

# ***HELP***

## **for Victims of Crime**

This knowledge will  
empower you



Office of Victims' Services  
California Attorney General's Office  
Bill Lockyer, Attorney General

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# A Message From the Attorney General

Dear friend,

Crime victims often become lost and are forgotten in a criminal justice system that focuses on prosecuting criminals while protecting their Constitutional rights. The United States Constitution mentions the rights of criminals in 24 separate places but in no place refers to any rights that protect victims. During the last three decades there has been increasing sensitivity to the needs and rights of crime victims in the criminal justice system. However, the system often fails to show the compassion that all crime victims deserve.

Justice Benjamin Cardozo wrote in a 1934 United States Supreme Court decision: “Justice, though due the accused, is due the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true. We need to balance the scales of justice for victims.” Today, we know that this also rings true for the thousands of family members and loved ones of victims of murder, rape and other brutal crimes. These people are often victimized by violent criminals and then revictimized by the criminal justice system.

California was the first state to pass legislation that provided for compensation to crime victims when it enacted Proposition 8, known as the Victims’ Bill of Rights. Subsequently, Proposition 115 known as the Crime Victims’ Justice Reform Act, was passed and provided additional rights for crime victims. More recently, numerous victim friendly bills have been passed by our legislature. However, the balance between crime victims and criminals is not yet equal. There is much work to be done.

In 1999, I created the Office of Victims' Services to ensure that the Attorney General's Office was doing all that we can and should do to help California crime victims and their families. This office is dedicated to helping crime victims and has worked hard to address the frustration felt by many crime victims by developing programs to help them navigate, understand, and benefit from the criminal justice system.

We are pleased to provide the Crime Victims' Handbook which will give you the "knowledge" you need to understand the judicial system. We believe that knowledge is power. The Handbook outlines the criminal justice system, provides you with many resources for crime victims, and explains your rights as a crime victim.

We are committed to doing all that is possible to bring criminals to justice as well as making the system more understandable to all those hurt and pained by the violent criminal acts perpetrated on you or your loved ones. Together we can bring into better balance the rights of crime victims with the rights of criminals.

If we can provide any other assistance to you, please contact the Office of Victims' Services at (877) 433-9069.

Bill Lockyer  
Attorney General

# Victims Have Rights

## *As a victim, you have the right to:*

### ***Be free from threats and harassment***

The offender cannot threaten or harass you, your relatives or any witnesses to the crime. If this happens, call your local police right away. If the offender is locked up, call the jail or prison and report what happened.

### ***Keep your address confidential***

If you were a victim or witness to child abuse, spousal abuse or a sex crime, you can ask to keep your address confidential. This means your address will not be on any form or public document. The defendant's lawyer can have your address, but should not give it to anyone else.

### ***Testify and help the authorities***

You have the right to testify, go to any trial and help the authorities. It is illegal for someone to try to persuade or prevent you from doing these things.

### ***Speak at the Sentencing or Parole Hearing***

After the defendant enters a plea or is convicted, you have the right to ask about the sentencing recommendation and to be advised of the sentencing hearing.

Also, before the judge sentences a felony offender or, in certain cases, before a parole board makes a decision on release, you have the right to make a statement. The Victim Witness Center can help you prepare your statement.

Your statement can be in person, in writing or on audio or videotape. But, video or audio taped statements must also include a written or typed transcript.

### ***Compensation & Restitution***

You (or your next of kin) can ask the court for money for the losses you suffered because of the crime. This is called restitution and is paid by the defendant.

You have the right to be compensated for some crime-related losses, like: personal injury, counseling, lost wages, medical bills, funeral and burial expenses. (See Penal Code, Section 1202.4.)

The judge will order the offender to pay a restitution fine. The money from this fine goes to fund the Victim Compensation Program. The fine can be from \$200 to \$10,000.

But, restitution does not compensate for “pain and suffering.” If you want this type of compensation, you must contact a civil lawyer.



### ***Get your property back***

Some things, like cars, may be returned to you soon after the police recover them. (You may have to pay towing or storage fees.)

But, the authorities can hold other things (like the clothes a rape victim was wearing or a purse that was stolen) until after the trial because they need them as evidence in court.

Ask the authorities if they can take photographs of your property and keep the photos instead of the property.

Ask your local Victim Witness Center for help.

# The Victim Witness Center Can Help

## *What are Victim Witness Centers?*

Every county in California has a Victim Witness Center. If you or a loved one has been victimized by a crime, your local Victim Witness Center can help.

