

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

BUREAU OF VICTIM SERVICES

"Helping Victims Become Survivors"



GEORGE GASCÓN
DISTRICT ATTORNEY



GEORGE GASCÓN
DISTRICT ATTORNEY
Elected November 3, 2020



MISSION STATEMENT

The Los Angeles County District Attorney's Office will advance an effective, ethical, and racially equitable system of justice that protects the community, restores victims of crime, and honors the rights of the accused. We are a learning organization that believes in reduced incarceration and punishment except in circumstances in which it is proportional, in the community's interest, and serves a rehabilitative or restorative purpose.

BUREAU OF VICTIM SERVICES

THREE DIVISIONS TO ASSIST VICTIMS

1. Direct Services

Advocates provide assistance to crime victims in courthouses and law enforcement stations throughout Los Angeles County

2. Claims Verification Unit

Victim Compensation Assistance

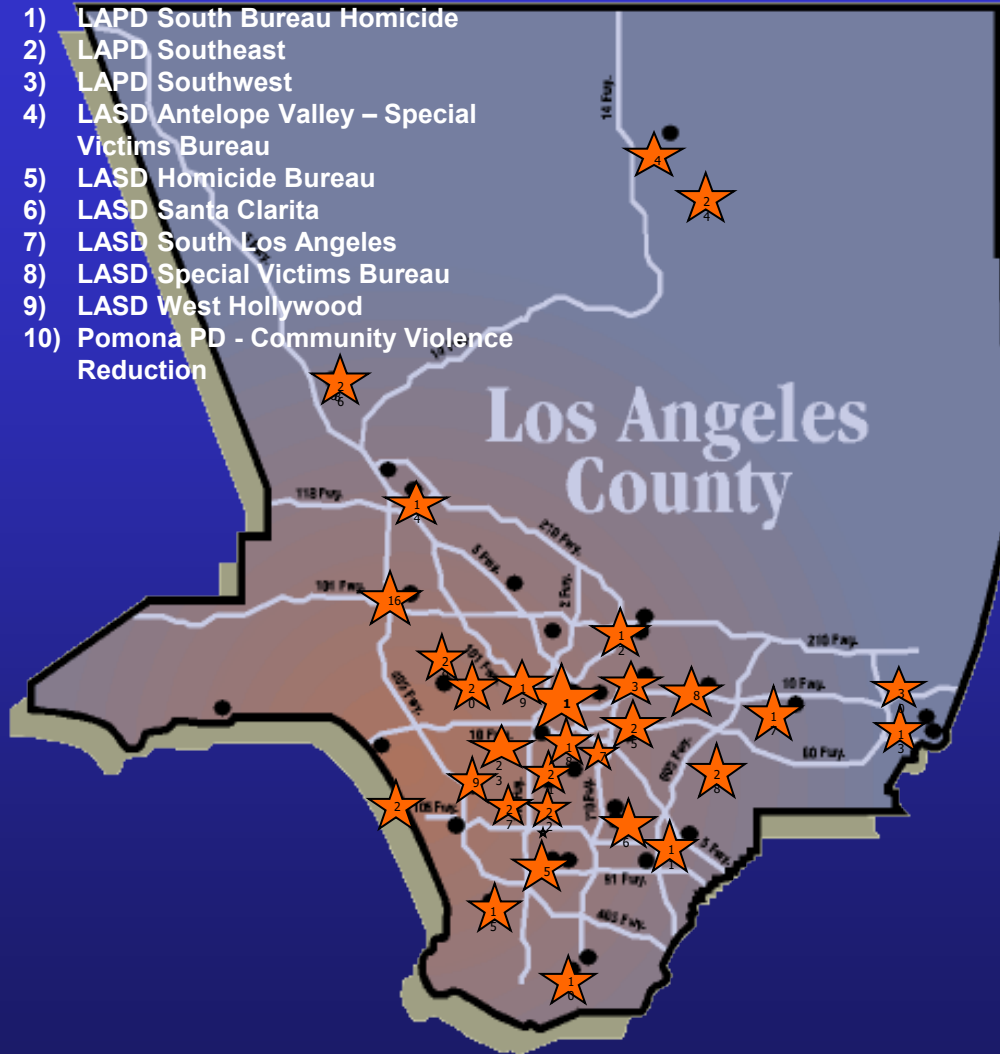
3. Restitution Enhancement Program

Victim Restitution Assistance



Los Angeles District Attorney Victim Sites 2020-21

- 1) Criminal Justice Center/HOJ
 - a) Central
 - b) Elder Abuse
 - c) Family Violence
 - d) Financial Fraud and Cyber Crimes
 - e) Hate and Target Crimes
 - f) Human Trafficking
 - g) Lifer and Post-Conviction Proceedings
 - h) Realignment Victim Services Program
 - i) Sex Crimes
 - j) Community Violence Reduction
 - k) Victim Services K9 Unit
 - l) Victims' Rights Assistance
- 2) Airport
- 3) Alhambra
- 4) Antelope Valley
- 5) Compton
 - a) Community Violence Reduction
- 6) Downey - Victims' Rights Assistance
- 7) East Los Angeles
- 8) El Monte
- 9) Inglewood
- 10) Long Beach
 - a) Elder Abuse
 - b) Juvenile Advocacy Services
- 11) Norwalk
- 12) Pasadena
- 13) Pomona
- 14) San Fernando
- 15) Torrance
- 16) Van Nuys
- 17) West Covina
 - a) Victims' Rights Assistance
- 18) LAPD Central
- 19) LAPD Hollywood
- 20) LAPD Rampart



Bureau of Victim Services

Administrative Headquarters

(626) 514-1300

1(800) 380-3811

Branch and Area Offices

- Airport (310) 727-6516
- Alhambra (626) 308-5417
- Antelope Valley (661) 974-7717
- Criminal Justice Center (213) 974-7490
- Compton (310) 603-7579
- East L.A. (323) 780-2045
- El Monte (626) 575-5565
- Inglewood (310) 419-6764
- Long Beach (562) 247-2068
- Norwalk (562) 807-7230
- Pasadena (626) 356-5783
- Pomona (909) 620-3381
- San Fernando (818) 898-2406
- Torrance (310) 222-3599
- Van Nuys (818) 374-2159
- West Covina (626) 813-3220

Los Angeles County Sheriff's Department

- Antelope Valley (SVB) (661) 471-1515
- Homicide Bureau (323) 890-5656
- Santa Clarita (661) 799-5155
- South L.A. (323) 820-6860
- Special Victims Bureau (562) 946-8233
- West Hollywood (310) 358-4057

Los Angeles Police Department Stations

- Hollywood (323) 871-1184
- Rampart (213) 483-6731
- Southeast (323) 754-8064
- Southwest (323) 296-8645
- South Bureau Homicide (323) 786-5151

Special Advocacy Programs

- Elder Abuse Division (213) 257-2304
- Family Violence Division (213) 257-2173
- Financial/Fraud & Cyber Crimes (213) 257-2443
- Hate and Target Crimes Division (213) 257-2443
- Human Trafficking Division (213) 974-2039
- Juvenile Advocacy Services (LB) (562) 247-2034
- Lifer & Post-Conviction Proceedings (213) 974-4110
- Realignment Victims Svc. (213) 893-7899
- Sex Crimes Division (213) 257-2054
- Community Violence Reduction
Cen (213) 257-2034 Com (310) 603-7127 Pom (909) 620-2027
- Victims' Rights Assistance
Cen (213) 257-2101 So. (562) 803-7107 No. (626) 813-3169
- Victim Services K9 Unit (213) 257-2044

**“How can we assist a crime victim
and their family?”**



MANDATORY VICTIM SERVICES

Penal Code § 13835.5



- Crisis Intervention
- Emergency Assistance
- Resource & Referral Counseling
- Victim Compensation Assistance
- Return of Property
- Orientation to the Criminal Justice System
- Court Escort/Support
- Case Status/Disposition Information
- Restitution Assistance

Crisis Intervention

- Personal or telephone response to the immediate emotional and physical needs of the crime victim
- Provide victim immediate referral to appropriate local service agencies



Emergency Assistance

Assist victim with immediate material needs such as:

