

VICTIM/WITNESS ASSISTANCE PROGRAM

The Victim/Witness Assistance Program was established to assist victims in understanding their rights as a victim of a crime and how the criminal court process works.

We recognize that being a victim or witness of a crime is a difficult and often traumatic experience. We will try to make the experience within the criminal justice system as comfortable as possible, while understanding the tremendous impact that any crime has on the personal life of the victim, witnesses and family members.

FREQUENTLY ASKED QUESTIONS

Q: Who is eligible for Victim/Witness services?

Any person who is a victim of a crime, a witness to a crime or a family member of a homicide victim. Our services are provided free of charge.

Q: How do I request Victim/Witness services?

Qualifying individuals may request services by calling our office at (608) 757-5569. Our office hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday.

Q: As a victim of a crime, how can I get information about the case?

Our office will send you initial notification regarding the case, however, following that initial notification, your rights are not automatically assumed and must be specifically requested.

Q: As a victim of a crime, can I file and/or drop charges?

No, the prosecutor has infinite discretion regarding the charging decision and proposed resolution.

Q: What are my rights as a parent of a minor victim?

Parents of minor victims are considered statutory victims of the crime and can exercise the same rights, until the minor reaches the age of 18.

Q: As a victim of Domestic Violence (DV), can I request a change in bond conditions related to contact with the defendant?

A victim of a DV crime can complete the Waiver of No Contact Provision of Bond, through our county advocacy agencies. **However, the ultimate decision to modify bond is up to a Court Commissioner or Judge.** To fill out the Bond Waiver, please contact:

- ❖ YWCA Janesville, (608)752-2583
- ❖ Beloit DEFY Center, (608) 365-1119

Q: What if I'm served a subpoena?

A subpoena is a court order that requires a person to appear in Court. However, please contact the number listed on the subpoena if you have any questions.

Q: How do I get my property returned if it has been recovered by the police?

Recovered property may be needed as evidence if your case proceeds to trial and will not be available for release until the case is closed. If requested, you will be notified when your property is no longer needed.

Q: What if the defendant's investigator or attorney wishes to talk to me?

You are free to speak with them but you are also free to decline to answer their questions. Please be sure you know whom you are talking with.

CRIME VICTIMS' RIGHTS

AS A CRIME VICTIM, OR FAMILY MEMBER OF A HOMICIDE VICTIM, YOU HAVE A RIGHT:

(These rights include but are not limited to...)

- ❖ To receive information regarding the status of the investigation process. For questions, please contact the investigating law enforcement agency.
- ❖ To be notified of the criminal charges issued by the District Attorney's Office and the procedure for prosecuting those charges.
- ❖ To receive, **upon your request**, notice of the date, time and place of upcoming court proceedings.
- ❖ **To attend all court proceedings in the case.** If you are incarcerated, under arrest, committed to a treatment facility, and do not have a representative, the Court may require you to exercise this right by telephone or other available means.
- ❖ To have a Victim/Witness staff member accompany you to court.
- ❖ To have your rights enforced when the Court is deciding whether to grant a continuance of any hearing in the case.
- ❖ To request, in **certain cases**, an order by the Court for an offender to submit to a test for HIV and to be given the results *upon conclusion of the case*.
- ❖ To be provided a separate waiting area from the defendant.
- ❖ To be provided with appropriate documentation to ensure your employer or school will cooperate with your involvement in the criminal justice process.
- ❖ To participate in the Pre-Sentence Investigation process.
- ❖ To have, **upon your request**, an opportunity to speak with the prosecutor concerning the impact on you and the possible outcomes of the prosecution, including potential plea agreements and sentencing recommendations. Please Note: **The prosecutor has infinite discretion regarding the charging decision and proposed resolution. The final sentence is determined by the Court.**
- ❖ To provide a Victim Impact Statement (in person or in writing) to the court at sentencing.
- ❖ To a speedy disposition(outcome) of the case.
- ❖ To receive information concerning the disposition (outcome) of the case.

- ❖ To apply for restitution for losses as a result of the crime.
- ❖ To have your property returned to you as soon as it is no longer needed as evidence, upon conclusion of the case.
- ❖ To apply for financial assistance through the Crime Victim Compensation Program (CVC) and assistance in applying for it. This does not cover property losses.
- ❖ To contact the Department of Justice about any concerns you may have about your treatment as a crime victim.
- ❖ To file a 'Request for Remedy on Victim Rights Violation' should you feel your rights have been violated.