

INFORMATION FOR VICTIMS AND WITNESSES OF FEDERAL CRIME

The role of the United States Attorney is to prosecute cases fairly and justly. If you are identified as a victim under the Crime Victims' Rights Act, we will make our best efforts to ensure you are provided the rights and services described in this brochure. We will also do our best to assist you with accessing a variety of services and help you navigate the criminal justice system.

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. You may seek the advice of an attorney with respect to your rights. If you believe that an employee of the United States Attorney's office failed to provide you with one or more of these rights, you may file an administrative complaint, as provided under 28 CFR § 45.10. Please contact the United States Attorney's office to obtain information about these procedures.

COMPENSATION AND RESTITUTION

Victim Compensation—The Victim Compensation Program for the State of Alaska helps cover expenses for victims of certain types of crime. The Crime Victim Compensation Program may be able to reimburse you for crime related expenses such as medical care, mental health expenses, and lost wages due to crime related injuries. To obtain further information and an application, contact our Victim-Witness Program.

State Compensation Program (800) 764-3040

What is Restitution? Restitution in the simplest terms is compensation for a loss that is paid by a criminal to the victim of the crime. It is not awarded in civil cases, but is ordered as part of a criminal sentence. Restitution is only available for an actual monetary loss that a victim sustained as a result of the defendant's criminal conduct.

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 FEDERAL CRIMINAL JUSTICE PROCESS

INVESTIGATION

ARREST

DETENTION HEARING (POSSIBLE)

A hearing to determine the custody status of the defendant. The Court will make a custody determination based on statements from the prosecutor, defense attorney, and/or subpoenaed witnesses and exhibits. Defendants on release pending trial are typically supervised by a Pretrial Release Officer.

PRELIMINARY HEARING or GRAND JURY HEARING

In a preliminary hearing, a Judge determines if there is sufficient probable cause to charge the defendant for the alleged offense. The Government may call witnesses to testify. This hearing only occurs if the defendant has not been charged by the Grand Jury. Alternatively, a Grand Jury hears evidence in a non-public proceeding and may issue formal charges via an Indictment.

An Arrest Warrant may be issued at this time in which case, a detention hearing may occur (see above).

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 and a trial date is set by the Court.

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 or GUILTY PLEA

In a trial, the Government presents its case with witnesses, followed by the defendant's case. The trial generally results in a verdict by a jury. Alternatively, the defendant may enter into a plea agreement with the Government and change his/her plea to guilty rather than proceeding to a trial. In most cases, you have the right to make a statement to the Court at a public hearing involving the defendant's plea.

PRE-SENTENCE REPORT PREPARED

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

SENTENCE

The defendant is sentenced by the Court. In most cases, you have the right to make a statement to the Court at a public hearing involving the defendant's sentencing.

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

- 1) The right to be reasonably protected from the accused;
- 2) 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;
- 3) 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;
- 4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding;
- 5) The reasonable right to confer with the attorney for the Government in the case;
- 6) The right to full and timely restitution as provided in the law;
- 7) The right to proceedings free from unreasonable delay;
- and 8) The right to be treated with fairness and with respect for the victim's dignity and privacy.

VICTIMS' RIGHTS & RESTITUTION ACT

If you are a victim, you are entitled to information and assistance from the U.S. Attorney's office about:

- Emergency medical and social services;
- Restitution or other relief to which you may be entitled;
- Public or private counseling, treatment or support programs; and
- A separate waiting area away from and out of the sight and hearing of the defendant and defense witnesses.

During prosecution, you are also entitled to notification about:

- Case events, including the filing of charges, scheduled proceedings, the release or detention status of the offender, the acceptance of a guilty plea or verdict at trial, and the sentence imposed. Notices are sent by letter or E-mail through the Victim Notification System (VNS). If the defendant is convicted and sentenced to the custody of the Bureau of Prisons, notification will continue through VNS regarding the defendant's release date, furlough, or escape. **REMINDER: please keep VNS updated with of any address, E-mail, or telephone number changes.**

Visit www.notify.usdoj.gov to read the full text of the Victims' Rights and Restitution Act.

OTHER SERVICES

Victim-Witness Program staff also provide victims and witnesses with:

- Courtroom support, and
- Information and assistance regarding travel, lodging, parking, and reimbursement for court appearances and pre-trial conferences in which you have been subpoenaed.

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 self-doubt, shame or guilt
- Reliving what happened
- Depression, difficulty concentrating
- Increased concern for personal safety and safety 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.

National Center for Victims of Crime
(800) 394-2255

IF YOU ARE THREATENED

If anyone threatens you or you feel that you are being harassed because of your cooperation with this case, there may be assistance available. Your safety is paramount. 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.

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.

INFORMATION AND ASSISTANCE

FOR

FEDERAL CRIME VICTIMS AND WITNESSES



Office of the
United States Attorney

District of Alaska
Victim-Witness Program

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Introduction

The Department of Justice and the United States Postal Inspection Service are committed to ensuring that victims of federal crime are treated fairly as their case moves through the criminal justice system.

In order to provide victims with information on case events, the Department of Justice has developed the Victim Notification System (VNS). This brochure provides information about VNS.

Victim Notification System (VNS)

VNS is a cooperative effort between the Federal Bureau of Investigation (FBI), the United States Postal Inspection Service (USPIS), the United States Attorneys' Offices, and the Federal Bureau of Prisons (BOP).

This free, computer-based system provides important information to victims. In many cases you will receive letters generated through VNS containing information about the events pertaining to your case and/or any defendants in the case.


