

## LAW ENFORCEMENT VICTIMS' RIGHTS GUIDE

### A. PURPOSE

1. The **Law Enforcement Victims' Rights Guide**, Forms SP 7-004A and SP 7-004S (Spanish version), is used to provide a victim/witness of an investigated crime, as defined in AR 9-18, Victim/Witness Assistance, with information needed to contact the investigating member and applicable social services/organizations.
2. Pursuant to the provisions of Title 18, Crimes Code; Title 23, Domestic Relations; **and Title 42, Judiciary and Judicial Procedure**, the **Law Enforcement Victims' Rights Guide** shall be provided, in English or Spanish, in all cases of domestic violence/protection from abuse (PFA) order violations, **protection from intimidation (PFI) order violations, and sexual violence protection order (SVPO) violations**. The guide shall furnish a notice of rights, as well as a list of local services available to victims/witnesses of domestic violence/PFA order violations, PFI order violations, **and SVPO violations**.
3. The guide provides victims/witnesses with information relating to crime victims' compensation to which they may be eligible.
4. The guide also contains definitions, a summary of criminal procedures, and information which may be beneficial in other situations or incidents.

### B. SPECIAL INSTRUCTIONS

1. The **Law Enforcement Victims' Rights Guide** shall be completed and issued by the member conducting the initial investigation.
2. The guide shall be completed at the scene and furnished to the victim/witness of a crime as defined in AR 9-18.
3. On the page containing "**Your Local Service Agencies and How They Can Help You**," members shall enter the telephone numbers for **the applicable** social services and organizations.
4. Members shall request the victim/witness sign the "**Receipt of Information**." If the victim/witness refuses to sign, the member shall print "Refused," and enter the date. This page shall be detached from the guide and attached to the Station copy of the corresponding investigative report, **or scanned, uploaded, and appended to the**

**applicable General Offense (GO) Report in the Records Management System (RMS).** The report shall be annotated appropriately.

NOTE: When the **Law Enforcement Victims' Rights Guide** is issued in conjunction with a crash investigation involving a violation of Title 75, Vehicle Code, Section 3802, Driving under influence of alcohol or controlled substance, the completed **"Receipt of Information"** shall be attached to the Station copy of the corresponding Incident Report, Form SP 7-0050, **or scanned, uploaded, and appended to the applicable GO Report in the RMS.** The Incident Report **or GO Report** and corresponding TraCS Commonwealth of Pennsylvania Police Crash Report, Form AA-500 TX, shall be annotated appropriately.

C. BLOCK INSTRUCTIONS

1. **CAD/CASE NO.:** Self-explanatory.
2. **DATE:** Enter the date the incident is investigated.
3. **NATURE OF INCIDENT:** Self-explanatory.
4. **INVESTIGATOR:** Self-explanatory.
5. **BADGE NO.:** Self-explanatory.
6. **STATION:** Self-explanatory.
7. **TELEPHONE NO.:** Enter the area code and telephone number of the investigating member's assigned **Troop Headquarters/Station** or Bureau/Office.

PENNSYLVANIA STATE POLICE

# Law Enforcement Victims' Rights Guide

## RIGHTS AND SERVICES AVAILABLE TO VICTIMS OF CRIME IN PENNSYLVANIA



<b>INCIDENT INVESTIGATION INFORMATION</b>	
1. CAD/CASE NO.	2. DATE
3. NATURE OF INCIDENT	
4. INVESTIGATOR	5. BADGE NO.
6. STATION	7. TELEPHONE NO. - -
<p><b>SHOULD YOU OBTAIN ANY INFORMATION WHICH WOULD AID OR RELATE TO AN INVESTIGATION, IF YOU HAVE BEEN INTIMIDATED OR THREATENED AS A RESULT OF AN INVESTIGATION, OR IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT THE STATION AT THE TELEPHONE NUMBER SHOWN ABOVE.</b></p>	



# PENNSYLVANIA CRIME VICTIMS

The following information provides general information on your rights as a crime victim and services available to assist you through the aftermath of the crime. A victim advocate is available to help you know and understand your rights, connect you to available services such as counseling, and assist you in applying for financial assistance with medical bills and other expenses. Because your case may involve interaction with many state and local agencies, an advocate will provide you with support and guidance as well as help you understand the legal system and what happens next in the process.

