

# Erie Police Department

## Victim Rights & Assistance



1000 Telleen Avenue  
P.O. Box 510  
Erie, Colorado 80516  
303-926-2800

**Victim Assistance: 303-441-3656**

**Date:** \_\_\_\_\_

**Case Report #:** \_\_\_\_\_

**Officer/Detective:** \_\_\_\_\_

**Defendant/Suspect:** \_\_\_\_\_

**Victim Advocate:** \_\_\_\_\_

The Erie Police Department is sorry to hear you have been the victim of a crime. This experience may have created stress, fear, or confusion for you, and we would like to offer our help with any problem(s) you may be experiencing as a result of this crime. This brochure is designed to inform and assist you with questions or concerns you may have.

# **Victims of the crimes specified within the Victim Rights Act have the right to:**

- Be treated with fairness, dignity, and respect.
- Be informed of all “critical stages” of the criminal justice process (victims of crimes must request notification, in writing, for post-sentencing critical stages).
- Prepare a victim witness statement.
- Be free from intimidation, harassment, or abuse and to be informed about what steps can be taken if he or she is subjected to intimidation, harassment, or abuse.
- Be informed about what steps can be taken including information about protection services, if there is any intimidation or harassment by a person accused or convicted of a crime or anyone acting on the person’s behalf.
- Be informed of the status of the case and any scheduling changes or cancellations.
- Be present and heard regarding bond reduction or modification, acceptance of plea agreement, sentencing, or modification of a sentence.
- Be informed of the existence of the criminal protection order and upon request of the victim, the procedure for modifying the protection order if a procedure exists.
- Have the victim’s social security number redacted or excluded from criminal justice document(s) when records are released to someone other than the victim, a criminal justice agency, or the defendant’s attorney of record.
- Be informed of the process the district attorney can use to request protection of the victim’s address (the court may or may not grant the request).
- Consult with the District Attorney prior to any disposition of the case or before the case goes to trial and be informed of the case disposition.
- Be informed of the status of the case and any scheduling changes or cancellations, if known in advance.
- Receive and prepare a victim impact statement and to be present and/or heard at the sentencing hearing.
- Be informed of the availability of financial assistance and community resources.
- Know the right to be informed about the possibility of restorative justice.
- Be provided with appropriate employer intercession services regarding court appearances and meetings with criminal justice officials.
- Have the court determine the restitution and be informed of the right to pursue a civil judgment.
- Be assured the court, prosecutor, and other law enforcement officials will take appropriate action to achieve a swift and fair resolution of the proceedings.
- Preview pre-sentence report at the discretion of the District Attorney.
- A safe and secure waiting area during court proceedings whenever practicable.
- Be notified of the referral of an offender to community corrections and to provide a written victim impact statement to the community corrections board and, if permitted by the board, to provide an oral victim impact statement. In addition, a victim has a right to provide a separate oral statement to the community corrections board if the board is considering a transitional referral from the department of corrections.
- Upon written request, be informed when a person accused or convicted of a crime is released from custody other than the county jail, is paroled, escapes or absconds from probation or parole.
- Be informed of the filing of a petition to cease sex offender registration.
- Prevent any party at any court proceeding from compelling testimony regarding a victim address, phone number, or place of employment.
- The right to be informed of any request from progression from the state mental health hospital and the right to be heard at any hearing regarding the request for progression.
- If unavailable for a proceeding to consider an offender for community corrections, the right to notify the board of the desire to make a statement through alternative means including, but not limited to, appear by phone or similar technology.

## **Victims of the crimes specified within the Victim Rights Act have the right to, continued:**

- Receive the prompt return of property when no longer needed as evidence.
- Be notified when the person accused of the crime is released from county jail and upon written request, when released from correctional facility.
- Upon written request, be informed of and heard regarding any reconsideration of sentence, parole or commutation of sentence hearing.
- Upon written request, be informed when a person convicted of a crime against the victim is placed in or transferred to a less secure correctional facility, program, or placed on a non-residential status, or is permanently or conditionally transferred or released from any state hospital.
- Be informed of the results of any court-ordered H.I.V. testing.
- Know the process for enforcing compliance with the Victim Rights Act.
- Be aware “Defense-Initiated Outreach” means any effort by the defense team. When any person attempting defense-initiated victim outreach contacts any victim of any crime, the person shall immediately provide full and unambiguous disclosure of:
  - » The person’s legal name; and
  - » The fact the person is acting as an agent for the person accused of the crime or for the defense team of such person
- Know all rights pursuant to the Constitution.

