

CRIME VICTIM RIGHTS & INFORMATION

DISTRIBUTED BY TEMPLE POLICE DEPARTMENT
CRISIS ASSISTANCE PROGRAM

Crime Victim Services Unit
209 E. Avenue A | Temple, TX 76501
254.298.5678 OR 254.298.5874



REPORT NO. _____

OFFICER _____

BADGE NO. _____

**FOR EMERGENCY ASSISTANCE,
PLEASE DIAL OR TEXT 911**

IMPORTANT CONTACTS

TEMPLE POLICE DEPARTMENT

LISA HATFIELD

Crime Victim Liaison

Phone: 254-298-5678 | Fax: 254-298-5681

Email: Lhatfield@templetx.gov

ANGELIA MCNIEL

Family Violence Case Manager

Phone 254-298-5874 | Fax: 254-298-5681

Email: Amcniel@templetx.gov

BELL COUNTY DISTRICT ATTORNEY'S OFFICE

DANA BETTGER | BETSY CRUZ | ASHLEE TREVINO

Victim Assistance Coordinators

P.O. Box 540, Belton, TX, 76513

Phone: 254-933-5235

ANGELA HART

Victim Assistance Coordinator

P.O. Box 1127, Belton, TX, 76513

Phone: 254-933-5744

You may call the law enforcement Crime Victim Liaison for the status of the case and information about crime victim's rights.

EMERGENCY/MEDICAL SERVICES

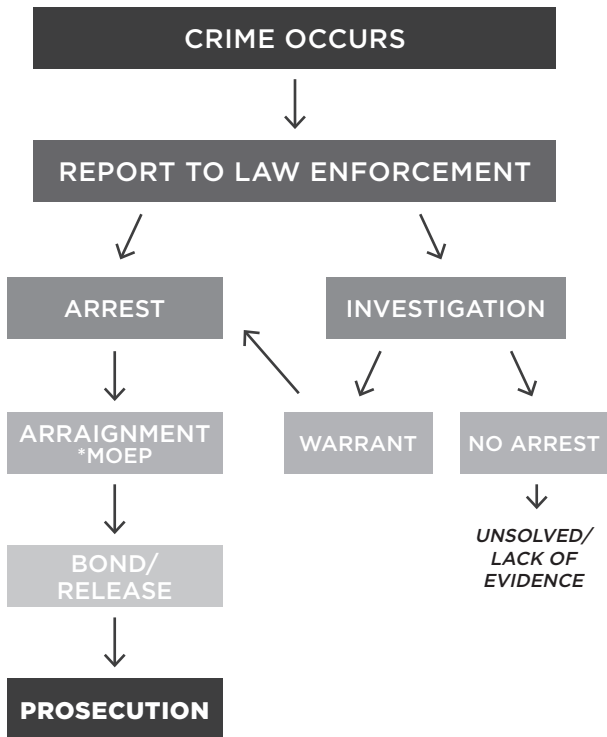
For emergency medical services, please contact one of the following facilities:

Baylor Scott & White Hospital	254-724-2111*
McLane's Children's Hospital	254-724-5437*
Darnall Army Medical Center	254-288-8000
Seton Medical Center	254-690-0900
Canyon Creek Behavioral Center	254-410-5100*
Cedar Crest Hospital/RTC (ADMISSIONS) . . .	866-543-7779

For emergency social services, please contact the following agencies:

American Red Cross	877-277-7337
Adult/Child Protective Services	800-252-5400
Aware Central Texas	254-939-7582
24/7 Hotline	254-813-0968
Central Counties Services	800-888-4036
Families in Crisis	254-773-7765
24/7 Hotline	888-799-7233
Friends in Crisis (Homeless)	254-245-8268
Salvation Army	254-774-9996
Ft. Cavazos Victim Advocacy	254-702-4953
National Sexual Assault Hotline (RAINN) . .	800-656-4673
National Domestic Violence	866-331-9474
National Runaway Safe Line	800-786-2929
National Parent Help Line	855-427-2736
National Alliance Mental Health	800-950-6264
National Human Trafficking Hotline	888-373-7888
Substance Abuse/Mental Health	800-662-4537
Suicide Prevention Lifeline	800-273-8255
Essential Community Services Information Line: Dial 211	

WHAT HAPPENS NEXT?



*MAGISTRATE'S ORDER FOR
EMERGENCY PROTECTION

CRIME VICTIM'S RIGHTS

Chapter 56A of the Texas Code of Criminal Procedure defines a victim as a person who is the victim of the offense of sexual assault; kidnapping; aggravated robbery; trafficking of persons; or injury to a child, elderly individual, or disabled individual; or has suffered personal injury or death as a result of the criminal conduct of another.