- Temporary Shelter
- Food
- Transportation
- Clothing
- Medical Care
- Prescription Medicine
- Eyeglasses
- Dentures



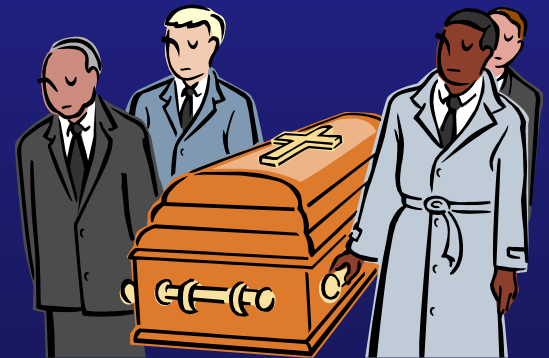
Resource and Referral Counseling

Referral to the appropriate individual or agency for services not provided directly by the program



Victim Compensation Assistance

Assist victims and/or their families with filing an application for financial losses such as compensation for **medical expenses, mental health counseling, loss of income, loss of support, funeral/burial costs, crime scene clean up, and job rehabilitation** – More later under “State Restitution Fund”



Orientation to the Criminal Justice System



- Provide victims/witnesses with verbal information on the location, procedures and functioning of the criminal justice system
- Inform victims/witnesses what they should expect in terms of testifying (direct and cross-examination) and possible court delays

Court Escort/Support



- Provide information and/or support to the victim or witness during court appearances
- Accompany the victim or witness to the courtroom and remain during their court appearance

Case Status/Disposition Information

- Keep victims and witnesses apprised of significant developments and the disposition of the case in which they are involved
- Assist victims with the preparation of a written victim impact statement to the probation department, court and parole board and/or present the impact statement at the time of sentencing or parole hearing

Return of Property and Restitution

- Assist victims with contacting law enforcement agency when property is no longer needed in the prosecution
- Assist victims in determining what restitution is owed to them
- DA's office also has a Restitution Enhancement Program (REP) that also assists victims in obtaining restitution

DA's Restitution Enhancement Program Assistance

- Assist in obtaining restitution for the victim
- Ascertain the victim's economic loss
- Providing the probation department, district attorney, and court with information relevant to the victim's losses prior to the imposition of sentence

CDCR FORM 1707

PC 679.03

- Victim can request special conditions of parole (stay away)
- Victim can request to be notified of inmate's release, escape, death or parole hearing
- Restitution Order – money will be withheld from inmate's wages or money put on books
- VSR will help victims fill out the form

OPTIONAL VICTIM SERVICES

Penal Code § 13835.5

- **Creditor/Employer Intervention**
- **Restitution Information & Referral**
- **Notification Court Calendar Changes**
- **Funeral Arrangement Assistance**
- **Temporary Restraining Order Information**
- **Witness Protection Assistance/Relocation**

Legal Authority for Victims' Rights

- Constitution – California Article 1, Section 28 (b)(1)-(17) (Marsy's Law)
- Statutory - Penal Code §679 and 679.02
- Case Law – almost nothing on Marsy's law yet. Most CA case law on victims' rights are on restitution issues.

Victims' Constitutional Rights - Marsy's Law

- Victims' rights now included in the California Constitution. Many rights were previously in statutes.
- Some rights automatic, others must be requested.
- Included in this presentation are those rights relating to law enforcement.

***Most of Marsy's Law deals with rights that come into play once a criminal case is filed.

Right to Respect

Right of victim to be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice process.

“ Legislature declares its intent to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity.” **These rights are to be honored and protected by law enforcement, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants.**

Article 1, Section 28 (b)(1)

Penal Code 679

Right to Safety

- ✓ To be reasonably protected from the defendant and persons acting on behalf of the defendant
- ✓ To have the safety of the victim and the victim's family considered in fixing the amount of bail or release conditions for the defendant

*Consider Bail Deviations

- ✓ To prevent the disclosure of confidential information or records to the defendant

Right to Know what's going on

- ✓ To refuse an interview or discovery request by the defense and to set reasonable conditions on the conduct of any interview to which the victim consents
- ✓ To reasonable notice and to reasonably confer with the prosecutor regarding the arrest, charges, extradition, and plea bargain (pretrial disposition). There is no **right** to reasonably confer with law enforcement
- ✓ To reasonable notice of all public proceedings – court and parole

Right to Be Informed

- ✓ To be informed of all Marsy's Law rights
- ✓ Right to be provided information regarding civil recovery and opportunity to be compensated from the California Victim Compensation Board (CalVCB)
- ✓ Law Enforcement must provide victims with information on Marsy's Law and CalVCB

Article I Section 28(b) (17)

Penal Code 679.02 (8) 679.026, Govt Code 13962(b)

Right to Restitution and Property Returned

- ✓ Restitution – Every **convicted** defendant must be ordered to pay restitution to the victim when they are sentenced

Restitution can include:

- Medical bills (physical and mental health)
 - Lost wages – includes court days
 - Relocation expenses
 - Retrofit vehicle
 - Home security installation or upgrade
 - Job retraining
 - Child support for 187 victim's children
 - Lost, stolen, damaged property
 - Funeral/Burial and Crime Scene Cleanup
 - Non-economic loss for 288 victims (basically pain and suffering)
- ✓ Prompt return of property - If case isn't solved, it is likely that some property can't be returned due to it's significance of evidence

VICTIMS' STATUTORY RIGHTS

- ✓ Notification of
 - Cancellation of court proceeding
 - Pretrial disposition – plea bargain
 - All sentencing proceedings, appear and give statement
- ✓ Expeditious disposition criminal action
- ✓ Return of property
- ✓ Civil recovery restitution
- ✓ Witness fees

Penal Code § 679.02

Victim's Right to Support Person

- ✓ Victims of sexual assault and domestic violence are entitled to have a support person with them during law enforcement interview. However:
 - **Support person can be excluded if it would jeopardize purpose of interview.**
 - **Initial interview to determine whether a crime has been committed or the identity of the suspect is not included.** Penal Code Sections 679.04 and 679.05.
- ✓ Victims of violent crimes are entitled to a support person when they testify in court. Penal Code Section 868.5, 939.21, and Welfare and Institutions Code Section 676.5.

Contempt of Court

- ✓ Any witness can be held in contempt for refusing to obey a subpoena and come to court.
- ✓ Court cannot put a victim of sexual assault or domestic violence in jail for refusing to testify.

Penal Code Section 1219

Child Victims - Special Procedures

- ✓ Can get extra breaks during testimony
- ✓ Judge may remove robe to help make the child feel less intimidated, rearrange the courtroom to make a more comfortable and personal environment
- ✓ Testimony may be limited to school hours
- ✓ Judge can remove intimidating witnesses
- ✓ Judge can close the courtroom or allow close-circuit TV in very limited situations
- ✓ Judge can modify oath to tell the truth

Penal Code Sections 686.2, 868.8, 1346, 1347
Evidence Code Section 710

Child Interview Centers

Within Los Angeles County there are several multi-disciplinary centers that conduct forensic interviews of children and adults with disabilities. Many of these centers have interviewers who speak Spanish. Some centers audio and videotape the interview. A multi-disciplinary team response to child abuse allegations includes representation from law enforcement, child protective services (DCFS), prosecution, medical, mental health, and victim advocacy. The purpose of interagency collaboration is to coordinate intervention, share information and reduce potential trauma to children by **reducing the number of interviews that children must give. In cases where a child or a person with a disability is either the victim of a crime or has witnessed a crime, you may want to consider having a forensic interviewer conduct the interview of the victim or witness.** These centers do not charge for conducting interviews.

