting Laws

A. *Exemptions Granted Under State Law; Other Jurisdictions*

New Jersey - N.J.S.A. 52:4B-68(e) (Compensation for victims of crime; Board hearing; conduct of hearing; confidentiality of records)

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e. Records maintained by the board and proceedings by the board or a board member based thereon regarding a claim submitted by a victim or a claimant shall be deemed confidential.

New York - McKinney's Executive Law § 632-a(7)(b)(vi) (Office of Victim Services; crime victims)

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(vi) Records maintained by the office and proceedings by the office based thereon regarding a claim submitted by a victim or a claimant shall be deemed confidential, subject to the exceptions that appear in [subdivision one of section six hundred thirty three](#) of this article.

Oregon - O.R.S. § 147.115(1) (Victims of crim and acts of mass destruction; compensation of crime victims; confidentiality of application information)

(1) All information submitted to the Department of Justice by an applicant and all hearings of the Workers' Compensation Board under [ORS 147.005](#) to [147.367](#) shall be open to the public unless the department or board determines that the information shall be kept confidential or that a closed hearing shall be held because:

(a) The alleged assailant has not been brought to trial and disclosure of the information or a public hearing would adversely affect either the apprehension or the trial of the alleged assailant;

(b) The offense allegedly perpetrated against the victim is rape, sodomy or sexual abuse and the interests of the victim or of the victim's dependents require that the information be kept confidential or that the public be excluded from the hearing;

(c) The victim or alleged assailant is a minor; or

(d) The interests of justice would be frustrated rather than furthered, if the information were disclosed or if the hearing were open to the public.

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District of Columbia - Superior Court Rules-Crime Victims Comp. Program Rule 4

(a) Hearings, information, records and transcripts of hearings conducted and maintained by the Program shall be confidential and closed to the public, except that:

- (1) A claimant, or the representative of a claimant with the claimant's signed authorization, may review the claimant's claim;
- (2) Physicians treating or examining a claimant seeking benefits from the Program or physicians advising the Program regarding any claim may, with the Program's authorization, inspect the claims files and records of the claimant;
- (3) Other persons, with the Program's authorization, may inspect the claims files and records of the claimant when rendering assistance to the Program on a matter pertaining to the administration of the Program; and
- (4) Other persons may be present at hearings upon the written authorization of the claimant or the Director of the Program.

(b) Meetings of the Appeals Board shall be closed to the public. The Chairperson or, in his or her absence, the member designated to act as presiding officer shall direct a member to record minutes of each meeting of the Appeals Board. The minutes shall be confidential.

B. Meetings Not Subject to Vermont's Open Meeting Law

8 V.S.A. § 7041(e) (Commissioner of Financial Regulation proceedings to determine the potential delinquency of a domestic insurer)

§ 7041. COMMISSIONER'S SUMMARY ORDERS AND SUPERVISION
PROCEEDINGS

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(e) The notice of hearing held under subsection (a) of this section and any order issued pursuant to subsection (a) shall be served upon the insurer pursuant to the provisions of 3 V.S.A. chapter 25. The notice of hearing shall state the time and place of hearing, and the conduct, condition, or ground upon which the Commissioner may base his or her order. Unless mutually agreed between the Commissioner and the insurer, the hearing shall occur not less than ten days nor more than 30 days after notice is served and shall be held at the offices of the Department of Financial Regulation or in some other place convenient to the parties as determined by the Commissioner. **Unless the insurer requests a public hearing, hearings and hearing records under subsection (a) of this section shall be**

private and shall not be subject to the provisions of 1 V.S.A. chapter 5, subchapters 2 and 3 (the Open Meeting Law and the Public Records Act).

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18 V.S.A. § 7257a(h) (Meetings of the Mental Health Crisis Response Commission)

§ 7257A. MENTAL HEALTH CRISIS RESPONSE COMMISSION

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(h) Commission meetings are confidential and shall be exempt from 1 V.S.A. chapter 5, subchapter 2 (the Vermont Open Meeting Law). Commission records are exempt from public inspection and copying under the Public Records Act and shall be kept confidential.

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24 V.S.A. § 1964(b) (Meetings of municipal restorative justice panels)

§ 1964. STRUCTURE OF THE COMMUNITY JUSTICE BOARDS;

CONFIDENTIALITY OF CERTAIN RESTORATIVE JUSTICE MEETINGS

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(b) Meetings of restorative justice panels and meetings to conduct restorative justice group conferencing or mediation shall not be subject to the Vermont Open Meeting Law, 1 V.S.A. chapter 5, subchapter 2.