

For additional copies of this or other brochures in the Criminal Justice Facts series, please contact the Illinois Criminal Justice Information Authority: 312-793-8550.

VICTIMS' RIGHTS



ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

120 South Riverside Plaza, Suite 1016
Chicago, Illinois 60606-3997
Voice: 312-793-8550
Fax: 312-793-8422
TDD: 312-793-4170
www.icjia.state.il.us

This project was supported by Grant #97-DB-MU-0017 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Points of view or opinions contained in this document do not necessarily represent the official position or policies of the U.S. Department of Justice.

Printed on recycled paper by authority of the State of Illinois, April 2000. Printing order #00-095.3/ 50,000 copies.

*Questions and answers
on the criminal justice
system in Illinois
(Revised, April 2000)*

MULTIPLE CHOICE

(Answers to questions are inside.)

- 1) What was the rate of property crime in Illinois in 1998?
 - A) 4,218 crimes for every 100,000 residents.
 - B) 10,560 crimes for every 100,000 residents.
 - C) 21,773 crimes for every 100,000 residents.
- 2) What was the rate of violent crime in Illinois in 1998?
 - A) 3,689 crimes for every 100,000 residents.
 - B) 10,850 crimes for every 100,000 residents.
 - C) 831 crimes for every 100,000 residents.
- 3) Nationwide, in 1998, what portion of violent crime victims knew their attacker(s)?
 - A) One-third.
 - B) Three-fourths.
 - C) One-half.

QUESTIONS & ANSWERS

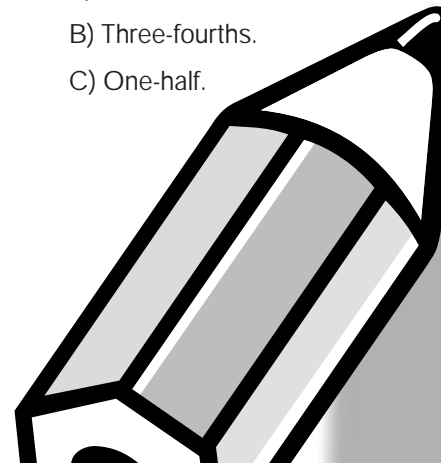
What should I do if I am a victim of a crime?

If you are the victim of a crime or if you have information about a crime, you should call the police immediately. If it is an emergency, dial 911. If it is not an emergency, call your police department's non-emergency number (check the phone book). During an investigation, police officers collect evidence related to the crime. The sooner the police can begin their investigation, the better chance they have of gathering evidence that can lead to identifying a suspect.



What do I do after I call the police?

Cooperating with the police and the state's attorney at all stages of the investigation and court proceedings is not only in your best interest, but your responsibility. Your account of the crime is often the only evidence police have at the onset of an investigation, so the information you provide them should be as accurate as possible. If you are the victim of a violent crime, be prepared to give police a description of the attacker, as well as the location and time of day of the offense. It is important to leave the scene as undisturbed as possible. In the case of a property crime, immediately make a list of the missing items and all pertinent information. You should also have an inventory of valuable items with serial numbers and estimated worth for your own records. Most importantly, be willing and prepared to cooperate with investigators and prosecutors, and to testify in a trial if the suspect is apprehended.



QUESTIONS & ANSWERS

Offenders seem to have lots of rights. Do crime victims have any?

Yes. The Illinois Constitution and the Illinois Rights of Crime Victims and Witnesses Act ensure fair treatment for victims and witnesses of violent crimes. Under this law, all victims of violent crime in Illinois have:

- 1) The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- 2) The right to be told when court proceedings will be held.
- 3) The right to communicate with prosecutors.
- 4) The right to make a statement to the court if the person accused of the crime is found guilty.
- 5) The right to information about the conviction, sentence, imprisonment, and release of the accused.
- 6) The right to the timely completion of the case following the arrest of the accused.
- 7) The right to be reasonably protected from the accused through the criminal justice process.
- 8) The right to be present at the trial and all other court proceedings on the same basis as the accused, unless the victim is to testify and the court determines that the victim's testimony would be affected by hearing other testimony.
- 9) The right to have present at all court proceedings, subject to the rules of evidence, an advocate or other support person of the victim's choice.
- 10) The right to restitution.

