

Restitution: The criminal may have to pay you

In felony cases (and some misdemeanor cases) the court can order a convicted criminal to pay victims for their losses. This is called **restitution**.

The probation department will ask if you want to explain how the crime has impacted you. It is a chance for you to:

- List your financial losses related to the crime, and
- Ask for restitution.

The court will read your statement before it decides on the punishment.

You have the right to:

- Be in court when the criminal is sentenced.
- Tell the court how the crime impacted you, and

- Say what punishment you believe would be best, including restitution – or money to pay you for your losses related to the crime.

To learn more about your right to restitution and sentencing, contact us.

You can speak at the prisoner's parole hearing

For very serious crimes, the prisoner cannot be let free without a parole hearing. You have the right to speak at that hearing. You can tell the Parole Board your opinion about when the prisoner should be let free.

Note: If the criminal was under 18, special rules apply. Contact us if you want to speak to a Juvenile Parole Board.

To learn more about parole hearings, contact the California Department of Corrections and Rehabilitation at: www.cdcr.ca.gov.

Other programs to help you

There are many special support programs and advocacy groups that help victims and their families, including victims of rape crisis, domestic violence, and child abuse. Contact us to find a program or group.

Our Center

The Victims of Crime Resource Center has helped thousands of crime victims across California since 1984. Our services are free. Our expert staff know the latest information in the field. We are here to guide you and answer any questions.

For more information or support about your rights, contact us:

- Victims of Crime Resource Center
University of the Pacific, McGeorge School of Law
- Call: **1-800-VICTIMS** (1-800-842-8467)
 - Visit: www.1800VICTIMS.org

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1-800-VICTIMS (842-8467)
www.1800victims.org

UNIVERSITY OF THE
PACIFIC
McGeorge School of Law

Help for Crime Victims in California



Helping victims and their families know their rights and get services and support

Victims of Crime Resource Center
(Centro de Ayuda para víctimas de delitos)
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Rights of Crime Victims in California

If you are a victim of a crime, you may need support to recover from the crime. The crime may have caused you financial, legal, health, or psychological problems. This brochure explains your rights, and services and support available to you and your family.

You have the right to:

Money. The court can order the criminal to pay for your losses related to the crime, including money to pay for:

- Counseling,
- Lost wages,
- Medical bills for your injuries, and
- Funeral and burial costs.

Tell the court about your losses. Before the court decides on the criminal's punishment, you can tell the court how the crime impacted your life.

Safety and protection. If you, your family, or any witnesses are afraid of the criminal, you can ask the court for a protective order.

Sue in small claims court. If you are not suing for more than \$10,000, you can sue in small claims court. You don't need a lawyer in that court. And each court has small claims advisors to help people with their cases. To learn more, go to:

www.courts.ca.gov/selfhelp-smallclaims.htm

A special law, called the Victims' Bill of Rights (or Marsy's Law), supports crime victims and their families.

It's a good idea to read this law so you know about all your rights. You can print the law and get a list of resources at:
www.oag.ca.gov/victimservices/marsy

Sue in civil court. You can file a lawsuit against the criminal to ask for money, or legal fees. If property owners or government entities share blame for the crime, you can sue them, too. *Important!* There are very strict deadlines for starting a case, and court rules can be complicated. If you want to sue, talk to a lawyer soon. To find a lawyer, call us or call the:

State Bar of California's lawyer referral service:
1-866-442-2529 – *It's a free call!*



Help to Get Money and Support

Several programs and processes help victims get money, support, and guidance, including:

- Victim Compensation Program (CalVCP)
- Victim/Witness Assistance Centers (each county has one)
- Restitution and other programs and organizations

Victim Compensation Program

This program can reimburse up to **\$63,000** to each victim for expenses related to the crime. You can ask for money for expenses not fully covered by your insurance, judgment, or other programs, including:

- Counseling, medical, and dental services or equipment
- Lost wages, support for dependents, or childcare if the provider was disabled or killed because of the crime
- Funeral and burial costs
- Job training or retraining

- Home security system or changes to your home or car that you need because the crime caused a disability
- Crime scene clean-up and moving costs
- Insurance co-payments

Important! This program does not cover *property* loss.

Who Can Get Compensation

You can ask for compensation (money) if you did not help cause the crime and are willing to report the crime and cooperate with law enforcement, and you are:

- injured because of a qualifying crime,
- a dependent of the victim,
- the caregiver of a victim who is under 18,
- paying the bills for someone who died because of a crime, or
- a relative or member of the victim's household and you need medical care or counseling, or you had financial losses related to the crime.

How to Get Compensation

Apply within **3 years** of the crime (unless you have a very good reason for applying late). To apply, contact the Victim Compensation and Government Claims Board:

- Call: **1-800-777-9229**, or
- Visit: www.vcgbc.ca.gov

Other Ways to Get Compensation

Many other programs give financial help to victims, including:

- Workers' Compensation
- Unemployment insurance
- Temporary Assistance to Needy Families (TANF)
- Federal and state disability programs
- Medi-Cal
- Your home or car insurance



Victim/Witness Assistance Centers

Each county has a Victim/Witness Assistance Center (Victim/Witness Assistance Center). These Centers help victims with the problems caused by the crime.

Your Center will help you:

- Apply to the Victim Compensation Program for money
- Get ready for court, including telling the court how the crime impacted you, and asking the court to order the criminal to pay you restitution
- Get referrals to other programs that will help you
- Arrange transportation and childcare when you go to court
- Get emergency food, shelter and clothes
- Get court orders to protect you and your family
- Explain what happened to your employer, doctors and creditors

How to find your Victim/Witness Assistance Center

To find your local Victim/Witness Assistance Center:

- Call us: **1-800-VICTIMS** (1-800-842-8467)
- Visit us: www.1800VICTIMS.org