Victims Witness Centers can give you practical advice and support. They will help you deal with your basic needs (like food, clothing and housing) and prepare you for what's ahead.

You may be feeling confused or isolated. If you don't understand how the criminal justice system works, these feelings can get stronger.

Contact your county's Victim Witness Center to find out what services are available in your county. You can also contact the Attorney General's Office of Victims' Services.

Look for the address and phone number of your county's Victim Witness Center in the "County Government Offices" section (in the blue Government Pages) of your phone book under "District Attorney's Office, Victim Witness Assistance Program."

A list of Victim Witness Centers is on page 29 of this booklet.

## *For more help, call*

Attorney General's Office of Victims' Services:

**1-877-433-9069** (toll-free) or

Victims of Crime Resource Center (toll-free):

**1-800-VICTIMS (1-800-842-8467)**

## ***What services do Victim Witness Centers have?***

Most Victim Witness Centers offer:

- Counseling after the crime to help you deal with the immediate emotional trauma
- Referrals to other agencies for services not available at the Center
- Follow-up counseling for emotional, financial or work problems related to the crime
- Emergency help with housing, clothing, food, transportation and medical care
- Help filing for compensation through the state Victim Compensation Program. You can ask to be compensated for many things, including medical or dental bills, loss of income or support, and funeral and burial expenses (See page 7.)
- Support as the criminal case moves through the system. The Center can:
  - ◆ Explain the criminal justice process
  - ◆ Make sure you have a support person when you go to court
  - ◆ Give you information about the case
  - ◆ Get your property back if law enforcement held it as evidence
  - ◆ Help prepare you for when the offender is released.

If you want, the Center can also tell your friends and relatives that you were the victim of a crime. And, the Center can contact your employer to minimize any loss of pay or benefits because of missed time related to the crime.

Some Centers offer help with childcare, transportation, funeral arrangements and will notify people you owe money to that you will need more time to pay.

### ***Do I have to pay for services at the Victim Witness Center?***

No. All services are free.

### ***What other options do I have?***

Many counties also have sexual assault centers, child abuse treatment centers and domestic violence shelters.

For a referral, call your local Victim Witness center or the Victims of Crime Resource Center:

**1-800-842-8467** (toll-free)

These programs provide emergency and long-term support to victims and their families, like:

- Emergency safe homes or shelters
- A 24-hour crisis telephone line
- Follow-up crisis and long-term counseling
- Someone to support you during medical exams, court hearings and when you deal with other agencies

# Compensation

## *Can I get compensation?*

Yes. In California, many victims of crime, their families, their loved ones and witnesses have the right to compensation.

You can file a claim right away. You don't have to wait for the offender to be arrested.

## *What kinds of things can I get compensated for?*

Compensation is available for:

- Mental health treatment or counseling
- Medical or dental expenses for the victim
- Lost wages or income
- Burial and funeral expenses
- Moving or relocation expenses
- Job retraining for a disabled victim
- Change a home or car for a permanently disabled victim
- Financial support to care for the dependents of a victim who died or became disabled as a result of the crime.

The expenses (or loss) must be related to the crime, and cannot be covered by another source (like insurance, or your employer).

The Victim Compensation Program (Victim Comp) also compensates California residents who are victims, relatives or witnesses to a crime or act of terrorism.

## *Is there a deadline?*

Yes. You must file an application within one year of the crime (unless you can prove you have a good reason for filing late.)

For a victim who was under 18 on the date of the crime, you must file an application before the victim's 19th birthday unless you can prove you have a good reason for filing late.

If you missed the deadline, contact your local Victim Witness Office, the Victim Compensation Program or the Attorney General's Office of Victims' Services for help.

### ***Does the program compensate everyone who files a claim?***

No. The program does not compensate anyone who:

- Committed or contributed to the crime,
- Does not cooperate with law enforcement to prosecute the case,
- Does not file an application for compensation, or
- Files a late application without a good reason for the delay.

### ***How long does it take to process a claim?***

It usually takes about 90 days after your application is received.

### ***What if I have questions on my claim?***

Call or write Victim Comp. Give them your name and Victim of Crime claim number.

The contact information for Victim Comp is on page 9.

### ***What if my claim is denied?***

You can appeal. The Program often approves appeals. Ask Victim Comp for an informal hearing.

### ***What if my insurance or my employer can also reimburse me?***

You must get compensation from them. You can only get compensation from Victim Comp if your loss is not covered by anyone else.

