

VICTIM RIGHTS

Know Your Rights

FLORIDA STATE STATUTE 960 PROVIDES PROTECTION FOR VICTIMS OF CRIME. Under this statute you have the right to be treated with dignity and respect, and to be informed about available services, victim's compensation, and your role in the criminal justice system should you choose to file a police report. These rights include:

- Either you or the State Attorney's Office, with your consent, have standing to assert any legal rights of a crime victim.
- In some cases, victim (or their relatives where the victim is deceased) may be eligible for financial compensation from the Bureau of Crimes Compensation.
- The right to receive information on available crisis interventions services and local community services.
- The right to receive information regarding the role of the victim in the criminal or juvenile process.
- The right to receive information regarding the stages of the criminal justice process and the manner in which information about such stages may be obtained.
- The right to be informed, present, and heard, when relevant at all crucial stages of criminal/juvenile proceedings
- The right, if you are incarcerated, to be informed and submit written statements at all crucial stages of criminal /juvenile proceedings.
- The right to a prompt, timely disposition of your case.
- The right to be notified of the arrest and release of the offender including release to community control.
- The right to receive information on the steps available to law enforcement and the State Attorney's Office to protect you from intimidation and/or harassment.
- The right of the victim of domestic violence to be informed of the address confidentiality program.
- The right of each victim or witness who has been scheduled to attend criminal/juvenile proceeding, to be notified as soon as possible of any change in the scheduling that will affect their appearance.
- The right to receive advance notification of judicial and post judicial proceedings relating to the case.
- The right to not be excluded from any portion of any hearing, trial or proceeding pertaining to the offense.
- The rights of the victim of a felony involving physical or emotional injury or trauma, or in a case where the victim is a minor child or in a homicide, the victim/guardian/family shall be consulted by the State Attorney to obtain their views about the disposition of any criminal/juvenile case.
- The right to review certain portions of a pre-sentence investigation report for adult and youthful offenders prior to the sentencing of the accused.

Know Your Rights Continued.

- The right of a prompt return of property unless there is compelling law enforcement need to retain it.
- The right to submit an oral or written impact statement to the court, pursuant to Florida Statute 921.143, prior to
- The right to request that the State Attorney or Law Enforcement agency advocate on your behalf with employers and creditors .
- To be informed of your right to request and receive restitution and of your rights of enforcement in the event the offender does not pay.
- The right to submit an oral or written impact statement to the court prior to sentencing of the offender(s).
- The right to receive reasonable assistance from the State Attorney's Office and Law Enforcement Agency in locating accessible transportation, parking, translators and separate waiting area when practicable.
- The right to be notified when the offender escapes from custody.
- The right to have a victim advocate present during any deposition.
- The right of a victim of a sexual offense to have the courtroom cleared, with certain exceptions, during their testimony.
- The right to request, in certain circumstances that the offender be required to attend a different school than the victim.
- The right of the victim who is not incarcerated to not be required to attend discovery depositions in any correctional facility.
- The statutory obligation of the victim or next of kin of a homicide victim, that any information gained regarding any case in juvenile court, must not be revealed to any outside party except as reasonably necessary in pursuit of legal remedies.
- The right to know in certain cases, and at the earliest opportunity, if the person charged with an offense has tested positive for human immunodeficiency virus (HIV) infection.
- The right to request, for specific crimes, that your home cell/work telephone numbers, home and work addresses, and personal assets not be disclosed to anyone.
- The right of a victim of a sexual offense to request the presence of a victim advocate during the forensic exam. An advocate from a certified rape crisis center shall be permitted to attend any forensic exam.
- No law enforcement officer, prosecuting attorney or government official shall ask or require a victim of a sexual offense to submit to a polygraph examination or other truth-telling device as a condition of the investigation.

As a victim of Domestic Violence you may also qualify for Relocation Assistance.

CONTACT THE UCF VICTIM ADVOCATE PROGRAM FOR ASSISTANCE AND ELIGIBILITY REQUIREMENTS.

As the victim of a Sex Offense you are not required to report to Law Enforcement to be eligible for a Forensic Exam.

