

## *Special Programs and Groups*

Specialized programs, such as rape crisis, domestic violence, and child abuse centers, can help you and your family with particular needs.

Victims advocacy groups have been formed to deal with specific types of crimes. Among the best known are Mothers Against Drunk Driving (MADD) and Parents of Murdered Children. The National Organization for Victim Assistance (NOVA) and the National Victim Center are national organizations dedicated to victims' issues.

## *Civil Lawsuits*

As a victim, you have the right to sue the criminal for damages in a civil suit. Sometimes you can also sue other parties that share the blame for your harm, such as property owners or government entities.

You may wish to contact an attorney to find out about:

- a possible lawsuit against the criminal
- the liability of persons other than the criminal
- restraining orders
- the time period during which your lawsuit must be filed (the "statute of limitations")
- collecting judgments
- attorney fees

For minor civil disputes, such as claims for small sums of money, consider suing in small claims court. Counties have small claims advisors to assist you with this type of suit, or you can call **1-800-VICTIMS** for more information.

To find an attorney in your community, look in the directory yellow pages under "Attorneys" or call your local lawyer referral service. If you can't afford an attorney, contact your local bar association's pro bono office or legal aid society.

## *Restitution and Sentencing*

In many cases, victims have the right to court-awarded restitution from the criminal to cover financial losses. If you're interested in restitution, contact the district attorney prosecuting the case or the local probation department.

In all felony cases and some misdemeanor cases, the probation department invites you to make a victim impact statement, which may include a description of financial losses and a request for restitution.

You have the right to appear at felony sentencing hearings to express your views on the crime and the appropriate penalty, including restitution.

You also have the right to appear at parole hearings before the Board of Prison Terms and the Youthful Offender Parole Board. Parole hearings for adult offenders are held only in certain cases involving life sentences.

To learn more about your rights concerning restitution and sentencing, call **1-800-VICTIMS**.

As you can see, California has many programs available to help you and your family cope with the problems of being a victim. And you have certain rights guaranteed by law. If you need more information on victims' rights and programs, call your local Victim/Witness Center or **1-800-VICTIMS**.

Since 1984, the non-profit Victims of Crime Resource Center has helped thousands of crime victims through its free **1-800-VICTIMS** service. Staff research and an extensive library on victims' issues keep the Center up to date on the latest developments in the field.

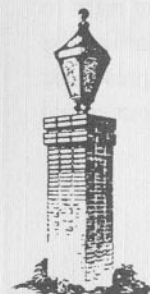
A project of UOP McGeorge School of Law's  
***Victims of Crime Resource Center***  
in cooperation with the  
California Office of Criminal Justice Planning

# The Rights of Crime Victims in California

*Information for  
crime victims,  
including programs  
and benefits*

*Prepared by the*

*Victims of Crime Resource Center*  
**1-800-VICTIMS**



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## **A NEW ERA FOR CRIME VICTIMS IN CALIFORNIA**

Crime victims are often forgotten by the criminal justice system. They also frequently experience difficult financial, psychological and legal problems as a result of the crime.

If you're a victim of crime, you should know that California has a network of programs and resources available to help you and your family cope with the problems of the crime. In addition, the Victims' Bill of Rights guarantees you certain rights.

Under California's Victims of Crime Act, you may receive compensation for certain losses resulting from crime. Local Victim/Witness Assistance Centers throughout the state offer a variety of services designed to assist you with problems related to the crime.

Private organizations, many of which were founded by victims, their families and other concerned citizens, are also available for assistance.

Under the Victims' Bill of Rights, you have the right to participate in the sentencing and parole phases of a criminal case. This right to speak out helps ensure that courts and parole officials will consider both your recommendations and the effects the crime had on you.

In addition, you may have the right to receive restitution (compensation paid by the criminal directly to you). Upon request, you also have the right to be notified if the criminal escapes or is released from prison.

### ***The Victims of Crime Act***

Many victims suffer serious financial harm as a result of crime. As a victim, you may qualify for compensation under California's Victims of Crime Act. Compensation awards pay for out-of-pocket expenses (those not fully covered by insurance, civil damages awards, or other compensation programs), including:

- medically related expenses
- psychological counseling
- lost wages
- funeral and burial expenses
- job rehabilitation

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

- you are injured as a result of a crime
- you depend on the victim for support
- you pay the medical or burial expenses of a victim who dies as a result of the crime
- you are a member of the family of a victim who is murdered or injured, and you need medical treatment or counseling as a result of the crime.

#### ***Other requirements:***

- You must file an application within one year of the crime (late claims may be accepted for up to three years for good reason).
- You must report the crime to the police and cooperate with them in the investigation and prosecution of the case.
- Your actions must not have contributed to the crime causing the injury.

☐ Note: Most property losses are **not** covered under the Victims of Crime Act.

#### ***How to apply:***

Contact your local **Victim/Witness Assistance Center** (listed under County Government Offices or Victim/Witness in your phone book, or call **1-800-VICTIMS**) or the State Board of Control, P.O. Box 3036, Sacramento, CA 95812-3036 (1-800-777-9229).

### ***Other Types of Compensation***

State compensation isn't the only government resource available to help crime victims. Victims may qualify for benefits under the following programs:

- Workers' Compensation
- Unemployment Insurance
- Aid to Families with Dependent Children
- Federal and State Disability Benefits
- Medi-Cal

You may also be eligible for compensation under private insurance policies, such as household and automobile liability insurance.

### ***Victim/Witness Assistance Program***

Most California counties have a Victim/Witness Assistance Center, which may be able to help you with many of the problems victims must deal with, including:

- help in filing compensation claims under the Victims of Crime Act
- referrals to community programs, including counseling, for help with specific problems
- guidance in dealing with the court process
- transportation to and from court, and even child care when you're in court
- emergency help in obtaining food, shelter, clothing
- assistance in recovering stolen property and obtaining restraining orders
- help in dealing with employers, medical care providers, and creditors.