
CRIME VICTIM INFORMATION

When a crime is committed, the defendant not only violates the law, but in many cases, violates an innocent person. Whether that person is physically harmed by the defendant, has property damaged, loses money or property, or is stripped of their sense of security and well being, that person is known in the criminal justice system as a victim.

Unfortunately, there are few protections the criminal justice system provides to crime victims. The prosecution of a criminal offense revolves solely around the defendant's guilt, and as the accused, the defendant is afforded many constitutional and statutory rights. There are times when the defendant can force the victim to have to do things – participate in the discovery process, testify at trial, or prove the amount of the damage they have suffered. Understandably, many victims struggle with the limited voice and rights they are given.

VICTIM RIGHTS

In recent years, the Iowa Legislature has established limited rights for crime victims. Victims of indictable offenses (all but simple misdemeanor offenses) are entitled to register as a victim. Registration must be made in writing and provided to our office. All information provided on the registration form is confidential, including the fact that a victim has registered. Once registered, you are entitled to receive information regarding the following:

1. the status of the investigation;
2. the date set for trial and any subsequent continuances or cancellations of trial;
3. the availability of assistance through the Crime Victim Compensation Program;
4. the details of any plea agreement;
5. the right to restitution for pecuniary loss resulting from the crime;
6. the right to make an impact statement at the time of sentencing; and
7. notice when/if the defendant is released on appeal bond.

Other agencies, such as the Clerk of Court, the Attorney General's Office, detention facilities, Department of Corrections, Board of Parole and the Governor would be required to give notification of other significant events, such as dispositional orders, appeals, release, transfer or escape from custody, and granting of parole or pardon.

Regardless of whether a victim formally registers, I am always happy to visit about any questions a victim has. Also, *every* crime victim has the following rights:

Victim Restitution. If the defendant is found or pleads guilty, the victim is entitled to victim restitution. Restitution can be ordered to reimburse for damages not paid by insurance or other sources. There is no ability for the criminal court to order punitive damages or damages for pain, suffering, mental anguish and loss of consortium. In order to submit an accurate amount to the Court, a victim must provide loss information to my office as soon as possible. If the defendant contests the amount of restitution, a hearing will be necessary.

Crime Victim Assistance. Victims may also qualify for assistance from the Crime Victim Compensation Program. This organization provides aid to eligible victims. There is an application process and eligibility criteria, so not every one qualifies. Due to recent budget cuts, funding may be limited. CVCP can be reached at 800-373-5044.

Victim Impact Statement. Victims of indictable offenses to which a defendant is found or pleads guilty are entitled to make a victim impact statement. The statement may be made to the Court either orally or in writing. Written statements must be submitted to the Court and defendant at least three days before the sentencing hearing, so they should be submitted to my office at least a week prior. The statement may include a description of economic loss, physical injury, changes in personal welfare or family relationships and/or

psychological assistance sought.

Assistance of a Victim Advocate. Victims of indictable offenses may request that a “victim counselor” be present at any proceedings related to the offense, such as investigations, pretrial hearings, trial and sentencing. A victim counselor is an advocate from a crime victim center, whose primary purpose is to render advice, counsel and assistance to the victim.

CONTACT WITH VICTIMS

If a No Contact Order was issued for a victim’s case, it is a crime for the defendant to contact the victim. If contact does occur, victims should contact law enforcement immediately to report it.

While preparing for trial, the county attorney may contact victims to advise of hearings or to make arrangements to prepare for a hearing, deposition or trial. If there is preference for mode of contact, the county attorney should be advised of that. Defense attorneys or investigators may also contact victims. Victims and witnesses are not obligated to talk to anyone without a subpoena, and are entitled to ask for identification and for the county attorney to be present during the conversation. It would be helpful to also notify the county attorney of the conversation. Victims who receive a subpoena should contact the county attorney to schedule a time to prepare for their testimony.

Unfortunately, there are instances when victims are threatened, harassed or approached to change their testimony by the defendant or family members or friends of the defendant. Even if there is not a No Contact Order, this is inappropriate and a crime on its own. If this happens, victims should contact their law enforcement agency immediately and the County Attorney. There are steps we can take to help protect victims.

VICTIM RESOURCES

Depending on the nature of the crime, there are many services available to assist crime victims. The following list is not all inclusive, but gives a starting point for victims to explore:

Crisis Intervention	641-424-9133 641-422-0618	Services for victims of domestic violence and sexual assault, including information and referrals, counseling and support groups, shelter and transitional housing, economic, court and medical advocacy and community education.
Iowa Legal Aid	800-392-0021	Legal assistance if intake criteria are met.
Sexual Assault Hotline	800-284-7821	Support, information and referral services for victims of sex offenses.
Legal Hotline of Older Iowans	800-992-8161	Offers advice to Iowans 60 years of age and older on non-criminal matters, such as health care, consumer, housing, employment, public benefits, individual rights and life planning issues.
Domestic Abuse Hotline	800-942-0333	Support, consultation and referral to local services.
Drug Abuse Center	866-242-4111	Access to treatment providers and prevention programs, and information about substance abuse, mental health, or problem gambling.
Teen Line	800-443-8336	Consultation and referrals for teens about health, eating/ weight, relationships with parents or friends, violence, AIDS/HIV, sexual relationship, birth control, pregnancy, stress or STDs./
Youth and Shelter Services	800-600-2330	Programs for children and young victims of physical and sexual abuse, neglect, emotional and mental problems,

		homelessness, pregnancy and parenting, substance addiction, and families experiencing conflict.
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If you suspect that someone is a victim of abuse, you may contact one of the following intake numbers to make a report:

Child Abuse Hotline	800-362-2178
Dependent Adult Abuse Hotline	800-362-2178
Iowa Department of Inspections & Appeals	877-686-0027 (for victims in care facilities)

The victim forms on this site are intended for victims of indictable offenses who are legally defined as a victim. If you have questions about any victim issues, including whether you are considered a victim, please contact our office at 641-923-4198.

VICTIM REGISTRATION FORM

State of Iowa v. _____
Case Number _____

In order to become a registered victim under Iowa Code Chapter 915, the victim must complete the following information and return it to:

**Karen Kaufman Salic
Hancock County Attorney
855 State Street
PO Box 70
Garner, Iowa 50438**

Registered victims receive notification of activities involving the suspect/defendant throughout the investigation, arrest, court or trial proceedings, incarceration, appeals, parole hearings and release.

IT IS THE VICTIM'S RESPONSIBILITY TO NOTIFY THE COUNTY ATTORNEY OF ANY CHANGES IN CONTACT INFORMATION

Victim's Name _____

Address _____

Home Phone _____ Work Phone _____

Special instructions for contacting victim: (i.e. best times to call, do not call at work, alternate numbers to leave messages) _____

Copies sent by the County Attorney to:

Clerk of Court Board of Parole Sheriff/Jail Dept. of Justice Dept. of Correctional Services

CRIME VICTIM STATEMENT OF PECUNIARY DAMAGES

State of Iowa v. _____

Case Number _____

Victim: _____

The following is a list of my out of pocket expenses not paid by insurance or Crime Victim Compensation Program.

1. _____ \$ _____

2. _____ \$ _____

3. _____ \$ _____

4. _____ \$ _____

Total \$ _____

I have received \$ _____ in reimbursement from insurance coverage.

I have received \$ _____ in reimbursement from the Crime Victim Compensation Program.

I have received \$ _____ in reimbursement from other sources.

Dated this _____ day of _____, 201__.

Victim's Signature