Child Interview Center Locations

Center for Assault Treatment Services (CATS)

Northridge Hospital Medical Center

Van Nuys, CA 91405

MaryAnn Lague, R.N., SANE-A, SANE-P

<http://www.abuse-assaultservices.org>

818-718-5922

Children's Advocacy Center

1650 E. Old Badillo St., #C-#

Covina, CA 91724

John Pomroy, Executive Director

626-331-6719

<http://cacpomona.org/>

Children's Hospital Los Angeles

Audrey Hepburn CARES Center

Comprehensive Medical and Mental Health Services for
Victims and Suspected Victims of Child Abuse

4650 Sunset Boulevard

Los Angeles, CA 90027

Karen Kay Imagawa, M.D., Director

323-671-2060

[http://www.chla.org/site/c.ipINKTOAJsG/b.3829787/k.88BC/
Child_Abuse.htm](http://www.chla.org/site/c.ipINKTOAJsG/b.3829787/k.88BC/Child_Abuse.htm)

Violence Intervention Program

LAC+USC Medical Center

1240 North Mission Road

Los Angeles, CA 90033

Dr. Noemi Urgiles

310-415-8365

<http://violenceinterventionprogram.org/>

Stuart House Rape Treatment Center

Santa Monica-UCLA Medical Center

1250 Sixteenth Street

Santa Monica, California 90404

Nicole Farrell, MSW, Child Interview Specialist

Direct: 310-463-1275 Office: 310-319-4248

<http://www.911rape.org/about-us/who-we-are>

Los Angeles County

Harbor – UCLA Medical Center

Child Sexual Abuse Crisis Center

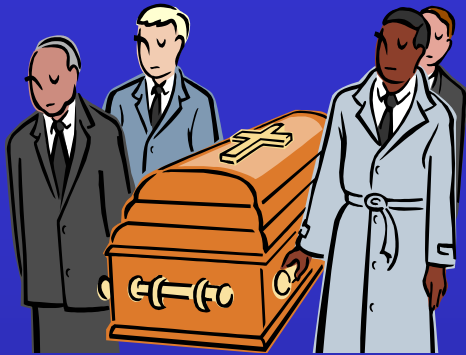
1000 West Carson Street, Unit N26, #460

Torrance, CA 90509

Rosanna Beaumont, M.A., Program Director

310-222-3567

No website at this time.



Victims' *Losses*



Payment for Victims' Losses from Two Sources



Compensation

State Restitution
Fund

Reimbursement

Restitution Order
from Convicted
Defendant

State Restitution Fund *Gov. Code 13953*

Administered by

**California Victim Compensation Board
(CalVCB)**

Victims Eligible for Compensation

- **Direct Victim**
- **Derivative Victims – family and household members, certain percipient witness to crime, primary caretaker of a victim**



Victim Eligibility Requirements for State Restitution Fund (CaIVCB)

- Victim must be a California resident at the time of the crime or the crime must have occurred in California.
- Victim must cooperate with law enforcement and prosecutors
- Victim cannot have been involved in the events leading to the qualifying crime
- Victim must apply within seven years of the date of the crime or seven years after the victim attains 21 years of age

Victim Eligibility Requirements for State Restitution Fund (CalVCB)

Felon Victims and Felon Derivative Victims

CalVCB cannot reimburse expenses while the victim or derivative victim is on a Restricted Status.

Restricted Status includes the following:

- On parole, probation, or post-release community supervision (PRCS) for a violent felony
- Incarcerated
- Required to register as a sex offender (PC 290)

The CalVCB may consider and pay crime related expenses if they are incurred before or after Restricted Status. If the claim is otherwise eligible, the claim may be allowed but expenses incurred during this period will not be paid.

Compensation Criteria

State Restitution Fund (CaIVCB)

- Crime caused physical injury or threat of injury
- Property loss not covered
- Restitution Fund is payer of last resort
(e.g. Victim must first use own medical insurance)
- For certain crimes, emotional injury alone is sufficient
- Certain family members or other loved ones who suffer economic loss resulting from an injury, or death of a victim of a crime may be eligible

Categories Generally Eligible for Compensation

- Person who is physically injured or threatened with physical injury as a result of a crime
- Eligible family member or other specified person who were legally dependent on the victim
- Parent, sibling, spouse, or child of the victim
- Family member of the victim who witnessed the crime



Categories Generally Eligible for Compensation

- Minors who witness a crime of domestic violence or who resides in a home where domestic violence occurs
- Minor witnesses who suffer emotional injury as a direct result of witnessing (seeing or hearing) a violent crime and the minor was in close physical proximity to the victim when witnessing the crime. They cannot be a direct or derivative victim of the violent crime.
- Anyone who pays or assumes legal liability for a deceased victim's medical, funeral, or burial expenses or anyone who pays for crime scene clean up



Examples of Crimes Typically Covered



- **Assault with a deadly weapon or GBI**
- **Battery with injury**
- **Child abuse**
- **Domestic violence**
- **Driving under the influence with injury**
- **Hit and run with injury**
- **Vehicular manslaughter**
- **Murder (unlawful Homicides)**
- **Robbery**
- **Sexual assault**
- **Stalking**
- **Kidnapping**
- **Unlawful sexual intercourse**
- **Criminal Threats**
- **Human Trafficking**

CalVCB may help pay for crime-related expenses such as:

- **Medical/Dental**
- **Mental Health Services**
- **Income Loss**
- **Funeral/Burial Expenses**
- **Relocation**
- **Residential Security**
- **Crime Scene Clean Up**
- **Medical Equipment**

*There are limits on how much can be paid for each loss.

BVS K-9 Unit



Skippy, Lennox, and Nora

BVS K-9 Unit

- ▶ Help child victims and other vulnerable victims of crime during interviews, preparation for testimony, and testimony at preliminary hearings and trials
- ▶ Lessen the stress and trauma of courthouse environment
- ▶ Calm victim and have positive interactions
- ▶ Provide support without bias
- ▶ Comfort family during testimony if outside the courtroom
- ▶ Memory of facility dog, “The day I met Skippy,” or “I was able to say what happened to me because I had Nora by my side”

Goal for Facility Dog Team

Bureau of Victim Services



“Helping Victims Become Survivors”



LOS ANGELES COUNTY
DISTRICT ATTORNEY'S OFFICE



37th Holiday Giving Drive

MAKE YOUR TAX-DEDUCTIBLE DONATIONS PAYABLE TO:

California Community Foundation
c/o Los Angeles County District Attorney's Office
Bureau of Victim Services
1000 S. Fremont Avenue, Unit 36, Building A9E, Suite E9150, Alhambra, CA 91803

CONTACT:

Alex Reynoso • (800) 380-3811 • areynoso@da.lacounty.gov

DONATE ONLINE:

<http://calfund.org/District-Attorneys-Victim-Assistance-Fund>

Your contribution helps provide gifts for children and others victimized by crime.





Tanishia G. Wright, Director
Administrative Office
1000 S. Fremont Avenue
Unit 36, Bldg. A9E, Suite 9150
Alhambra, CA 91803
Toll Free 1 (800) 380-3811
Telephone (626) 514-1300
Fax (626) 281-1057
<https://da.lacounty.gov/victims>

CRIME VICTIMS KNOW YOUR RIGHTS



GEORGE GASCÓN
DISTRICT ATTORNEY

Victims' Rights

Victims have the right to be treated with dignity and respect. As a victim of crime or a family member of a victim, you have many rights throughout the criminal justice process, some of which are listed below. **These rights are yours, but for many of them, you must request, or complete paperwork before they will be honored.** Victims and survivors have the right to:

- Be informed of the status of their cases, including investigation, arrest and prosecution of the suspects.
- Have your names kept confidential if you are victims of sexual assault, domestic violence, child abuse, stalking or a hate crime.
- Have a support person in court when you testify.
- Receive court orders telling defendants to stop harming or harassing them.
- Reasonable notice of all court proceedings.
- Attend all court proceedings.
- Speak to the prosecutor.
- Be heard in court if something is happening that is affecting your rights.
- Tell the judge about the crime's impact on you or your family at the time of sentencing.
- The return of your property.
- Have the judge order restitution for all crime-related losses when the defendant is convicted.
- Be notified of all post-sentencing matters including appeal status, parole hearings and/or release dates and to participate in all parole hearings. A victim services representative can assist in requesting these notifications. For notification, you need to complete a CDCR 1707 form.

- Be notified if the suspect/defendant is released from Los Angeles County jail custody or California State Prison.

For Jails: Victim Information and Notification Everyday (VINE) provides automatic notification to victims who have registered when a suspect is released from custody. Call **1-877-VINE-4-LA (1-877-846-3452)** to register for notification. Victims must re-register if the defendant is sentenced to state prison.