## **As a victim of one of the crimes specified in the Victim Rights Act, you may be entitled to the following services:**

1. Immediate crisis intervention and follow-up support;
2. Special services for juvenile, elderly, or disabled victims;
3. Referral to public and private individuals and organizations providing:
  - Medical and other emergency services
  - Mental health and social services
  - Financial assistance
  - Translation services
  - Intervention with creditors, landlords, and employers
  - Legal resources
  - Rehabilitative services
  - Transportation
  - Child care services
4. Information about obtaining public records, including police reports; and
  - Information about protective orders
  - Other support service
5. Advocates and Assistance.

# According to the Colorado State Constitution and the laws related to CRS Title 24 Article 4.1 part III, there are certain rights guaranteed to the victims of the following crimes:

- Murder / Manslaughter
- Criminally Negligent Homicide
- Vehicular Homicide
- 1st Degree Burglary
- Assault and Vehicular Assault
- Careless Driving resulting in the Death of Another Person
- Failure to Stop at the Scene of an Accident which results in the Death of Another
- Sexual Assault on an Adult or Child
- Sexual Exploitation of a Child
- Unlawful Sexual Contact
- Incest or Aggravated Incest
- Violation of a Protection Order issued under CRS 18-1-1001 in a Sexual Assault Case
- Indecent Exposure
- Child Abuse
- Kidnapping
- Human Trafficking
- Robbery
- Menacing
- Stalking
- Crimes Against At-Risk Adults or Juveniles
- Bias Motivated Crimes
- Crimes involving Domestic Violence
- Victim / Witness Intimidation
- Retaliation against law enforcement, prosecutor, judge or jury
- Retaliation Against or Tampering with a Victim of or Witness to a Crime
- Failure to Stop at the Scene of an Accident that results in serious bodily injury of another person
- Violation of a Protection Order issued against a person charged with stalking
- Posting a Private Image for Harassment or for Pecuniary Gain
- Any Criminal Attempt, Conspiracy, Criminal Solicitation, or Accessory involving any of the crimes specified above
- All other crimes as specified in CRS 24-4.1-302

## VICTIM COMPENSATION

### IF YOU ARE:

- » A victim of a violent crime
- » A dependent of a deceased victim or
- » A person authorized to act on behalf of a victim

You may be eligible for compensation for financial loss. To be eligible, you must have reported the crime to a law enforcement agency within 72 hours, or a good cause existed for delay. You must have cooperated with any investigation and you must apply within one year of the crime.

### A VICTIM MAY BE COMPENSATED FOR:

- » Medical and hospital expenses
- » Loss of earnings
- » Counseling
- » Funeral and burial expenses
- » Repair of residential doors, windows, or other security devices
- » Loss of medically necessary devices such as, eyeglasses or hearing aids
- » Outpatient care

This fund consists of money provided through fees levied against persons convicted of felonies, misdemeanors, and certain traffic offenses. Please contact the Victim Compensation Fund Office in your respective county to see if you qualify.

- » Boulder County Compensation: 303-682-6801
- » Boulder County Restitution: 303-441-3700

- » Weld County Compensation: 970-356-4010, ext 4746
- » Weld County Restitution: 970-356-4010

## GETTING PROPERTY BACK

After the court proceedings have been completed, you may contact Erie Police Property and Evidence at 303-926-2810 with your case report number to request your property be returned. If your property is no longer needed as evidence and is not contraband, you may make an appointment with the evidence technician to have your property released.

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## FOR FAMILY AND FRIENDS

Listen carefully and spend time with the traumatized person. Do what you can to help them feel safe and remind them confusing emotions are normal. Offer assistance with specific tasks or errands (victims often feel unfocused and unable to make decisions about tasks needing to be accomplished). Patiently offer options without taking control. Re-establishing control is an important part of the healing process for victims. Traumatized people are not comforted by statements such as, "you are lucky it wasn't worse". They may also feel blamed by questions like, "why were you there?" Instead, tell them you are sorry such an event has occurred. Reassure them it was not their fault.

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## POST TRAUMA

After some time has passed, it is possible to experience a full life after a crime or tragedy. As most people work through their feelings about the event, they begin to accept they did the best they could under the circumstances, and have renewed energy to focus on their lives again.

