



# STEUBEN COUNTY

## SHERIFF'S OFFICE

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## Victim's Rights

### Notice of Victim's Rights

Under Indiana Code Section 35-33-1-1.5(a), a law enforcement officer responding to the scene of an alleged crime involving domestic or family violence shall use all reasonable means to prevent further violence, including the following:

- Transporting or obtaining transport for the alleged victim and each child to a designated safe place to meet with a domestic violence counselor, local family member, or friend.
- Assisting the alleged victim in removing toiletries, medication, and necessary clothing.
- Giving the alleged victim immediate/written notice of their rights under I.C. 35-40.

### Under Indiana Code 35-40, a victim has the following rights:

1. A victim has the right to be treated with fairness, dignity, and respect throughout the criminal justice process.
2. A victim has the right to be informed, upon request, when a person who is accused of committing or convicted of committing a crime perpetrated directly against the victim, is released from custody or has escaped.
3. A victim has the right to have the victim's safety considered in determining release from custody of a person accused of committing a crime against the victim.
4. A victim has the right to information, upon request, about the disposition of the criminal case involving the victim or the conviction, sentence, and release of a person accused of committing a crime against the victim.
5. A victim has the right to be heard at any proceeding involving sentence or a post-conviction release decision. A victim's right to be heard may be through an oral or written statement, or submission of a statement through audio or videotape.
6. A victim has the right to make a written or oral statement for use in preparation of the pre-sentence investigation report.
7. A victim has the right to confer with a representative of the prosecuting attorney's office after a crime allegedly committed against the victim has been charged; before the trial of a crime allegedly committed against the victim; and before any disposition of the criminal case.
8. A victim has a right to pursue an order of restitution and other civil remedies against the person who committed the crime.
9. A victim has the right to be informed of the victim's constitutional and statutory rights.