

VICTIM RIGHTS



- **A victim has the right** to be treated with fairness, dignity & respect throughout the criminal justice process.
- **A victim has the right** to be informed, upon request, when a person who is accused of committing or convicted of committing a crime perpetrated directly against the victim, is released from custody or has escaped. This includes release or escape from mental health facilities.
- **A victim has the right** to have the victim's safety considered in determining release from custody of a person accused of committing a crime against the victim.
- **A victim has the right** to information, upon request, about the disposition of the criminal case involving the victim or the conviction, sentencing & release of a person accused of committing a crime against the victim.
- **A victim has the right** to be heard at any proceeding involving sentence or a post-conviction release decision. A victim's right to be heard may be exercised at the victim's discretion, through an oral or written statement or submission of a statement through audiotape or videotape.
- **A victim has the right** to make a written or oral statement for use in preparation of the pre-sentence report. The victim also has the right to read pre-sentence reports related to the crime committed against the victim in order that the victim can respond to the pre-sentence report.
- **A victim has the right** to confer with a representative of the prosecuting attorney's office after a crime allegedly

Effective July 1, 20-02, IC 35-33-1-1.5 requires a law enforcement officer responding to the scene of a crime involving domestic or family violence to give the victim immediate & written notice of the following rights provided by law under IC 35-40.

committed against the victim has been charged; before the trial of a crime allegedly committed against the victim; & before any disposition of a criminal case involving the victim.

This right applies to the following situations:
The alleged felony was directly committed against the victim

- The alleged felony or misdemeanor was an offense against the person, which includes crimes of Battery, Domestic Battery, Aggravated Battery, Battery by Body Waste, Criminal Recklessness, Intimidation, Harassment, Invasion of Privacy, or Pointing a Firearm and the alleged felony or misdemeanor was committed against the victim by a person who: is or was a spouse of the victim, or has a child in common with the victim.

- For other misdemeanors, a victim must file a request for notice, which includes a current telephone number & address.

- **A victim has the right** to pursue an order of restitution & other civil remedies against the person convicted of a crime against the victim.

- **A victim has the right** to be informed of the victim's constitutional & statutory rights.

- **A victim has the right** to continue renting an apartment or house. You may be a victim of discrimination under the Fair Housing Act if you are evicted because you called the police to your apartment to report domestic violence or evicted because the landlord knows you have been abused.

- **A victim has the right** to keep their employment if they are a victim of domestic violence. It may be a violation of the Title VII of the Civil Rights Act of 1964 to terminate an individual because they are a victim of domestic violence.

CONTACT US

EMERGENCY NUMBERS

Police Emergency	911
Dept. of Child Services	1 (800) 800-5556
Suicide Hotline	988
Rape Crisis Hotline	(260) 426-7273

IMPORTANT NUMBERS

Allen Co. Bar Assoc.	(260) 423-2358
Allen Co. Clerk & Protective Orders	(260) 449-7130
Allen Co. Sheriff	(260) 449-3000
Fort Wayne Police	(260) 427-1222
Indiana Legal Services	(260) 424-9155
Indiana State Police	(260) 432-8661
New Haven Police	(260) 748-7080
Prosecutor's Office	(260) 449-7641

COMMUNITY AGENT SUPPORT

Amani Family Services	(260) 484-1414
Center for Non-Violence	(260) 456-4112
CONNECT Allen County	(260) 901-5480
First Call for Help	211
FW Rescue Mission	(260) 426-7357
St. Joe Women's Shelter	(260) 426-7358
YWCA Women's Shelter	(260) 447-7233

NEED A PROTECTIVE ORDER?

You can file a petition for protective order from the Allen Superior Court at the Small Claims' Clerk's Office, on the 1st floor, 1 West Superior Street. Petitions for protective orders should be filed in the Clerk's Office during the following hours:

Monday – Friday
8:00am – 11:15am
1:00pm – 3:15pm

**THERE IS NO FEE
FOR FILING.**



Victim Assistance

FORT WAYNE POLICE DEPARTMENT



Victim Assistance

FORT WAYNE POLICE DEPARTMENT

1 East Main St • Fort Wayne, Indiana 46802
(260) 427-1205

www.fwpd.org/divisions/victims-assistance

Our Mission

Victim Assistance provides information, emotional support, advocacy, and guidance to individuals and families who have been victimized by crime. Victim Assistance will minimize re-victimization by providing advocates who will walk alongside victims as they navigate the criminal justice system.