For Prison: To receive notification about anyone incarcerated at a California State Prison, CDCR's 1707 form must be completed. This form can be downloaded or completed online at this website - **<http://www.cdcr.ca.gov/victim-services/application/>**.

Additional information on victims' constitutional rights is available in the Marsy's Law pamphlet: **<http://da.lacounty.gov/marsys-law>**.

Victim Services

The District Attorney's Bureau of Victim Services is available in courthouses and police stations to assist victims and their families. Victim services representatives assist victims with emergency needs; counseling resources and referrals; restitution orders and return of personal property; orientation to the criminal justice system; court escort and support; and information on the status of filed cases. Victim services representatives assist victims of violence or the threat of violence in applying for compensation for crime-related losses from the California Victim Compensation Board.

Victim services representatives are specially trained to help child as well as elder victims, victims of domestic violence and sexual assault and victims with disabilities. Representatives are available to assist victims in several languages. All services are free and there is no legal residency requirement.

Information for Undocumented Victims and Survivors

Victims are not required to be in legal immigration status to request services. Under federal law, certain undocumented crime victims who have suffered substantial physical or mental abuse are eligible to apply for the U nonimmigrant status visa (U Visa). For a list of local nonprofit agencies that assist victims with the U visa and T visa application process, please visit **<http://da.lacounty.gov/victims/uvisa/uvisa-tvisa-assistance-agencies>**.

California Victim Compensation Board

Who may be eligible for compensation?

- Victims of crimes of violence or threats of violence, whether or not a criminal case is filed.
- Family members or cohabitants of the victim, including those dependent on the victim for financial support.
- Anyone who pays the funeral or burial expenses of a deceased victim.
- A qualified primary caretaker of a minor victim.
- Child witnesses to any crime of violence.

Requirements:

- An application must be filed within three years of the crime.
- Victims must not have participated in the crime.
- Victims must cooperate with law enforcement and prosecution.

Covered Expenses:

- Medical, dental and hospital expenses.
- Mental health counseling.
- Relocation.
- Funeral and burial costs.
- Crime scene cleanup.
- Loss of wages or support.
- Job retraining and rehabilitation.
- Home security installation.

To receive reimbursement, the California Victim Compensation Board (CalVCB) requires losses to be crime-related. Reimbursement amounts may vary, for updated information, please visit **<http://victims.ca.gov>**. Other sources of reimbursement, such as insurance, must be used first. CalVCB cannot pay any expenses incurred while a victim is on parole, probation or post-release community supervision for a violent felony, or while incarcerated or required to register as a sex offender. For more information on the CalVCB, call toll-free **(800) 777-9229**. You also may access program information at **<http://victims.ca.gov>** or by writing to CalVCB, P.O. Box 3036, Sacramento, CA 95812-3036.

The District Attorney's Office can assist crime victims with applying for services from CalVCB. For more information on applications that have been submitted or to follow up on an application, please call the Bureau of Victim Services' Claims Verification Unit at **(800) 492-5944**.



Scan here to view
this pamphlet online.



Helping Crime Victims

For Counseling Referrals



For Crisis Intervention



For Case Status Notification



For Emergency Assistance



For Restitution Assistance



For Court Escort



Victim Centers

Hours:

Monday – Friday, 8 am – 5 pm

Central - Los Angeles (Downtown)

.....213-974-7490

210 W. Temple St., Rm. 12-514

Los Angeles, CA 90012

Special Units

Elder Abuse213-257-2304

Family Violence213-257-2173

Financial/Fraud and Cyber Crimes 213-257-2443

Community Violence Reduction213-257-2034

Hate and Target Crimes213-974-1636

Juvenile Advocacy Services

 Long Beach562-247-2034

 South County562-940-8818

Victim Services K-9 Unit213-952-2672

Lifer and Post-Conviction Proceedings213-974-4110

Realignment Program213-893-7899

Human Sex Trafficking Section213-974-2039

Sex Crimes.....213-257-2054

Victims' Rights Assistance.....213-974-9882

Airport.....310-727-6516

1701 S. La Cienega Blvd., Ste. 601

Los Angeles, CA 90045

Alhambra626-308-5417

150 W. Commonwealth Ave.,

Alhambra, CA 91801

Antelope Valley661-974-7716

42011 4th St. West, Rm. 3530

661-974-7717

Lancaster, CA 93534

Compton.....310-603-7579

200 W. Compton Blvd., Rm. 700

310-603-7538

Compton, CA 90220

Special Unit

Compton Community Violence Reduction 310-603-7127

East Los Angeles.....323-780-2045

4848 E. Civic Center Way, Rm. 201

Los Angeles, CA 90022

El Monte (Rio Hondo)626-575-5565

11234 E. Valley Blvd., Rm. 110

El Monte, CA 91731

Inglewood310-419-6764

One Regent St., Rm. 405

Inglewood, CA 90301

Long Beach.....562-247-2068

275 Magnolia Ave., Ste. 3195

562-247-2069

Long Beach, CA 90802

Special Unit

Human Trafficking562-247-2067

Norwalk.....562-807-7230

12720 Norwalk Blvd., Rm. 201

562-807-7464

Norwalk, CA 90650

Pasadena.....626-356-5783

300 E. Walnut St., Rm. 103

626-356-5727

Pasadena, CA 91101

Pomona909-716-4133

400 Civic Center Dr., Rm. 201

909-716-4140

Pomona, CA 91766

San Fernando818-898-2406

900 Third St., 3rd Floor

818-898-2799

San Fernando, CA 91340

Torrance.....310-222-3599

825 Maple Ave., Rm. 190

Torrance, CA 90503

Van Nuys.....818-464-5233

6230 Sylmar Ave., Rm. 201

818-464-5234

Van Nuys, CA 91401

West Covina (Citrus).....626-813-3220

1427 West Covina Pkwy., Rm. 105

West Covina, CA 91790

Victim Sites

at Law Enforcement Agencies

LAPD Central Division213-974-7490

251 E. Sixth St.,

Los Angeles, CA 90014

LAPD Hollywood Division323-871-1184

1358 N. Wilcox Ave.,

Los Angeles, CA 90028

LAPD Rampart Division213-483-6731

1401 W. Sixth St.,

Los Angeles, CA 90017

LAPD South Bureau Homicide.. 323-786-5151

7600 S. Broadway,

Los Angeles, CA 90003

LAPD Southeast Division323-972-1021

145 W. 108th St., Rm. 107

Los Angeles, CA 90061

LAPD Southwest Division323-296-8645

1546 Martin Luther King Blvd.,

Los Angeles, CA 90062

LASD Santa Clarita661-287-5633

26201 Golden Valley Road,

Santa Clarita, CA 91350

LASD West Hollywood310-358-4057

780 N. San Vicente Blvd.,

Los Angeles, CA 90069

LASD Homicide Bureau.....323-890-5656

1 Cupania Circle,

Monterey Park, CA 91755

LASD Special Victims Bureau (Whittier)

.....562-946-8233

11515 Colima Road,

Whittier, CA 90604

LASD Special Victims Bureau (Antelope Valley)

.....661-471-1515

1010 W. Avenue J,

Lancaster, CA 93534

LASD South Los Angeles.....323-820-6860

1310 W. Imperial Highway,

Los Angeles, CA 90044

Los Angeles City Attorney

Victim Assistance Program

Advocates.....213-978-2097

Los Angeles County District Attorney's Office

Bureau of Victim Services

<http://da.lacounty.gov/victims>

1-800-380-3811

VÍCTIMAS DE CRIMEN

CONOZCAN SUS DERECHOS



GEORGE GASCÓN
DISTRICT ATTORNEY

Derechos de Víctimas

Las víctimas tienen el derecho a ser tratadas con dignidad y respeto. Como víctima de crimen o familiar de una víctima, usted tiene muchos derechos a través del proceso de justicia criminal, algunos de los cuales se mencionan a continuación. **Estos derechos son de usted pero para muchos de ellos, usted debe solicitarlos o llenar formularios para poder recibirlos.** Víctimas y sobrevivientes tienen el derecho a:

