

RIGHTS AND SERVICES AVAILABLE TO VICTIMS OF CRIME IN PENNSYLVANIA

Police Department

Telephone Number

Incident Number

Contact Person

Agency



This notification form was created by the Pennsylvania Commission on Crime and Delinquency for Law Enforcement Officers to enable them to provide the notification of basic services to victims of crime as required by the Crime Victims Act (18 Pa.C.S. § 11.201 et. seq.).

PCCD Rev. 11/2004

The Crime Victims Act provides victims of crime with certain rights. These rights are identified within this booklet and are known as the Victims Bill of Rights. The Victims Bill of Rights outlines certain rights that victims of adult and juvenile offenders are eligible to receive. Some of these rights include the following:

- ★ To receive basic information about services that are available to help victims of crime;
- ★ To be notified of criminal and juvenile justice proceedings and to be accompanied to those proceedings;
- ★ To receive information about whether or not an adult offender received bail;
- ★ To receive information about whether the juvenile offender was held or released after the arrest and whether a petition alleging delinquency was filed;
- ★ To be notified of the escape of the offender from confinement;
- ★ In certain situations, to submit your opinion to the prosecutor's office or juvenile probation office prior to the reduction or dropping of a charge or changing of a plea;
- ★ To give your opinion prior to the sentencing of an adult offender or disposition of a juvenile offender
- ★ To receive notice of the final disposition of the case of a juvenile offender; and
- ★ To collect restitution and to receive assistance with applying for crime victims compensation.

For more specific and additional information on the rights given to victims of crime, please see pages 4-5 of this booklet or contact either the Victim/Witness Assistance Program or the Juvenile Court Victim/Witness Assistance Program for further information and/or explanation. The telephone numbers for both programs can be found on pages 6-7 of this booklet.

CRIME VICTIMS COMPENSATION PROGRAM

If the following applies to you, please contact the Crime Victims Compensation Program or the Victim/Witness Assistance Program listed in this brochure to see if you could be eligible to apply for Crime Victims Compensation.

Eligibility Requirements

- An injury resulting from an act occurring within Pennsylvania that is covered by the Crime Victims Act (all offenses in the Pennsylvania Crimes Code, certain Pennsylvania vehicular or watercraft offenses and federal offenses).
- The crime was reported to the proper authorities within 72 hours (unless good cause is shown for the delay).
- If the victim is under age 18 at the time of the occurrence in certain circumstances the timely reporting to proper law enforcement may be extended.
- The victim has cooperated with law enforcement and the courts.
- The claim is filed within two years of the date of the crime.
 - ✓ In cases of child abuse, filing time may be extended.
- The victim was not involved in criminal activity that caused the crime.
- The victim must have a minimum loss of \$100 (there is no minimum loss if you are age 60 or older).

This fund will not reimburse victims for:

- Pain and suffering.
- In most cases, stolen or damaged property (unless essential to basic bodily functions).

Awards

If the eligibility requirements are met, as a victim of a crime you or a family member may be eligible for specific awards. Compensation for medical expenses, counseling, loss of earnings, loss of support, funeral expenses, travel expenses, homecare/childcare and replacement services, relocation expenses, and costs associated with crime scene cleanup, may be considered in crimes resulting in injury or death. For further information regarding this program, please contact your local police department listed on the front cover or the: Office of Victims' Services, Victims Compensation Assistance Program at (800) 233-2339 or (717) 783-5153.

VICTIM'S RESPONSIBILITIES

In order for you to receive information and/or notice concerning your case, you must provide a valid address and telephone number to the requesting agency. You are also responsible for providing timely notice of any changes in that information. The information you provide is confidential and may not be disclosed to any person other than a representative of a law enforcement agency, prosecutor's office or corrections agency without your written prior consent. The victim's responsibility falls to the parent or legal guardian for child victims and to a surviving family member in the case of a homicide.

DOMESTIC VIOLENCE VICTIMS

If you are a victim of domestic violence, you have the right to go to court and file a petition requesting a Protection From Abuse (PFA) order which could include the following:

- 1) An order restraining the abuser from further acts of abuse;
- 2) An order telling the abuser to leave your household;
- 3) An order keeping the abuser from entering your residence, school, business or place of employment;
- 4) An order giving you or the other parent temporary custody of or temporary visitation with your child or children;
- 5) An order telling the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so;
- 6) An order telling the abuser to stop stalking or harassing you or other designated persons;
- 7) An order telling the abuser to give up any weapons used during the act of abuse; and
- 8) An order telling the abuser to pay reasonable losses suffered as a result of the abuse.

For more information, contact the Domestic Violence Program listed in this brochure.

