

## **The Rights and Roles of Victims of Crime: The Rights of Victims of Crime – Part Two**

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### **Introduction**

Welcome. This is the second half of a two-part video series intended to help victims of crime better understand the legal process. In this video, we will talk about your rights as a victim and the resources available to you. If you are looking for information on filing criminal charges, watch the first video in this series.

Before we move forward, it is important to remember that the victim is not a party to the criminal case. The two parties involved are the State and the defendant. The State prosecutes the charges. But, as the victim, you do have certain rights.

Let's discuss your legal rights and hiring representation.

### **Your Legal Rights and Hiring Representation**

You have the right to submit a statement to the court detailing the emotional, physical, and financial impact you have suffered as a direct result of the crime. This is called a victim impact statement.

You also have the right to hire a private lawyer. For instance, your lawyer may help you seek money for your financial losses. They can also submit an appeal if your rights are denied, and protect your privacy.

Some organizations focusing on victim's rights may provide free representation. For instance, the Maryland Crime Victims' Resource Center may be able to assist you. Visit [mdcrimevictims.org](http://mdcrimevictims.org) for more information. If you are a survivor of domestic violence, there are organizations that may be able to provide resources. To learn more, consult the tip sheet accompanying this video. You can find the link to the tip sheet on this video's webpage.

During the course of the case, there are a few ways you may receive information. Let's talk about the process of receiving information.

### **Receiving Information**

In Maryland, the District Court and the circuit courts are the trial courts. Both hear criminal cases. Which court the case is in may impact how you receive information. First, let's talk about circuit court cases. If you are a victim associated with a Maryland circuit court case, you have

the right to be notified about court proceedings. The State's Attorney will send you a document called, the Crime Victim Notification Request and Demand for Rights form. Keep an eye out for this in the mail. When you receive it, fill it out and return it to the State's Attorney's Office. If you submit this form, you will be notified about each court proceeding in the case, the terms of any plea agreement, and your right to submit a victim impact statement. The State's Attorney will also notify you of post-trial court dates, such as appeals and sentence reviews.

If your case is in a District Court or you do not receive a notification form, contact the State's Attorney's Office. Let them know that you want to receive notifications about your case.

You can also use something called VINE to receive notifications on court hearings as well as the offender's custody, parole, and probation status. VINE stands for Victim Information and Notification Everyday. Visit [vinelink.com](http://vinelink.com) or call 1-866-634-8463 to register.

Let's move on and talk about financial compensation.

### **Financial Compensation**

As a victim of a crime, you may have experienced a financial loss. You may have medical costs, damaged property, or loss of earnings. There are a few ways in which you may seek compensation. One way is through restitution. This is a financial compensation payment made by the person who committed the crime. This person is called the defendant. The court may

order the defendant in the criminal case to pay you or your insurance company. Restitution requires a court order. You or the State's Attorney may ask the court to order restitution.

Another way is to pursue a civil case to recover costs. If you file a civil case, you are a party to the case and responsible for preparing court documents, following court procedure and rules, and going to court. Talk to a lawyer to find out if you can file a case and how to do so. You may also want to watch the video [How to File a Small Claim](#).

Finally, you may submit an application to the Maryland Criminal Injuries Compensation Board.

The Board reviews requests for compensation. Awards cannot cover property damage or property loss. If you receive compensation elsewhere, such as through restitution or insurance, you will have to pay the Board back. Read more about the process and eligibility at [goccp.maryland.gov/victim-services/cicb/](http://goccp.maryland.gov/victim-services/cicb/)

Let's move on and talk about the Rights of Sexual Assault Victims.

### **Rights of Sexual Assault Victims**

Victims of sexual assault have certain rights under Maryland law. If you report a sexual assault, the police must offer you transportation to a hospital. At the hospital, certain medical costs are covered including gathering evidence of the assault, providing emergency treatment, and conducting follow-up testing. You may also ask the State's Attorney to request a court order for

HIV testing of the person who assaulted you. If you are a victim of sexual assault and need resources, contact the Maryland Coalition Against Sexual Assault at 301-328-7023 or visit [mcasa.org](http://mcasa.org).

I would like to take a minute and talk about resources for victims.

### **Resources for Victims**

The Maryland Crime Victims' Resource Center provides information and services for victims of crime. Visit [mdcrimevictims.org](http://mdcrimevictims.org). Many State's Attorney's Offices have services for victims as well. For more information on resources, view the tip sheet accompanying this video. The tip sheet is located on this video's webpage.

One last note. If you and the offender are family, spouses, sexual partners, or have a child in common, you may qualify to file a protective order. A protective order is a court order that may prohibit the offender from taking certain actions, such as contacting or abusing you. For more information visit [mdcourts.gov/dv](http://mdcourts.gov/dv).

We have covered a lot of information. Let's take a minute to review.

### **Review**

As a victim, you are not a party to the case but have certain responsibilities and rights.

Remember, if you want to receive information about the court case, provide the State's

Attorney with a notification request. You may be able to seek compensation through your

criminal case, or through another means. For victims of sexual assault, you have specific rights,

such as receiving medical treatment and testing.

I hope this has been helpful. Thank you for watching.