

Dear New Yorkers,

Victims have rights – rights to information, notification and, in some cases, compensation.

For more than fifty years, New York State has worked to ensure these rights are protected. Law enforcement and prosecutors are required to make sure that victims and their families are treated fairly and respectfully during the criminal justice process. Those rights continue even after the offender is sentenced.

My office is committed to protecting the rights of crime victims and their families. This brochure highlights some of those rights, and provides information on other resources for crime victims. If you have questions about how these rights apply to you, please don't hesitate to contact my office.

Sincerely,

Letitia James



Attorney General
of New York
Letitia James

Resources

Office of the New York State Attorney General

ag.ny.gov/intergov-affairs/victim-rights
(800) 771-7755

Crime Victims Assistance

CrimeVictims.Inquiries@ag.ny.gov
(212) 416-8846

New York State Office of Victim Services

ovs.ny.gov
(800) 247-8035

New York State Child Abuse and Maltreatment Hotline

ocfs.ny.gov/main/cps
(800) 342-3720

New York State Domestic Violence Hotline

opdv.ny.gov
(800) 942-6906

New York State Office for the Aging Senior Citizen Hotline

aging.ny.gov
(844) 697-6321

Crime Victims

Bill of Rights



Office of the New York State
Attorney General
Letitia James



Victims have the right to:

- 1. A free copy of the police report,** even if there was no physical injury.
- 2. Be notified of criminal proceedings.** Victims who provide a current address and telephone number to the prosecutor have the right to be notified of the accused's arrest; first appearance before a judge; release from jail while the criminal proceeding is pending; entry of a guilty plea, trial and sentencing; maximum and minimum terms of imprisonment if the offender is sentenced to prison; and any parole hearing dates.
- 3. Make a victim impact statement at the time of sentencing in a felony case.** This statement allows victims to express and share their feelings about the crime and how the crime has impacted them and their families.
- 4. Obtain a waiver of fees** for replacing driver's license, permit, registration and license plates that were lost or stolen as a result of a crime.
- 5. Have law enforcement and the prosecutor inform employers** that the criminal case may require work absences or to explain the circumstances of the crime to creditors.
- 6. Be free of penalty by an employer** when appearing as a witness in a criminal proceeding, when consulting with prosecutors or exercising other rights under the law. A violation of this law by an employer is a B misdemeanor.
- 7. File for victim compensation and assistance** with the New York State Office of Victim Services. Victims suffering physical injury or relatives of murder victims are entitled to out-of-pocket expenses incurred as a result of the crime. These expenses may include the repair or replacement of damaged property, payments for loss of earnings or support, medical and counseling bills, crime scene cleanup or funeral expenses. Crime victims may also be eligible for transportation expenses incurred for necessary court appearances. Victims of kidnapping, stalking and unlawful imprisonment may be eligible for an award to cover loss of earnings or support, unreimbursed costs for counseling, rehabilitative training and the costs of damaged essential personal property and security devices. Claims must be filed within one year of the crime or within one year of the victim's death. You can obtain a claim form from the police, the prosecutor, a hospital emergency room, the Office of Victim Services or from the Office of the Attorney General. Assistance is also available from other programs such as rape crisis centers and domestic violence and child abuse programs. Ask the prosecutor's office for referrals.
- 8. Request restitution** and have the prosecutor present this request in court. A victim may ask the defendant to pay back what was lost due to the crime. The restitution amount is based on any proof a victim might have (records, receipts) of any items the victim has lost as a result of the crime. Restitution may be a part of the defendant's sentencing.
- 9. Be free from intimidation, threats or harassment.** Intimidating a victim or a witness is a felony, apart from any charges the accused may already face. If you are threatened or your property is damaged by anyone connected to your case, you should contact the prosecutor's office and law enforcement immediately. In cases involving family violence and/or other violence, an order of protection may be requested.
- 10. Receive notice of discharge, release or escape of an offender from a correctional facility.** The prosecutor has a form to be completed in order that you can stay informed. The New York Victim Information and Notification Everyday (VINE) system provides up-to-date information about the custody status of offenders via the telephone or internet. Crime victims and other New Yorkers can call (888) VINE-4NY (888-846-3469) or connect to vinelink.com to secure information about incarcerated defendants. By providing an inmate's identification number or date of birth, which you can obtain from the prosecutor, you can learn sentencing and release information. You may also register with VINE for automatic notification by telephone when the inmate is released.