

Federal Victim/Witness Assistance Program

If you are a victim of, or a witness to, a federal crime, the Federal Victim/Witness Assistance Program is designed to provide you with information and services while you are involved in the criminal justice process.

The goal of the Federal Victim/Witness Assistance Program is to ensure that victims of federal crime are treated with fairness and respect for the victim's dignity and privacy. This program carries out the mandates of the *Federal Victim and Witness Protection Act of 1982*, the *Victims' Rights and Restitution Act of 1990*, the *Victims of Child Abuse Act of 1990*, the *Crime Victims' Rights Act of 2004* and other victim related legislation.

These victim/witness assistance and protection laws apply to all victims and witnesses of federal crime who have suffered physical, financial, or emotional trauma.

A variety of notification and assistance services are provided to victims and witnesses of federal crime by Assistant United States Attorneys and other U.S. Attorney's Office staff, with the assistance of federal and tribal law enforcement agencies.

Notification Services

When a federal criminal case reaches the prosecution stage of the criminal justice process, notification services are provided concerning the status of the case involving the victim and the custody status of the offender. Victims are notified of all case events through the Department of Justice Victim Notification System (VNS). They may be notified by letter or email, by calling the VNS call center and/or through the VNS Internet site.

The following notifications may be made.

- The filing of charges against a suspected offender;
- The release or detention status of an offender or suspected offender;
- Notice of public court proceedings, including scheduling changes and/or continuances;
- The acceptance of a plea of guilty or the rendering of a verdict after trial;
- If the offender is convicted, the date set for sentencing and the sentence imposed;
- If the offender is convicted, the opportunity to present to the court in the presentence report a victim impact statement containing information concerning any harm, including financial, social, psychological and physical harm, done to or loss suffered by the victim of the crime;
- Entry of the victim into the Bureau of Prisons' Victim and Witness Notification Program

If You Are Threatened or Harassed

Your safety is very important. If anyone threatens you or you feel that you are being harassed because of your cooperation with this case, contact local enforcement or the investigating agent immediately.

Other Assistance Services

- To the extent possible, provide victims and witnesses with a waiting area removed from the offender and defense witnesses during court proceedings.
- Provide support and assistance to victims and witnesses during court appearances.
- Upon request by a victim or witness, provide assistance in notifying the employer if cooperation in the investigation or prosecution of the crime causes his/her absence from work; and the creditors, where appropriate, if the crime or cooperation in its investigation or prosecution affects his/her ability to make timely payments.
- Routinely provide information or assistance concerning transportation, parking, lodging, translator and related services.
- Provide referrals to existing agencies for shelter, counseling, compensation, and other types of assistance services when needed.

As a crime victim, you have the following rights under 18 United States Code § 3771:

- (1) The right to be reasonably protected from the accused;
- (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole 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 law;
- (7) The right to proceedings free from unreasonable delay;
- (8) 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 accorded the rights described.

You also have the right to seek the advice of an attorney concerning these rights and your assertion of these rights in federal district court. Be advised that the law does not require providing information that may endanger the safety of any person.

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 U.S. Attorney's Office to obtain information about these procedures.

We recognize that being the victim or witness of a crime can be a difficult and often traumatic experience.

For more information or assistance, please contact the offices listed below

U.S. Attorney's Office – Pierre

225 S Pierre Street, Rm 337
PO Box 7240
Pierre SD 57501-7240
800-603-8157
605-224-5402

Jo Lepkowski, VW Specialist
605-945-4558 (Direct)

U.S. Attorney's Office – Rapid City

515 9th Street, Rm 201
Rapid City SD 57701-2663
800-603-3750
605-342-7822

Aileen Crawford, VW Specialist
605-341-1915 (Direct)

U.S. Attorney's Office – Sioux Falls

325 S 1st Avenue, Ste 300
Sioux Falls SD 57101-2638
800-804-6790
605-330-4400

Kelli Peterson, VW Specialist
605-357-2325 (Direct)

State of South Dakota
Crime Victims' Compensation Program
800-696-9476 / 605-773-6317

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UNITED STATES ATTORNEY

DISTRICT OF SOUTH DAKOTA

The United States Attorney's Office is committed to protecting the rights of crime victims and witnesses. If you have questions or comments about your status or rights as a victim, please contact one of our Victim Witness Advocates.

Sioux Falls	800-804-6790
Pierre	800-603-8157
Rapid City	800-603-3750