

Victims' Rights Request Form



As a victim of crime, you have constitutionally protected rights. These rights are detailed by the Ohio Attorney General's Office Crime Victim Services at www.OhioAttorneyGeneral.gov/Individuals-and-Families/Victims or by calling 800-582-2877. **Some rights are automatic. Some rights require your request.** This form provides important information about your rights. You will be asked to complete and sign this form so that criminal justice officials know which rights you wish to exercise. **This form is NOT a public record.**

Requesting and Enforcing Your Rights

- Page two of this form provides a list of rights that must be requested if you wish to exercise them. It is your choice. You can choose to exercise all, some, or none of your rights.
 - NOTE: If you are a victim of an offense of violence or a sexually oriented offense and you do not complete the form or request your rights at first contact with law enforcement, you will be automatically opted in to all "upon request" rights until you are contacted by the prosecutor. Once contacted by a prosecutor, you will no longer be opted in and you must request your rights in order to exercise them.
- You can change your mind at any time about which rights you choose to exercise. However, if you choose not to exercise some rights and then request them later, you may give up some rights that only apply during certain stages of the case. If you change your mind, you must call, email, or complete a new form and return it to the investigating officer, prosecutor, court, prison, jail, or community based correctional facility to ensure officials have updated information on the rights you wish to exercise and updated contact information.
- If any of your rights are denied, you may ask the advocate or prosecutor to help, seek enforcement on your own, hire an attorney, or request free legal assistance from Ohio Crime Victim Justice Center at <https://www.ocvjc.org/request-for-assistance> or call 614-848-8500.
- An online resource to help you understand and exercise all of your rights is the Victims Rights Toolkit, <https://www.ocvjc.org/victims-rights-toolkit>.

Appointing a Victim Representative

- You may choose to exercise your rights and/or choose a representative to exercise your rights. A representative can be anyone other than the defendant. You can choose, change, or remove a representative at any time.

Privacy and Safety

- You may be eligible for a protection order. The investigating officer will provide available resources to assist with obtaining a protection order.
- You may use the form on page 2 to request redaction (removal) of your name, address, and identifying information from public records related to this case. This request does not apply to crash reports submitted to the Department of Public Safety. You must send a separate request to the Department of Public Safety to request redaction of crash reports at <https://publicsafety.ohio.gov/help-center/contact-us>.
- You may be able to keep your address private by obtaining a Safe at Home address. Learn more at: <https://www.ohiosos.gov/secretary-office/office-initiatives/safe-at-home/survivors/> or call 614-995-2255
- If the defendant, defendant's attorney, or anyone else acting on behalf of the defendant contacts you to talk with you, request an interview, or attempt to obtain any information or materials from you, you have the right to refuse. Immediately contact the prosecutor to let them know you have been contacted.
- You can receive texts, calls, or emails to receive notice of a defendant or offender's release or escape from jail or prison. Register at: <https://www.vinelink.com/#state-selection>

Arraignment

- **Arraignment is a hearing that can happen within a couple days after the defendant is charged with a crime.**
- If you request notification, law enforcement will notify you of the arrest of the defendant and can provide you a phone number for the clerk of the court to get information on the date, time, and location of the arraignment proceeding.
- During arraignment the judge decides whether or not to release the defendant on bond, bond conditions, and whether or not to issue a protection order.
- You have the right to attend the arraignment and tell the judge about any safety concerns and your opinion regarding release, bond conditions, and whether or not you would like a protection order.

Compensation and Restitution

- **Crime Victim Compensation Fund:** You may be eligible to apply for reimbursement for certain financial losses relating to your victimization, even if the suspect has not been arrested or convicted. You may apply at: <https://www.ohioattorneygeneral.gov/individuals-and-families/victims/apply-for-victims-compensation> or 800-582-2877.
- **Restitution:** Upon conviction, the court must order the offender to pay you for certain financial losses relating to your victimization. It is important to keep a record of all expenses incurred as a result of the crime so that the court can use this information to determine what costs are properly included in an order of restitution. <https://www.supremecourt.ohio.gov/docs/JCS/courtSvc/MarsysLaw/SCO-CSD-0002.pdf>

White: LE agency file

Lt. Yellow: Clerk of Court

Pink: Prosecutor

Gold: Victim

FORM COMPLETED BY:

- ☐ Law Enforcement ☐ Victim
☐ Prosecutor

Report No.: _____

Case No.: _____

County: _____

Badge No.: _____

Reporting Agency: _____

Reporting Officer: _____

Reporting Agency Phone: _____

Arraignment: _____

Date, Time, and Location, if known

Automatic Rights – You do not need to request these rights.

- ✓ The right to be informed of your rights.
- ✓ The right to be treated with fairness and respect for your safety, dignity and privacy.
- ✓ The right to reasonable protection from the accused or any person acting on behalf of the accused.
- ✓ The right to information about the status of the case.
- ✓ The right to refuse a defense interview, deposition, or other discovery request.
- ✓ The right to object to defense requests for access to your confidential information, including medical, counseling, school or employment records, access to your personal devices or on-line accounts, or other personal information.
- ✓ The right to be present at all public proceedings.
- ✓ The right to have a support person with you during proceedings.
- ✓ The right to speak with the prosecutor at certain points in the case, including before pretrial diversion is granted, before the prosecutor amends or dismisses an indictment, information, or complaint, before the prosecutor agrees to a negotiated plea, and before a trial or adjudicatory hearing.
- ✓ The right to tell the court your opinion in public proceedings involving release, plea, sentencing, disposition, parole, and any other hearing that involves victims' rights.
- ✓ The right to object to unreasonable delays.
- ✓ The right to full and timely restitution from the offender.