This information is also available in English and Spanish on the Internet and through a toll-free telephone number (Call Center). In cases with many victims, you may receive only one letter and then be directed to the Internet or Call Center for further information.

VNS Information

Registration:

You will receive a Victim Identification Number (VIN) and a Personal Identification Number (PIN) that will allow you to access VNS on the Internet and using your telephone. You may write those numbers on the attached tear-off card to keep with you.

If you have chosen to participate in VNS, but have not received these numbers, please contact either the FBI, the USPIS, or U.S. Attorney's Office handling your case.

 **Your VIN and PIN numbers are both required any time you contact the Call Center or when accessing VNS on the Internet.**

VNS Internet Access:

- You may access information about the case via the Internet at: <http://www.Notify.USDOJ.Gov> You will be required to enter your VIN and your PIN.
- The Web site, in some instances, may provide additional information that is not available through the Call Center.

(Refer to **Common Questions**, numbers 4, 5 & 6 below, for more information regarding the Internet.)

The VNS Call Center:

You may call 1-866-DOJ-4YOU (1-866-365-4968) for current information. You will be required to enter your VIN and your PIN.

By following the prompts, VNS will provide custody information and notice of upcoming court events.

The Call Center will include options to hear:

Upcoming Events - information on future court hearings

Historical Court Events - information on past court hearings

Detailed Information on Each Defendant - information regarding criminal charges filed, the outcome of the charges, and the sentence imposed by the Court; if the defendant is in the custody of BOP, the custody location, projected date of release from custody and other release information.

VNS Notification:

You may also receive information about case events by telephone, email, numeric pager, or fax. Please note that in some rare instances, VNS may contact you by phone which will require use of your PIN.

Common Questions

Below are some common questions about VNS. If at any time you have a question about VNS that is not answered here, please feel free to contact your local FBI, USPIS, or U.S. Attorney's Office.

1. When can I call the VNS Call Center or access VNS on the Internet?

(Eastern Time)

Monday - Friday 6:00 a.m. - 3:00 a.m.
Saturday 6:00 a.m. - 12:00 a.m.
Sunday 8:00 a.m. - 12:00 a.m.

1-866-DOJ-4YOU - (1-866-365-4968)
International Callers:
(1)502-213-2767
<http://www.Notify.USDOJ.Gov>

You must keep your contact information current (see Common Questions number 8). If an agency is unable to contact you due to outdated contact information, you will be removed from the notification program.

2. What if I forget my PIN?

Each VNS notification will re-state your VIN & PIN. If you do not have this correspondence, please contact the agency (FBI/USPIS/U.S. Attorney's Office) involved with your case.

3. What if I am not at home or my phone is busy when VNS calls?

In this instance, the Call Center will continue calling you every 30 minutes. If the call is answered, but is not confirmed with your PIN number, VNS will continue to call every two (2) hours.

Victim Notification System

4. How do I access the VNS Internet site?

- Enter <http://www.Notify.USDOJ.Gov> in your Web browser.
- If you are a new user, click "First time users click here".
 - Enter your VIN.
 - Enter your PIN.
 - Complete the remaining information as requested on the Web site to include creating a new VNS Login ID.
- Your VNS Login ID must be used in conjunction with your VIN during any subsequent access of the VNS Web site.

5. What information is available on the VNS Internet Web site?

- The information available will include:
- A. **Case Activities Detail** - information about events in your case.
 - B. **Downloads/Links** - supplemental information about your case.
 - C. **My Information** - allows you to view and/or update your mailing address, phone number, and email address.
 - D. **Stop Receiving Notifications** - allows you to stop receiving further notifications. You can later re-enroll using your VIN and VNS Login ID.

6. How often is information on the Internet updated?

The VNS Web site is updated daily, Monday through Friday.

7. Does the Victim Notification System ensure my safety?

No. Do not depend on VNS to ensure your safety. If you feel that you are being threatened, **immediately** notify law enforcement.

8. What should I do if my contact information changes?

If your address, email or phone number changes, you should update your contact information using one of the following methods: (1) VNS on the Internet* (<http://www.Notify.USDOJ.gov>) (2) VNS Call Center* (1-866-365-4968) (* You will need your VNS VIN & PIN/Web Login ID); (3) the person indicated on your initial notification letter, or; (4) the Victim-Witness Coordinator at your local U.S. Attorney's Office.

9. Must I receive notification?

If you do not wish to receive notification you may contact: (1) the VNS Call Center (1-866-365-4968, provide your VNS VIN & PIN, Select Opt Out option); (2) access the VNS Web site and select the Stop Receiving Notifications link; (3) the person indicated on your initial notification letter; or (4) the Victim-Witness Coordinator at your local U.S. Attorney's Office.

INFORMATION CARD

Victim Identification Number (VIN)

Personal Identification Number (PIN)

Not all relevant information regarding a case will be contained within VNS. Victims may contact the respective agency staff for additional information.

Overview - VNS Information		
Information - Activity	Internet	Call Center
Investigative Status (Under Investigation or Prosecution Declined)	✓	✓
Filing of Criminal Charges, Outcome of the Charges and Sentencing data	✓	✓
Future & Past Court Hearings	✓	✓
BOP Custody Status & location, projected release date	✓	✓
Other available information	✓	
Links to other Internet Web resources	✓	
Update address, email, telephone number	✓	✓
Opt out from access to VNS, including the Internet & Call Center	✓	✓

The Department of Justice Victim Notification System



A Service Provided by:

- The Federal Bureau of Investigation,
- The United States Attorneys' Offices,
- The Federal Bureau of Prisons, and
- The Office for Victims of Crime

In Cooperation With:

- The United States Postal Inspection Service