- Recibir notificación sobre el estado de su caso, incluyendo la investigación, arresto y enjuiciamiento de los sospechosos.
- Mantener sus nombres confidenciales si son víctimas de asalto sexual, violencia doméstica, abuso sexual de niños, acecho o crimen de odio.
- Tener a una persona de apoyo en la corte cuando dé su declaración.
- Que se le concedan órdenes judiciales requiriendo que los acusados dejen de acosarle o lastimarlo.
- Aviso razonable de cada audiencia jurídica.
- Atender a todas las audiencias jurídicas.
- Hablar con el fiscal a cargo del caso.
- Ser oído en corte si algo está sucediendo que afecte sus derechos.
- Testificar ante un juez sobre el impacto que tuvo el crimen en su familia en el momento en que se dicta la sentencia.
- Que se le regrese su propiedad.
- Hacer que el juez ordene restitución por las pérdidas causadas por el crimen cuando el acusado es convicto.
- Ser notificado de todos los trámites tras la sentencia incluyendo el estado de apelaciones, audiencias de libertad condicional y/o fecha de libertad y de participar en cada audiencia

de libertad condicional. Una representante del servicio para víctimas puede ayudarle a pedir estas notificaciones. Para recibir notificación tendrá que rellenar un formulario CDCR 1707.

- Ser notificado si el acusado/sospechoso es puesto en libertad de la cárcel del Condado de Los Ángeles o la Prisión Estatal de California.

Para cárceles: Información para Víctimas y Notificación Diaria (VINE por sus siglas en inglés) provee notificaciones automáticas a víctimas que se hallan registrado, cuando un sospechoso es puesto en libertad. Llame al **1-877-VINE-4-LA (1-877-846-3452)** para registrarse para recibir estas notificaciones. Las víctimas deben volver a registrarse si el acusado es sentenciado a prisión estatal.

Para prisión: Para recibir notificaciones sobre cualquier persona encarcelada en una Prisión Estatal de California, se tiene que rellenar el formulario 1707 del CDCR. Este formulario puede ser descargado o completado por internet en esta página - <http://www.cdcr.ca.gov/victim-services/application/>.

Información adicional sobre los derechos constitucionales de las víctimas está disponible en el panfleto de la Ley de Marsy: <http://da.lacounty.gov/marsys-law>.

Servicios Para Víctimas

La Oficina de Servicios para Víctimas en la Fiscalía de Distrito está disponible en las cortes y cuarteles de policía para proveer ayuda a las víctimas y sus familiares. Representantes del servicio para víctimas les ayudan con necesidades de emergencia; recursos de consejería y remisiones; órdenes de restitución y regreso de propiedad personal; orientación sobre el sistema de justicia criminal; escoltas a corte y apoyo; e información sobre el estado de casos presentados. Los representantes ayudan a víctimas de violencia, o a las que son amenazadas con violencia, a aplicar para recibir compensación de parte de la Junta de

Compensación para Víctimas en California por las pérdidas relacionadas con el crimen.

Los representantes de víctimas han recibido entrenamiento especializado para ayudar a víctimas que son menores de edad al igual que a las mayores de edad, víctimas de violencia doméstica y asalto sexual y víctimas con discapacidades. Los representantes están disponibles para ayudar a las víctimas en varios lenguajes. Todos sus servicios son gratis y no están sujetos a ningún requisito de residencia legal.

Información para Víctimas y Sobrevivientes Indocumentados

Las víctimas no tienen que tener un estado legal de inmigración para pedir servicios. Bajo la ley federal, algunas víctimas indocumentadas del crimen quienes han sufrido abuso físico o mental considerable son elegibles para aplicar para una visa U de estado de no inmigrante (U Visa). Para una lista de agencias sin fines de lucro que ayudan a víctimas con el proceso de aplicación para la visa U y visa T favor de visitar <http://da.lacounty.gov/victims/uvisa/uvisa-tvisa-assistance-agencies>.

Junta de Compensación para Víctimas en California

¿Quién califica para recibir compensación?

- Víctimas de crímenes violentos o de amenazas de violencia, sea que se presente un caso criminal o no.
- Familiares o cohabitantes de la víctima, incluyendo los que recibirían apoyo económico de la víctima.
- Cualquiera que pague por los gastos fúnebres y de entierro de la víctima fallecida.
- El guardián de una víctima menor de edad.
- Niño(a)s que son testigos de cualquier crimen violento.

Requisitos:

- Se debe llenar una aplicación dentro de tres años desde la fecha del crimen.
- Las víctimas no pueden haber participado en el crimen.
- Las víctimas deben cooperar con la policía y la fiscalía.

Gastos Incluidos:

- Gastos médicos, dentales y de hospital.
- Consejería de salud mental.
- Reubicación.
- Costos de funeral y entierro.
- Limpieza de la escena del crimen.
- Pérdidas de salario o apoyo.
- Reentrenamiento laboral y rehabilitación.
- Instalación de sistema de seguridad de casa.

Para recibir compensación, la Junta de Compensación para Víctimas en California (CalVCB por sus siglas en inglés) requiere que las pérdidas estén relacionadas al crimen. La cantidad de remuneración puede variar, para recibir información reciente favor de visitar <http://victims.ca.gov/>. Otras fuentes de remuneración, tales como pólizas de seguro, deben ser utilizadas primero. CalVCB no puede pagar ningún gasto mientras la víctima se encuentra bajo libertad condicional, libertad a prueba o bajo supervisión comunitaria tras liberación por un delito grave violento, o mientras esté encarcelada o bajo mandato de registrarse como ofensor sexual. Para ver más información en la CalVCB, llame gratis al **(800) 777-9229**. También puede conseguir información sobre el programa en <http://victims.ca.gov/> o escribiendo a CalVCB, P.O. Box 3036, Sacramento, CA 95812-3036.

La Fiscalía de Distrito puede ayudar a las víctimas del crimen a aplicar para los servicios de la CalVCB. Para más información sobre las aplicaciones que han sido entregadas o para darle seguimiento a una aplicación, favor de llamar a la Unidad de Verificación de Reclamos del Departamento de Servicios para Víctimas al **(800) 492-5944**.



Ayudando a las Víctimas del Crimen

Para referencias a terapia



Para intervención en crisis



Para notificación del estado del caso



Para asistencia de emergencia



Para Recibir Asistencia de Restitución



Para acompañamiento a la corte



Fiscalía de Distrito del Condado de Los Ángeles
Departamento de Servicios para Víctimas
<http://da.lacounty.gov/victims>

1-800-380-3811

Centros Para Víctimas

Horario:
Lunes – Viernes, 8 am – 5 pm

Central - Los Angeles (Downtown)

.....213-974-7490
210 W. Temple St., Rm. 12-514
Los Angeles, CA 90012

Unidades Especializadas

Elder Abuse213-257-2304
Family Violence213-257-2173
Financial/Fraud and Cyber Crimes 213-257-2443
Community Violence Reduction213-257-2034
Hate and Target Crimes213-974-1636
Juvenile Advocacy Services
 Long Beach562-247-2034
 South County562-940-8818
Victim Services K-9 Unit213-952-2672
Lifer and Post-Conviction Proceedings213-974-4110
Realignment Program213-893-7899
Human Sex Trafficking Section213-974-2039
Sex Crimes.....213-257-2054
Victims' Rights Assistance.....213-974-9882

Airport.....310-727-6516
1701 S. La Cienega Blvd., Ste. 601
Los Angeles, CA 90045

Alhambra626-308-5417
150 W. Commonwealth Ave.,
Alhambra, CA 91801

Antelope Valley661-974-7716
42011 4th St. West, Rm. 3530 661-974-7717
Lancaster, CA 93534

Compton.....310-603-7579
200 W. Compton Blvd., Rm. 700 310-603-7538
Compton, CA 90220

Unidades Especializadas

Compton Community Violence Reduction 310-603-7127

East Los Angeles.....323-780-2045
4848 E. Civic Center Way, Rm. 201
Los Angeles, CA 90022

El Monte (Rio Hondo)626-575-5565
11234 E. Valley Blvd., Rm. 110
El Monte, CA 91731

