
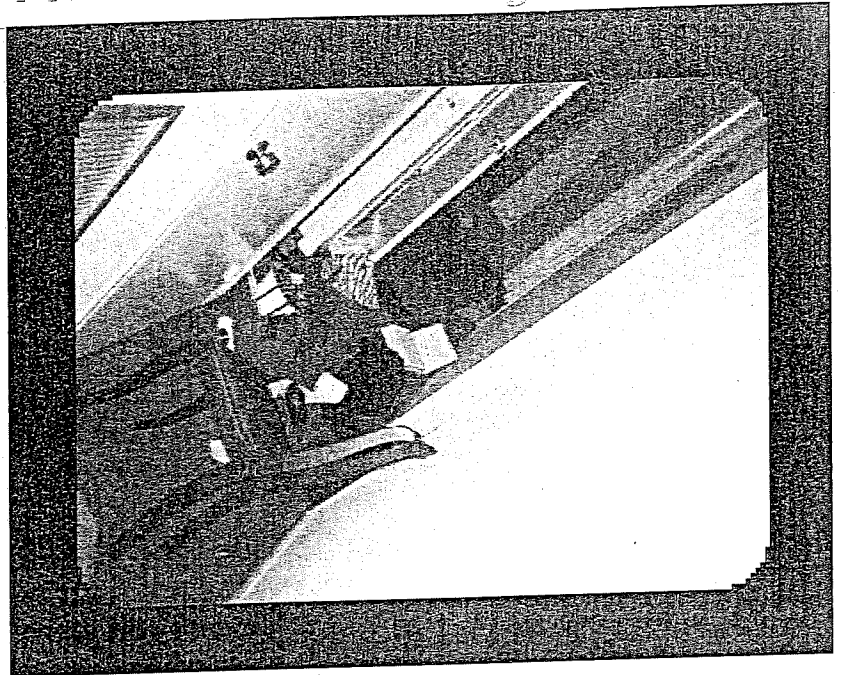



Chapter 14 

Victims Have Rights, Too!

It has been almost a year since that day. But Lucy M.'s eyes still fill with tears when she describes what three criminals did to her home. A friend had called her at her aunt's house to tell her there had been a break-in. She rushed home to find overturned furniture, emptied drawers, broken picture frames, and her VCR, bicycle, and camera gone. The burglars had even used the microwave oven as a toilet. Lucy told police she felt as if she had been raped. The only thing not ruined were the clothes on her back.



CHECK vocabulary words in bold.
LOOK UP word meanings in the glossary beginning on page 92.

 **CRITICAL THINKING**
Some people think it is a good idea to have criminals pay back the victim. People who are against this idea say that many criminals are too poor to pay. What do you think?

Lucy could not sleep for days. Her emotions went from guilt and fear to anger. She closed herself off from the world and stayed home for weeks. Her bills became too high to handle, she lost her job, and she had to move in with her parents. Perhaps the worst thing is that Lucy is now afraid to leave her parents' home for fear that it will be broken into. She also has terrible nightmares. The one lucky thing is that the crime brought out the best in her friends and in her community. They raised \$5,000 to help her replace the things in her life.

In this chapter, you will find out about the feelings many crime victims have. You will learn about what family and friends can do to help. You will also find out about a victim's rights.

Victims' Feelings

A crime victim feels many different feelings. These feelings can last for months or years after the crime. For example, the victim sometimes thinks that the crime was his or her fault. The victim might think, "I should have left my house earlier and not walked down that street," or "I should have run faster or fought back." The victim can feel this way even if there was nothing he could have done to prevent the crime.

If the victim's house was broken into, the victim, like Lucy, will likely feel afraid that the burglar might come back. The victim might also feel angry at having felt so helpless. Some of the victim's feelings will not be unlike the person returning home after being in a war zone.



Offender Jane H., says: "I shot a friend dead in a fight. I am behind bars for twenty years. I know that the victim's mother has become an advocate for victims' rights. She misses her son every day and is filled

with hate when thinking of me. In just three seconds, I ruined my whole life and the lives of many others. I feel strongly that victims have rights, too."

How can sending victims to jails regularly to talk with prisoners help offenders to understand their responsibility in committing crimes?

In the example of Jenny J., she and her two children were attacked in front of a store. A teenage girl had thrown a soda can at them and Jenny J. complained. Then the girl and some friends threw Jenny to the ground. She was injured. The children had screamed in terror, but nobody came to help. Jenny finally managed to call a friend to come and get the children. She also called an ambulance.

