

Options for Victims

Deciding What to Do after a Crime

If you are a victim of crime, you may have to cope with challenges you never expected to face. You may have been wounded or lost property you can't afford to replace. You may be overwhelmed by fear or anger. And you may not know what to do next or where to turn for help. Victim advocates can help you figure out what steps to take and what choices you may need to make. Victim advocates include paid and unpaid service providers working in a variety of settings to respond to crime victims' mental, physical, financial, social, emotional, and spiritual needs. (See Resources, below.) Advocates can offer advice on how to stay safe and give you information on medical, mental health, and victim services in your community. Below are some of the options you may want to explore, either on your own or with the help of a victim advocate.

Seeking Justice through the Courts

Criminal Justice System: If you decide to report the crime, your report to the police creates an official record of the crime and may lead to an investigation. If investigating officers find clear evidence that points to a specific suspect, they may arrest the suspect or issue a citation for him or her to appear in court at a specific time. A prosecutor examines the evidence and decides whether to file charges, go to trial, or enter into a plea agreement with the defendant. The prosecutor makes the decisions about how to proceed, although you may request information about the progress of the case. If the case goes to court, you may be called as a witness. Once a verdict or plea agreement has been reached, the judge will set a date for a sentencing hearing, where you can submit or present a **victim impact statement** that describes how the crime affected you. The judge may consider your statement in deciding a sentence. Sentences vary widely, depending on the crime and the laws of the jurisdiction. Typical sentences include probation, time in jail or prison, or time already served. Sometimes offenders are ordered to seek counseling or participate in intervention programs for battering, substance abuse, or other crime-related behavior problems. (For more details, see "The Criminal Justice System" Get Help Bulletin.)

Civil Justice System: Sometimes you can sue the perpetrator and other people ("third parties") who bear some responsibility for the crime. The goal of a civil suit is to hold defendants "liable" (accountable) for committing the crime or allowing it to happen. You will need to hire an attorney. (Many attorneys will take a civil case on a "contingency" basis: they agree to be paid a percentage of any financial awards that may be granted.) Your attorney will decide if there is enough proof to take the case to court. If you win your case, the court will order the defendant to pay you a specific amount of money. Victims often use civil justice awards to pay for services they need, such as medical care, counseling, or repairing or replacing property.

Protective Order: If you are a victim of domestic violence or stalking, you may want to seek a protective order from the court. A protective order requires the abuser to stay away from you, your home, your work or other places you regularly go. You can file for a protective order on your own, but you may want to seek help from a victim advocate (see below) who can help you find out if you are eligible, fill out the paperwork, and guide you through the process. (In some states only people in certain types of relationships—such as marriage, domestic partnerships, or shared parenthood—can get

protective orders.) In most states, protective orders are issued in civil court, but prosecutors can request them as part of a criminal process (such as investigation, charges, or trial).

Resources to Help You

Victim Compensation: Every state has a victim compensation program to help victims of violent crime pay for costs related to being a crime victim. Victim compensation typically covers medical treatment, counseling, burial expenses, travel for a court case, other costs, and sometimes even moving expenses. Most states require victims to file their applications for victim compensation within a specific period of time after the crime. Victim compensation is considered a “payer of last resort,” which means that you cannot receive victim compensation if you have any other ways to be reimbursed (such as health insurance, life insurance, or home owners’ or car insurance) for the services you need. A victim advocate can give you information about victim compensation in your state.

Shelter: Many communities offer temporary shelter to victims of domestic violence and stalking. Shelters often offer a variety of services, including support groups, legal advocacy, one-on-one counseling, safety planning, and hotlines. Some shelter programs are connected to transitional living facilities, usually in confidential locations, where you and your children can stay for several weeks or months. A victim advocate can help you find a shelter, explore your options, and decide what you want to do.

Safety Planning: A victim advocate can help you plan a strategy for increasing your safety at home, work, school, and other places you regularly go. Creating a safety plan involves looking at your day-to-day life, planning changes to your routine, and learning about steps you can take that could help make you safer. Following a plan can't guarantee safety but could improve your situation.

Counseling: You may want to seek one-on-one (or group) counseling with a counselor or therapist to help you cope with the emotional and physical impact of the crime and regain a sense of control over your life.

Support Groups: You may also want to join a support group with other victims to share information about the impact of crime and how to cope with it. Many support groups are run by professionals: counselors, therapists, and the staff of sexual assault, homicide, and domestic violence programs. A victim advocate can help you find a group that meets your needs.

Resources

The best way to find out about these options is to talk to a crime victim advocate. The National Crime Victim Helpline (**1-800-FYI-CALL**) advocates can help you think through these decisions and refer you to resources in your area. Helpline services are free and confidential.

National Crime Victim Helpline

1-800-FYI-CALL (1-800-394-2255)

1-800-211-7996 TTY

8:30 a.m.– 8:30 p.m. ET weekdays

Or visit: **Help for Crime Victims:** www.ncvc.org/victimassistance