

INFORMATION FOR CRIME VICTIMS

Crime victims suffer through incidents which no one wants to experience. Victims should realize, though, that they are not helpless bystanders in the criminal justice system. Victims possess rights from the time of the crime until the offender is released from prison. This pamphlet includes a summary of the rights that victims possess under Chapter 2930 of the Ohio Revised Code and a brief explanation of the early procedural steps in the criminal justice system.

The information contained in this pamphlet has been provided for victims of the following crimes:

...misdemeanor crimes of domestic violence, assault, menacing, aggravated menacing, intimidation of a crime victim or witness; and

...all felony crimes (violence and property).

THE RIGHTS OF A CRIME VICTIM (Ohio Revised Code Chapter 2930)

Victim Representation

- A member of the victim's family or another person may exercise the rights of the victim as the victim's representative if:

1. the victim is a minor;
2. the victim is deceased, incapacitated, or incompetent;
3. the victim chooses to authorize another person.

If more than one person seeks to act as the victim's representative, the court shall designate one of those persons.

If a person is acting as a victim's representative, the prosecutor must be notified.

The victim may elect to receive all notices and exercise all rights even if a representative has been named. (Sec. 2930.02 O.R.C.)

The victim has a right to be notified about information regarding the case.

1. This notification may be oral or written.
2. The victim is responsible for informing the prosecutor's office of victim's desire for notification and any changes of name, address, or telephone number.

(Sec. 2930.03 O.R.C.)

The victim has the right to receive information from the law enforcement agency responsible for investigation of the crime.

- The agency, in writing, shall give to the victim:

1. an explanation of rights under this Chapter;
2. information regarding assistance, including medical, housing, counseling, and emergency services;
3. information regarding compensation, including the name, address, and phone number of the appropriate agency; and
4. information regarding protection, including protective orders.

As soon as practicable, the agency shall notify the victim of:

1. The business telephone number of the officer Assigned to the case;
2. name, office address, and telephone number of the Prosecutor;
3. defendant's name and arrest;

4. whether the defendant is eligible for pretrial release; and

5. a statement advising the victim that he or she may contact the law enforcement agency regarding the status of the case.

(Sec. 2390.04 and Sec. 2930.05 O.R.C.)

If the victim experiences acts or threats of violence or intimidation by the defendant, or at defendant's direction against the victim, the victim's representative or family, the victim may produce an affidavit stating the acts or threats made. This may result in revocation of defendant's bond.

(Sec. 2390.04 and Sec. 2930.05 O.R.C.)

The victim has a right to speak with the prosecutor, to the extent practicable, before:

1. a pretrial or trial;
2. amending or dismissing a charge;
3. agreeing to a negotiated plea; or
4. a pretrial diversion.

- Failure of the prosecutor to confer with the victim shall be noted on the court record and will include the reason for that failure, but it will not affect the validity of an agreement.

- Once prosecution has commenced, the victim shall be notified of:

1. the offense with which the defendant has been Charged;
2. the case number;
3. a statement regarding procedural steps in a criminal Case and the victim's right to be present;
4. a summary of the victim's rights under this act;
5. steps which can be taken if the victim is Threatened or intimidated;
6. the name of someone to contact regarding further information about the case;
7. the right to have a victim representative.

- The prosecutor shall give notice of the day, time, and place of any scheduled court proceeding and any changes in the proceeding if the victim requests such notice.

(Sec. 2930.06 O.R.C.)

If the prosecutor believes there are reasonable grounds for the victim to fear acts or threats of harm or intimidation by the defendant, a motion may be made requesting that the victim or other witnesses not be compelled to testify in any phase of the criminal process which would disclose the victim's address, employer or other personal identification. The court shall hold a hearing on the motion in chambers, and a court reporter shall make a record of the proceeding. If the order is granted, the court file or documents shall not contain that information, unless it is used to identify the location of a crime. (Sec. 2930.07 O.R.C.)

If the victim requested notice and there will be a substantial delay in the case, the victim shall be notified of the delay and any objections to the delay shall be reported to the court.

(Sec. 2930.08 O.R.C.)

The victim has the right to be present whenever the defendant is present during any stage of the case that is conducted on the record, other than a grand jury proceeding. At the victim's request, the court shall permit any other person

to accompany the victim to provide support, unless the court determines that the presence of that individual would deny the defendant's right to a fair trial.

(Sec. 2930.09 O.R.C.)

The court shall make a reasonable effort to minimize any contact between the victim and the defendant before, during, and immediately after court proceedings. (Sec. 2930.10 O.R.C.)