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## VICTIM & WITNESS REACTIONS

The initial shock following a crime, sudden death or other trauma is a harsh and painful reality for everyone involved. Some normal reactions are:

- Shock and disbelief
- Numbness
- Having unwanted memories
- Anxiety or panicky feelings
- Feeling "lost" or "out of it"
- Irritability (near tears or angry)
- Blaming or doubting oneself
- Thoughts like "If only I had..."
- Nightmares
- Sleep disturbances
- Feeling responsible for what happened
- Loss of appetite
- Anger
- Crying for "no apparent reason"
- Depression and sadness
- Re-living the trauma (flashbacks)
- Problems concentrating
- Losing interest in activities previously enjoyed
- Disruption of family life
- Withdrawal or isolation
- Unexplained headaches
- Nausea or physical pain, etc.

# RESOURCES TO HELP

- » Boulder County Victim Assistance: 303-441-3656
- » Weld County Victim Assistance: 970-397-5934

Along with providing advocacy and support, we can refer you to a variety of additional resources to meet your specific needs.

## MEDICAL:

- » Avista Hospital Emergency Room: 303-673-1111, 303-673-1090 (TDD)
- » Boulder Community Hospital Foothills Emergency: 720-854-7600
- » Clinica Campesina (charges based on ability to pay): 303-665-9310
- » Good Samaritan Exempla Hospital (Lafayette) Emergency Room: 303-689-6933
- » Longmont United Hospital Emergency Room: 303-651-5000
- » People's Clinic (charges based on ability to pay): 303-449-6050
- » Salud Clinic (charges based on ability to pay): 303-776-3250
- » Medical Center of the Rockies: 303-689-2500
- » The Children's Hospital: 720-777-1234

## 24-HOUR CRISIS LINE:

- » Mental Health Center Crisis Line: 303-447-1665, 303-443-2154 (TDD)
- » Safehouse for Battered Women - shelter available: 303-449-8623 (TDD)
- » Safehouse Progressive Alliance for Non-Violence: 303-444-2424
- » Rape Crisis: 303-443-7300
- » Longmont Coalition for Women - shelter available: 303-772-4422

## OTHER SERVICES:

- » Boulder County Social Services: 303-441-1000 or 303-441-1130 (TDD)
- » Weld County Social Services: 303-857-3028
- » Heartbeat - Support After a Suicide: 720-244-9052
- » Boulder County Hospice - grief counseling: 303-604-5323
- » Legal Services: 303-449-7575 (TDD)
- » Alcohol Recovery Center: 303-441-1281 (TDD)
- » Emergency Family Assistance: 303-442-3042
- » Boulder County Youth Services: 303-441-4357 (TDD)
- » Boulder City Mediation: 303-441-4364 (TDD)
- » Our Center: 303-772-5529
- » El Comite: 303-651-6125
- » Longmont Youth Services: 303-651-8580
- » Men's Center Boulder: 303-444-8064
- » Men's Center Longmont: 303-684-9065
- » MADD - Mothers Against Drunk Driving: 303-425-5905
- » POMC - Parents of Murdered Children: 303-772-6004
- » Protection Order Information: 303-441-3775
- » North Range Behavioral Health: 970-347-2120 or 303-857-2724
- » Suicide Education & Support: 970-313-1089
- » Weld County Department of Human Service: 970-353-3800
- » Boulder County Department of Human Services: 303-441-3525
- » United Way Information: 211

## CRIMINAL JUSTICE SYSTEM:

- » Boulder County Sheriff's Office: 303-441-3600
  - Detective Division: 303-441-3650
  - Property and Evidence: 303-441-3629
  - (TDD): 303-441-4444
  - Jail: .303-441-4650
  - Boulder District Attorney's Office: 303-441-3700
  - 1777 6th Street Division of Criminal Justice: 303-239-4442 (TDD)
  - Victim Witness Program/Director: 303-239-4442
  - Victim Compensation: 303-682-6801
  - Boulder County Coroner's Office: 303-441-3535
- » Erie Police Department
  - Dispatch: 303-441-4444
  - Records: 303-926-2800
  - Property and Evidence: 303-926-2810
- » Weld County Sheriff's Office, Greeley
  - Dispatch: 970-356-1212
  - Sub-station Longmont: 720-652-4200
  - Jail: 970-356-4015
- » Weld County District Attorney's Office, Greeley: 720-652-4200
- » Weld County Coroner's Office: 970-392-4545
- » Weld County Victim Services: 970-356-4015, ext 0
- » Weld County Victim Advocates: 800-436-9276
- » Weld County Victim Compensation: 970-356-4010, ext. 4746

## DEFENDANT'S RELEASE

If there has been an arrest and you would like to be informed when the suspect in your case is released from jail or juvenile detention, you must register for Colorado Vine.