Crime Victims' Rights, as provided in Chapter 56A, Subchapter B of the Texas Code of Criminal Procedure **entitle a victim, guardian of a victim, or close relative of a deceased victim to the following rights:**

- the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- the right to have the magistrate consider the safety of the victim or the victim's family in setting the amount of bail for defendant;
- the right, if requested, to be informed by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled before the event; and by an appellate court of the court's decisions, after the decisions are entered but before being made public;
- the right to be informed, when requested, by a peace officer concerning the defendants right to bail and the procedures in criminal investigations; and by the office of the attorney representing the state concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;

- the right to provide pertinent information to supervision and corrections department conducting a pre-sentencing investigation concerning the impact of the offense on the victim and the victim's family by testimony, written statement, or any other manner before any sentencing of the defendant;
- the right to receive information regarding compensation to victims of crime as provided by Chapter 56B, including information related to the costs that may be compensated under that chapter and the amount of compensation, eligibility for compensation and procedures for application for compensation under that chapter, the payment for a forensic medical examination under Chapter 56A.252 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;
- the right to: be informed, on request, of parole procedures; participate in the parole process; provide to the board for inclusion in the defendant's file information to be considered by the board before the parole of any defendant convicted of any offense subject to this chapter; and be notified, if requested, of parole proceedings concerning a defendant in the victim's case and of the defendant's release;
- the right to be provided with a waiting area, separate or secure from other witnesses, including the defendant and relatives of the defendant before testifying in any proceeding concerning the defendant; if a separate waiting area is not available, other safeguards should be taken to minimize the victim's contact with the defendant and the defendant's relatives and witnesses, before and during court proceedings;

- the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;
- the right to have the attorney for the state notify the victim's employer, if requested, that the victim's cooperation and testimony is necessary in a proceeding that may require the victim to be absent from work for good cause;
- the right to request victim-offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice;
- the right to be informed of the uses of a Victim Impact Statement and the statement's purpose in the Criminal Justice System, to complete the Victim Impact Statement, and to have the Victim Impact Statement considered by the attorney representing the State and Judge before sentencing or before a plea bargain agreement is accepted; and by the Board of Pardons and Paroles before an offender is released on parole.

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.

The office of the attorney representing the state and law enforcement agencies shall ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is provided the rights granted by Article 56A.051 and, upon request, an explanation of those rights.

ADDITIONAL RIGHTS OF VICTIMS OF SEXUAL ASSAULT, STALKING, OR TRAFFICKING

If the offense is a sexual assault, the victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the Criminal Justice System, as defined in Subchapter B, Article 56A.052 of the Texas Code of Criminal Procedure:

If requested, the right to a disclosure of information regarding:

1. any evidence collected during the investigation of the offense, unless disclosing the information would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which that information is expected to be disclosed; and,
2. the status of any analysis being performed of any evidence that was collected during the investigation of the offense;

If requested, the right to be notified:

1. at the time a request is submitted to the crime laboratory to process and analyze any evidence that was collected during the investigation of the offense; and,
2. at the time of the submission of a request to compare any biological evidence collected during the investigation of the offense with DNA profiles maintained in a state or federal DNA database; and,
3. of the results of that comparison, unless disclosing the results would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which those results are expected to be disclosed;

If requested:

1. the right to counseling regarding Acquired Immune Deficiency Syndrome (AIDS) and human immunodeficiency virus (HIV) infection; and,

For the victim, the right to:

1. testing for acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and
2. a forensic medical examination IF within 120 hours of the offense: the offense is reported to a law enforcement agency; OR a forensic medical examination is otherwise conducted at a health care provider.
3. The victim of an offense defined by Section 20A.02, 20A.03, or 43.05 (Human Trafficking or Compelling Prostitution), is entitled to be informed that the victim may petition for an order of nondisclosure of criminal history record information under Section 411.0728, Government Code, if the victim committed the offense solely as a victim of offenses defined in the above-referenced sections.

A victim, guardian of a victim, or close relative of a deceased victim requesting the above referenced notifications must provide a current address and phone number to the attorney representing the State and/or the law enforcement agency that is investigating the offense. Any change in address or phone number must be reported in a timely manner.

A victim, guardian of a victim, or close relative of a deceased victim may designate a person, including an entity that provides services to victims of sexual assault, to receive any notice requested under the above sections.

A victim or the parent or guardian of a victim of sexual assault, stalking, or trafficking has the right to be informed: that the victim or the victim's parent or guardian, as applicable, may file an application for a protective order; be informed of the court in which the application for a protective order may be filed; and that on request of the victim or the victim's parent or guardian, as applicable, and subject to the Texas Disciplinary Rules of Professional Conduct, the attorney representing the state may file the application for a protective order on behalf of the victim.

A victim or the parent or guardian of a victim, may apply to enroll in an address confidentiality program administered by the Office of the Attorney General.