Jenny was angry at the attackers, and she was angry because no one had helped her. This caused her to yell at her children. She went to Victim Services and asked to talk to a counselor. This helped Jenny to stop feeling upset.

An assistance program can also help victims like Jenny J. with child care while they either go to court or go to see doctors and counselors. Such programs can help victims replace lost welfare or Medicaid cards. The program may even help victims get new locks on doors!

What if there is no assistance program in your area? If there are no such programs in your area, there are other places to get help when you need it. There might be a help hotline in town. This means the victim can call a certain number and ask where to get counseling and other help. Some places have special hotlines for certain crimes. A neighborhood center may also be able to help.

What if your money or property is stolen? The police always make a list of stolen property or money. If these things are found, the police will still keep them for a while to be used as evidence. They are returned to the owner when the case is closed.

DID YOU KNOW? A very popular singer was the victim of an attack one night at a hotel. The attacker broke into her room and raped her. He was never caught. The victim sued the motel, saying that the sliding glass doors of her room did not have a proper lock. The singer won the case. This was one of the first cases in which a victim got the right to protection.

Victims' Rights

Is there a bill of rights for victims? The Bill of Rights protects the rights of all the people in the United States. This set of rights was added to the Constitution. Yet, there is no bill of rights for victims in the Constitution.

In the last few years, victims' rights organizations have worked hard to make laws more fair for victims. Some states have victims' rights laws and some states do not. Check the laws in your state.

Some important rights of victims of crime are:

1. the right to be told what finally happens with the case
2. the right to be told a court hearing has been canceled
3. the right to be protected from threats
4. the right to be told about how to receive witness fees
5. the right to be given a safe area that is away from the suspect to wait in before the trial
6. the right to have property returned quickly. If possible, pictures should be taken of the property. Property should be returned ten days after photos are taken.
7. the right to have someone tell the victim's employer not to allow the victim to lose too much employment money while in court.

EYE OPENER The U.S. Department of Justice reports that one in four households was victimized by crime in 1991.

Help for Victims

How can family and friends help a victim? Friends and family can help a victim a lot. They can stay with the victim when he or she is afraid to be alone. They can listen while the victim talks about feelings and about the crime.

Can victims get paid back what they have lost? The answer is sometimes. There are four different ways victims can get paid back, or get **restitution**, for what has been taken from them.

1. Being paid back for damage, loss, or injury: The criminal must sometimes pay money to the victim for damage or injury. For example, if someone is convicted of stealing \$30, part of the person's sentence will be to pay back the \$30 to the victim.

The judge may sentence a person to pay something to the community. For example, if some people are found guilty of vandalism or damaging property in a park, the judge might sentence them to clean up the park every Saturday for a year.

2. Getting money from the government for damage, loss, or injury: Some states have an office or board that pays **compensation**, or money for medical expenses, to victims of violent crimes. Other states also pay for loss of property. Still other states give money to help people who are hurt as a result of coming to the aid of a victim.

To get this kind of help, a victim needs to fill out a form and give the following information: details of the crime, names and addresses of any witness(es), the number of the police department complaint report, copies of medical bills, and the name and badge number of the police officer who wrote the crime report.

o Victims may have to report the crime within a certain amount of time. It may be a month. It may be only two days. Check what the laws are in your state.

3. Taking the criminal to a special court called the small claims court: Victims do not always need a lawyer for this kind of court.

4. Taking someone to court who, in some way, helped make it possible for the crime to happen: A victim may be able to sue someone else for damages.

For example, Kim Y.'s apartment was robbed, but the thief was not caught. Kim Y. sued his landlord in court because the lock on his door was not safe. He had complained about it many times, but his landlord had not fixed it. The landlord had not done his job. In this way, the landlord was responsible for the break-in. Kim Y. won the case, and the landlord had to fix the door as well as pay the all of the damages.

What do Victim/Witness ~~Assistance~~ Programs do to help? Many victims need help in dealing with their feelings about the crime.

Counseling can be the best remedy. A social worker or a person who is trained in mental health can counsel or help victims and witnesses to feel better by listening to them. This listening helps people to understand their feelings better.

CRITICAL THINKING

In the story at the beginning of this chapter, Lucy M. felt that victims have to live with the feeling of being a victim for the rest of their lives. Why do you think this is so?

HAVE YOU SEEN

THIS CHILD?



