

***Victims of crime have the following rights:***

- To be notified that a court proceeding to which a victim or witness has been subpoenaed will or will not go on as scheduled, in order to save the person an unnecessary trip to court;
- To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available and how to access protection;
- To be informed of financial assistance and other social services available as a result of being a witness or a crime victim, including information on how to apply for the assistance and services;
- To be informed of procedure to be followed in order to apply for and receive any witness fee to which the victim or witness is entitled;
- To be informed of the procedure to be followed in order to apply for and receive any restitution to which the victim is entitled;
- To be provided, whenever possible, a secure waiting area during court proceedings that does not require close proximity to defendants and families and friends of defendants;
- To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, shall be returned to the person;
- To be provided with appropriate employer intercession services to ensure that employers of victims and witnesses will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances;
- To have the family members of all homicide victims afforded all of the services under this section, whether or not the person is to be a witness in any criminal proceedings;
- To be informed of any plea bargain negotiations;
- To have victim impact statements filed with the judgment and sentence;
- To be informed if a sentence is overturned, remanded for a new trial or otherwise modified by the Oklahoma Court of Criminal Appeals;
- To be informed in writing of all statutory rights;
- To be informed that when any family member is required to be a witness by a subpoena from the defense, there must be a showing that the witness can provide relevant testimony as to the guilt or innocence of the defendant before the witness may be excluded from the proceeding by invoking the rule to remove potential witnesses;
- To be notified by the Pardon & Parole Board of Pardon & Parole actions if you request notification;
- To be informed in felony cases involving violent crime or sex offenses when pre-trial proceedings may substantially delay prosecution;
- To protect the identity of the victim in sexual assault cases;
- To request that the offender be tested for sexually transmitted diseases in sexual assault cases as ordered by the court;
- To be informed that any sentence, including Life Without Parole, may be commuted.

**What type of financial assistance may be available for victims of violent crime?**

Out of pocket expenses considered under this program are:

- ◆ medical and dental care;
- ◆ prescriptions;
- ◆ counseling and rehabilitation;
- ◆ work loss or loss of support;
- ◆ caregiver work loss;
- ◆ homicide crime scene clean-up;
- ◆ funeral and burial expense.

**MAXIMUM AWARD**

**\$20,000.00**

**Some extra info...**

PROPERTY LOSS AND PAIN AND SUFFERING ARE NOT COVERED.

NO ATTORNEY IS NEEDED TO FILE A CLAIM.

NO ARREST OR CONVICTION IS REQUIRED.

YOU MUST COOPERATE FULLY WITH LAW ENFORCEMENT.

## FREQUENTLY ASKED QUESTIONS

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### **What is Oklahoma Crime Victims Compensation?**

A state program that provides a method of compensation to persons who are victims of criminal acts and who suffer physical or psychological injury or death as a result.

**To file a claim, contact your District Attorneys Office or the Oklahoma Crime Victims Compensation Program at**

**1-800-745-6098**

### **Where does the money come from?**

Funds awarded to victims of crime come from assessments placed on persons pleading guilty or convicted of crimes at the District and Federal Court levels.

### **WHO CAN APPLY?**

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Eligible applicants are:

- a victim;
- a dependent of a deceased victim;
- a person authorized to act on behalf of the victim or dependent.

**1-800-745-6098**

### **To be eligible for financial assistance...**

The crime must be reported to a law enforcement agency within 72 hours.

The claim for compensation must be filed within one (1) year of injury, death, or disclosure (if victim is a minor.) The one-year deadline can be waived if there is good cause. Under no circumstance may a claim be eligible after two (2) years from the injury or death.

There must be eligible economic losses that are not paid by other sources.

The claimant must fully cooperate in the investigation and prosecution of the offender.

Compensation shall not benefit the offender or accomplice.

Claim for compensation may be reduced or denied if there were any actions by the victim that contributed to the injury or death.

## **LOCAL CONTACT INFORMATION**

# Oklahoma Crime Victim Rights

## INFORMATION