SUPPORT SERVICES IN BELL COUNTY FOR SEXUAL ASSAULT VICTIMS

Central Texas Support Services

HIV testing & Counseling | 254-771-3352

Bell County Public Health

HIV & STD Testing | 254-773-4457 or 254-526-8371

Rape Crisis Center

Families in Crisis 254-773-7765

Sexual Assault Program 888-799-7233 (24-hour hotline)

Aware Central Texas

Sexual Assault Program 254-813-0968 (24-hour hotline)

SANE/FORENSIC MEDICAL EXAMINATIONS MAY BE PROVIDED AT THESE LOCATIONS:

Adult Victims:

Baylor Scott & White Medical Center

Emergency Room located at:

2401 South 31st Street | Temple, TX 76508

Phone: 254-724-8296

Child Victims (Ages 0-17):

Baylor Scott & White McLane Children's Hospital

Emergency Room located at:

1901 SW H K Dodgen Loop | Temple, TX 76502

Phone: 254-935-4051

NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE

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; or,
- IF you feel you are going to be in danger when the officer leaves or later.

YOU HAVE THE RIGHT TO:

- **ASK** the local prosecutor to file a criminal complaint against the person committing family violence; and
- **APPLY** to a court for an Order to protect you (contact Bell County Attorney's Office, Aware Central Texas, or a private attorney).
- **IF** a family member assaults you and is arrested, you may request a magistrate's order for emergency protection be issued. Please **INFORM** the investigating officer if you want an order for 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 of a protective order;
- A victim or parent/guardian of a victim may apply to enroll in an address confidentiality program administered by the Office of the Attorney General.

PROTECTIVE ORDER FACT SHEET

Regarding the Protective Order Process, a Court can enter an Order that:

1. the abuser not commit further acts of violence;
2. the abuser not threaten, harass, or contact you at home;
3. directs the abuser to leave your household; and
4. establishes temporary custody of the children and directs the abuser not to interfere with the children or any property.

A violation of certain provisions of court-ordered protection (such as #1 & #2 listed above) may be a felony.

Call the following violence shelters or social organizations if you need protection:

IMMEDIATE SHELTER SERVICES:

Families in Crisis	254-773-7765
Salvation Army.	254-774-9996

FOR PROTECTIVE ORDER ASSISTANCE:

Bell County Attorney's Office	254-939-5135
Aware Central Texas	254-813-0968
Lone Star Legal Aid	254-939-5773
Texas Advocacy Project.	800-374-4673

ONLINE LEGAL RESOURCES: texasadvocacyproject.org
texaslawhelp.org

NOTE FROM BELL COUNTY PROSECUTORS

Bell County partners with Families in Crisis, Ft. Cavazos Victim Advocacy, Starry Counseling, and Aware Central Texas to offer the **OPTIONS CLASS**, an educational program for victims of family violence.

Each participating agency provides information regarding available resources, the criminal justice process, and the victim's role in that process. If you are interested in scheduling this one-time class or would like to learn more about the class, you can contact:

VICTIM ASSISTANCE COORDINATOR at the
Bell County Attorney's Office at 254-933-5744

Completion of this class is required for any victim of family violence that is requesting the dismissal of any criminal charges involving family violence in Bell County. Please note that completion of this class does **NOT** guarantee the dismissal of pending criminal charges and will **NOT** impact the status of an arrest warrant involving family violence.

After the completion of the investigation by the Temple Police Department and the referral of charges to the appropriate prosecuting office, any decisions regarding a request for dismissal of charges will be made by the appropriate prosecutor's office.

CRIME VICTIM COMPENSATION

Victims of violent crime may be eligible for limited financial assistance regarding certain out of pocket expenses related directly to the crime. This assistance is offered through the Crime Victim Compensation Program and is administered by the Office of the Attorney General. The crime victim compensation program is funded by grants, donations, and court costs paid by offenders and then deposited by Texas Counties into the Crime Victim Compensation Fund.

WHO IS ELIGIBLE TO APPLY FOR CRIME VICTIM COMPENSATION?

- Victims who suffer physical or mental harm as a direct result of crime.
- A victim's dependent, family/household member, or person who qualifies as a claimant under the law.
- An intervenor who was injured or died while going to the aid of a crime victim.
- First responders who were injured or died while responding to a crime.

QUALIFYING CRIMES

Only certain crimes qualify a victim, and only certain expenses are allowed (no pain and suffering benefits are eligible as this program works as a reimbursement for direct out of pocket costs paid by the victim or qualifying claimant. No offender can directly or indirectly benefit from crime victim compensation.

Example: a victim of family violence cannot receive the relocation and rental expenses benefit if the offender remains in the home/moves into the new residence obtained using relocation and rental expense benefit

Crimes covered by Crime Victims' Compensation may include assault, sexual assault, stalking, family violence, aggravated robbery, human trafficking, kidnapping, homicide, certain vehicular crimes, and other crimes where the victim suffers substantial physical or emotional harm or death.