VICTIMS' RIGHTS

The Crime Victims Act states that if you are a victim of crime in Pennsylvania, you have certain rights:

Victims of all crimes have the right:

- To be notified of basic information on available services;
- To be notified of certain significant actions within the criminal and juvenile justice systems pertaining to your case, including the granting or denial of bail to an adult offender, the detention or release of a juvenile, the filing of a petition alleging delinquency, and the escape and subsequent apprehension of an adult prior to trial or a juvenile prior to adjudication;
- To be accompanied to criminal and juvenile proceedings by a family member, a victim advocate or other support person;
- To give prior comment on the sentencing decision regarding an adult offender or the disposition of a delinquent child and upon request, to receive help in preparing oral and written victim impact statements that will be considered by the courts;
- To collect restitution and to receive assistance with applying for crime victims compensation;
- To be notified of an adult offender's transfer from a state prison to a mental health facility and the discharge, transfer or escape of the adult offender from that facility;
- To receive immediate notice of the release of an adult offender on bail who is incarcerated in a local prison for a violation of a Protection From Abuse (PFA) order or for a personal injury crime committed against the victim protected by the PFA;
- To have property returned that was seized as evidence but is no longer needed for prosecution; and
- To have notice and to provide prior comment on a judicial recommendation that the defendant participate in a motivational boot camp.

Victims of personal injury crimes have the additional right:

- To receive notice of the arrest of a suspect or the filing or forwarding of a complaint relating to the crime, including notification in 24 hours or less of a complaint alleging delinquency of a juvenile;
- Upon request, to receive notice when an adult offender is released from incarceration at sentencing;
- To receive notice of the opportunity to give prior comment on and receive post-sentencing decisions involving a release from a state prison, such as work release, furlough or parole;
- To receive notice of and provide prior comment on recommendations sought by the Department of Corrections that offenders participate in a motivational boot camp.

- To receive notice of the release of an adult offender from a local correctional facility including work release, furlough, parole, release from a boot camp or community treatment center placement and, upon request of the victim, to receive prior notice of the release of a juvenile offender from residential placement, a shelter or detention;
- To receive immediate notice of the escape of an adult offender and subsequent apprehension;
- Upon request, to receive notice of the filing, hearing or disposition of appeals; and
- To receive notice of the commitment to a mental health institution from a state or local correctional institution.

Victims of juvenile crime have the additional right:

- To receive prior notice of delinquency hearings and notification of hearings about transfer of a juvenile to and from criminal proceedings; and
- To receive notice of the details of the final disposition of a juvenile's case.

Victims of personal injury/burglary crimes have the additional right:

- To give prior comment on the potential reduction or dropping of charges or any changes of a plea in a criminal or delinquency proceeding, diversion of a case, including an informal adjustment or a consent decree.

Victims of personal injury juvenile crime have the additional right, upon their request:

- To receive notice prior of the release of a juvenile from residential placement, a shelter facility, or a detention center;
- To have the opportunity to submit a written objection prior to the transfer or release from a placement facility of a juvenile who has been adjudicated delinquent when such action is contrary to a previous court order or placement plan approved at a disposition review hearing;
- To be given immediate notice of a juvenile's escape from residential placement, a shelter facility or a detention center and subsequent apprehension;
- To submit written comment and oral testimony at a disposition review hearing; and
- To receive notice of the court's termination of supervision of the juvenile.

For additional information on the rights listed above, or if you have any questions, please contact either the Victim/Witness Assistance Program or the Juvenile Court Victim/Witness Assistance program listed in this brochure.

AGENCIES THAT CAN ASSIST YOU:

Victims Compensation Assistance Program:

Information and assistance with the claims process

Telephone Number: 1-800-233-2339 (in PA)
717-783-5153 (outside PA)
FAX: 717-787-4306

Victim/Witness Assistance Program:

Information on victims' rights and services in the criminal justice system and community

Agency: Victim/Witness Unit, Office of the District Attorney

Telephone Number: 610-278-3144
FAX Number: 610-278-3232

Juvenile Court Victim/Witness Assistance Program:

Information on victims' rights and services in the juvenile justice system and community

Agency: VW Unit (Juvenile Div.), Office of the District Attorney

Telephone Number: 610-278-6292
FAX Number: 610-278-6293

Domestic Violence Services:

Legal advocacy, counseling, and other assistance (see Page 3 of this Booklet)

Agency: The Women's Center

Hotline Number: 1-800-773-2424
FAX Number: 215-635-7347

Domestic Violence SHELTER:

Shelter, legal advocacy, counseling, and other services for adult female and child victims of Domestic Violence

Agency: Laurel House

Hotline Number: 1-800-642-3150 (toll free)

AGENCIES THAT CAN ASSIST YOU (con't):

Sexual Assault Services:

Counseling, advocacy, and services for adult and child victims of sexual assault

Agency: Victim Services Center

Hotline Number: 610-277-5200 or 1-888-521-0983 (toll free)

FAX Number: 610-277-6386

Homicide, Robbery, Assault and Burglary Services:

Counseling, advocacy, and services for victims and family survivors of homicide, robbery, assault, and burglary

Agency: Victim Services Center

Hotline Number: 610-ASSIST-1 (610-277-4781) or
1-888-521-0983 (toll free)

FAX Number: 610-277-6386

Drunk Driving Services:

Counseling, advocacy, and services for victims of DUI crashes

Agency: MADD (Mothers Against Drunk Driving)

Hotline Number: 1-800-948-MADD (1-800-948-6233)

FAX Number: 610-825-4903

Child Abuse Services:

Counseling, information and referral services for abused and neglected children

Agency: Office of Children & Youth

Hotline Number: 610-278-5800

FAX Number: 610-278-5898

Elder Abuse Services:

Counseling, shelter and protective services for victims age 60 and over

Agency: Office of Aging and Adult Services

Hotline Number: 1-800-734-2020

FAX Number: 610-278-3769