

# PENNSYLVANIA VICTIMS' RIGHTS

## Understanding Your Rights as a Victim of Crime

Victims' rights exist to ensure victims and witnesses of crime are informed, present, and heard at important stages in the criminal matter involving them.

These basic and fundamental rights seek to provide victims and survivors with a meaningful role in the criminal and juvenile justice system.

*It is essential that you update the prosecutor or victim advocate assigned to you with your contact information so they can ensure you benefit from the rights available to you.*

## PA Crime Victims App

The **PA Crime Victims App** provides information to victims of crime in Pennsylvania on how to find organizations that can help them after they have been victimized and the rights and services available to them. In addition, victims of crime can use this app to file a victim's compensation claim and check on their claim status. Find it in the App Store on your Android or iOS device.



## AS A VICTIM OF CRIME YOU HAVE THE RIGHT TO:

- ◆ Receive basic information about the services available to victims of crime.
- ◆ Be notified when certain significant events occur relating to your case including:
  - The granting or denial of bail to an adult offender.
  - Whether a juvenile was detained or released following arrest.
  - The filing of a petition alleging delinquency of a juvenile.
  - The escape and subsequent apprehension of an adult prior to trial or a juvenile prior to adjudication.
- ◆ Be accompanied at all court proceedings by a family member, a victim advocate, or other support person.
- ◆ Offer comment regarding a defendant's bail conditions at the time that bail conditions are set or at any later proceeding where bail conditions may be modified.
- ◆ Receive immediate notice of the release of an adult offender on bail who is incarcerated in a local correctional facility for a violation of a Protection From Abuse (PFA) order, Sexual Violence Protection Order (SVPO), or Protection From Intimidation (PFI) order, or for a personal injury crime committed against the victim protected by the order.
- ◆ Receive help in preparing an oral and/or written victim impact statement detailing the physical, psychological, and economic effects of the crime which will be considered by the courts.
- ◆ Be restored as you were before the crime, as much as possible, through restitution, compensation, and the return of property seized as evidence.
- ◆ Receive information on and assistance in preparing, submitting, and following-up with a claim for compensation.
- ◆ Be notified of the Address Confidentiality Program, if eligible to apply.
- ◆ Not be excluded from any criminal proceeding unless the court determines that testimony by the victim would be materially altered if the victim heard other testimony at the proceeding.
- ◆ Be notified of an adult offender's transfer from a state prison to a mental health facility and the discharge, transfer, or escape of the adult offender from that facility.
- ◆ Have notice and provide prior comment on a judicial recommendation that the defendant participate in a motivational boot camp.
- ◆ Give prior comment on the sentencing decision of an adult offender or the disposition of a delinquent juvenile including the submission of a victim impact statement.
- ◆ Be notified of the disposition and sentence of an adult, including sentence modifications.
- ◆ Have notice and provide comment on resentencing decisions regarding an offender.
- ◆ Have notice and provide prior comment on prosecutor's waiver of eligibility requirement of an offender to enter the Recidivism Risk Reduction Incentive (RRRI) Program.
- ◆ Be notified and provide comment if the court considers an offender to be eligible for the State Drug Treatment Program.
- ◆ Receive notice of the arrest of a defendant for violating a PFA order.
- ◆ Receive notice 90 days prior to the offender's parole date and submit a pre-parole statement regarding the offender's parole supervision, including suggestions of special conditions or written petition to deny parole, and to appear in person or through representation to provide testimony before the parole panel.
- ◆ Receive notice of the parole board's decision before the offender's release.
- ◆ Be present at trials, including murder trials, and not be excluded from the trial if providing input at sentencing.
- ◆ Be present at the execution of an offender.

**If you feel your rights as a victim of crime have been violated, you can contact the Office of the Victim Advocate at 800.563.6399 or [RA-OVAinfo@pa.gov](mailto:RA-OVAinfo@pa.gov).**

### **VICTIMS OF A CRIME COMMITTED BY A JUVENILE HAVE THE ADDITIONAL RIGHT TO:**

- ◆ Receive prior notice of delinquency hearings and notification of hearings about the transfer of a juvenile to and from criminal proceedings.
- ◆ Receive notice of the details of the final disposition of a juvenile's case.