ELIGIBLE EXPENSES & MAXIMUM AWARDS

Approved claims may be eligible for a maximum award of \$50,000. In the case of catastrophic injuries resulting in a total and permanent disability, victims may be eligible for an additional award of \$75,000.

Upon approval, benefits may be awarded for the following crime-related expenses:

- Medical-ambulance services, medical treatment, hospitalization, physical therapy, nursing home care for injuries resulting directly from the crime
- Dental treatment for injuries resulting directly from the crime
- Psychiatric care or counseling for mental anguish resulting directly from the crime
- Medical appliances, such as wheelchairs, prosthetics

- Loss of support to dependents of a victim who has died as a direct result of the crime or a victim of family violence in which the offender contributed financially to the care of the dependents AND is no longer providing financial support as a result of the crime
- Care of a child or dependent (if expense is new as a result of the crime)
- One-time relocation assistance for victims of family violence, stalking, trafficking, and/or sexual assault, when the sexual assault occurs in the victim's residence;
- Loss of wages and travel reimbursement to seek medical treatment, counseling, or participate in investigative/judicial process, or for immediate family members to attend funeral of the victim;
- Funeral and burial expenses
- Crime scene clean-up
- Replacement costs for personal property seized as evidence or rendered unusable as a result of the investigation

The Crime Victim Compensation Program is the “payor of last resort”, after primary sources of payment such as any health insurance, automobile insurance, renters/homeowners insurance, or Workers' Compensation have been exhausted.

INELIGIBLE EXPENSES

- Property crimes; pain, suffering or emotional distress damages; or expenses which are not the direct result of the crime
- Any expense or service which directly benefits an offender of the crime for which the victim is applying for crime victim compensation

In order to qualify for benefits, a victim, close relative of a victim, or guardian of a victim must:

1. **BE** a resident of Texas, a U.S. resident who is victimized in Texas; OR a Texas resident victimized in another state or country that does not have a crime victim compensation fund;
2. **REPORT** the criminally injurious conduct to law enforcement within a reasonable period of time, but not so late as to interfere with or hamper the investigation and prosecution of the crime;
3. **COOPERATE** with the criminal investigation and subsequent prosecution of the offender, and
4. **FILE** an application for crime victim compensation within three (3) years of the date of crime.

For more information about this program, please contact:

TEMPLE POLICE DEPARTMENT VICTIM SERVICES
254-298-5678 or 254-298-5874

Victims may also contact:

THE OFFICE OF THE ATTORNEY GENERAL
directly by calling 512-936-1200,
or obtain information at www.texasattorneygeneral.gov

NOTE TO ALL VICTIMS OF CRIME

- **TO REQUEST ADDITIONAL INFORMATION** about your case, you can contact the Temple Police Department
Crime Victim Liaison:
Lhatfield@templetx.gov | 254-298-5678
or the
Family Violence Case Manager:
Amcniel@templetx.gov | 254-298-5874
- **TO PROVIDE ADDITIONAL INFORMATION** concerning your case, please contact the Police Department at the **NON-EMERGENCY LINE 254-298-5500** or come into the Police Department and request to meet with an officer or detective.

If you or any witness are threatened or intimidated by anyone, including the offender, with regard to reporting this offense, please contact the assigned Detective, the Crime Victim Liaison, or the Temple Police Department immediately. Please have the Temple Police Department report number available when making contact.

Some information provided in this booklet is summarized. A complete list of rights, statutory requirements, information, and definitions are detailed in the Texas Code of Criminal Procedure: Chapter 5 Family Violence Prevention; Chapter 56A-Crime Victims' Rights; Chapter 56B-Crime Victims' Compensation; and the Texas Administrative Code, Part 3, Chapter 61.

ADDITIONAL IMPORTANT CONTACTS:

Temple Police Department	254-298-5500
Belton Police Department	254-933-5840
Harker Heights Police Department	254-953-5400
Killeen Police Department	254-501-8830
Bell County Sheriff Dept	254-933-5400
Bell County Attorney	254-933-5135
Bell County District Attorney	254-933-5215
Lone Star Legal Aid	254-939-5773
Central Texas HIV Support Services	254-771-3352
Family Promise	254-773-9980
HELP Center (Temple)	254-549-0811
St. Vincent De Paul	254-773-7591
Feed My Sheep:	254-239-9863
Hilltop Recovery Ministries	254-239-7623
Temple Housing Authority	254-773-2009
American Gateways	512-478-0546
Hope Alliance Crisis Line	800-460-7233
Family Law Hotline:	800-777-3247
Texas Advocacy Project	800-374-4673
Office of the Attorney General Crime Victim Compensation	512-936-1200
VINE: (release notification)	877-894-8463
Family Violence Hotline	800-799-7233
Texas Health & Human Services	254-778-6751