## Victims Compensation Assistance Program

You may be eligible to receive financial help with expenses directly related to the crime (e.g., medical and counseling expenses, loss of earnings, loss of support, stolen cash, relocation, funeral or crime scene clean up). A compensation form is attached.

## Offender Release Notification

You can register to receive free, automatic, confidential notifications regarding your offender while he/she is under the supervision of county jails, state prisons, or state parole. To learn more and to register, call 1-866-9PA-SAVIN (1-866-972-7284).

## Your Rights as a Crime Victim

- You have the right to receive information about basic services, including your eligibility to receive financial assistance.
- You have the right to provide input into the sentencing and post-sentencing decisions as well as on the offender's release, parole, community treatment, work release, etc.
- If the abuser named in the Protection From Abuse (PFA) order is jailed for either a violation of the order or for a personal injury crime against a victim protected by the order, then you have the right to receive immediate notice of his or her release on bail.
- You have the right to know the details of the final outcome of your case.
- You have the right to be accompanied to all criminal court proceedings by a family member, a victim advocate, or a support person.
- You have the right to be informed about the offender's status, including bail, escape, release, and arrest.
- You have the right to receive help in preparing an oral and/or written victim impact statement.

**For more information on your rights, please visit [www.pacrimevictims.com](http://www.pacrimevictims.com) or call any of the local victim service providers listed on this form.**

[www.pacrimevictims.com](http://www.pacrimevictims.com)

## Court Notifications

If the crime in which you were a victim is being prosecuted by the district attorney's office and you would like to be notified as the case moves through the system, please inform your advocate.

## Address Confidentiality Program

You may be eligible for enrollment in the Address Confidentiality Program (ACP) if you are a victim of domestic violence, sexual assault, or stalking. For more information about ACP, contact your local victim service program or call the ACP at 1-800-563-6399.

## Rights of Domestic Violence Victims

If you are the victim of domestic violence, you have the right to go to court and file a petition requesting an order for protection from domestic abuse pursuant to the Protection From Abuse Act (23 Pa.C.S. Ch. 61) which could include the following:

- An order restraining the abuser from further acts of abuse.
- An order directing the abuser to leave your house.
- An order preventing the abuser from entering your residence, school, business, or place of employment.
- An order awarding you or the other parent temporary custody of or temporary visitation with your child or children.
- An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

## Protection of Victims of Sexual Violence or Intimidation (PSVI) Act

The PSVI Act (42 Pa. C.S. § 62A) provides victims of sexual violence or intimidation with the right to ask for a court order that requires the offender to stay away from the victim, whether or not the victim seeks criminal prosecution.

The PSVI Act includes two types of court orders:

A **Sexual Violence Protection Order (SVPO)** can be requested for adult and minor (children younger than age 18) victims of sexual violence. SVPOs require the offender to stay away from the victim. Victims of sexual violence may be granted an SVPO in cases which do not involve a family/household or intimate relationship with the offender.

A **Protection From Intimidation Order (PFIO)** can be requested for minors (children younger than age 18) to protect them from harassment and stalking by an offender who is age 18 or older. PFIOs may be granted in cases which do not involve a family/household or intimate relationship with the offender.



# PENNSYLVANIA CRIME VICTIMS

Your Local Service Agencies and How They Can Help You

### Victim/Witness Assistance

For victims of crimes committed by an adult offender (age 18 and over), this office can provide you with information on your rights and how they can help you.

### Juvenile Court Victim/Witness Assistance

This agency can provide you information on victims' rights and services when the offender is under age 18 in the juvenile justice system and community.

### Domestic Violence

In addition to counseling, legal and medical advocacy, emergency shelter, and safety planning, this organization can help you file a Protection From Abuse (PFA) order. A PFA is a court order issued by a judge that can help provide protection to you and your children from an abusive person. Because filing a PFA can be different in each county, it is important for you to contact your local organization cited here. A hotline service is also available 24/7.