Rights that must be requested – Check all that apply.

- ☐ I want to be notified of upcoming court proceedings in a reasonable and timely manner.
- ☐ I want to request a *no contact* order or temporary protection order (if applicable).
- ☐ I want notice of the arrest, escape, or release of the offender.
- ☐ I want to speak with the prosecutor in the case in addition to the times listed above.
- ☐ I want to be notified of subpoenas, motions, or other requests to access any of my personal information.
- ☐ I want to appoint a Victim's Representative.
- ☐ I want interpretation services during contacts with criminal justice system officials.
 - ☐ Foreign language interpreter in _____ language
 - ☐ American Sign Language interpreter
- ☐ I want my name, address, and identifying information removed from public records related to this case, including records of law enforcement, the prosecutor, and the court.

LAW ENFORCEMENT USE ONLY

Initial: _____ Victim of offense of violence, violation of protection order, or sexually oriented offense did not complete form and is opted in to all rights until contacted by the prosecutor.

White: LE agency file

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Personal Contact Information

This form was provided to me by ☐ law enforcement officer OR ☐ prosecutor's office on this date.

As a victim, you must keep law enforcement agencies, prosecutors, courts, and custodial agencies up to date with your current contact information.

Victim Name: _____

Email: _____ Phone: _____

Address: _____

Preferred method of contact (check all that apply): ☐ mail ☐ phone call ☐ email

I can be best reached between ____ and ____ at _____. Other: _____

☐ Please provide my name and contact information, and that of my representative, if applicable, to the custodial agency, if any.

If requested by victim:

Victim Representative Name: _____

Email: _____ Phone: _____

Address: _____

☐ As the victim, I do not wish to receive notices about this case. Please provide notices to my representative.

FOR BUSINESS VICTIM USE ONLY

☐ As the representative of _____ (insert business name), by checking this box, I hereby OPT OUT of the business's victims' rights in this case and future cases unless I notify law enforcement, the prosecutor, or the court otherwise.

Signature

Victim: _____

Date: _____

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Agencies that May Assist You

Prosecutors

- ☐ **Tuscarawas County Prosecutor's Office, Victim Assistance Program**
 - General information and guidance, protection orders, felony & juvenile cases, some Southern District misdemeanors.Ph. 330-365-3214
- ☐ **New Philadelphia & Parral Prosecutor:**
Christopher Rice, Ph. 330-364-4491, ext. 1261
- ☐ **Dover Prosecutor:**
Donovan Hill, Ph. 330-365-7718
- ☐ **Bolivar, Midvale, Mineral City, Strasburg & Sugarcreek Prosecutor:**
Steve Anderson, Ph. 330-364-1614
- ☐ **Uhrichsville Prosecutor:**
Doug O'Meara, Ph. 330-364-5505
- ☐ **Gnadenhutten, Newcomerstown & Port Washington Prosecutor:**
Mark Perlaky, Ph. 330-447-2219
- ☐ **Baltic, Stonecreek, Tuscarawas & Zoar Prosecutor:**
Lacey Felix, Ph. 330-333-2260
- ☐ **Dennison Prosecutor:**
Patrick Williams, Ph. 330-440-7776
- ☐ **Roswell Prosecutor:**
Brett Hillyer, Ph. 740-922-4161

Courts

- ☐ **Tuscarawas County Court, Uhrichsville**
Online docket: TuscCourtSouthern.com
Ph. 740.922.4795
- ☐ **New Philadelphia Municipal Court**
Online docket: NPMunicipalCourt.org
Ph. 330.343.6797

Common Pleas Court

- ☐ General Trial Division (felonies)
Online docket: www.co.tuscarawas.oh.us
Call County Prosecutor, Victim Assistance
- ☐ Juvenile Division:
Call County Prosecutor, Victim Assistance

Other Local Resources

- COMPASS** (independent, local advocates; protection orders; rape crisis; support groups)
24-hour Crisis Hotline: 330-339-1427
Office Ph. 330-339-2504
- Harbor House** (domestic violence shelter)
Ph. 330.343.2778, Line 2
- Noah's Hope CAC** (child victims of serious abuse)
Ph. 330-364-2777
- Southeast Ohio Legal Services** (free legal aid)
Ph. 330.339.3998
- Tuscarawas County Jobs and Family Service**
(cash, food and medicaid assistance)
Ph. 330.339.7791
- AccessTusc** (transportation)
Ph. 234-801-8007
- Friends of the Homeless** (shelter)
Ph. 330-602-3100
- Jim's Place** (free clothing and soup kitchen)
Ph. 330-339-6699
- Dover-New Phila Food Pantry** (free groceries for indigent)
Ph. 234-801-8198
- HARCATUS** (housing and utility assistance)
Ph. 330-343-8770
- T4C** (cash assistance)
Ph. 330-364-6012

Statewide Resources

- VINE: Victim Information and Notification Everyday** (location and alerts of inmates)
Website: vinelink.com
- Ohio Crime Victim Justice Center** (independent, statewide advocates)
Website: OCVJC.org; Ph. 614-848-8500
- Ohio Atty. General, Crime Victim Services**
Website: OhioAttorneyGeneral.gov
Ph. 800-282-0515
- Ohio Domestic Violence Network**
Website: odvn.org
Ph. 1-800-934-9840

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