Illinois law guarantees these rights for all violent crime victims in the state. However, the victim may have to ask to get them. You should take an active role to make sure you get yours.

Who can help me make sure that my rights are protected if I become a victim of violent crime?

Most counties have programs that help victims of crime and witnesses. Staff members for these programs refer victims to social service agencies that can help them with both immediate and long-term needs. They also do what they can to ensure that victims of crime have met their responsibilities (remember that a victim's responsibilities do not end with the reporting of the crime). Every victim of a violent crime has the right to contact this program and ask for help.

Does the state offer any relief programs for crime victims?

In 1984, the Illinois Violent Crime Victims Assistance Act was enacted to provide funding for victim and witness assistance programs statewide. As a result of that act, the Violent Crime Victims Assistance program was developed to improve the criminal justice system's response to victims and witnesses. It is intended to provide greater access to victim services, and thereby improve victim recovery. In addition, the federal Victims of Crime Act (VOCA) grant program is authorized to fund direct services to crime victims, such as crisis intervention, counseling, emergency shelter, and criminal justice advocacy. Priority is given to victims of sexual assault, domestic violence, and child abuse.

Can I receive compensation for my injuries and expenses?

The Crime Victims Compensation Act was enacted in 1973 to provide financial compensation to innocent victims of violent crime and their families. Eligible victims or family members receive compensation for certain out-of-pocket expenses, such as medical and hospital bills, counseling, loss of earnings, and funeral costs. Victims can re-

ceive up to \$27,000 worth of assistance for financial losses incurred due to violent crime.

The Illinois Crime Victims Compensation Program is a program of last resort, and other remedies, such as insurance and Medicare, must be exhausted first. After receiving an application for assistance, the Illinois Attorney General's Office will investigate the claim and submit a report to the Court of Claims, which renders all decisions on compensation.

To be eligible, the crime must have been reported to law enforcement within 72 hours; there must be full cooperation with officials in apprehending the suspect; the applicant must not be the offender or an accomplice of the offender; and the injury or the death of the victim must not have been substantially attributed to or provoked by the victim. An application must be completed and returned by the victim or a relative, within one year of the crime, to the Illinois Attorney General's Office. More information can be obtained by calling the Attorney General's Office toll free at 1-800-228-3368.

Where can I find victim assistance and recovery services?

Services vary from community to community but information can be obtained through police officers, state's attorneys, doctors and schools, or state and national agencies, including the Illinois Department of Human Services, the Illinois Department of Children and Family Services, the Illinois Attorney General's Office, the Victims' Services Unit of the Illinois Department of Corrections, the Illinois Department on Aging, the Illinois Coalition Against Domestic Violence, and the Illinois Coalition Against Sexual Assault.

You can also find services through your telephone directory, under "Women's Services," "Shelters,"

"Social Service Organizations," or "Crisis Intervention." Many of these services are provided at no cost to the client.

How can I find out when an inmate will be released from prison?

Crime victims, their guardians, their next of kin, and witnesses have the right to register with the Illinois Prisoner Review Board and be notified when the offenders in their cases will be released from prison, and to receive a current photograph of the offender upon release. More information on registering with the Prisoner Review Board can be obtained by calling the Department of Corrections' Victims Services Unit toll free at 1-877-776-0755.

ANSWERS TO QUIZ

- 1) **A.** There were 4,218 property crimes for every 100,000 residents in Illinois in 1998, a decline of 4.1 percent compared to 1997, according to the Illinois State Police. Property index offenses are burglary, theft, motor vehicle theft, and arson.
- 2) **C.** There were 831 violent crimes for every 100,000 residents in Illinois in 1998, a decline of 5.8 percent compared to 1997. Violent index offenses are murder, criminal sexual assault, robbery, and aggravated assault.
- 3) **C.** Nationwide, about half of violent crime victims in 1998 knew their attacker(s), according to an annual crime victimization survey conducted by the Bureau of Justice Statistics, U.S. Department of Justice.