### Sexual Assault

Rape crisis centers provide 24-hour crisis hotlines, counseling, legal and medical advocacy, and accompaniment to the hospital, police, and court proceedings for victims of sexual violence and their significant others. All services are free, confidential, and available to adults, teens, and children of all genders. Your local sexual assault agency cited here can help you file a Sexual Violence Protection Orders (SVPO) if you have been a victim of sexual violence that was committed by someone who is not a family member or intimate partner.

### MADD-DUI

This agency can provide you counseling, support, information, and referral services for victims of DUI crashes and their families.

### Child Abuse

This agency can provide you counseling, information, and referral services for abused and neglected children and their families.

### Elder Abuse

This agency can provide you counseling, shelter, and protective services for older victims and their families.

### Protection From Intimidation Order

A Protection From Intimidation Order can be requested for minors (children younger than age 18) to protect them from harassment and stalking by an offender who is age 18 or older. Because filing for a Protection From Intimidation Order can be different in each county, it is important for you to contact the organization cited here for information on how to file for this order.

POLICE DEPARTMENT \_\_\_\_\_  
INCIDENT NUMBER \_\_\_\_\_  
OFFICER NAME \_\_\_\_\_

VICTIM SERVICES \_\_\_\_\_  
DA OFFICE \_\_\_\_\_  
DATE \_\_\_\_\_



## Office of Victims' Services

**Mailing Address:**

P.O. Box 1167  
Harrisburg, PA 17108-1167

**Street Address:**

3101 North Front Street  
Harrisburg, PA 17110

**Phone and Fax Numbers:**

(800) 233-2339  
(717) 783-5153  
(717) 787-4306 (FAX)

**Website: [www.pacrimevictims.com](http://www.pacrimevictims.com)**

**You may either complete and mail this form to the address listed above  
or file online at <https://www.dave.state.pa.us/daveprod>.**

## Victims Compensation Assistance Program Short Form

*Please read the following before completing this form.*

**You may be eligible for compensation if:**

- The crime occurred in Pennsylvania.
- The crime was reported to the proper authorities within 3 days OR a Protection From Abuse order was filed within 3 days of the crime.
- You cooperate with law enforcement authorities investigating the crime, the courts, and the Victims Compensation Assistance Program in processing the claim.
- The claim is filed within 2 years after the discovery of the crime (there are exceptions when the victim is a child).
- You have paid or owe at least \$100 of any combination of the expenses listed below. If you are age 60 or over, there is no minimum loss requirement.

**You may be awarded compensation for:**

- Medical Expenses
- Counseling Expenses
- Loss of Earnings
- Loss of Support
- Relocation Expenses
- Funeral Expenses
- Crime-Scene Cleanup
- Transportation Expenses
- Childcare
- Home Healthcare Expenses
- Stolen Cash (If your main source of income is Social Security Retirement, Disability Income, Supplemental Income, Survivor Benefits, Retirement/Pension(s), Disability or Court-Ordered Child/Spousal Support.)

An overall maximum award shall not exceed \$35,000; however, certain benefits, such as counseling and crime-scene cleanup, may be paid over and above the maximum. Monetary limits apply to most benefits.

**The Program does not cover:**

- Pain and suffering.
- Stolen or damaged property (except replacement of stolen or damaged medical equipment).

A claim may be determined ineligible or an award may be reduced if the conduct of the victim contributed to the injury.

# Victims Compensation Assistance Program Short Form

Your cooperation with the Program and the submission of complete and accurate information will assist us in processing your claim in a timely manner.

**IMPORTANT NOTE:** You do not have to wait until the trial is over or all of your bills are received to file a claim. You may file a claim if there is no known offender or if an arrest has not been made.

