

**AN ASSISTANCE PROGRAM FOR CRIME VICTIMS
AND THEIR FAMILIES**



Report Number

Officer's Name

Rights of Crime Victims

ALL EMERGENCIES	911
Medical Center of Plano	972-596-6800
Presbyterian Hospital of Plano	972-981-8000
Presbyterian Hospital of Allen	972-747-1000
Baylor Medical Center of Garland	972-487-5000
Wylie Medical Center	469-633-3400

Collin County D.A.'s Office	2100 Bloomdale Rd. McKinney, TX 75071 (972) 548-4323
Rockwall County D.A.'s Office	1111 E. YellowJacket Ln. Suite 201 Rockwall, TX 75087 (972) 204-6800
Dallas County D.A.'s Office	133 N. Riverfront Blvd., LB 19 Dallas, TX 75207 (214) 653-3600

Collin County Child Advocacy Center	972-633-6600
Crossroads Family (Crime Victim Assistance)	972-578-2802
Family Violence Legal Line	800-374-4673
Child & Family Guidance Center (Mental Health)	214-351-3490
Hope's Door (Battered Women's Shelter – 24 hr)	972-422-7233
MADD Mothers Against Drunk Driving Victim's Assistance	877-623-3435
Legal Aid of North Texas	972-542-9405
The Turning Point Rape Crisis Center of Collin County	800-866-7273
Wylie Christian Care Center	972-442-4341

As defined in Article 56, Texas Code of Criminal Procedure, a victim of a violent crime is someone who: (1) has suffered bodily injury or death as a result of criminally injurious conduct, or who has been the victim of a crime involving sexual assault, kidnapping, or aggravated robbery; (2) is the close relative (spouse, parent, brother, sister, or adult child) of a deceased victim; or (3) is the guardian of a victim. As a victim of a violent crime, you have the following rights:

1. The right to protection from the threats of harm arising from cooperation with prosecution efforts.
2. The right to have your safety and that of your family taken into consideration when bail is being considered.
3. If you so request, the right to be informed in advance about court proceedings, including cancellations or rescheduling.
4. If you so request, the right to information about procedures in the criminal investigation of your case by law enforcement officials, and about general procedures in the criminal justice system, including plea bargaining, restitution, appeals, and parole from the prosecutor's office
5. The right to provide information to a Community Supervision and Corrections Department conducting a pre-sentence investigation on the impact of crime.
6. The right to receive information about the Texas Crime Victim's Compensation Fund that provides financial assistance to victims of violent crimes and if you so request, referral to available social service agencies that may provide additional help.
7. If you so request, the right to be notified of parole proceeding by the Victim Services Section of Pardons and Paroles Division, the right to participate in the parole process by submitting a Victim Impact Statement or other information, and the right to be notified of the inmate's release.
8. The right to a safe waiting area before and during court proceedings.
9. The right to prompt return of any property that is no longer required as evidence.
10. If you so request, the right to have the prosecutor notify your employer that the need for your testimony may involve absence from work.
11. The right to have a law enforcement agency pay for medical examination for the victims of sexual assault and on request, the right to counseling regarding AIDS and HIV infection and testing for sexual assault victims.
12. The right to request victim-offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice.
13. The right to complete a Victim Impact Statement, detailing the emotional, physical and financial impact that the crime has had on you and your family and to have that statement considered by the judge at sentencing and by the Parole Board prior to taking any parole action.
14. As a victim of sexual assault you have the following rights:
 - A. The right to a forensic medical examination, if the sexual assault is reported to law enforcement within 96 hours.
 - B. Have an advocate or representative present during the forensic medical examination.
 - C. To choose a pseudonym (a set of initials or a fictitious name) to be used instead of the victim's name to designate the victim in all public files and records.

Notes

NOTE: Article 56 states a judge, attorney for the state, peace officer or law enforcement agency is not liable for a failure or inability to provide a right enumerate in this article.

Victim Assistance Services

The Victim Assistance Program has been implemented to provide assistance to crime victims and their families. Services provided include:

- Crisis counseling/short term counseling to victims and their families
- Criminal Justice Support : criminal justice system information, referral to assigned detective, status of case information, arrest notification, court accompaniment
- Information and referral to local social service providers
- Notification and assistance in filing for Crime Victim's Compensation
- Assistance with evidence return
- Personal advocacy
- Training for police officers, community groups and other agencies

Victim Information and Notification

Everyday (VINE)

Call VINE 24 hours a day for information on county jail status and court events. Make Texas VINE part of your safety plan. The suspect/offender will not know you are registered with Texas VINE. However, do not depend only on Texas VINE or any single program for your protection. Texas VINE (877) 894-8463 or www.vinelink.com

Crime Victim's Compensation

Code of Criminal Procedure, Texas Crime Victims' Compensation Act, Chapter 56, Subchapter B

Purpose: To compensate residents of the United States who suffer personal injury, family violence or death as the result of a violent crime, including DWI, Failure to Stop and Render Aid, and certain other vehicular crimes.

