

VICTIM RIGHTS AND ASSISTANCE



Victim Assistance
303-441-3656

Case Report # _____

Officer/Detective _____

Victim Advocate _____

We are sorry to learn that you have been the victim of a crime. This experience may have created stress, fear, and confusion for you. We would like to offer our help with any problems you may be experiencing as a result of this crime.

As a crime victim, you have certain rights. If you are a victim of one of the crimes listed in this pamphlet, your rights are guaranteed by the Colorado Constitution. This booklet is designed to inform you of your rights and to help you exercise those rights.

Please call our Victim Assistance office if you have any questions about your rights, your case, or would like to talk with someone about your concerns.

Notes: _____

Victim Services

After a crime, victims and witnesses often feel alone, isolated and helpless, unable to reach out for assistance. A victim assistance advocate can help victims and witnesses by providing the following services:

- **Crisis Intervention & Follow-up**

Advocates can assist you in sorting through the confusing feelings you may be experiencing right after the crime, as well as later on.

Advocates can help you regain control by helping you manage one item at a time.

- **Resources and Referral**

Advocates use both your own resources and community resources to build a strong network of support.

Many resources are available in the community, including but not limited to services for victims with special needs, counseling and community service agencies, transportation, child care and household assistance, assistance in dealing with creditors and translation services. Advocates can provide you with the necessary information to contact these resources.

- **Advocates and Assistance**

Advocates can assist and help guide you through the immediate crisis.

Advocates can explain how to obtain information about your case and what to expect from the Criminal Justice System.

If you are experiencing trouble with your employer as a result of this crime, with your permission, advocates may be able to talk to your employer on your behalf.

Victim and 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”
- Re-living the trauma (flashbacks)
- Problems concentrating
- Depression and sadness
- Losing interest in activities previously enjoyed
- Disruption of family life
- Withdrawal or isolation
- Unexplained headaches, nausea, or physical pain

As most people work through their feelings about the event, they begin to accept that they did the best that they could under the circumstances, and have renewed energy to focus on their lives again.

For Family and Friends

It is important to listen carefully and spend quality time with an individual who is traumatized. Do what you can to help them feel safe and remind them that their 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. Reestablishing 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 that you are sorry such an event has occurred. Reassure them that it was not their fault. Ask them to help you understand how they feel and what you can do to help.

Help victims find out what public services are available for them, and support them by accompanying them to any criminal justice proceedings.

Even if you weren’t the direct victim, remember that people who care about victims often become co-victims emotionally. Find people who can listen to and support you. Ask for help when you need it. **Victim Assistance, 303-441-3656**, can be a helpful resource for you also.

Remember, each victim and co-victim experiences crime and trauma and their consequences differently. Try to be patient with the different ways in which each person copes and the different rate at which we all heal.

Victims and witnesses of the crimes listed have a right to:

- Be treated with fairness, respect and dignity, and to be free from intimidation, harassment or abuse.
- Be informed about what steps can be taken for protection against intimidation and harm.
- As a victim or witness, the right to have your social security number excluded or redacted from a criminal justice document or record created or compiled as a result of a criminal investigation when the document or record is released to anyone other than the victim, the defense attorney or record, the defense attorney's agent, or a criminal justice agency.
- Be kept informed about various phases of their case, including investigation, filing of charges, prosecution, trial, and sentencing.
- Be present and provide information and input (written, in person, or by phone if unavailable to appear) into the criminal justice process, especially at key points such as bond hearings, plea-bargaining, sentencing, and parole release hearings.
- Restitution as a condition of sentencing or another civil remedy such as a civil lawsuit.
- The quick return of their property used for evidence when it is no longer needed.
- Notification from officials about arrest, release of defendants, time and location of legal proceedings, time and location of trials, continuances or delays in trial proceedings, sentencing and parole hearings.

- Be informed about eligibility for victim compensation, when applicable, and the right to be helped in completing application forms in a timely manner, when applicable.
- Employer intercession. (A person cannot be fired or displaced from a job for participating in an investigation or court process.)
- Information about victim assistance and other community resources.
- A quick and fair resolution.
- At the discretion of the District Attorney, to view all or a portion of the pre-sentence report of the probation department.
- Be informed of the results of any HIV testing that is ordered and performed.
- Receive information concerning any change in the status of a cold case and, upon written request, shall be provided with an update at least annually. *A cold case is defined as a felony crime reported to law enforcement that has remained unsolved over one year after the crime was reported to law enforcement, and for which the applicable statute of limitations has not expired.*
- 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 that the person is acting as an agent for the person accused of the crime or for the defense team of such a person.