## General instructions for submitting your claim:

- Please print clearly.
- Complete only those sections that apply to your claim.
- Provide an accurate address and a safe phone number where you can be reached during the day.
- Provide as many of the requested documents as you can when filing your claim. You may submit your claim even if you do not have all the required documents. The Program may request additional information once the claim is received.
- Sign the **Acknowledgement and Reimbursement Agreement** and the **Authorization to Obtain Information** sections on the back of the claim form.
- If you would like assistance in filing your claim you may contact the Victim Service Program listed on the back of this form. If no agency is listed, you may contact the Victims Compensation Assistance Program at (800) 233-2339 for assistance.

**Please Note: It is important that you inform the Program if you change your address or phone number. To process your claim, we must be able to contact you.**

The Victims Compensation Assistance Program is the payer of last resort. This means your award will be reduced by the monies you receive from any other source as a result of the crime, such as insurance, restitution, and civil suit settlements, including monies received for pain and suffering.

***We will make every effort to process your claim as quickly and efficiently as possible.***

Date claim mailed \_\_\_\_\_ (keep this page for your information.)

Cut along this line and maintain this portion for your records.

**Victims Compensation Assistance Program Short Form**

(For Official Use Only) Claim # \_\_\_\_\_

Please complete this entire section of the form. To process your claim, we must be able to contact you.

**Victim Information**

Male  Female

Name \_\_\_\_\_ Date of Birth \_\_\_/\_\_\_/\_\_\_ SS# \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
County \_\_\_\_\_ Safe Daytime Phone \_\_\_\_\_ Other Safe Phone \_\_\_\_\_

**Claimant Information**

If victim is the claimant, write "SAME." If someone other than victim is filing, complete the entire section.

Name \_\_\_\_\_ Date of Birth \_\_\_/\_\_\_/\_\_\_ SS# \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
County \_\_\_\_\_ Safe Daytime Phone \_\_\_\_\_ Other Safe Phone \_\_\_\_\_  
 Male  Female Relationship to Victim \_\_\_\_\_

**Crime Information**

Date of Crime \_\_\_/\_\_\_/\_\_\_ Date Reported to Police \_\_\_/\_\_\_/\_\_\_ or Date PFA filed \_\_\_/\_\_\_/\_\_\_  
Was this a crime of domestic violence?  yes  no Did the crime involve a motor vehicle?  yes  no  
Did the crime occur at work?  yes  no  
Location of crime (street name and number) \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ County \_\_\_\_\_  
Police Department \_\_\_\_\_ Police Incident # \_\_\_\_\_  
Person(s) who committed the crime \_\_\_\_\_  
Briefly describe crime and injuries: \_\_\_\_\_  
\_\_\_\_\_

Please complete the section(s) for the benefit(s) you are applying for and provide as much of the requested information that you can at this time. The Program may request additional information once the claim is received.

**Benefit: Medical/Counseling Expenses**

Did you incur medical expenses?  yes  no  
Did you incur counseling expenses?  yes  no  
*Provide itemized medical or counseling bills.*  
Do you have insurance to cover your medical/counseling expenses?  yes  no  
If **yes**, provide insurance benefit statements showing payment or rejection of payment for these bills.

**Benefit: Funeral Expenses/Loss of Support**

Did you incur funeral expenses?  yes  no  
Did you receive any monies due to the death? (Veteran's benefits, life insurance, Social Security)  yes  no  
Were you or others financially dependent on the deceased victim?  yes  no  
Provide copies of the itemized funeral bills/receipts and statements of any benefits received.

**Benefit: Loss of Earnings**

Did you miss work and lose pay?  yes  no  
Dates you missed work \_\_\_/\_\_\_/\_\_\_ to \_\_\_/\_\_\_/\_\_\_  
Employer's name, address, and phone number:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Doctor's name, address, and phone number who can verify you missed work because of the crime:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Benefit: Stolen Cash**

Did you have money stolen from you?  yes  no  
Amount of money stolen \$ \_\_\_\_\_  
One of the following benefits must be your main source of income to file for stolen cash. Check all that apply.  
 Social Security Benefit  Retirement/Pension(s)  
 Disability  Court-Ordered Child/Spousal Support  
Provide a copy of your monthly benefit statement for the month and year of the crime.  
Do you have homeowner's/renter's insurance?  yes  no  
If **yes**, provide a copy of your insurance declaration page.  
Are you required to file IRS tax returns?  yes  no  
If **yes**, provide a copy of your most recent tax returns.