### ***Can I ask the hospital or therapist to bill the program?***

Yes. But, ask for copies of those bills.

### ***What if I have more questions or want to file a claim?***

Contact:

Victim Compensation Program  
P.O. Box 3036  
Sacramento, CA 95812  
**(916) 322-4426**  
**(800) 777-9229** (toll-free)  
[www.boc.ca.gov/Victims.htm](http://www.boc.ca.gov/Victims.htm)

# Restitution

## *What is restitution?*

Restitution is money the defendant pays because of the crime he committed. There are 2 types of restitution:

- Restitution fines
- Direct restitution

## *What is a restitution fine?*

If the offender is convicted, the judge will order the defendant to pay a restitution fine (\$200 to \$10,000). The money goes into the Victim Compensation Fund.

## *What is direct restitution?*

Direct restitution is money that the offender pays directly to the victim or the victim's family. Direct restitution must be ordered by the court.

## *How do I collect direct restitution?*

If a judge orders direct restitution, keep a copy of the court's Abstract of Judgment or Minute Order when the offender is sentenced. As victim, you have priority in getting paid first.

## *If the defendant is sentenced to prison, you must:*

Fill out a Victim Services and Restitution Collection Request Form (CDC Form 1707) to get paid.

You can get a copy of the form at:

[www.corr.ca.gov/victimsservices/1707/victim\\_form.pdf](http://www.corr.ca.gov/victimsservices/1707/victim_form.pdf)

Or call CDC: **(888) 562-5874** (toll-free)



Send it to:

California Department of Corrections (CDC)  
P.O. Box 942883  
Sacramento, CA 94283

Do this as soon as possible. If you wait until the offender is on parole, it can be more difficult to obtain restitution.

When CDC gets your form, the Inmate Trust Office will take money from the inmate's trust account and send it to you. The money in the trust account comes from wages the inmate earns at a job in prison and/or money the inmate gets from family and friends.

**Remember:** Not all inmates earn money while in prison. And, inmates at reception centers or community correctional facilities are exempt from the restitution collection process.

### ***If the defendant is sentenced to probation:***

Your county will collect the restitution for you. If the defendant does not pay, the court can violate probation and send him to jail.

For more information, contact your local Victim Witness Center.

### ***What if the offender was sentenced to the California Youth Authority (CYA)?***

If the offender was sentenced to the CYA, there are 4 ways to collect your restitution:

- The offender or his/her family can make voluntarily payments at any time.
- If the offender is employed within a Free Venture Program at the CYA, a percentage of his or her wages can automatically be directed to pay off the restitution order.
- The CYA deducts a percentage of an offender's trust account deposit to pay for court-ordered restitution. This

account can include money received from family or friends and income the minor earns while at the CYA.

- If the offender is on parole and working, the parole agent can make a payment plan to pay the court-ordered restitution.

Checks are sent every 3 months. But, after the offender leaves the CYA, the CYA can no longer collect restitution. You must get a civil judgment to continue collection.

### ***What if I get money from direct restitution after I get money from the Victims' Compensation Program?***

The program can ask you to pay them back for the expenses they covered.

### ***What if I have questions about restitution?***

Call your local Victim Witness Center. To find the phone number of your local Victim Witness Center, go to page 29.

### ***Are there other ways to get compensated for my losses?***

Yes. You can file a civil suit against the defendant (even if he has not been convicted) for your losses like medical bills, lost wages or emotional distress.

There are time limits to file a civil suit. So, if you think you may have the right to sue, contact a civil lawyer as soon as possible.

### ***You can also ask a civil lawyer to help you collect restitution.***

At this time, there are no county or state agencies that can help you with a civil lawsuit. Contact your local County Bar Association.

The Attorney General's office cannot give you advice on a civil suit.

# What Happens After a Crime?

*When there is a crime, the criminal justice process usually follows these steps:*

## **1. Law enforcement interviews the victim and witnesses**

After a crime, the first people that victims and witnesses usually have contact with are law enforcement officers. Law enforcement's job is to learn as much as they can about the crime and to protect the crime scene and any evidence.

You must cooperate and tell them everything you know. Some of the questions they ask may seem insensitive. But, they need this information to identify and arrest the suspect.

Ask for a card with the officer or investigator's name and number. That way, you can contact the officer later if you remember other details. Sometimes, the officer will contact you later to get more information.

If there is enough evidence, law enforcement can arrest a suspect right away. Or, a judge can issue an arrest warrant later.

