

HELP AVAILABLE TO VICTIMS OF CRIME IN PENNSYLVANIA

Kutztown Borough
Police Department
610-683-3545

Telephone Number

Police Incident Number

Contact Person

Agency



This form was created by the Office of Victims' Services in the Pennsylvania Commission on Crime and Delinquency to help assist Law Enforcement Officers to provide notice of basic rights and services to victims of crime as required by the Crime Victims Act (18 Pa.C.S. § 11.101 et. seq.). 4/09 rev

www.pacrimevictims.state.pa.us

Being a victim of crime can be very hard and confusing. People may tell you things that you do not understand. You might not be able to remember things. This is all normal. The legal system can be very hard to understand.

There are people to help you! They are called "victim advocates." They will help you for free, make things easier to understand, and answer your questions. They can help you in many other ways as well. Call them using the phone numbers on pages 9-10 to find out what they can do for you.

You may have heard that the person who committed the crime against you has "rights" under the law. You also have rights or things that must happen. This book describes them. Some of them are:

- ★ Be told about help you can get;
- ★ Be told about court hearings and have someone be with you at them if you want;
- ★ Be told if the person who committed the crime against you has been arrested;
- ★ Be told if the person who committed the crime escapes;
- ★ Tell how the crime has hurt you before the judge decides what happens to the person who committed the crime;
- ★ Have anything taken from you returned when it is not needed anymore for court;
- ★ Be told what happens at the end of your case; and
- ★ Be paid back by the person who committed the crime for money you lost.

There are many more "rights" that you have. They are listed on pages 6-8 of this book as they are written in the law. An advocate will be able to help you understand them and tell you which ones are for your case and which ones are not.

VICTIMS COMPENSATION ASSISTANCE PROGRAM

This program may be able to help by paying you back for money you had to pay or lost because of a crime. Compensation may be paid to you or others for medical expenses, counseling, lost work earnings, loss of support, funeral expenses, travel costs, childcare, stolen cash, relocation, the costs to cleanup a crime-scene and other expenses.

TO RECEIVE COMPENSATION, ★YOU HAVE TO:

- ① Be a victim of a crime that happened in Pennsylvania.
- ② Report the crime or file a Protection from Abuse Order (PFA) within three days.
- ③ Cooperate with the police, courts and the Victims Compensation Assistance Program.
- ④ File the claim within two years of the crime.
- ⑤ Not be involved in illegal activity that caused the crime to happen.
- ⑥ Lose at least \$100 because of the crime (if you are less than 60 years old).

★— *There are exceptions to the above requirements (especially if the victim is younger than 18 years old)*

This program will not reimburse you for:

- * Pain and suffering.
- * Stolen or damaged property (except some medical things).

REMEMBER, you or a family member may receive compensation even if you don't meet all of the above requirements. To see if you may be eligible or for help in filing a claim, please contact the Victims Compensation Assistance Program at (800) 233-2339.

The best way to file a claim is with the help of a victim advocate at one of the places on pages 9-10. You can also file a claim by yourself on the Internet. Just go to www.pacrimevictims.state.pa.us and click on "Financial Help."

There is no cost to file a claim!

WHAT YOU MUST DO

To get information about your case, you must give your address and telephone number to agencies that will assist you with your rights. You must also tell them if your address or telephone number changes. For child victims, the parent or legal guardian must do this. For a homicide, a surviving family member must do this. Only people who work for the police, district attorney (this may include Victim/Witness staff) or corrections department may see your address and telephone number. No one else will be given your address or telephone number unless you say it is okay in writing.

PA SAVIN: Pennsylvania's Victim Notification Service

A free and confidential service

You can register to be notified when a particular inmate is released, transferred or escapes from a county jail or state prison.

For more information or to register for a county jail, go to: www.pacrimevictims.state.pa.us and click on "PA-SAVIN", call 1-866-972-7284 or contact the Berks County District Attorney's Office Victim/Witness Unit at (610) 478-6000.

To locate an inmate in state prison, go to www.cor.state.pa.us and click on "Inmate Locator".

ADDRESS CONFIDENTIALITY PROGRAM (ACP)

If you are a victim of domestic violence, sexual assault or stalking and the person who committed the crime against you does not know where you have moved or where you are about to move, this program may be able to help you stay safe. To apply or to learn more about the program, call one of the programs listed on page 10 or the Office of the Victim Advocate at 1-800-563-6399.

PROTECTION FROM ABUSE (PFA) ORDER

If you are a victim of domestic violence, you have the right to go to court and file a PFA order which could include the following:

- 1) Restrain the abuser from further acts of abuse;
- 2) Tell the abuser to leave your household;
- 3) Keep the abuser from entering your home, school, or work;
- 4) Give you or the other parent temporary custody of or visitation with your child or children;
- 5) Tell the abuser to pay support to you and the minor children if the abuser has a legal duty to do so;
- 6) Tell the abuser to give up any weapons;
- 7) Tell the abuser to stop stalking or harassing you or other persons in your family; and
- 8) Tell the abuser to pay for your losses from the abuse.