The victim has a right to have any property being held by a law enforcement agency returned promptly unless it is being held for further court proceedings. The court shall consider the victim's need for the property when ruling on a motion to retain the property. (Sec. 2930.11 O.R.C.)

At the victim's request, the prosecutor shall notify the victim of the outcome of the case.

In the event of a conviction, notification shall include:

1. the crimes the defendant was convicted of;
2. the address and telephone number of the probation officer or person who will prepare the pre-sentence investigation or who will prepare a victim impact statement;
3. the right to make a statement for inclusion in the pre-sentence investigation report or a victim impact statement, that will be made available to the defendant unless exempted by the court;
4. the right to make an impact statement before sentencing;
5. the date, time, and place of sentencing; and
6. the sentence imposed upon the defendant and any modification of that sentence. (Sec. 2930.12 O.R.C.)

Victim Impact Statements and Pre-sentence Investigation Reports

- If the court orders the preparation of a victim impact statement, the victim may make a written or oral statement to the person whom the court orders to prepare the victim impact statement.

- The victim may make a written or oral statement regarding the impact of the offense to be included in the pre-sentence investigation report.

- The victim's statement may include:

1. an explanation of the nature and extent of any physical, psychological, or emotional harm suffered;
2. the extent of any property damage or economic loss suffered;
3. an opinion regarding the need for restitution and information on whether the victim has applied for or received any compensation; and
4. the victim's recommendation for an appropriate sentence for the defendant. (Sec. 2930.13 O.R.C.)

- Before the court imposes a sentence upon the defendant, the victim has the right to make a statement. If the statement is in writing, a copy of it may be given to the defendant. The court will consider the statement, along with other factors, in determining the sentence. (Sec. 2930.14 O.R.C.)

Conviction Information

- If the defendant appeals the conviction and the victim requested notice, the prosecutor shall inform the victim of:

1. the appellate process;
2. whether the defendant has been released pending the

deposition of the appeal;

3. the time and place of the appellate court proceedings And any changes thereof; and
4. the result of the appeal.

- If the defendant's conviction is reversed and the case is returned to the trial court, the victim may exercise all previously available rights. (Sec. 2930.15 O.R.C.)

- The victim has a right to request to be informed by the prosecutor if the defendant has been incarcerated. The prosecutor shall notify the victim of:

1. the name of the custodial agency where the defendant is being held and how to contact that agency;
2. any motion for early release or modification of the Sentence and the right to make a statement; and
3. the date on which the defendant will be released or a reasonable estimate.

- Upon request of the victim, the custodial agency shall notify the victim:

1. at least three weeks prior to an action recommending pardon or commutation;
2. at least three weeks prior to or as soon as practicable of defendant's furlough and the victim's right to submit a statement regarding the impact of the defendant's furlough on the victim;
3. at least three weeks prior to an action allowing defendant to serve a portion of the sentence under electronic monitoring;
4. of the defendant's escape and recapture – notice shall be prompt;
5. of the defendant's death while in custody; and
6. of the defendant's release from confinement and the conditions of the release.

(Sec. 2930.16 O.R.C.)

Prior to releasing the defendant from a term of incarceration, the court shall permit a victim to make an additional statement, orally or in writing at the court's discretion, concerning the impact of the crime. The court shall consider this statement in deciding whether to release the defendant. (Sec. 2930.17 O.R.C.)

No employer shall discharge, discipline or otherwise retaliate against the victim, a member of the victim's family or the victim's representative for participating in the criminal justice proceedings at the prosecutor's request. (Sec. 2930.18 O.R.C.)

SUBPOENA INFORMATION

A subpoena is a court order directing you to be present at the time and place stated. Once you are served with a subpoena, you are obligated to appear. Failure to appear makes it more difficult for the prosecution to prove the case. In addition, failure to appear may be understood as contempt of court by the judge and may result in you being fined or sent to jail for failure to obey a court order.

AREA RESOURCES

PROSECUTOR'S OFFICE

Reynoldsburg City Attorney (614) 322-6803
7232 East Main Street
Reynoldsburg, Ohio 43068

LEGAL SERVICES

Capital University Legal Clinic (614)236-6500
Columbus Bar Association..... (614)221-4112
Legal Aid Society (614)224-8374
O.S.U. Law Clinic (614)292-6821
Public Defender's Office (614)645-8980

SHELTERS

Fairfield County
Lighthouse..... (740)687-4423
Franklin County
Choices..... (614)224-4663
Faith Mission..... (614)224-6617
Friends of the Homeless..... (614)360-0251
Huckleberry House (12-15 yrs).. (614)294-5553
Salvation Army..... (614)221-6561
Volunteers of America –Family Men's Shelter (614)251-7610
YWCA Family Shelter..... (614)253-3910