If, after a reasonable period of time, there is still not enough evidence to make an arrest, the case can be closed. (Except for homicide cases –which are never closed.)

Rape victims can have a friend, relative or counselor with them during the police interview, medical exam and any follow-up exam. If you want a counselor or advocate, the officer will call the rape crisis center and make sure you get someone to support you.

## 2. The District Attorney (DA) files charges

If the law enforcement believes there is enough evidence, they will send the case to the DA (prosecutor's office). The DA will review the case and if there is enough evidence, the DA will file criminal charges (a Complaint).

**Remember:** If the DA decides not to file charges, it does not necessarily mean that the crime did not happen. It just means the prosecutor feels there is not enough evidence to prove it in court.

Most criminal cases are prosecuted by the DA or City Attorney on behalf of the people of California.

If the offender is an adult, or tried as an adult, there are 3 kinds of criminal charges:

<b>Infraction</b>	A minor violation of a law. There may be a fine, but no jail time.
<b>Misdemeanor</b>	A more serious crime that can be punished by up to 1 year in jail and/or a fine.
<b>Felony</b>	A serious crime that can be punished by up to 1 year in county jail, more than 1 year in prison, or by death. There can also be a fine.

The Deputy DA or Victim Witness Center can tell you more about the charges.

### If the offender is under 18

Offenders under 18 are usually prosecuted in juvenile court. (Some offenders 14-17 who commit very serious crimes can be tried in adult court.)

If found criminally responsible, the offender can be sent to:

- The California Youth Authority,

- Juvenile Hall,
- A group or foster home, or
- The youth can be put on probation.

The DA (or Victim/Witness) can tell you more about the charges and the possible punishments.

### **3. The suspect (defendant) goes to court**

If the prosecutor files a Complaint, the defendant will come to court and be arraigned. This means the judge will tell the defendant what the charges are. The judge will ask the defendant to enter a guilty or not guilty plea.

If the defendant pleads “not guilty,” the judge will set a date for the next hearing. If the charges are misdemeanors, the judge will set a trial date. If one or more of the charges is a felony, the judge will set a date for a preliminary hearing.

If the defendant pleads guilty, the judge will set a date for a sentencing hearing.

Victims and witnesses are welcome, but do not need to come to the arraignment.

### **4. The defendant gets a lawyer**

In every criminal case, except infractions, the defendant has the right to a lawyer. If the defendant cannot afford one, the judge will appoint a lawyer at the arraignment.

It is the defendant’s lawyer’s job to get ready for the trial. So, a lawyer or investigator working for the defendant may contact you. You do not have to talk to anyone who is helping the defendant, or anyone else until you go to court to testify. If they contact you, they must say who they are, why they are contacting you and that they work for the defendant. If you don’t want to talk to them, just tell them. Say, “I don’t want to talk to you.”

If you do want to talk to someone from the defense, get their name and phone number. It is important you tell the officer or prosecutor assigned to your case. They may go to the interview with you.

No matter who you talk to, inside or outside of court, always tell the truth.

## 5. There is a preliminary hearing (prelim) for felony cases

The prelim is when a judge (not a jury) decides:

- If a crime has happened, and
- If there is enough reason to believe the defendant committed the crime.

Victims and witnesses may have to testify. But, in certain kinds of cases, the court can let law enforcement officers give “hearsay” testimony. This means the officers can tell the court what the victims or witnesses told them. At trial, the witnesses and victims generally have to testify.

If the defendant asks to have the prelim closed to the public, the victims and their support people can still come, even if they do not have to testify.

After the prelim, if the judge thinks there is not enough evidence to believe a crime has occurred or that the defendant committed the crime, the judge will drop the charges. If the defendant is in custody, the defendant will be released.

Otherwise, the judge will order the defendant to stand trial. If this happens, the prosecutor will file another document saying what the charges are. This document is called the “Information.”

## **6. Sometimes there is an indictment instead of a prelim**

A Grand Jury may indict the defendant. In that case, there is no prelim. The defendant will go directly to trial. Grand Jury proceedings are closed to the public. The jurors cannot discuss the case outside the Grand Jury room.

Or, sometimes the defendant decides to “waive” (skip) the prelim. If the prosecutor agrees to this, the judge will set a date for trial.

## **7. There is an arraignment (on the Information)**

After a prelim or Grand Jury indictment, the defendant will come back to court for an arraignment. This is a short hearing where the prosecutor files an “Information” and the judge orders the defendant to stand trial and tells the defendant what the charges are.