Colorado Vine, COVINE, helps crime victims obtain information about the custody status of jail inmates under supervision in the Colorado county jails that are online with the system. Victims can register with COVINE to receive free, confidential, automated custody status updates on offenders.

To register for inmate information through VINE (Victim Information and Notification Everyday), go online at: [www.colorado-vine.com](http://www.colorado-vine.com) or call **1-888-263-8463**

Below are numbers for the specific facilities:

- » Boulder County Jail: 303-441-4650
- » Boulder County Juvenile Detention: 303-441-3978
- » Weld County Jail: 1-800-436-9276, ext 0
- » Weld County Juvenile Detention: 970-304-6220

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## ARREST INFORMATION AND REPORTS

To obtain a copy of your case report, call the Erie Police Department Records Section at 303-926-2800. You may come to the Records Section in person at 1000 Telleen Avenue, Erie, CO., between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday, to request a copy.

The cost of obtaining a copy of the report is \$1.00 per page, unless you are listed as a victim. Occasionally, state laws restrict release of certain types of crime reports. Call the Records Section to find out if you may have your specific report.

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## FOR YOUR PROTECTION

Intimidation, harassment and stalking are crimes. If you are being intimidated, harassed, or stalked, or if you feel you are in danger at any time, please call 911. Also available are:

**PROTECTION ORDERS:** A judge orders a person to have no contact with you. If this is in place and the person contacts you, they may be arrested. To obtain further information regarding a protection order, call 303-441-3775 for Boulder County Court, or 970-356-4000 for Weld County Court.

For crime prevention suggestions about how to be safer and make your home more secure, or to obtain information about Neighborhood Watch, call the Erie Police Department at 303-441-4444, and ask to speak with an officer.

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If all local efforts to obtain your rights have failed, you may request assistance from the Governor's Victim Coordinating Committee.

For additional information, call the Office for Victim's Programs at the Division of Criminal Justice: (303) 239-4442, or toll free at 1-888-282-1080.

# VICTIMS OF CRIMES IN WELD COUNTY

Victims of Crimes of Domestic Violence: It is very important to contact the District Attorney's VWU at 970-356-4010, Monday - Friday, the day following the incident.

## FIRST APPEARANCE/BOND HEARINGS

### COUNTY COURT BOND HEARING MISDEMEANORS

Monday - Friday • 1:30 p.m. • Weld County Courthouse  
Call the Victim Witness Unit at 970-356-4010 for courtroom and additional information.

### DISTRICT COURT BOND HEARING ANY FELONY CHARGE

Monday - Friday • 1:00 p.m. • Weld County Courthouse  
Call the Victim Witness Unit at 970-356-4010 for courtroom and additional information.

### WEEKEND BOND HEARINGS ARRESTS FRIDAY AT 6:00 A.M. - SUNDAY AT 6:00 A.M. 8:00 a.m. • North Jail Complex 2110 O Street Greeley, CO 80631

A Victim Witness Assistant with the Weld Sheriff's Office will be there to assist you.

For assistance or information, contact Weld County Victim Services at 970-397-5934 prior to court.

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## **MEDIA REQUESTS**

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News Media may wish to interview you regarding this incident.  
You have the right to refuse interviews.

You do not have to answer questions or speak with the media or private investigators.  
You may decide whether or not you want to be interviewed. If you choose to give an interview, please call your investigating officer. You will be provided important advice to protect the investigation.

**After conviction of a person for a crime, and upon written request of the victim, your state or local correctional authorities will notify the victim of:**

- The institution where the person is incarcerated or otherwise held;
  - The projected release date of the person;
  - Any early release of the person;
  - Scheduled parole hearings for the person and any changes in hearing schedules;
  - Any escape of the person;
  - Any release or discharge from confinement and the conditions of the release;
  - The right to be informed of the results of a probation or parole revocation hearing;
  - The right to be informed of the governor's decision to commute or pardon a defendant before such information is publicly disclosed; or
  - The death of the person while in a correctional facility or program.
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When a person attempting defense-initiated, victim outreach contacts any victim of any crime, the person shall immediately provide full and unambiguous disclosure of the person's legal name and the fact the person is acting as an agent for the person accused of the crime or for the defense team of such a person.

Victim Assistance can provide information and referral to the Colorado Address Confidentiality Program. This program provides relocated victims of domestic violence, sexual offenses or stalking with a means to prevent abusers and potential abusers from locating them through public records  
24-30-2101, C.R.S.

# NOTES...



# Erie Police Department

## Victim Rights & Assistance



[www.erieco.gov/police](http://www.erieco.gov/police)