### **VICTIMS OF SEXUAL ASSAULT HAVE THE ADDITIONAL RIGHT TO:**

- ◆ Receive information concerning the availability of protection orders.
- ◆ Have the confidential support of a counselor from a rape crisis center at the hospital during and after a forensic rape exam.
- ◆ Have a sexual assault evidence kit collected and tested anonymously/without a name attached to it.
- ◆ Have a sexual assault evidence kit collected and tested even if the exact location of the crime cannot be provided.
- ◆ Not be billed or charged for the costs of a forensic exam or sexual assault evidence kit.
- ◆ Have sexual assault evidence kept according to the statute of limitations.
- ◆ Be notified of the status of a sexual assault evidence kit, if requested, including at least 60 days prior to the destruction of evidence.

### **VICTIMS OF PERSONAL INJURY CRIMES HAVE THE ADDITIONAL RIGHT TO:**

- ◆ Receive notice of the arrest of a suspect or the filing or forwarding of a complaint relating to the crime.
- ◆ Receive notice of a dispositional proceeding including location and time if the prosecutor's office has advance notice of said proceeding.
- ◆ By request, receive notice when an adult offender is released from incarceration at sentencing.
- ◆ Receive notice of an opportunity to give prior comment on and receive post-sentencing decisions involving an offender's release from a state prison, such as medical release, work release, furlough, parole, pardon, or community treatment center placement.

- ◆ Receive notice of and provide prior comment on recommendations that an offender may participate in a motivational boot camp.
- ◆ Receive notice of the release of an adult offender from a local correctional facility, including medical release, work release, furlough, parole, release from a boot camp, or release from a community treatment center placement.
- ◆ Receive immediate notice of the escape of an adult offender and later apprehension.
- ◆ By request, receive notice of the filing, hearing, or disposition of appeals.
- ◆ Receive notice of the commitment to a mental health institution from a state or local correctional facility.
- ◆ Receive notice of the termination of the courts' jurisdiction.
- ◆ Provide prior comment on medical release or work release of an offender from a state or local correctional facility.
- ◆ Give prior comment on the potential reduction or dropping of charges or any changes of a plea in a criminal or delinquency proceeding or diversion of a case.

### **VICTIMS OF PERSONAL INJURY CRIME COMMITTED BY A JUVENILE HAVE THE ADDITIONAL RIGHT TO:**

- ◆ By request, receive notice prior to the release of a juvenile from residential placement, a shelter facility, or a detention center.
- ◆ By request, be notified and be able to submit a written objection prior to the transfer or release from a placement facility of a juvenile who has been adjudicated delinquent, when such action is contrary to a previous court order or placement plan approved at a disposition review hearing.
- ◆ By request, be given immediate notice of a juvenile's escape from residential placement, a shelter facility, or a detention center and later apprehension.
- ◆ By request, submit written comment and oral testimony at a disposition review hearing.

## **RESOURCES**

### **PA Crime Victims Website**

*Find information on victims' rights, help in your county, VCAP, the Address Confidentiality Program, and other helpful information.*  
pcv.pccd.pa.gov

### **Victims Compensation Assistance Program (VCAP)**

*Financial assistance for victims of crime. Must meet eligibility requirements.*  
800.233.2339 or [www.dave.pa.gov](http://www.dave.pa.gov)

### **PA Statewide Victim Notification System (PA SAVIN)**

*Provides release, transfer, and escape notifications of offenders in county jails and state prisons or on state parole.*  
866.972.7284 or [pcv.pccd.pa.gov](http://pcv.pccd.pa.gov)

### **PA Office of the Victim Advocate**

800.563.6399 or [www.ova.pa.gov](http://www.ova.pa.gov)

### **PA Coalition Against Rape (PCAR)**

800.692.7445 or [www.pcar.org](http://www.pcar.org)  
**Find your local Rape Crisis Center:**  
888.772.7227

### **PA Coalition Against Domestic Violence (PCADV)**

717.545.6400 or [www.pcadv.org](http://www.pcadv.org)  
**Find your local Domestic Violence Program:** [www.pcadv.org/find-help](http://www.pcadv.org/find-help)  
**24-Hour National Hotline:**  
800.799.SAFE (7233)

### **PA ChildLine**

*Report suspected child abuse or concerns about a child's well-being.*  
800.932.0313 or [www.dhs.pa.gov/contact/Pages/Report-Abuse.aspx](http://www.dhs.pa.gov/contact/Pages/Report-Abuse.aspx)