The judge will ask the defendant to plead guilty or not guilty. The judge will set a date for the trial.

Victims and witnesses are welcome, but do not have to come to the arraignment.

## **8. There is a settlement conference**

In most cases, there is a court date when the defendant, his lawyer and the prosecutor go to court to try to settle the case. The judge meets with the defendant’s lawyer and the prosecutor to see if they can solve the case without going to trial. This is called “plea bargaining.”

The prosecutor should ask for the victim’s input. But, it is the prosecutor, not the victim, who makes the final decision on the plea bargain.

If the lawyers agree on a plea bargain, there will not be a trial. The defendant will have to enter a plea and be sentenced. The judge may sentence the defendant at the same time or later. If they cannot agree on a plea bargain, there will be a trial.

Even if there is a trial, the case can be settled any time during the court proceedings and prior to the verdict.

## 9. There is a trial

The trial is when a judge or jury hears the evidence and decides on the case according to the law. This can take a few days or several months.

A trial can have many phases, including:

- Pre-trial motions (like whether the DA or defense lawyer can use certain evidence at trial)
- Jury selection
- Opening statements (first the prosecutor, then the defense)
- Evidence and witnesses (first the prosecutor, then the defense)
- The prosecutor and defense may show more evidence (rebuttal evidence)
- Closing arguments (first the prosecutor, then the defense, then the prosecutor again)
- Jury deliberations
- The verdict (guilty or not guilty). When all the jurors cannot agree on a verdict (called a “hung jury”), the DA decides to dismiss the case OR have a new trial.
- If the defendant is guilty, the judge sets a date for sentencing.



Victims can come to the trial if they want. But, if the victim is scheduled to testify, they cannot watch the trial until after they testify.

If you have to testify, read *When Victims and Witness Testify*, on page 21.

## **10. If the defendant is found guilty or pleads guilty, there is a sentencing**

The report includes information on how the crime affected the victim physically, emotionally, and/or financially. This information is taken from conversations the probation officer has with the victim, the police report, and the victim impact statement. The victim should keep good records of any out-of-pocket expenses related to the crime.

The Victim Witness Center can help you write your statement. Just call for an appointment.

You also have the right to speak at the sentencing hearing. For more information, see page 23.

The defendant may be sentenced to probation or state prison.

### **Probation**

For less serious crimes and if a defendant has a good record, the judge will place the defendant on probation. For misdemeanors, probation usually lasts 1-3 years and 3-5 years for felonies.

The judge may also order up to 1 year in county jail.

If the defendant is convicted of a felony and violates probation (doesn't follow the judges order, commits a new crime), the judge may revoke probation and send the defendant to prison.

## Prison

For most felony crimes, a judge may sentence the defendant to prison for a set period of time. The judge chooses between a lower term (shortest time locked up), middle term or upper term (longest time locked up).

The judge decides on the sentence by looking at the positive things in favor of the defendant (good record, less serious crime) and the negative things (bad record, very serious crime). For the most serious cases, like murder, the judge will sentence the defendant to an indeterminate period of time or one that is not fixed (15 years-to-life, 25 years-to-life). This means the defendant stays in prison until the Board of Prison Terms decides he is ready to be set free.

## 11. Can the defendant appeal his case?

Yes. Defendants who are not satisfied with the outcome of the trial or the judge's decision can appeal their case. When they "appeal," they ask a higher court to change what the trial court decided. Appeals are very common.

The Courts of Appeal review the trial court record to decide if legal errors were made.

If a Court of Appeal or the California Supreme Court reverses a conviction, there may be a new trial. If so, crime victims and witnesses may have to come back to court to testify again.

If you want to know if the case you were involved with is being appealed, call the California Attorney General's Office, Office of Victims' Services at:

**(877) 433-9069** (toll-free)

# When Victims and Witnesses Testify

*Victims and witnesses may testify at the preliminary hearing (prelim) and/or trial.*

If you testify, keep these things in mind:

## **When you are in court:**

- Dress neatly. Do not wear shorts, tank tops or hats. Do not chew gum.
- Do not talk to jurors, the judge or the defendant.
- Be calm and polite to everyone. Do not get angry or impatient.

## **When you testify:**

- Wait until the lawyer finishes the question before you start to answer.
- Be yourself and just say what happened. (Do not try to memorize what you are going to say.)
- Speak clearly and loudly. Always look at the person questioning you, and speak clearly enough so the jury can hear you.
- Say “Yes” or “No” out loud. A court reporter will write down everything you say. So, you must use words. It’s not enough to nod or shake your head.
- If one of the lawyers objects to a question, do not answer it until the judge says you can.
- Only answer the question they ask you. If they want more information, they will ask you more questions.
- Tell the truth and don’t exaggerate.