Services

- Crisis Intervention & Support
- Information & Referrals
- Criminal Justice System Orientation
- Case Status Information
- Client Advocacy
- Assistance in filing for Restitution & Compensation
- Community Education
- Protective Order Information

We are here to help you! Call us when you, your child, a friend, or a relative have been the victim of:

- Domestic Battery
- Sexual Assault
- Battery
- Robbery
- Homicide or other crimes.
- *Remember, victims have rights too!*

Victim Advocates

Victim Assistance will provide services to victims of crime by assigning a Victim Advocate who will walk with you through the criminal justice system.

A Victim Advocate will:

- Evaluate the physical & emotional traumas suffered by victims as a result of a criminal act.
- Provide emotional support & refer the victim to appropriate community and/or private resources as needed, such as counseling, case management, etc.
- Guide & assist victims in dealing with the criminal justice system & offer support through a trial if there is prosecution.

While we receive referrals from the Fort Wayne Police Dept., Allen County Prosecutor's Office, the courts, other police, and community agencies, we also receive referrals from victims themselves.

You may call or walk in anytime between the hours of 8:00am – 4:00pm, Monday – Friday.

SAFETY PLANNING

During an explosive incident

- If you can't avoid an argument, move to another room with easy access to an exit – do NOT go to a room where weapons are accessible (bathroom, kitchen, etc.)
- Identify doors, windows, stairwells that offer the fastest way out of your home—practice routes if/when possible.
- Find neighbors you can tell about the violence & ask that they call police if they hear a disturbance.
- Devise a code word to use with your children, family, & friends when you need the police – DO NOT share with anyone outside of your "safe people".
- Use your own best instincts/judgement. Think of how best to keep safe until help arrives. If the situation is very dangerous, consider giving your abuser what they want to calm them down. You have the right to keep yourself safe until you are out of danger.

When preparing to leave

- Determine who will be able to let you stay with them or lend you money.
- Have a bag packed & ready. Keep it hidden, but easy to get to; for instance, at the house of a trusted friend/relative.
- Leave money, an extra set of keys, copies of important documents, extra meds & clothes with someone you trust so that you can leave quickly.
- Get info about protective orders from your local police department, Victim Assistance office, or court.
- Call a domestic violence hotline. They can help with support, information, & housing.
- Remember, leaving your abuser is the most dangerous time. Review your safety plan often so you know the safest way to leave.

In your home

- Change the locks & install safety devices on windows.
- Develop a safety plan & discuss it with your children.
- Review the plan often.
- Make sure your children's school, daycare center, or camp knows who has permission to pick up your children.
- Tell your neighbors & landlord that your partner no longer lives with you & ask them to call the police if they see that person near your home.
- Before you get back into a potentially abusive relationship, discuss alternatives with someone you trust.

In public or at work

- If you have a protective order, keep it with you at all times.
- Call the police if the abuser violates the order.
- Inform building security & co-workers you trust about your situation. If possible, provide a photograph of the abuser to building security.
- Vary your routes to & from work & arrange for someone to escort you to your car or bus & wait with you until you are safely on your way.
- Plan what to do in various situations if your abuser confronts you (for example, in your car or on the bus).

What To Take When You Leave

Identification

- Driver's license
- Birth certificates for you & your children
- Social Security Cards
- Public Assistance Identification (proof of address)
- Work permits, green cards, passports, visas

Legal Materials

- Your protective order
- Lease, rental agreement, house deed
- Car registration & insurance papers
- Health & life insurance papers
- Medical records for you & your children
- School records
- Divorce & custody papers

Financial

- Money & credit cards
- Checkbooks, bonds, & money orders

Other

- House & car keys
- Medications
- Jewelry & other objects you can sell
- Address book
- Phone cards
- Pictures of you, your children, & your abuser
- Important telephone numbers & addresses



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