## Victims Compensation Assistance Program Short Form

### Acknowledgement and Reimbursement Agreement

*The Acknowledgement and Reimbursement Agreement must be signed before the claim verification process will begin.*

My signature below signifies I understand each of the following statements or points of law:

The decision to approve my claim is that of the Program's. I may object to all or part of the Program's decision in writing within 30 days from the date of the decision. I must prove the exact amount of my losses before the Program will consider awarding compensation from the Crime Victims Compensation Fund. I may file for reimbursement for additional expenses incurred relating to the crime. My claim may be denied if I do not cooperate fully with law enforcement agencies, the courts, and the Program or maintain a valid address with the Program. If I were to make a false claim, it would be a criminal offense punishable as a misdemeanor under Section 11.1303 of the Crime Victims Act. If I were to make a false statement in this claim form with the intent to mislead the Program, it would be a criminal offense punishable as a misdemeanor under 18 Pa. C.S. 4904.

I understand that the Crime Victims Compensation Fund is the payer of last resort. I specifically agree to inform the Program of and repay to the Commonwealth any funds that I may receive from any other source that has not already been considered, as a result of the crime and to the extent of the award. That is, I agree to repay any funds that I receive from the offender, any other person or source, which compensates me for the injury I suffered, including any award for pain and suffering. I further agree that if the claim is at any time determined to be in error, false or fraudulent, I will refund to the Program all sums of money paid by the Program.

X \_\_\_\_\_  
 Claimant's Signature Date

### Authorization to Obtain Information

*This Authorization to Obtain Information must be signed before the claim verification process will begin.*

I hereby authorize, in accordance with the privacy regulations under HIPAA (the Health Insurance Portability and Accountability Act, 42 USC § 1320d et seq.) any hospital, physician, health care provider or other person who attended or examined (print name of victim) \_\_\_\_\_; any funeral director or other person who rendered related services; any employer of the victim or claimant; any police or governmental agency, including state or federal taxing authorities; any insurance company; or any organization having relevant knowledge, to furnish to the Office of Victims' Services, Victims Compensation Assistance Program, any and all information in their possession with respect to the crime that is the basis for this claim. Copies of this authorization may be used in place of the original.

X \_\_\_\_\_  
 Claimant's Signature Date

### Representation by Others

Are you represented in this matter by an attorney:

In filing this compensation claim?  yes  no      In a civil lawsuit?  yes  no      In an insurance action?  yes  no

### Referral

Who referred you to the compensation program?       Hospital       Prosecutor       Poster/Brochure  
 Police       Victim Service Program       Other (Identify) \_\_\_\_\_

### Victim Service Program Information

For assistance in filing your claim, please call the agency listed here.  
 If no agency is listed, please call (800) 233-2339 for assistance.

### Victim Statistical Information

The following information is used for statisticcil purposes only. This section is strictly voluntary.

Race:  
 White     Black     Hispanic     American Indian/Alaskan Native     Asian/Pacific Islander     Other

Country of Birth \_\_\_\_\_

Do you have a disability?  
 Yes     No    If yes, nature of disability:     Physical     Mental     Developmental Disability

#### Mailing Address:

P.O. Box 1167, Harrisburg, PA 17108-1167

#### Street Address:

3101 North Front Street, Harrisburg, PA 17110

Phone and Fax Numbers:    (800) 233-2339    (717) 783-5153    (717) 787-4306 (FAX)



# PENNSYLVANIA CRIME VICTIMS

## Receipt of Information

I acknowledge receiving my basic rights as a crime victim  
and information on related services available to me.

\_\_\_\_\_  
NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
DATE

\_\_\_\_\_  
INCIDENT NUMBER

\_\_\_\_\_  
SAFE CONTACT NUMBER

(The completed and signed copy of this form  
shall be retained by Law Enforcement.)