- If you do not understand a question, say, “I don’t understand.”
- If a lawyer asks you a question, and you cannot remember the answer, say “I don’t remember.” If you remember the answer later, tell the Deputy DA.
- If you do not know an answer, say, “I don’t know.”
- If you cannot answer truthfully with a “Yes” or “No,” ask the judge to let you explain.
- If they ask you “Have you talked to anyone about the case?” you must mention your conversations with the prosecutor, defense lawyer, their investigators and/or victim advocates.

**If your friends or relatives come to court, ask them to follow these rules:**

- Dress neatly. Do not wear shorts, tank tops or hats.
- Do not chew gum, smoke, or have food or drink in the courtroom.
- Do not talk when court is in session.
- Stay calm and try to avoid gestures and facial expressions.
- Follow the bailiff’s instructions about where to sit, etc.
- Never talk to the judge, jury or defendant.

# When Will the Offender Get Out?

The actual time an offender serves depends on the sentence, time credits and time served in a local jail.

If the offender is in a local jail, the Victim Witness Center can give you an idea of when he may get out. If the offender is in a state prison, contact the California Department of Corrections.

As a victim, you can ask the prison agencies to notify you if the inmate escapes, dies or is up for parole or release.

Contact:

California Department of Corrections (CDC)  
P.O. Box 942883  
Sacramento, CA 94283  
**(888) 562-5874** (toll-free)  
[www.corr.ca.gov/victimservices](http://www.corr.ca.gov/victimservices)

Or, if the offender was tried as a juvenile, contact:

California Youth Authority (CYA)  
4241 Williamsborough Drive, Suite 214  
Sacramento, CA 95823  
**(888) 434-6829** (toll-free)  
[www.cya.ca.gov](http://www.cya.ca.gov) (Click on “Victim Services”)

## *The Victim Witness Center or the prison agency can help if you:*

- are being threatened or harassed
- need help asking for or enforcing special conditions of parole
- need help getting your restitution

Contact them by phone or mail.

### ***What if the offender is up for parole?***

When the offender gets out of prison, he is placed on parole for 3 years. During that time, a state parole agent will supervise him.

### ***Who gets a parole hearing?***

Inmates sentenced to a life term (like, 15 years-to-life) are given a Minimum Eligible Parole Date (MEPD). The inmate has a parole hearing 13 months before the MEPD. The victim can ask BPT or the CDC what the MEPD is.

### ***Can I go to the parole hearing?***

If you want to go to the hearing, you must ask the Board of Prison Terms (BPT). If approved to go, you can take one support person with you, but your support person is not allowed to participate in the hearing. And, you must tell BPT about the support person 2 weeks before to the hearing.

### ***How do I know when the parole hearing will be?***

You must ask Board of Prison Terms (BPT) to tell you about the hearing. They will send you a Declaration to fill out and return.

### ***How does the Board of Prison Terms (BPT) tell me about the parole hearing?***

About 30 days before the hearing, they will send a notice of the hearing. If you want to go, you must call or write BPT at least 2 weeks before the hearing.

## ***Where will the parole hearing be?***

At the prison where the inmate is.

## ***Can I make a statement at the parole hearing?***

Only victims, next of kin and/or their designated spokes person and immediate family members can speak at parole hearings. BPT will let 2 of the victim's next of kin speak. Priority is given to the relatives at the top of the list:

- Spouse
- Children
- Parents
- Brothers and sisters
- Grandchildren
- Grandparents

If more than 2 people want to speak at the hearing, they must ask for special approval from BPT.

To contact BPT, call:

**(916) 327-5933, or (866) 278-9282** (toll-free)

## ***Who else will be at the parole hearing?***

At least 2 BPT board commissioners and sometimes a district attorney (DA) from the county where the defendant was prosecuted go to the hearing. If you want to know if a DA will be there, call the district attorney's office that prosecuted the defendant.

## ***In certain types of cases, you can ask CDC to impose special conditions of parole.***

Depending on the kind of case, CDC may be able to help you. Or, you can write your own your request.

Some examples of special conditions are:

- Stay outside of a 35-mile radius of the victim's home
- No contact with victim or next of kin (no calls, emails, letters, personal visits or indirect contact)
- Out of county placement (release of offender to another county, restricted from victims' county)

CDC can tell you what conditions are placed on the parolee.