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DOMESTIC AND DATING VIOLENCE

IF YOU ARE BEING PHYSICALLY OR SEXUALLY ABUSED BY A PARTNER, THE LAW CAN PROTECT YOU.

What Does the Law Say?

You may report the incident to your local law enforcement agency. You also have the right to file a petition requesting an injunction for protection from domestic or dating violence, which may include provisions that restrain the abuser from further acts of violence or abuse.

Can this Law Help Me?

Yes—if this individual has abused you physically or sexually, or if you have good reason to fear that this person is about to be violent toward you, Florida Statute 741.30 enables you to get a judge to ORDER the abuse to STOP.

The paper that starts this process is called a Petition for Injunction for Protection Against Domestic/Dating Violence. Assistance with this process can be provided by a Victim Advocate.

A victim of violent crime who does not meet the criteria in the Florida Statute for Domestic/Dating Violence may be entitled to obtain a Petition for Protection Against Repeat Violence, in accordance with Florida Statute 784.046.

How Can the Judge Help Me?

After you file your petition, the judge can sign a temporary or permanent injunction. Either type of injunction or order will tell your abuser that they may not be violent towards you. A temporary injunction can be obtained on the same day you file your petition and can last up to 15 days.

A final Injunction for protection can go into effect upon expiration of the temporary injunction if ordered by the judge, and the final injunction may be for a specific period of time, or it can be permanent.

How Can an Injunction Help Me?

Some things the judge MAY order in the injunction are:

- The abuser cannot commit any acts of violence against you;
- That they immediately leave the residence you share;
- That they stay away from your home if you are not living together;
- That you have temporary custody of any children you and the abuser have together; and
- That the abuser go to batterer's intervention.

The judge can impose other conditions.

What if the Abuse or Threats Continue?

A person who refuses to follow a judge's order can be put in jail. If the abuser disobeys the judge's order, contact the police or sheriff's office and show them the certified copy of the Injunction for Protection. In most cases, the officer will arrest the abuser.

What If I Have More Questions?

The UCF Victim Services Program can explain all your options, act as an advocate on your behalf, discuss safety planning and assist with filing an Injunction for Protection.

A victim of Domestic Violence has the right to be notified of the Address Confidentiality Program, administered by the Attorney General's Office.
PLEASE CONTACT 1-800-226-6667
FOR FURTHER INFORMATION ABOUT THIS PROGRAM.

VICTIM SERVICES

What is Victim Services?

FOR MANY PEOPLE, BEING A VICTIM OR WITNESS TO A CRIME IS THEIR FIRST EXPERIENCE WITH THE CRIMINAL JUSTICE SYSTEM. As a victim or witness, you have certain rights. The UCF Victim Services Program is staffed with professional victim advocate practitioners who will ensure that you receive the assistance you need, as well as help you to understand your rights under Florida law.

A victim advocate can assist you by informing you of your options, advocating on your behalf through the UCF academic and Student Conduct processes, and the Criminal Justice System, while supporting you in your efforts to regain control of your life by providing crisis counseling and emotional support.

Advocates are available 24-hours a day, seven days a week to answer any questions you may have. Our services are free of charge and confidential.

How can a UCF advocate help?

- Crisis Intervention — An advocate can provide assistance 24/7. You can contact a crisis advocate to discuss immediate safety issues or concerns. Advocates can meet you in person at a safe location. You can request an advocate if law enforcement has been contacted. In case of an emergency, call 911.
- Practical Assistance and Support— We can help you understand what your options are, relating to the Criminal Justice System, the University Judicial System, or both.
We provide assistance with:
 - Injunctions for Protection/Restraining Orders/ Protective Orders
 - Safety planning
 - Transportation and accompaniment for court appearances
 - Medical appointments
 - Housing assistance
 - Student Conduct Process
 - Student Legal Services
 - Academic concerns as well as assistance with faculty and classes
 - Assistance with professors, employers, landlords etc.
 - Filing for Crime Victim Compensation
- Information and Referral — We maintain a current listing of community based social service agencies that can assist with many different needs.

Referrals may include both on and off campus agencies that provide support and services such as:

- Health care
- Immigration
- Counseling
- Legal aid
- Emergency Shelter

options, advocacy
and education