To obtain a PFA order you must be:

- 1) A spouse or former spouse of the offender;
- 2) A parent of a common child of the offender;
- 3) A current or former sexual or intimate partner with the offender;
- 4) A child of the victim;
- 5) A child of the offender;
- 6) A family member related by blood/marriage to the offender;
- 7) A sibling (person who shares biological parenthood) of the offender; or
- 8) A current or former cohabitant (person who lives or lived with the offender.).

There are 3 types of PFA's:

- 1) Emergency - Monday - Friday 7:00 p.m. - 8:00 a.m., weekends and holidays. During this time you must go to Reading Central Court, 1st floor of the Berks County Courthouse. The emergency order is only valid for 24 hours.
- 2) Temporary - Monday - Friday at 8:00 a.m. - 2:00 p.m. During this time you must go to the PFA office on the 1st floor of the Berks County Services Center.
- 3) Final - a hearing date and time are set to finalize the PFA in front of a Court of Common Pleas Judge.

****Please note from the hours 2:00 p.m. - 7:00 p.m. you can call the PFA Office or Berks Women in Crisis for assistance.****

For more information, contact PFA Office at (610) 478-6208, ext. 5701 /ext. 5702 or Berks Women In Crisis at (610) 372-9540 (hotline) or (610) 372-7463 (Spanish speaking line).

VICTIMS' RIGHTS

Victim's Rights are found in many different laws. Here is a list of your rights. You do not have to do anything to get most of these rights. However, you must ask for the ones that are underlined.

If you are a victim of crime in Pennsylvania, you have the right:

- To be notified of basic information on available services;
- To be notified of certain significant actions within the justice system 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 at all 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 to receive help in preparing oral and written victim impact statements detailing the physical, psychological and economic effects of the crime that will be considered by the courts;
- To collect restitution and to receive assistance with preparing, submitting and follow-up with a claim for 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, parole, pardon or community treatment center placement;
- To receive notice of and provide prior comment on recommendations sought by the Department of Corrections that an offender 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;
- 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;
- To receive notice of the commitment to a mental health institution from a state or local correctional institution.
- To receive notice of the termination of the courts' jurisdiction.

Victims of crime committed by a juvenile 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 crime committed by a juvenile have the additional right, upon their request:

- To receive notice prior to the release of a juvenile from residential placement, a shelter facility, or a detention center;
- To be notified and 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; and
- To submit written comment and oral testimony at a disposition review hearing.

For more information or help in understanding these rights, please contact the Victim/Witness Assistance Program or Juvenile Court Victim/Witness Assistance Program listed on page 9. They will be able to help explain your rights, which can be hard to understand. They can also help you with any questions you may have.

LOCAL AGENCIES THAT CAN ASSIST YOU:

Victim/Witness Assistance Program:

Information on victims' rights and services when the offender is an adult (age 18 or over) in the criminal justice system and community

Agency: Berks County District Attorney's Victim/Witness Assistance Unit

Telephone: (610) 478-6000

Website: www.co.berks.pa.us/da

Juvenile Court Victim/Witness Assistance Program:

Information on victims' rights and services when the offender is under age 18 in the juvenile justice system and community

Agency: Berks County Juvenile Probation

Telephone: (610) 478-3200

Website: www.co.berks.pa.us/jpo

Domestic Violence Services:

Legal support, counseling, shelter, and other help (see page 5)

Agency: Berks Women in Crisis

Hotline Number: (610) 372-9540

Spanish Hotline Number: (610) 372-7463

Website: www.berkswomenincrisis.org

Sexual Assault Services:

Counseling, support, and help for sexual assault victims, their family members and others close to them

Agency: Berks Women in Crisis

Hotline Number: (610) 372-9540

Spanish Hotline Number: (610) 372-7463

Website: www.berkswomenincrisis.org

Drunk Driving Services:

Counseling, support, and help for victims of DUI crashes and their families

Agency: Mothers Against Drunk Driving (MADD)

Telephone: (610) 372-6233

Website: www.madd.org

LOCAL AGENCIES THAT CAN ASSIST YOU (cont'd):

Homicide Services:

Counseling, support, and help for the families of murdered victims

Agency: Years of Tears

Telephone: (484) 818-1369 or (484) 818-1368

Website: www.yearsoftears.org

Child Abuse Services:

Counseling, information, and referral services for abused and neglected children and their families

Agency: Children and Youth Services

Telephone: (610) 478-6700

Website: www.co.berks.pa.us/cys

Case management, forensic interviews, and medical exams to assist sexually abused children and their families

Agency: Children's Alliance Center

Telephone: (610) 898-5437

Website: www.opphouse.org/CAC.htm

Elder Abuse Services:

Counseling, shelter, and protective services for older victims and their families

Agency: Office of Aging

Telephone: (610) 478-6500

Robbery, Assault and Burglary Services:

Counseling, support, and help for victims who were robbed, hurt or had their home broken into

Agency: Berks County District Attorney's Victim/Witness Assistance Unit

Telephone: (610) 478-6000

Website: www.co.berks.pa.us/da

Victims Compensation Assistance Program:

Information and help with money you lost and bills related to the crime

Telephone: (800) 233-2339

Website: www.dave.state.pa.us

RECEIPT OF INFORMATION

I received information on the basic rights and services available for victims of crime. My name and telephone number

_____ may

_____ may not

be provided to the appropriate agency or agencies on pages 9-10 that can provide assistance.

Name

Signature

Date