Licking County
New Beginnings Battered Wmn. (740)345-4498
Salvation Army (740)345-8120

HOTLINES AND EMERGENCY HELP

Fairfield County
Lighthouse..... (740)687-4423
New Horizons Youth & Family. (740)687-8255
Franklin County
Adult Protective Services..... (614)525-4348
Huckleberry House Teen Crisis Center.....(614)294-5553
Hands On Central Ohio..... 2-1-1
Child Abuse Hotline..... (614)229-7000
CHOICES-Domestic Violence. (614)224-4663
Gateway to Wellness..... (614)252-0711
Rape Crisis Hotline (SARNCO) (614)267-7020
Suicide Prevention..... (614)221-5445
Teen Suicide Hotline..... (614)294-3000

Licking County
Catholic Social Services..... (740)345-2565
Food Pantry Network..... (740)344-7401
LEADS Community Action..... (740)349-8606
Licking Cty. Dept. Human Services
*Adult Protective Services..... (740)345-0821
*Children's Protective Services.. (740)670-8999

COUNSELING

Fairfield County
DRAC-Drug & Alcohol Abuse.. (740)687-4500
Lighthouse.....(740)687-4423
New Horizons Youth..... (740)687-8255
Franklin County
Alcoholics Anonymous..... (614)253-8501
Elizabeth Blackwell Center..... (614)566-5353
Maryhaven..... (614)445-8131
Narcotics Anonymous..... (614)252-1700

Amethyst (614)242-1284
Alanon/Alateen..... (614)253-2701
Woods at Parkside.....(614)471-2552
House of Hope for Alcoholics.... (614)291-4691

COUNSELING CONTINUED

Licking County
Battered Women's Services.....(740)345-4498
(800)686-2760
Center for Alternative Resources. (740)345-6166
*24 Crises & Information Center. (740)345-HELP
Depression Information..... (740)522-1341
The Woodlands-Family Couns.. (740)349-7066
Licking Cty. Alcoholic Prevention Program..... (740)366-7303
Mental Health America..... (740)522-1341
Moundbuilder's Guidance..... (740)522-8477
Rape Crisis..... (740)345-4498

SUPPORT GROUPS

Fairfield County
Lighthouse-Domestic Violence... (740)687-4423
Franklin County
Domestic Violence Peer Support. (614)555-4452
Incest Survivors Anonymous.... (614)228-6380
Nar-Anon Family Group..... (614)475-8745
Licking County
New Beginnings-Battered Women (740)345-4498
Co-Dependants..... (740)345-4357
Narcotics Anonymous..... (800)314-8174

EDUCATION AND VOCATION

Franklin County
Center for New Directions..... (614)849-0142
Eastland Career Center..... (614)836-4541
Dept. of Jobs & Family Services. (614)462-4905
Orientation to Non-Traditional Occupation for Women..... (614)365-6000
Urban League..... (614)257-6300
Licking County
Central Ohio Technical College. (740)366-9494
Licking County Joint Vocational School – Adult Education (740)366-3351
Ohio State at Newark..... (740)366-3321

VICTIMS OF CRIME COMPENSATION PROGRAM

Toll-Free Victim's Hotline..... (877)584-2846
or call..... (614)466-5610
*May provide reimbursement for out-of pocket personal injury expenses caused by a crime. The crime must be reported within 72 hours. Lost, damaged, or stolen property is NOT covered.
Court of Claims of Ohio, 65 East State Street, #1100, Columbus, Ohio 43215.

REYNOLDSBURG, OHIO

VICTIM'S RIGHTS

Information for Victims of Crime

VICTIM'S RIGHTS

**JAMES "JED" E. HOOD
CITY ATTORNEY**

**7232 E. MAIN STREET
REYNOLDSBURG, OH.43068**

**Life threatening emergency (police, fire, medical): 911
Reynoldsburg City Attorney: 614-332-6803
Reynoldsburg Clerk of Courts: 614-322-6804**

IF YOU WISH TO RECEIVE ADDITIONAL INFORMATION or have any questions about the rights of crime victims, contact the Reynoldsburg City Attorney's Office at (614) 322-6803. The City of Reynoldsburg will do its best to protect your rights as a victim and help you achieve any of these rights which you choose to exercise.

Officer to contact at the Reynoldsburg Police Department

Reynoldsburg Police: 614-866-6622

**JAMES "JED" E. HOOD
REYNOLDSBURG CITY ATTORNEY**