



Santa Rosa County Sheriff's Office

Sheriff Bob Johnson

YOUR RIGHTS AS THE VICTIM OF A CRIME

We realize that for many people, being the victim of a crime is their first experience with the criminal justice systems. As a victim, you have certain rights within the system. This brochure is being provided to you as a summary of your rights pursuant to Article I, Section 16 of the Florida Constitution. You can read the full version at www.santarosasheriff.org.

WHO IS A VICTIM?

A "Victim" a person who suffers direct or threatened physical, psychological, or financial harm as a results of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed.

The term "victim" includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon showing that the interest of such individual would be in actual or potential conflict with the interests of the victim.

WHAT HAPPENS IN THE PROCESS AFTER AN SUSPECTED OFFENDER IS ARRESTED

An suspected offender who is arrested is seen by a judge within 24-48 hours at a court proceeding known as First Appearance, provided the accused has not posted bond and already been released. Initial bond amounts are established pursuant to a bond schedule set by Administrative Order.

First Appearance hearing are held at the Santa Rosa County Courthouse located 6865 Caroline Street, Milton, Florida in the Video Hearing Room. These hearings are held each normal business day at 1:30 pm. During court holidays and weekend, times will vary.

YOUR CONSTITUTIONAL RIGHTS

To preserve and protect your right to achieve justice, ensure a meaningful role throughout the criminal system

To have your rights and interests respected and protected by law

To due Process, fair treatment and respect for your dignity

To be free from intimidation, harassment, and abuse

To be reasonably protected from the accused and any person acting on behalf of the accused within the judicial process

To have the safety and welfare of you and your family considered when setting bail and pretrial release conditions

To prevent the disclosure of information on records that could be used to locate or harass you or your family or which could disclose confidential or privileged information

A victim shall have the following specific rights upon request:

- € Reasonable, accurate, and timely notice of, and to be present at, all public hearings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if the victim will be a witness at the proceedings, notwithstanding any rule to the contrary;
- € Reasonable, accurate, and timely notice of any release or escape of the defendant or delinquent, and any proceeding during which a right of the victim is implicated;
- € To be heard in any public proceeding involving pretrial or other release from any form of legal restraint, plea, sentencing, adjudication, or parole, and any proceeding during which a right of the victim is implicated;
- € To confer with the prosecuting attorney concerning any plea agreements, participating in pretrial diversion programs, release, restitution, sentencing, or any other disposition of the case;
- € To provide information regarding the impact of the offender's conduct on you or your family to the court or person conducting any presentence investigation or presentence investigation report, and to have the information considered in any sentencing recommendations submitted to the court;
- € To receive a copy of any report or record relevant to the exercise of a victim's rights, except such portions made confidential or exempt by law
- € To be informed of the conviction, sentence, adjudication, place and time of incarceration, or other disposition of the convicted offender, any scheduled release date of the offender, and the release of or the escape of the offender from custody;

- To be informed of and participate in all post-conviction processes and procedures and provide information to the releasing authority to be considered before any release decision is made, and to be notified of any release decision;
- To be informed of clemency and expungement procedures, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement decision is made; and to be notified of such decision in advance of any release of the offender;
- To the prompt return of property when no longer needed as evidence in the case;
- To full and timely restitution from each conviction offered for all losses suffered, both directly and indirectly as a result of the criminal conduct;
- To proceedings free from unreasonable delay, and to a prompt and final conclusion of the case and any related post-judgement proceedings;
- To be informed of these rights;
- To seek the advice of any attorney with respect to their rights;
- To assert and seek enforcement of these rights and any other right offered to a victim by law and to have the court or other authority with jurisdiction act promptly on such request and to seek remedy for the violation of any right

OTHER RIGHTS

Florida Statutes also provide the victim with statutory rights and many overlap with the constitutional rights listed above. Additional rights not already mentioned above which may apply in your case include:

- The right to be informed of crisis intervention services and referrals;
- Explanation of the stages of the criminal justice process and your role as a victim
- To be consulted by the State Attorney in certain felony cases;
- The right to have a Victim Advocate present during discovery depositions and the right to be excused from depositions held at correctional facility unless you are a victim already incarcerated;
- To be provided information concerning protection from intimidation. It is a felony in the third degree to threaten and intimidate victims and witnesses. Please contact your local law enforcement agency if this occurs;
- Access to a translator, transportation, and separate waiting rooms;
- To be told of your right to request and receive assistance, if applicable, in filing Florida Crimes Compensation Claims (1-800-226-6667);

- To request assistance from law enforcement and the State Attorney’s office in notifying employers/creditors of financial strain and absenteeism resulting from victimization;
- Victims of sexual offenses may request the courtroom be cleared in certain instances during their testimony and in cases involving the transmission of bodily fluids to request hepatitis and HIV testing of the accused and the right to request a Victim Advocate be present during a forensic medical examination. A victim of a sexual offense cannot be required nor be asked by a law enforcement officer, state attorney, or other government official to submit to a polygraph or other truth detecting device as a condition of the investigation;
- In juvenile cases, minor victims may request at sentencing/disposition, that the defendant be required to change schools if they attend the same school.

REFERRAL NUMBERS

Abuse Registry (elderly & children)
1-800-962-2873

Attorney Referral Service
850-434-6009

Certified Domestic Violence Ctr
(Favor House) 850-434-1177

Florida Domestic Violence Hotline
1-800-500-1119

Legal Service of NW Florida
850-432-3999

State Attorney’s Office
850-981-5500

Victim Information & Notification Everyday
1-877-846-3435

Santa Rosa County Sheriff’s Office Victim Advocate
850-983-1145

**Santa Rosa County Sheriff's Office
(850) 983-1100**

Officer’s Name/ID: _____

Officer’s Phone Number: _____

Agency Case #: _____