Inglewood310-419-6764
One Regent St., Rm. 405
Inglewood, CA 90301

Long Beach.....562-247-2068
275 Magnolia Ave., Ste. 3195 562-247-2069
Long Beach, CA 90802

Unidades Especializadas

Human Trafficking562-247-2067

Norwalk562-807-7230
12720 Norwalk Blvd., Rm. 201 562-807-7464
Norwalk, CA 90650

Pasadena.....626-356-5783
300 E. Walnut St., Rm. 103 626-356-5727
Pasadena, CA 91101

Pomona909-716-4133
400 Civic Center Dr., Rm. 201 909-716-4140
Pomona, CA 91766

San Fernando818-898-2406
900 Third St., 3rd Floor 818-898-2799
San Fernando, CA 91340

Torrance.....310-222-3599
825 Maple Ave., Rm. 190
Torrance, CA 90503

Van Nuys.....818-464-5233
6230 Sylmar Ave., Rm. 201 818-464-5234
Van Nuys, CA 91401

West Covina (Citrus).....626-813-3220
1427 West Covina Pkwy., Rm. 105
West Covina, CA 91790

Lugares para Víctimas en las Agencias Policiacas

LAPD Central Division213-974-7490
251 E. Sixth St.,
Los Angeles, CA 90014

LAPD Hollywood Division323-871-1184
1358 N. Wilcox Ave.,
Los Angeles, CA 90028

LAPD Rampart Division213-483-6731
1401 W. Sixth St.,
Los Angeles, CA 90017

LAPD South Bureau Homicide.. 323-786-5151
7600 S. Broadway,
Los Angeles, CA 90003

LAPD Southeast Division323-972-1021
145 W. 108th St., Rm. 107
Los Angeles, CA 90061

LAPD Southwest Division323-296-8645
1546 Martin Luther King Blvd.,
Los Angeles, CA 90062

LASD Santa Clarita661-287-5633
26201 Golden Valley Road,
Santa Clarita, CA 91350

LASD West Hollywood310-358-4057
780 N. San Vicente Blvd.,
Los Angeles, CA 90069

LASD Homicide Bureau.....323-890-5656
1 Cupania Circle,
Monterey Park, CA 91755

LASD Special Victims Bureau (Whittier)
.....562-946-8233
11515 Colima Road,
Whittier, CA 90604

LASD Special Victims Bureau (Antelope Valley)
.....661-471-1515
1010 W. Avenue J,
Lancaster, CA 93534

LASD South Los Angeles.....323-820-6860
1310 W. Imperial Highway,
Los Angeles, CA 90044

Defensores del Programa de Ayuda a Víctimas del Abogado de la Ciudad de Los Ángeles
Advocates.....213-978-2097



Escanee aquí para ver este folleto en internet.



VICTIM RESOURCES

SHELTERS | MENTAL HEALTH | LEGAL ASSISTANCE | CASE MANAGEMENT

NATIONAL HUMAN TRAFFICKING HOTLINE

☎ 1-888-373-7888

Text: 233-733 (Be Free)

🌐 HumanTraffickingHotline.org

LOS ANGELES COUNTY DISTRICT ATTORNEY'S BUREAU OF VICTIM SERVICES

☎ 1-800-380-3811

🌐 da.lacounty.gov/victims

- Court Case Information
- Court Accompaniment
- Mental Health Referrals
- Relocation Assistance
- Home Security Reimbursement
- Medical and Dental Expenses
- California Victim Compensation Board Application Assistance

LEGAL ASSISTANCE

Coalition to Abolish Slavery & Trafficking (CAST)

☎ 1-888-539-2373

🌐 castla.org

- Immigration Assistance
- Assistance Obtaining Identification Paperwork
- Clearing Criminal Records
- Accessing State/Federal Benefits
- Shelter

Los Angeles Center for Law & Justice

☎ (323) 980-3500

- Immigration Assistance

SERVICES

Journey Out (Van Nuys/ South Los Angeles)

☎ (818) 988-4970

🌐 journeyout.org

- Support Groups (Monday-Thursday)
- Counseling
- GED Tutoring & Preparation
- Educational & Vocational Referrals

Survivor of Crimes Counseling (Los Angeles)

☎ 1-800-900-7731

- Mental Health Services (In-home/Office)

HumanSave (Various Counties)

☎ (562) 888-0386

🌐 humansave.org

- Mental Health Services (In-home/Office)

Gems Uncovered (Long Beach)

☎ (562) 912-4992

🌐 gemsuncovered.org

- Employment Assistance
- Housing Assistance
- Legal Assistance

Jenesse Center (Los Angeles)

☎ 1-800-479-7328

- Legal Assistance
- Housing Assistance
- Employment Assistance
- Counseling Services

Volunteers of America (South Los Angeles)

☎ (213) 389-1500

🌐 voala.org

- Case Management
- Shelter and Housing Assistance
- Employment Assistance



VICTIMS'
BILL OF RIGHTS ACT OF 2008:

MARSY'S LAW



BUREAU OF VICTIM SERVICES

1-800-380-3811

<http://da.lacounty.gov/victims>



GEORGE GASCÓN
DISTRICT ATTORNEY

<http://da.lacounty.gov>    @LADAOoffice

In California, victims of crime have state constitutional standing and rights that guarantee that their voices will be heard.

On November 4, 2008, the People of the State of California approved Proposition 9, the Victim's Bill of Rights Act of 2008 known as Marsy's Law, a measure that amended the California Constitution to include a Bill of Rights for crime victims in California. The amendment provides victims with rights and access to justice.

As a victim in a criminal case, you are entitled to the following rights under the California Constitution.

1. To be treated with fairness and respect for your privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the accused and persons acting on behalf of the accused.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the accused.
4. To prevent the disclosure of confidential information or records to the accused, the accused's attorney, or any other person acting on behalf of the accused, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the accused, the accused's attorney, or any other person acting on behalf of the accused, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the accused if known by the prosecutor, the charges filed, the determination whether to extradite the accused and, upon request, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the accused and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the accused.
11. To receive, upon request, the pre-sentence report when available to the accused, except for those portions made confidential by law.
12. To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the accused, the scheduled release date of the accused, and the release of or the escape by the accused from custody.
13. To restitution.
 - a. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - b. Restitution shall be ordered from the person convicted of the crime in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.
 - c. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.
14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).

Please be advised that criminal cases may be resolved as early as the first court appearance.

LEY DE 2008 DE LOS DERECHOS
CIVILES DE LAS VÍCTIMAS:

LEY DE MARSY



OFICINA DE SERVICIOS
PARA VÍCTIMAS

1-800-380-3811

<http://da.lacounty.gov/victims>



GEORGE GASCÓN
DISTRICT ATTORNEY

<http://da.lacounty.gov>    @LADAOoffice

En California, las víctimas del crimen tienen un lugar en la constitución estatal y derechos que garantizan que sus voces serán oídas.

En el 4 de noviembre de 2008, el estado de California aprobó la Proposición 9, la Ley de 2008 de los Derechos Civiles de las Víctimas conocida como la Ley de Marsy, una medida que modificó la Constitución de California para que incluyera una Ley de Derechos Civiles para las Víctimas del Crimen en California. Esta enmienda provee a las víctimas derechos y acceso a la justicia.

Como víctima en un caso criminal, usted tiene derecho a los siguientes derechos conforme al Artículo 1, S 28(b) de la Constitución de California.

