

Notice to Adult Victims of Family Violence

In accordance with Code of Criminal Procedure, Article 5.04(c)

It is a crime for any person to cause you any physical injury or harm EVEN IF THAT PERSON IS A MEMBER OR FORMER MEMBER OF YOUR FAMILY OR HOUSEHOLD. Please tell the investigating peace officer: If you, your child, or any other household resident has been injured.

If you believe you will be in danger after the officer(s) leaves. You have a right to:

- Ask the local prosecutor to file a criminal complaint against the person committing family violence.
- Apply to a court for an order to protect you. To do so, you should consult a legal aid office, a prosecuting attorney, or a private attorney. If a family or household member assaults you and is arrested, you may request that a Magistrate's Order for Emergency Protection be issued. Please inform the investigating officer if you want an order of emergency protection. You need not be present when the order is issued. You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order.

For example, the court can enter an order that:

- Prohibits the abuser from committing further acts of violence;
- Prohibits the abuser from threatening, harassing, or contacting you at home;
- Directs the abuser to leave your household; and
- Establishes temporary custody of the children or directs the abuser not to interfere with the children or any property.

A VIOLATION OF CERTAIN PROVISIONS OF COURT-ORDERED PROTECTION MAY BE A FELONY.

AVAILABLE RESOURCES

To locate the nearest family violence program and shelter near you, call **1-800-799-SAFE (7233)** or TTY **1-800-787-3224: CONFIDENTIAL 24/7**

For **legal assistance** contact your local county attorney, legal aid office or:

- Family Violence Legal Line 1-800-374-4673
- Texas Legal Services Center 1-844-303-7233

Texas Department of Public Safety Victim Services



Help for Individuals and Families Affected by Crime in Texas

Contact:

Victim Services Counselor
Midland Office: 432-498-2168
El Paso Office: 915-849-4059

www.dps.texas.gov

Trooper/Officer

Phone Number

Case #

You may contact the investigating agency for case status and information about victims' rights.

Victim Services Program

The Texas Department of Public Safety is dedicated to providing culturally sensitive, trauma informed services to individuals and families affected by crime in Texas.

Criminal Justice Support

- Referral to assigned detective
- Status of case information
- Arrest notification
- Court accompaniment
- Crime Victims' Rights

Information and referrals

Notification and assistance in filing for Crime Victims' Compensation

Assistance with evidence returns

Counseling

Personal Advocacy

Assistance with address confidentiality program

Other:

Funeral home/medical examiner

Name: _____

Phone number: _____

The vehicle was towed by

Name: _____

Phone number: _____

Additional referrals

Helpful Phone Numbers

VINE (Victim Information Notification Everyday)
877-894-8463 or www.vinelink.com
VINE is a free, secure, and confidential way to access custody status and criminal case information. Register for notifications and stay informed.

Hotlines

Texas Youth Help Line
800-989-6884

National Domestic Violence
800-799-7233; 800-787-3224 (TDD)
<http://www.thehotline.org/>

National Teen Dating Abuse
866-331-9474; 866-331-8453 (TDD)

National Sexual Assault
800-656-4673
www.rain.org

Suicide & Crisis
1-800-273-8255
1-888-628-9454 (Spanish)

National Human Trafficking Hotline
1-888-373-7888

Mothers Against Drunk Driving
866-623-3435

National Elder Fraud Hotline
833-372-8311

Legal

Child/Adult Abuse 24-Hour reporting
800-252-5400

Texas Legal Services
844-303-7233

Texas Advocacy Project
800-777-3247

Rights of Crime Victims

The Code of Criminal Procedure, Chapter 56A.051 ensures the right of victims of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual, or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another; to the guardian of a victim; and to the close relative of a deceased victim. The rights of victims as specified in the law are summarized below. The full text is available at www.statutes.legis.state.tx.us

(a) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights:

1) The right to receive adequate protection from law enforcement agencies from harm and threats of harm arising from a victim's cooperation with the prosecution efforts.

2) The right to have magistrates take the safety of the victim or his/her family into consideration as an element in fixing the amount of bail for the accused.

3) The right, if requested, to be informed of relevant court proceedings including canceled or rescheduled proceedings and to be informed of appellate court decisions.

4) The right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations; and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations.

5) The right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his/her family prior to any sentencing of the offender. Victim information may be provided by testimony, written statement, or any other manner.

6) The right to receive information regarding compensation to victims of crime as provided by Subchapter B of chapter 56. Such information includes the costs that may be compensated and the amount of compensation; eligibility for compensation; procedures for application for compensation; the payment for medical examination for a victim of a sexual assault; and referral information to social services agencies that may offer additional assistance, when requested.

7) The right to be informed, upon request, of parole procedures; to participate in the parole process; and to be notified, upon request, of parole proceedings concerning a defendant in the victim's case. Victims also have the right to provide information, to be included in the defendant's file, to the Board of Pardons and Paroles, to be considered by the board prior to the parole of any defendant convicted of any crime subject to this Act. When requested, victims will be notified of the defendant's release.

8) The right to be provided with a waiting area separate or secure from other witnesses, including the offender and the relatives of the offender, before testifying in any proceeding concerning the offender. If a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings.

9) The right to prompt return of any property of the victim that is held as evidence by a law enforcement agency or by the attorney for the state when the property is no longer required for that purpose.

10) The right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause.

11) The right to request victim-offender mediation coordinated by the victim services division of the Texas Dept. of Criminal Justice.

12) The right to be informed of the uses of a victim impact statement, the statement's purpose in the criminal justice system, and the right to complete

the victim impact statement and to have the victim impact statement considered by the appropriate entities in the criminal justice system. A victim who provides a victim impact statement has the right to have that statement considered before sentencing or acceptance of a plea agreement and by the Board of Pardons and Paroles before an inmate is released on parole.

13) For a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance.

14) If the offense is a capital felony, the right to:

A) receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;

B) not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and

C) designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

(b) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the right to be present at all public court proceedings related to the offense, subject to the approval of the judge in the case.

(c) The office of the attorney representing the state, and the sheriff, police, and other law enforcement agencies shall ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted by Articles 56A.051 and 56A.052 and, on request, an explanation of those rights.

Crime Victims' Compensation

Criminal Code of Procedure Chapter 56B

The Crime Victims' Compensation program (CVC) helps eligible crime victims and their immediate family members with certain expenses related to the crime. Benefits may be awarded for expenses such as medical bills, counseling, lost wages, relocation, crime scene clean up, funeral and burial expenses.

A summary of crimes covered by CVC include sexual assault, family violence, kidnapping, aggravated robbery, assault, homicide, child abuse, and other crimes where the victim suffers physical or emotional harm or death. Motor vehicle crimes covered by CVC include DWI, manslaughter, criminally negligent homicide, aggravated assault, reckless driving, and intoxication manslaughter.

Crime Victims' Compensation Fund

800-983-9933 (Toll Free)

www.texasattorneygeneral.gov/crime-victims



Regardless of your background, when you are in need, come and find support in a safe place. Everyone is accepted and supported with the services offered by the Texas Department of Public Safety.