## ***Can someone from Victim Services be my support person?***

Yes. For more information, call the Office of Victim Services and Restitution at:

**(888) 562-7854** (toll-free)

## ***What if I can't be at the parole hearing but I want to make a statement?***

You can submit a statement up to 15 minutes long on an audio cassette tape or VHS videotape. You must also send a written transcript of the audio or video tape to BTP at least 3 weeks before the hearing. Your transcript and tape will go into the confidential part of the inmate's central file. The inmates will not have access to this part of the file.

You can ask BPT to consider your taped statement at any future hearing. It's a good idea to also send a copy of the tape to the district attorney's office that prosecuted the defendant.



### ***Is there any other way to participate in the parole hearing?***

Many prisons work with the DA's office to have video conference hearings. Contact the district attorney's office who prosecuted the case to see if they have video conference hearings.

### ***What if the offender is a minor and is at the California Youth Authority?***

Youthful offenders are wards at CYA and wards have parole suitability hearings every year. You can ask to be notified and to attend. Contact:

California Youth Authority  
Victim Services Division  
4241 Williamsborough Drive, Suite 214  
Sacramento, CA 95823  
**(888) 434-6829** (toll-free)

# State Agencies That Help Victims and Witnesses

## Office of the Attorney General Office of Victims' Services

1300 I Street  
P.O. Box 944255  
Sacramento, CA 94244-2550  
**(877) 433-9069** (toll-free)  
[www.caag.state.ca.gov](http://www.caag.state.ca.gov)

## California Board of Prison Terms

1515 K Street, Suite 600  
Sacramento, CA 95824  
**(916) 327-5933**  
**(866) 278-9282** (toll-free)  
[www.bpt.ca.gov](http://www.bpt.ca.gov)

## California Department of Corrections Office of Victim Services & Restitution

P.O. Box 942883  
Sacramento, CA 94283  
**(888) 562-5874** (toll-free)  
[www.cdc.state.ca.us/ovsr](http://www.cdc.state.ca.us/ovsr)

## California Youth Authority Victim Services Division

4241 Williamsborough Drive,  
Suite 214  
Sacramento, CA 95823  
**(888) 434-6829** (toll-free)  
[www.cya.ca.gov](http://www.cya.ca.gov)

## Victims' Legal Resource Center McGeorge School of Law

3200 Fifth Avenue  
Sacramento, CA 95817  
**1-800-VICTIMS** (toll-free)  
**(1-800-842-8467)**

## Governor's Office of Emergency Services Criminal Justice Programs Division

1130 K Street, Suite 300  
Sacramento, CA 95814  
**(916) 324-9100**  
[www.ocjp.ca.gov](http://www.ocjp.ca.gov)

## Victim Compensation and Government Claims Board Victims of Crime Program

P.O. Box 3036  
Sacramento, CA 95812  
**(916) 322-4426**  
**(800) 777-9229** (toll-free)  
[www.boc.ca.gov](http://www.boc.ca.gov)

# Victim Witness Centers by County

Alameda.....	510-272-6180
Alpine .....	530-694-2971
Amador .....	209-223-6474
Butte .....	530-538-7340
Calaveras .....	209-754-6565
Colusa.....	530-458-0659
Contra Costa.....	800-648-0600
Del Norte.....	707-464-7273
El Dorado .....	800-584-4438
Fresno.....	559-488-3425
Glenn .....	800-287-8711
Humboldt.....	707-445-7417
Imperial.....	760-336-3930
Inyo .....	760-873-6669
Kern.....	661-868-4535
Kings.....	559-582-3211, ext. 2640
Lake.....	707-262-4282
Lassen .....	530-251-8283
Los Angeles County .....	213-974-7499
Los Angeles City.....	213-485-6976
Madera .....	559-661-1000
Marin.....	415-499-6450
Mariposa.....	209-742-7441
Mendocino.....	800-785-3332
Merced .....	209-725-3515
Modoc .....	530-233-3311
Mono .....	760-924-1710
Monterey .....	831-755-5072
Napa.....	707-252-6222
Nevada.....	530-265-1246