1. Ser tratado con justicia y respeto por su privacidad y dignidad y no ser intimidado, acosado o maltratado a lo largo del proceso de justicia criminal o el proceso de justicia de menores.
2. Contar con protección razonable del acusado y de las personas que actúen en nombre del acusado.
3. Que se tome en consideración la seguridad de la víctima y de su familia cuando se fijen la fianza y las reglas asociadas a la libertad del acusado.
4. Que se prevenga la divulgación, al acusado, su abogado o cualquier otra persona que actúe en nombre del acusado, de información o registros confidenciales que se pudieran utilizar para localizar o acosar a la víctima o a su familia o que revelen comunicaciones confidenciales realizadas durante tratamientos médicos o sesiones de consejería o que se consideren privilegiadas o confidenciales por ley.
5. Rehusarse a ser entrevistado, a presentar una declaración jurada o a cumplir una petición de descubrimiento de parte del acusado, su abogado o cualquier otra persona que actúe en nombre del acusado y fijar condiciones razonables con respecto a la manera en la que se realizará cualquier entrevista que la víctima acepte conceder.
6. Recibir notificación razonable y consultar con la fiscalía, si así lo solicita, con respecto al arresto del acusado si es del conocimiento del fiscal, los cargos formulados, la determinación de si se extraditará al acusado y, si lo solicita, recibir notificación e información antes de que se tome cualquier resolución pertinente al caso antes del juicio.
7. Recibir notificación razonable de todos los procesos públicos, incluso los procesos por delincuencia que se lleven a cabo, si así lo solicita, en los cuales el acusado y el fiscal tengan derecho a estar presentes y de todos los procesos de libertad condicional o de libertad después de la condena y estar presente en todos los procesos de tal índole.
8. Presentar su caso, si así lo solicita, en todo proceso, incluso los

procesos por delincuencia que tengan que ver con decisiones relacionadas con la libertad después del arresto, declaraciones de culpabilidad, lecturas de sentencia, decisiones relacionadas con la libertad después de la condena o cualquier proceso en el cual algún derecho de la víctima esté en juego.

9. Tener un juicio rápido y una resolución pronta y decisiva del caso y de cualquier proceso relacionado después del fallo.
10. Proporcionar información al oficial del departamento de libertad condicional encargado de la investigación precondenatoria relacionada con el efecto que el delito tuvo sobre la víctima y su familia y con las recomendaciones de sentencia antes de que el acusado sea sentenciado.
11. Recibir, si así lo solicita, el informe precondenatorio en el momento en el que el acusado pueda tener acceso al mismo, con la excepción de las secciones que se consideren confidenciales por ley.
12. Recibir información, si así lo solicita, de la condena, la sentencia, el lugar y la hora de encarcelamiento del acusado o de cualquier otra resolución concerniente al acusado, a la fecha prevista de liberación del acusado y a la liberación o la fuga del acusado.
13. Recibir restitución.
 - a. La intención inequívoca de la gente del estado de California es que cualquier persona que sufra pérdidas como resultado de actividad criminal tenga el derecho a procurar y recibir restitución por parte de los condenados por los crímenes que causaron las pérdidas que sufrieron.
 - b. Se ordenará restitución por parte de la persona condenada por el crimen en el que la víctima del crimen sufrió una pérdida, sin importar la sentencia o disposición impuesta.
 - c. Todos los pagos monetarios, dinero, y propiedad confiscada de cualquier persona ordenada a pagar una restitución serán inicialmente aplicados para pagar la cantidad ordenada como restitución a la víctima.
14. Que se le devuelvan, con prontitud, sus pertenencias cuando ya no se necesiten como evidencia.
15. Ser notificado de todos los procesos de libertad condicional, participar en todo proceso de libertad condicional, proporcionar información para que las autoridades la tomen en consideración antes de conceder la libertad condicional al delincuente y de ser notificado, si así lo solicita, de la libertad condicional o cualquier otra forma de libertad del delincuente.
16. Que se tome en consideración la seguridad de la víctima, su familia y la sociedad antes de que se tomen decisiones relacionadas con la libertad condicional o con la libertad después del fallo.
17. Ser informado de los derechos enumerados en los párrafos del (1) al (16).

Por favor, tenga presente que los casos criminales se pueden resolver tan pronto como en la primera comparecencia ante el tribunal.

NAVIGATING THE CRIMINAL JUSTICE SYSTEM



GEORGE GASCÓN
DISTRICT ATTORNEY

Key Legal Terms

Acquittal: A final determination by a judge or jury that the prosecution did not prove an accused person was guilty beyond a reasonable doubt.

Arraignment: A court proceeding at which an accused person is brought before a judge, informed of the charge(s) against them, and a plea – usually not guilty – is entered.

Closing Argument: After all testimony and evidence has been presented at trial, the prosecutor and defense lawyer make final statements summarizing their cases.

Complaint: A document filed by the prosecution accusing one or more persons of committing one or more crimes.

Continuance: A delay in court proceedings ordered by a judge for a variety of reasons.

Conviction: A final determination that the accused committed the crime(s) as charged. A conviction occurs when a judge or jury finds the accused guilty or when the person pleads guilty or no contest.

Felony: A crime that may be punished by confinement in prison or jail, by fines and by forfeiture of office.

Grand Jury: A 23-member panel of citizens empowered to hear evidence presented by the prosecution and issue charging documents, which are called indictments.

Misdemeanor: A crime that is punishable by no more than one year in county jail or generally a \$1,000 fine.

Motion: A written or verbal request asking a judge to make a legal ruling in a case.

Opening Statement: Before any testimony or evidence is presented at trial, the prosecutor and defense lawyer make statements outlining evidence they expect to present.

Plea: An accused person's answer to the charge(s) against them. The accused may plead not guilty, guilty or no contest.

Preliminary Hearing: A court proceeding in felony cases at which the prosecution must present evidence to support the charge(s) filed against an accused person. A judge decides if the evidence is sufficient and if the case should proceed toward trial.

Presumption of Innocence: A principle of criminal law that requires prosecutors to prove the guilt of a criminal defendant and eliminates any burden for the accused to prove their innocence.

Reasonable Doubt: A standard of proof that must be surpassed to find an accused person guilty of a crime; a doubt based on reason and common sense after careful and impartial consideration of all the evidence.

Restitution: Money paid to a victim who suffered financial losses such as stolen property, medical bills and funeral expenses resulting from a crime.

Sentencing: A court proceeding at which a judge sets a convicted person's punishment. This may include a prison, jail or probation term or other conditions.

Subpoena: A legally binding summons to appear in court.

Testimony: Any statement made, or answer given, by a witness who is under oath in court. Witnesses may encounter two forms of questioning:

Direct Examination is the initial questioning of a witness by the attorney who called that person to testify. Both prosecutors and defense lawyers may call witnesses.

Cross-Examination is the questioning of a witness by the opposing lawyer who did not call that person to testify. Cross-examination is intended to clarify or discredit testimony given during direct examination.

Verdict: The jury's final unanimous decision determining if an accused person is guilty or not guilty. If jurors cannot reach a unanimous verdict, a judge will declare a mistrial and the person may face a new trial before a new jury.

The Process

Law enforcement personnel investigate crimes and, if sufficient evidence is found, make arrests. But an arrest is just the first step in the criminal justice process.

After an arrest, prosecutors determine if there is sufficient evidence to file charges. If such evidence exists, a criminal complaint is filed in court or in some cases prosecutors may ask a grand jury to review evidence and issue an indictment.

In criminal cases each side is represented by an attorney. Deputy district attorneys, who represent the People of the State of California, prosecute criminal cases. An accused person has a constitutional right to be represented by an attorney. If the accused cannot afford an attorney, one will be appointed by a judge. The accused individuals may represent themselves under certain circumstances.

Once a felony complaint is filed, the case is presented to a judge at a preliminary hearing.

If the accused pleads guilty or is convicted at trial, they will be sentenced by a judge to prison, jail, probation and/or receive other conditions of punishment.

If the person is acquitted at trial, they will go free.



Attending Court Proceedings

Victims, their families and friends and members of the public may attend court proceedings to watch legal arguments, testimony and court rulings. To comply with court etiquette please:

- Dress neatly.
- Do not wear or display buttons or other items identifying the victim.
- Leave drinks, food and gum outside the courtroom.
- Stand when instructed to do so by the bailiff or judge.
- Refrain from talking inside the courtroom.
- Do not speak near a member of the jury or attempt to talk to or communicate with jurors.
- When the verdict is being read, refrain from any verbal outbursts or other disruptive reactions.

The judge may exclude from the courtroom persons who cause a disturbance or do not follow court decorum.

Victims and their families and friends must avoid confrontations and attempts to communicate with the accused person and their family.

Promptly notify police and court officials of threats, intimidating behavior or attempts to dissuade victims or their families from taking part in proceedings.

