

MISSION STATEMENT

The Office of Victim Witness Advocacy provides the following services and information:

- Staff available to answer your questions on the telephone, in person, or via email
- Explanation of how the criminal justice process works
- Explanation of legal terms and various types of court hearing
- Notification on the status and disposition of cases
- If you will be required to appear in court and what you will need to do
- Court accompaniment
- Crisis intervention
- Assistance in getting your property back when it is no longer needed as evidence
- Assistance in making a victim impact statement to the Court
- Transportation to court
- Child care assistance
- Referrals to local social service agencies
- Assistance in filing out victim compensation claims
- Assistance with obtaining restitution
- Directions to courthouse

The Sussex County Prosecutor's Office of Victim Witness Advocacy's mission is to ensure that victims of crime are treated with fairness, compassion and respect by the criminal justice system as mandated by Paragraph 22, Article 1 of the New Jersey Constitution

VICTIM WITNESS SERVICES

We all know about crime, but we don't expect it to involve us. We think of crime as something that happens to someone else. What happens if crime touches your life? What do you do, where do you go, and what can be expected of you? The Office of Victim Witness Advocacy can answer these questions for you. Specially trained Victim Advocates provide services to help victims of crime. If you have been the victim of a crime these services can provide the information and support you need, completely free of charge.

We are committed to your special needs and are here to offer to you our support and answer your questions about your vital role in our justice system. It is our hope that the services and information detailed in this pamphlet will help you to prepare for the events which you may encounter as your case proceeds to its conclusion.

THE SUSSEX COUNTY

OFFICE OF VICTIM

WITNESS ADVOCACY

...when crime touches you



Sussex County Prosecutors Office

A Unit of the Sussex County
Prosecutor's Office

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Email us your questions or comments:

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****New Jersey
Crime Victim's Bill of Rights
N.J.S.A. 52:4B-36
(Amended October 6, 2012)***

1.

- a. To be treated with dignity and compassion by the criminal justice system.
- b. To be informed about the criminal justice process.
- c. To be free from intimidation, harassment or abuse by any person including the defendant or any other person acting in support of or on behalf of the defendant, due to the involvement of the victim or witness in the criminal justice process.
- d. To have inconveniences associated with participation in the criminal justice process minimized.
- e. To make at least one telephone call provided the call is reasonable in length and location.
- f. To medical assistance reasonably related to the incident.
- g. To be notified in a timely manner, if practicable, if presence in court is not needed or if any scheduled court proceeding has been adjourned or cancelled.
- h. To be informed about available remedies, financial assistance and social services.
- i. To be compensated for loss sustained by the victim whenever possible.

j. To be provided a secure, but not necessarily separate, waiting area during court proceedings.

k. To be advised of case progress and final disposition and to confer with the prosecutor's representative so that the victim may be kept adequately informed.

l. To the prompt return of property when no longer needed as evidence.

m. To submit a written statement, within a reasonable amount of time, about the impact of the crime to a representative of the prosecuting agency which shall be considered prior to the prosecutor's final decision concerning whether formal criminal charges will be filed, whether the prosecutor will consent to a request by the defendant to enter into a pre-trial program, and whether the prosecutor will make or agree to a negotiated plea.

n. To make, prior to sentencing, an in-person statement directly to the sentencing court.

o. To have the opportunity to consult with the prosecuting authority prior to the conclusion of any plea negotiations, and to have the prosecutor advise the court of the consultation and the victim's position regarding the plea agreement, provided however that nothing herein shall be construed to alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate.

p. To be present at any judicial proceeding involving a crime or any juvenile proceeding involving a criminal offense except as otherwise provided by Article I, paragraph 22 of the New Jersey Constitution.

q. To be notified of any release or escape of the defendant.

r. To appear in any court before which a proceeding implicating the rights of the victim is being held, with standing to file a motion or present argument on a motion filed to enforce any right conferred herein or by Article I, paragraph 22 of the New Jersey Constitution, and to receive an adjudicative decision by the court on any such motion.

2.

a. A victim's survivor may, at the time of making the in-person statement to the sentencing court authorized by subsection section 3 of P.L. 1985, c.249 (C.52:4B-36), display directly to the sentencing court a photograph of the victim taken before the homicide including, but not limited to, a still photograph, a computer-generated presentation, or a video presentation of the victim. The time, length and content of such presentation shall be within the sound discretion of the sentencing judge.

b. A victim's survivor may, during any judicial proceeding involving the defendant, wear a button not exceeding four inches in diameter that contains a picture of the victim, if the court determines that the wearing of such button will not deprive the defendant of his right to a fair trial under the Sixth Amendment of the United States Constitution and Article I of the New Jersey Constitution. Other spectators at such judicial proceedings may also wear similar buttons if the court so determines. If the victim's survivor seeks to wear the button at trial, the victim's survivor shall give notice to the defendant and to the court no less than 30 days prior to the final trial date.