Crimes with Constitutional Rights

The Constitution of the State of Colorado and the laws of this state guarantee rights to victims of the following crimes, or attempt of these crimes:

- Murder— 1st and 2nd degree
- Manslaughter
- Criminally negligent homicide and vehicular homicide
- Assault—1st, 2nd, 3rd degree assault, vehicular assault, assault on the elderly or handicapped
- Menacing
- Kidnapping—1st and 2nd degree
- Sexual assault, unlawful sexual contact on a child, on a child by one in a position of trust, and on a client by a psychotherapist
- Robbery—aggravated, aggravated of a controlled substance, of the elderly or handicapped
- Incest and aggravated incest
- Child abuse
- Sexual exploitation of children
- Crimes against at-risk persons
- Any crime which includes an act of domestic violence
- Stalking
- Ethnic intimidation
- Careless driving that results in the death of another person
- Failure to stop at the scene of an accident where the accident results in the death of another person
- Retaliation against a witness or victim
- Tampering with a witness or victim
- Indecent exposure

- Violation of mandatory protection order issued against a person charged with a sex assault
- Intimidating and aggravated intimidation of a victim or witness
- Burglary—1st degree
- Human trafficking
- Child prostitution
- Retaliation against a prosecutor, juror or judge
- Failure to stop at an accident that results in serious bodily injury
- Violation of a protection order issued against a person charged with stalking
- Posting a private image for harassment for pecuniary gain
- Any attempt, conspiracy, solicitation or accessory of the above listed crimes

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.

Post Conviction Victim Rights

After a suspect has been convicted of a crime against a victim, regardless of when the crime occurred and upon written request of that victim, state and local correctional authorities must notify the victim of:

- The institution where the person is incarcerated or otherwise being held.
- The projected release date of the person from confinement.
- Any release of the person including furlough, work release, or community corrections, in advance of the projected release date.
- Scheduled parole hearings for the person and any changes in hearing schedules.
- Any escape of the person from a correctional facility, program, or state hospital, and any subsequent recapture.
- A permanent transfer/placement in a non-secure facility.
- Any release or discharge from confinement of the person, or any decision by the governor to commute the sentence of, or pardon, such person.
- The death of the person while in a correctional facility or program.
- DNA testing ordered or performed to determine innocence of the person incarcerated.

In addition, upon request by the victim, correctional officials will keep confidential the addresses, phone numbers, places of employment, or other personal information about the victim or the victim's immediate family.

If you are contacted by anyone who works on behalf of the defendant's legal team, it is your right to be informed of that person's name and the fact that

they are working for the defendant. It is your choice whether or not to speak with a representative of the defendant's legal team.

Following a sentence to probation and upon the written request by a victim, the probation department shall notify the victim of the following information regarding any person who was charged with or convicted of a crime against the victim:

- The location and telephone number of the probation department responsible for the supervision of the person;
- The date of the person's termination from probation supervision;
- Any release of the person in advance of the originally imposed sentence;
- Any probation revocation or modification hearing regarding the person, and any changes in the scheduling of the hearing;
- Any change of venue, jurisdiction, or transfer of probation supervision from one jurisdiction to another;
- Any complaint, summons, or warrant filed by the probation department for failure to report to probation or because the location of a person convicted of a crime is unknown;
- The death of the person while under the jurisdiction of the probation department.

If you have any questions or concerns regarding your rights as a victim, call Victim Assistance at 303-441-3656 or the District Attorney Victim/Witness Director at 303-441-3700. If all local efforts to obtain your rights have failed, you may request assistance from the Governor's Victims Coordinating Committee. For additional information, call the Office for Victim's Programs at the Division of Criminal Justice 888-282-1080 or 303-239-4442.

Victim Compensation 303-682-6801

If you are:

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

You may be eligible to receive money to pay for expenses or damages.

To qualify, you must have reported the crime to a law enforcement agency, and the crime must have occurred in Boulder County.

Compensable losses include:

- Reasonable medical and dental expenses
- Mental health counseling and therapy
- Replacement or repair of prosthetic devices, eye glasses, hearing aids, dentures, and other medically necessary devices
- Lost wages / loss of support to dependents
- Burial / funeral expenses
- Outpatient care
- Homemaker and/or home health care services
- Property damage limited to \$1,000.00, for the repair/replacement of exterior windows, doors or locks of a residential home damaged by crime

Restitution 303-441-3700

In some cases, the court orders the defendant to pay the victim for property loss, damages, or other expenses incurred as a result of the crime.

Arrest Information and Reports

To obtain a copy of your case report, please contact the responding agency. If you are listed as a victim in the case, there is no cost for the report; otherwise, there may be a fee. State laws restrict the release of certain types of crime reports. More information is available from the Records Division of the agency handling your case.

Boulder County Sheriff's Office
Records Division (Monday-Friday, 7:30am-5:00pm)
5600 Flatiron Pkwy
Boulder, CO 80301
303-441-3600

Lafayette Police Department
Records Division (Monday-Friday, 8:00am-5:00pm)
451 N. 111th St
Lafayette, CO 80026
303-665-5571 x2

Louisville Police Department
Records Division (Monday-Friday, 8:00am-5:00pm)
992 West Via Appia
Louisville, CO 80027
303-666-8634

If there has been an arrest in your case, you can get information about the crime with which the defendant has been charged, bond information (the conditions under which the defendant can be released) and the next court date by calling the District Attorney's Victim/Witness unit at **303-441-3700**, Monday through Friday from 8:00 am. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. After hours and on weekends call Boulder County Jail booking at **303-441-4650**.