Orange .....	949-975-0244
Placer .....	530-889-7021
Plumas .....	530-283-6285
Riverside .....	909-955-5450
Sacramento .....	916-874-5701
San Benito .....	831-634-1397
San Bernardino .....	909-387-6540
San Diego .....	619-531-4041
San Francisco .....	415-553-9044
San Joaquin .....	209-468-2500
San Luis Obispo .....	866-781-5821
San Mateo .....	650-599-7479
Santa Barbara .....	805-568-2408
Santa Clara .....	408-295-2656
Santa Cruz .....	831-454-2010
Shasta .....	530-225-5220
Sierra .....	530-993-4617
Siskiyou .....	530-842-8229
Solano .....	707-421-6844
Sonoma .....	707-565-8250
Stanislaus .....	209-525-5541
Sutter .....	530-822-7345
Tehama .....	530-527-4296
Trinity .....	530-623-1204, ext. 130
Tulare .....	559-733-6754
Tuolumne .....	209-588-5440
Ventura .....	805-654-3622
Yolo .....	530-666-8187
Yuba .....	530-741-6275

# Victim Checklist

You can use this form to record important information about your case.

**Offender's Name:** \_\_\_\_\_

**Date of Crime:** \_\_\_\_\_

Law Enforcement Agency: \_\_\_\_\_

Officer's Name and Badge Number: \_\_\_\_\_

\_\_\_\_\_

Officer's Telephone Number:(\_\_\_\_\_)\_\_\_\_\_

Crime Report Number: \_\_\_\_\_

Detective/Investigator: \_\_\_\_\_

Tel: (\_\_\_\_\_)\_\_\_\_\_

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

Tel: (\_\_\_\_\_)\_\_\_\_\_

Prosecuting Attorney: \_\_\_\_\_

Tel: (\_\_\_\_\_)\_\_\_\_\_

DA Investigator: \_\_\_\_\_

Tel: (\_\_\_\_\_)\_\_\_\_\_

Probation Officer: \_\_\_\_\_

Tel: (\_\_\_\_\_)\_\_\_\_\_

Judge's Name: \_\_\_\_\_

For information about appeals contact:

Attorney General Victim Advocate  
**(877) 433-9069** (toll-free)

**Victim of Crime (VOC)**

**Claim Number:** \_\_\_\_\_

**Date Claim Filed:** \_\_\_\_\_

Victim Compensation Board **1-800-777-9229** (toll-free)

Civil Lawyer Name/Number (if applicable): \_\_\_\_\_

Expenses paid by VOC (like doctor bills):      Date and Amount:

_____	_____
_____	_____
_____	_____

**Keep copies of all bills and any bills you submit to VOC.**

**Inmate's CDC#:** \_\_\_\_\_

# Your Opinion Counts!

The Office of Victims' Services wants your opinion. This will help us improve our services to future crime victims.

Please take 2 minutes to answer these questions:

- Yes  No
1. Did the Handbook help you?  Yes  No
  2. Is the Handbook easy to understand?  Yes  No
  3. Does the Handbook have useful information about where to get help?  Yes  No
  4. Did the Handbook help you understand what happens after the crime?  Yes  No
  5. Did the information in the Handbook help you to make it through the process?  Yes  No
  6. Where did you get this handbook?  
 Attorney General's Office  
 A Victim Witness Center  
 The police  
 Other: \_\_\_\_\_
  7. Is there anything you would change or add to the Handbook? *(If yes, note below.)*  Yes  No

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Please mail any questions or comments to:

Office of Victim Services  
Office of the Attorney General  
P.O. Box 944255  
Sacramento, CA 94244-2550





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California Board of Prison Terms

California Commission on Peace Officer Standard and Training

California Department of Corrections, Office of Victims' Services and Restitution

California District Attorney's Association

Governor's Office of Emergency Services Criminal Justice Programs

California Victim Compensation and Government Claims Board, Victims of Crime Program

California Youth Authority, Victim Services Division

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Notes:

***Making sure victims and their families get the support and services they need and deserve is one of law enforcement's highest priorities."***

**Attorney General Bill Lockyer**

If you or a loved one is a crime victim, this handbook is for you. You will learn about:

- ◆ victim's rights,
- ◆ how Victim Witness centers can help you,
- ◆ compensation and restitution, and
- ◆ what happens after a crime.

***This knowledge will empower you.***

For more information contact us:

Office of the Attorney General  
Office of Victims' Services  
1300 I Street  
P.O. Box 944255  
Sacramento, CA 95814

Tel: (877) 433-9069 (toll-free)  
e-mail: [victimservices@doj.ca.gov](mailto:victimservices@doj.ca.gov)

For a downloadable version of this booklet, go to:

[www.caag.state.ca.us/victimservices](http://www.caag.state.ca.us/victimservices)

