

INFORMATION FOR VICTIMS AND WITNESSES OF FEDERAL CRIME

The following information has been prepared to help answer questions that may arise. We have included information which will give you an understanding of how the Federal criminal justice system works.

The role of the United States Attorney's Office is to prosecute cases fairly and justly. Our actions on your behalf do not constitute an attorney-client relationship and we cannot give you legal advice. The interests of the United States may occasionally diverge from your interests as a victim.

VICTIMS' RIGHTS

The Crime Victims' Rights Act gives victims of offenses charged in Federal court the following rights:

The right to be reasonably protected from the accused.

The right to reasonable, accurate, and timely notice of any public court proceeding involving the crime or of any release or escape of the accused.

The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.

The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.

The reasonable right to confer with the attorney for the Government in the case.

The right to full and timely restitution as provided in the law.

The right to proceedings free from unreasonable delay.

The right to be treated with fairness and with respect for the victim's dignity and privacy.

We will make our best efforts to ensure you are provided the rights described. You may seek the advice of an attorney with respect to these rights.

THE CRIMINAL JUSTICE PROCESS

As the case moves through the Federal court system, there are several events that typically occur.

INVESTIGATION

ARREST

DETENTION HEARING (POSSIBLE)

The Government is seeking to detain the defendant and may do so based on the statement of the prosecutor or by presenting witnesses and exhibits.

PRELIMINARY HEARING

A Judge determines if there is sufficient probable cause to charge the defendant. This only occurs if the defendant has not been charged by the Grand Jury.

or

GRAND JURY HEARING

A Grand Jury hears evidence in a non-public proceeding and may issue a formal charge called an Indictment.

An Arrest Warrant may be issued at this time.

ARRAIGNMENT

A defendant appears in court and hears the charge(s) against him/her. At this time, the defendant typically enters a plea of not guilty.

DISCOVERY, PLEA NEGOTIATIONS & MOTIONS

This may include hearings & rulings on motions concerning the admissibility of evidence, trial issues, or a possible guilty plea from the defendant.

TRIAL

The Government presents its case with witnesses, followed by the defendant's case. The trial generally results in a verdict by a jury.

PRESENTENCE INVESTIGATION & REPORT PREPARED

After a finding of guilt, a presentence report is prepared for the judge by U.S. Probation, at which time you have the right to submit written victim impact statements.

SENTENCE

APPEAL

RESTITUTION AND COMPENSATION

Victim Compensation

The Victim Compensation Program for the State of Georgia helps cover expenses for eligible victims of violent crime who have suffered physical or psychological injury due to the victimization. The Crime Victim Compensation Program may be able to reimburse you for crime related expenses such as medical expenses, mental health expenses, lost wages/ loss of support, funeral expenses, and/ or crime scene clean-up. The claim needs to be filed within 1 year of the crime. To obtain further information on eligibility requirements and an application, contact the Victim Witness Coordinator or Victim Witness Specialist listed on the back of this brochure.

Restitution

Under Federal law, restitution is mandatory for many (but not all) types of crimes. It is important for victims, who may be entitled to restitution, to keep a record of their losses, medical expenses, property damage and counseling expenses, with receipts when possible. This information will be needed by the probation department if the defendant is convicted and ordered to pay restitution.

THE EMOTIONAL IMPACT OF CRIME

Many victims of and witnesses to crime are emotionally affected by their experience and although everyone reacts differently, many people report common reactions such as:

Anger

Feelings of panic and/or anxiety

Nightmares and sleep pattern changes

Feelings of selfdoubt, shame or guilt

Reliving what happened

Depression, difficulty concentrating

Increased concern for personal safety and that of their family

Many people continue to have these responses for some time after the crime. The Victim-Witness Program can assist you in finding appropriate support services.

IF YOU ARE THREATENED OR HARASSED

If anyone threatens you or you feel that you are being harassed because of your cooperation with this case, there are remedies available. Your safety is para-mount. Please contact the investigating agent or the Victim - Witness Program immediately. They may discuss with you additional safety measures and assistance such as temporary restraining orders, possible relocation, or other appropriate referrals.

OTHER ASSISTANCE & SERVICES

If you are a victim, you are entitled to:



Notification of case events, usually by letter or E-mail, through the Victim Notification System. If the defendant is convicted and sentenced to the custody of the Bureau of Prisons, notification will continue

regarding the defendant's release date, furlough, or escape. **REMINDER: please keep us informed of any address, E-mail, or telephone number changes.**

Referrals to other agencies or professionals for counseling, shelter, and/or compensation.

If you are a victim or a witness, you are entitled to:

A separate waiting area away from defendant and defense witnesses.



A Federal Courthouse

Courtroom support.

Information and assistance with travel, lodging, parking, and reimbursement for mandatory court appearances and pre-trial interviews

LIMITED CONFIDENTIALITY STATEMENT

We are here to assist you as you go through the criminal justice process. However, you should know that we work as part of a team with the criminal prosecutor and the investigative case agent. We do our best to keep sensitive information confidential. As part of the team, there are times when we may need to share information you provide with the other team members. This is especially important if you share information regarding your safety, a medical emergency, information that relates to child abuse, and/or information that is critical to the investigation or prosecution of the case.

CONTACT INFORMATION

Christie Smith Jones
Victim Witness Coordinator
and
Beth Dozier
Victim Witness Specialist

U.S. Attorney's Office
75 Spring Street, Southwest
Atlanta, Georgia 30303
1-888-431-1918
(404) 581-6102
(404) 581-6041
Fax (404) 5816311

Georgia State Compensation Program
(404) 559-4949

Crisis Hotline
1-800-273-TALK
1-800-SUICIDE

National Organization for Victim Assistance

1-800-TRY-NOVA

National Center for Victims of Crime

1-800-FYI-CALL



INFORMATION AND

ASSISTANCE

FOR

FEDERAL CRIME

VICTIMS AND WITNESSES



"Our Nation's highest ideals of compassion and justice demand that we protect the welfare of all victims." - Attorney General Alberto Gonzales

Office of the United States Attorney
Northern District of Georgia
Victim Witness Program