What Happens Next

After the initial report, a supervisor will review your case to determine whether or not there is enough evidence and/or leads to continue the investigation. If a decision is made to continue the investigation, an investigator or officer will be in contact with you. They may need to set up another interview with you at a later date to try to answer questions that come up as the case progresses. You will be told in person or by letter the status of your case. If you have questions about what is happening with the case during the investigation, call **Victim Assistance, 303-441-3656**.

If a crime was committed, and a suspect is arrested and charged, your case will be referred to the District Attorney. Keep in mind that it will not be your responsibility to decide whether or not charges will be filed. The law enforcement agency and the District Attorney's office will make decisions your case. Your input regarding the case after a suspect has been arrested is important and can be directed to the **District Attorney's Victim/Witness Unit, 303-441-3700**. They can also tell you what is happening with the case.

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:

- **Restraining Orders**, in which 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 get information on how to get a restraining order, call 303-441-3775.

- **Crime prevention suggestions** about how to be safer and make your home more secure. For information call your local police agency.
- **The Victim Assistance Program**, 303-441-3656, is available to provide, among other things, advocacy with landlords, referrals for self-defense courses and is available to discuss your concerns with you.

MEDIA REQUESTS - 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.

Getting Property Back

Once court proceedings are completed, if your property is no longer needed as evidence and it is not contraband, you can make an appointment with the evidence technician of the agency handling your case.

Boulder County Sheriff's Office

Property/Evidence

5600 Flatiron Pkwy, Boulder, CO 80301

303-441-3629

Lafayette Police Department

Property/Evidence

451 N. 111th St., Lafayette, CO 80026

303-665-5571 x1391

Louisville Police Department

Property/Evidence

992 West Via Appia, Louisville, CO 80027

303-335-4637

Resources to Help

Victim Assistance.....303-441-3656

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

Medical

Boulder Community Hospital Foothills

Emergency Room..... 720-854-7600

Avista Adventist Hospital

Emergency Room..... 303-673-1003

Exempla Good Samaritan

Medical Center ER 303-689-4444

Longmont United Hospital

Emergency Room..... 303-651-5000

People's Clinic (charges based

on ability to pay) Boulder 303-650-4460

Clinica Campesina (charges based

on ability to pay) Lafayette 303-650-4460

Salud Clinic (charges based

on ability to pay) Longmont 303-697-2583

24-Hour Crisis Lines

Colorado Crisis Services..... 844-493-8255

Mental Health Partners 303-447-1665

Safehouse Progressive Alliance

for Nonviolence (TDD) 303-444-2424

MESA Rape Crisis Team 303-443-7300

Safe Shelter of St. Vrain Valley..... 303-772-4422

Other Services

Boulder County Housing and

Human Services 303-441-1000

Halcyon Hospice (grief counseling)	303-329-0870
TRU Community Care (grief counseling)	303-449-7740
Colorado Legal Services	303-449-7575
Addiction Recovery Center	303-998-2381
Emergency Family Assistance Association (EFAA)	303-442-3042
OUR Center	303-772-5529
El Comite	303-651-6125
Longmont Youth Services	303-651-8580
Domestic Violence Protection Order Information	303-441-3775

Criminal Justice System

Boulder Sheriff's Office	303-441-3600
5600 Flatiron Pkwy, Boulder, 80301 Dispatch/Non-Emergency	303-441-4444
Lafayette Police Department	303-665-6531
451 N 111 th , St, Lafayette, 80026 Dispatch/Non-Emergency	303-441-4444
Louisville Police Department	303-666-6531
992 W Via Appia, Louisville, 80027 Dispatch/Non-Emergency	303-441-4444
District Attorney's Office	303-441-3700
1777 6th Street (TDD) Victim/Witness Boulder	303-441-3700
Longmont	303-682-6753
Victim Compensation	303-682-6801
Boulder County Jail	303-441-4650
Coroner's Office	303-441-3535

If Defendant is Released from Jail

Receive an alert anytime your offender's custody status changes. Fast, Free, Completely Anonymous

Register Today: 888-263-8463
or www.Colorado-vine.com

Colorado VINE is a proactive notification system that sends you an automatic alert anytime an offender's custody status changes. Colorado VINE information is available to you 24 hours a day, seven days a week, 365 days a year. You will be notified about the release, transfer, escape or death of an offender by phone, email, text and/or TTY.

Registering is free, easy and completely anonymous. When registering, you'll need:

1. Offender's name
2. Your phone number or email address to receive notifications
3. A four-digit PIN number when registering a phone or text notification (The PIN number for a text notification is only used when making changes to the existing text notification)