Administered by: The Attorney General's Office, Crime Victim's Compensation Division, Austin, Texas.

Crime Victim's Compensation

P.O. Box 12198, Austin, Texas 78711-2198

www.oag.state.tx.us (800) 983-9933

Crime Victim's Compensation is available to pay the amount of expenses reasonably and necessarily incurred for:

- Medical, counseling, prescription and rehabilitative services
- Partial loss of earning because of a disability resulting from personal injury;
- Child care for minor children to enable a victim or spouse of a deceased victim to continue employment;
- Certain funeral and burial expenses
- Reasonable costs associated with crime scene cleanup; and
- Reasonable replacement costs for clothing or bedding taken as evidence or made unusable as a result of the criminal investigation.

Reimbursement for property damage or loss is not an eligible expense.

In order to qualify for Crime Victim's Compensation:

1. The crime must be reported to law enforcement within 72 hours of the commission of the crime unless there is justified extraordinary circumstance.
2. Claim must be filed within one year unless good cause can be shown as why the claim was not filed.
3. The victim must cooperate with law enforcement and prosecution efforts.
4. The victim must be the innocent victim of a violent crime who suffers personal injury.

Crime Victims' Compensation is "payor of last resort"

The Crime Victims' Assistance program can assist you in applying for benefits from Crime Victims' Compensation (CVC). Upon request, we will provide you with the claim form, will send the claim form and required documentation to CVC, and notify service providers that a claim has been applied for and is pending. Please allow us to assist you in obtaining these benefits if you feel you may qualify.

Investigation & Prosecution

1. **Complaint & Affidavit:** Formal allegation and sworn statement by victims and witnesses as to what happened. Possibility that complaint may not be accepted and no further charges will be pursued by the State.
2. **Victim Impact Statement:** A Victim Impact Statement (VIS) can be made in person in front of a defendant after sentencing has been imposed in open court. This is your opportunity to speak to the defendant about the impact of what has happened to you. If the offender is later sent to prison and considered for parole, your VIS will be considered then too. Contact the prosecuting attorney's office and request a VIS if you did not receive one.
3. **Magistrate:** Official with limited judicial authority. Decides if there appears to be enough evidence (probable cause) to continue to detain an accused and/or set a bond amount.
4. **Grand Jury:** Jury which decides if there appears to be enough evidence to indict (formally charge) the accused of a felony offense.
5. **Indictment:** Formal charging document handed down by the Grand Jury charging the accused with the offense.
6. **No Bill:** Decision that there is not enough evidence to make an indictment.
7. **Arraignment:** Defendant brought before the court, advised of charges and rights, bail set if applicable (bail is an amount of money set by the court that if the defendant can pay it, enables the defendant to get out of jail while waiting to go to trial); and lawyer for the defendant is appointed, if applicable.
8. **Pre-Trial:** A court hearing to make certain decisions relating to a trial on a date before the trial.
9. **Pre-Trial Supervision** – In some instances the court may place the defendant under supervision of the Community Supervision and Corrections Department (adult probation dept.) or another appropriate agency while awaiting trial. Specific conditions are assigned which must be followed by the defendant.
10. **Plea Bargain:** An agreement between the prosecution and the defense as to what punishment will be entered against the accused. If the judge agrees with the arranged plea bargain, there is no trial.
11. **Pre-Sentence:** A pre-sentence investigation report (PSI) may be prepared before plea bargaining or before sentencing following a trial. The PSI provides information about the offender, the crime committed and the impact of the crime on the victim(s). You provided information to a community supervision officer about how the crime has affected you.
12. **Deferred Adjudication:** A defendant may be placed under supervision and required to complete certain conditions within a specified amount of time. If the conditions are met, the charges against the defendant are dismissed.
13. **Parole:** Early release from prison with supervision.
14. **Mandatory Released:** Required early release from prison with supervision. Most sentences have a period of time that when served, the inmate must be released with supervision.
15. **Community Supervision:** Commonly referred to as probation. A defendant is required to complete certain conditions within a specified amount of time and if completed successfully a defendant will not have to serve any time in jail/prison. Failure to complete conditions can result in the defendant being sentenced to serve a period of time in jail as a condition of being given community supervision.

Notice to Adult Victims of Family Violence

It is a crime for any person to cause you physical injury or harm even if that person is a member or former member of your family or household.

Please tell the investigating peace officer:

- 1) If you, your child, or any other household resident has been injured; or
- 2) If you feel you are going to be in danger when the officer leaves or later.
- 3) You have the right to:
 - i) ASK the local prosecutor to file a criminal complaint against the person committing family violence; and
 - ii) APPLY to a court for an order to protect you (*you should consult a legal aid office, prosecuting attorney or a private attorney*). You cannot be charged a fee by a court in connection with filing, serving or entering a protective order. For example, the court can enter an order that:
 - The abuser not commit further acts of violence;
 - The abuser not threaten, harass or contact you;
 - Directs the abuser to leave your household; and
 - Establishes temporary custody of the children and directs the abuser not to interfere with the children or any property.

