

Victims' Bill of Rights

When someone becomes a victim of violence or crime, it can be one of the most devastating experiences of their life. The state of Pennsylvania has enacted a Victims' Bill of Rights to ensure victims are informed, protected and supported as much as possible through the criminal and juvenile justice system, and personal recovery.

Victims of crime have the following rights:

- To receive basic information concerning the services available for victims of crime.
- To be notified of certain significant actions and proceedings within the criminal and juvenile justice systems pertaining to their case. This includes all of the following:
 - Access to information regarding whether the juvenile was detained or released following arrest and whether a petition alleging delinquency has been filed.
 - Immediate notification of a juvenile's pre-adjudication escape from a detention center or shelter facility and of the juvenile's subsequent apprehension.
 - Access to information regarding the grant or denial of bail to an adult.
 - Immediate notification of an adult offender's pretrial escape from a local correctional facility and of the offender's subsequent apprehension.
- To be accompanied at all criminal and all juvenile proceedings in accordance with 42 Pa.C.S. § 6336 (relating to conduct of hearings) by a family member, a victim advocate or other person providing assistance or support.
- In cases involving a personal injury crime of burglary, to submit prior comment to the prosecutor's office or juvenile probation office, as appropriate to the circumstances of the case, on the potential reduction or dropping of any charge or changing of a plea in a criminal or delinquency proceeding or diversion of any case, including an informal adjustment or consent decree.
- To have opportunity to offer prior comment on the sentencing of a defendant or the disposition of a delinquent child, to include the submission of a written and oral victim impact statement detailing the physical, psychological and economic effects of the crime on the victim and the victim's family. The written statement shall be included in any predisposition or presentence report submitted to the court. Victim impact statements shall be considered by a court when determining the disposition of a juvenile or sentence of an adult.
- To have notice and to provide prior comment on a judicial recommendation that the defendant participate in a motivational boot camp pursuant to the act of December 19, 1990 (P.L. 1391, No. 215), known as the Motivational Boot Camp Act.

- Upon request of the victim of a personal injury crime, to have the opportunity to submit written comment or oral testimony at a disposition review hearing, which comment or testimony shall be considered by a court when reviewing the disposition of the juvenile.
- To be restored, to the extent possible, to the precrime economic status through the provision of restitution, compensation and the expeditious return of property, which is seized as evidence in the case when in the judgement of the prosecutor the evidence is no longer needed for prosecution of the case.
- In personal injury crimes where the adult is sentenced to a State correctional facility, to be:
 - Given the opportunity to provide prior comment on and to receive State post-processing release decisions, including work release, furlough, parole, pardon or community treatment center placement; and
 - Provided immediate notice of an escape of the adult and of subsequent apprehension; and
 - Given the opportunity to receive notice of and to provide prior comment on a recommendation sought by the Department of Corrections that the offender participate in a motivational boot camp pursuant to the Motivational Boot Camp Act.
- In personal injury crimes where the adult is sentenced to a local correctional facility, to:
 - Receive notice of the date of the release of the adult, including work release, furlough, parole, release from a boot camp or community treatment center placement; and
 - Be provided with immediate notice of an escape of the adult and of subsequent apprehension.
- If, upon the request of the victim of a personal injury crime committed by a juvenile, the juvenile is ordered to residential placement, a shelter facility or a detention center, to:
 - Receive prior notice of the date of the release of the juvenile, including temporary leave or home pass.
 - Be provided with:
 - ◊ Immediate notice of an escape of the juvenile, including failure to return from temporary leave or home pass; and
 - ◊ Immediate notification of reaprehension of the juvenile.
 - Be provided with notice of transfer of a juvenile who has been adjudicated delinquent from a placement facility that is contrary to a previous court order or placement plan approved at a disposition review hearing and to have the opportunity to express a written objection prior to the release or transfer of the juvenile.
- If an adult is subject to to an order under 23 Pa.C.S. Ch. 61 (relating to protection from abuse) and is committed to a local correctional facility for a violation of the order or for a personal injury crime against a victim protected by the order, to receive immediate notice of the release of the adult on bail.
- To receive notice if an adult is committed to a mental health facility from a State correctional institution and notice of the discharge, transfer or escape of the adult from the mental health facility.
- To have assistance in the preparation of, submission of and follow-up on financial assistance claims to the bureau.
- To be notified of the details of the final disposition of the case of a juvenile consistent with 42 Pa.C.S. §6336(f) (relating to the conduct of hearings).

- Upon the request of the victim of a personal injury crime, to be notified of the termination of the courts' jurisdiction.

Media Rights

(These rights are not guaranteed by legislation or a court of law)

You have the right to:

1. Say "no" to an interview.
2. Select a spokesperson to represent you.
3. Select the time and location for an interview.
4. Ask for a specific reporter.
5. Refuse an interview with a specific reporter even though you have given interviews to other reporters
6. Say "no" to an interview even though you have given interviews before.
7. Release a written statement through a spokesperson instead of an interview.
8. Keep children out of an interview.
9. Not answer any questions you are uncomfortable with or that you feel are inappropriate.
10. Know in advance the direction the story about your victimization is going to take.
11. Avoid a press conference atmosphere and speak to only one reporter at a time.
12. Demand a correction when wrong information is reported.
13. Ask that offensive photographs or visuals are taken out of television broadcasts or printed publications.
14. Give a television interview using a silhouette, or a newspaper interview without having your photograph taken.
15. Completely give your side of the story if you feel the reporter is not asking the questions you feel need to be asked.
16. Refrain from answering reporters' questions during the trial.
17. File a formal complaint against a journalist.
18. Grieve in private.
19. Be treated at all times with dignity and respect by the media.

–Adapted by Center for Victims from the National Center for Victims of Crime