REPORT ANY INFORMATION
TO OUR HOTLINE

DID YOU KNOW? John Walsh is the host of a television show about crime in America. His own six-year-old son, Adam, was murdered in 1981. The murderer was never caught. Walsh found that the police had no system for keeping track of missing-children reports. He worked to have Congress pass the Missing Children's Assistance Act. Today, handbills like the above advertised the search for missing children.


EYE OPENER By giving information about criminals not yet caught, the TV show hosted by John Walsh has caused 243 criminals to be captured in five years! John Walsh also helped to make television movies about Adam and about missing children. As a result of one show, 65 missing children were found.

All of these rights are for victims, witnesses, and families of victims. Victims have a right to know about everything available to help them balance the harm that has been done to them.

Can victims help themselves? Does a victim ever stop having bad feelings about the crime after it happens? The answer is often no. Yet, victims can feel stronger and better if they do something positive—like fighting back.


Fighting back does not mean going after the suspect yourself. This is always a mistake. You can be hurt or lose your life by doing so! You can help the police by trying to get evidence. It also helps if you act as a witness to make sure the suspect is convicted.

Victims who do these things also help other people from becoming victims of the same person who hurt you. Victims can help society as well as be helped by it after a crime has been committed.

CRITICAL THINKING
 Relatives of victims sometimes feel that they want revenge, or to get even. But if this means committing more violence, then the harm caused by crime just continues. What can families of victims do to help themselves?

Understanding Chapter 14

1. How can you help a friend or relative who has been a victim?
2. Can a victim be paid back for loss or damages?
3. What is the victims' bill of rights?

 *Workbook*
Self-Check p.30
Reality-Check p.31

CHAPTER 14 REALITY CHECK

Victims Have Rights, Too!

WRITING ACTIVITY

Suppose you became a victim who had been hurt and robbed. Where could you get help? Use the phone book to find out what help exists in your community.

Read each item below. Write your answers in complete sentences.

1. Is there a Crime Victims Compensation Board in your state? Where is it and how did you find it?

2. Suppose, as a victim, you wanted to get back what you lost by suing the criminal in court. Whom could you call to find out what steps to take? _____

3. Suppose you wanted to talk about your feelings of fear or anger with a social worker or psychologist. How could you find one? _____

4. List any hotlines in your area that victims can call for help. Include what kind of help each hotline provides.
Hotline number: _____ Type: _____
Hotline number: _____ Type: _____
5. List any other people or organizations in your area that might be able to help victims of crime.

COLLABORATIVE LEARNING ACTIVITY

Read the following story. Form a small group of 3-6 people. Each person in your group should contribute. Before you begin, decide what each person's job will be in the group. If time allows, present your group's work to the class.

Andrea B. was angry at her former husband. He had stopped giving her child support money. He said that she earned more money from her job than he. She got upset and broke into his apartment, stealing money. Andrea was found guilty at her trial. Andrea B. is not violent, nor a danger to others. Yet, she did commit a crime, making her husband a victim of burglary.

- Have a discussion to decide if paying the husband back, sending the accused to prison, or both is the best punishment.
- Make up two crimes, describing some kind of harm done other than property loss. List three possible punishments that might help to make up for the harm to the victim in either case.

CHAPTER 14 SELF-CHECK

Victims Have Rights, Too!

Fill in the blanks to complete the sentences correctly.

1. Victims of crime can get something called _____ for what they have lost.
2. There are _____ different ways in which victims can get paid back.
3. Some states have an office or board that pays _____.
4. Victims may have to _____ the crime within a certain amount of time —maybe a month, maybe only two days.
5. Victims do not always need a _____ for small claims court.
6. Victim/Witness _____ Programs can help people in dealing with their feelings about the crime.
7. Counselors trained in mental health help victims and witnesses by _____ to them talk about their experiences.
8. The _____ of victims of crime include being told what finally happens as the outcome of a case.
9. Victims of crime also have the right to be protected from _____.
10. About 40 percent of robberies and 36 percent of assaults on teen victims happen in _____.

Word Bank

1. Listening
2. Four
3. School
4. Restitution
5. Threats
6. Lawyer
7. Compensation
8. Rights
9. Report
10. Assistance

Name/Date: _____

News Article Summary *on The Courts*

Who wrote the article: _____

Title of the Article: _____

When did the events in the article occur?

Where did the events occur?

List all that are named in the article with their titles if given:

What was the article about?

Why is this article important?

What did you learn from the article?