In criminal homicide cases, graphic photos of the victim may be presented as evidence. Certain family members may consider leaving the courtroom before the presentation of this evidence.



Scan here to view this pamphlet online.

Testifying in Court

A witness called to testify by either the prosecutor or the defense attorney should:

- Always tell the truth.
- Listen carefully and answer only the question asked; answer “yes” or “no” if the question calls for it; and do not volunteer additional information.
- Ask that the question be repeated if it is confusing or not understood; and not guess if they do not know the answer.
- Be patient and courteous answering attorneys’ questions – both attorneys are allowed to question witnesses.
- Ask to review their prior statements related to the case – such as statements to police – before taking the stand; be prepared to answer questions about them.
- Wait until the judge tells them to answer the question when an attorney objects to a question.
- Speak loudly and clearly.
- Dress neatly.



Helping Crime Victims

1-800-380-3811

Los Angeles County District Attorney’s Office
Bureau of Victim Services

<http://da.lacounty.gov/victims>

Victim Services

The District Attorney’s Bureau of Victim Services is available in courthouses and police stations throughout the county to assist crime victims who suffered injury or were threatened with injury.

Victim services representatives provide assistance and resources to victims to help keep them safe and provide trauma-informed mental health counseling referrals to address the trauma of victimization.

In addition to helping victims obtain restitution, victim services representatives provide crisis-intervention services and necessary referrals to crime victims and their families; assist in requesting protective orders; guide crime victims through the court process; help arrange emergency shelter, food and clothing; and assist in filing for compensation through the California Victim Compensation Board.

Victims of violence or threats of violence with police reports on file may be eligible to receive compensation for qualifying losses and expenses related to the crime such as loss of wages and relocation, medical and counseling expenses.

Victim services representatives are available to assist victims in several languages. There are no fees or legal residency requirements.

Victim Impact Statement

At sentencing hearings, victims have the right to make statements explaining how the crime affected them and their family and friends. If the victim is unable or reluctant to speak in court, they may have someone else read the statement or may submit a recorded or written statement to the judge.

Restitution

Crime victims are entitled to restitution. A sentencing judge must order a convicted offender to pay for financial losses stemming from the crime. Victims should give information, like receipts and supporting documents, about the loss, including the dollar amount, to prosecutors, probation officials and Bureau of Victim Services staff. This information will be used to determine the amount of restitution that the judge will order. In some cases, the documents may be needed to conduct a hearing if the convicted offender does not agree with what the victim claims as a loss.

A convicted person sentenced to prison will have restitution deducted from their prison account and wages. If the offender is placed on felony probation, the Probation Department will collect the court-ordered restitution. If you have questions regarding enforcement of a restitution order, please call the Restitution Enhancement Program at **1-800-380-3811**.

Notice of Parole

A victim has the right to be informed of all parole hearings and to provide information for consideration before a decision is made to release the convict.

A victim also has the right to be informed of any change in the convict’s status, such as release upon completion of sentence, escape or death.

To assure notification, victims must complete the California Department of Corrections and Rehabilitation (CDCR) **Request for Victim Services Form 1707** and always keep the CDCR’s Office of Victim and Survivor Rights and Services informed of their current address. To obtain the form and filing instructions call **1-877-256-6877** or visit http://www.cdcr.ca.gov/victim_services. Victim services representatives can assist in completing and submitting the form.

EL SISTEMA DE JUSTICIA PENAL



GEORGE GASCÓN
DISTRICT ATTORNEY

Términos Legales Clave

Absolución: Es el dictamen final emitido por un juez o un jurado de que la fiscalía no cumplió con probar que el acusado era culpable más allá de toda duda razonable.

Acusación formal: Es un proceso judicial penal en el cual un acusado comparece ante el juez, se le instruye sobre los cargos en su contra, y se asienta su declaración, la cual generalmente es no culpable.

Aplazamiento: Es un retraso en los procesos judiciales ordenado por un juez debido a diversas razones.

Audiencia condenatoria: Una audiencia tribunal en la que un juez determina el castigo de un convicto, lo cual incluye prisión, cárcel, libertad a prueba u otras condiciones.

Audiencia preliminar: Es un proceso judicial penal en los casos de delitos mayores en los cuales la fiscalía debe presentar pruebas que respalden los cargos presentados en contra de los acusados. Un juez decide si dichas pruebas son suficientes y si el caso debe ser llevado a juicio.

Citatorio judicial: Es una orden legalmente obligatoria para comparecer en un tribunal.

Condena: Una audiencia tribunal en la que un juez determina el castigo de un convicto, lo cual incluye prisión, cárcel, libertad a prueba u otras condiciones.

Declaración: Es la respuesta que dan los acusados ante los cargos en su contra. Un acusado puede declararse no culpable, culpable o no me opongo.

Declaración inicial: Antes de presentar cualquier testimonio o prueba en un juicio, tanto los fiscales como los abogados de la defensa presentan una declaración que explica resumidamente las pruebas que esperan introducir.

Delito mayor: Es un delito grave que puede ser castigado con una condena en una prisión del estado, cárcel local, multas y pérdida de posición gubernamental.

Delito menor: Es un delito que es condenable con no más de un año en la cárcel del condado o con generalmente una multa de \$1,000.

Denuncia: Es un documento presentado por la fiscalía para procesar a una o más personas por la perpetración de uno o más delitos penales.

Duda razonable: Es un estándar de prueba que debe ser superado para encontrar a un acusado culpable de un

crimen; es una duda basada en la razón y el sentido común después de consideración cuidadosa e imparcial de todas las pruebas.

Exposición argumental final: Después de que han presentado todas las pruebas y los testimonios en el juicio, tanto los fiscales como los abogados de la defensa dan una declaración final para resumir sus posiciones en la causa.

Fallo condenatorio: Una determinación final de que el acusado cometió el delito del que se le acusa. Un fallo condenatorio sucede cuando un juez o un jurado halla al acusado culpable o cuando la persona se declara culpable o no me opongo.

Gran jurado: Es un panel que consta de 23 ciudadanos a los cuales se les ha dado la autoridad de escuchar las pruebas presentadas por la fiscalía y de emitir documentos de acusaciones, conocidos como acusación del gran jurado.

Petición: Es una solicitud oral o escrita en la que un abogado le pide al juez que emita un fallo legal en una causa.

Presunción de inocencia: Un principio de ley penal que requiere que la fiscalía pruebe la culpabilidad de un acusado y que elimina cualquier obligación que tenga el acusado de probar su inocencia.

Restitución: Dinero pagado a una víctima que sufrió pérdidas financieras tales como por robo de pertenencias, cuentas médicas y gastos funerarios como consecuencia de un delito penal.

Testimonio: Cualquier declaración hecha o respuesta dada por un testigo que está bajo juramento en un tribunal. Los testigos pueden encararse a dos formas de interrogatorios: **Interrogatorio Directo** es la serie de preguntas iniciales formuladas a un testigo citado por el abogado que pidió que esa persona testifique. Tanto la fiscalía como los abogados de defensa pueden citar a testigos.

Contrainterrogatorio es la serie de preguntas por un abogado del lado opuesto a un testigo no citado por tal abogado. La intención del contrainterrogatorio es clarificar o desacreditar el testimonio dado durante el interrogatorio directo.

Veredicto: Es la decisión final y unánime del jurado que determina si un acusado es culpable o no culpable. Si los miembros del jurado no pueden alcanzar un veredicto unánime, un juez declarará el juicio nulo y el acusado puede enfrentar un nuevo juicio ante un nuevo jurado.

El Proceso

Agentes policíacos investigan crímenes y si encuentran suficiente evidencia, efectúan arrestos. Pero un arresto es sólo el primer paso en el proceso de justicia penal.

Después de un arresto, la fiscalía determina si hay suficiente evidencia para presentar cargos criminales. Si tal evidencia existe, se introduce una denuncia penal ante el tribunal o en algunos casos, la fiscalía podría pedir al gran jurado que evalúe la evidencia y emita una acusación.

En las causas penales cada parte está representada por un abogado(a). Los fiscales, quienes representan a la gente del estado de California, procesan causas criminales. Un acusado tiene el derecho constitucional de ser representado por un abogado. Si el acusado no puede pagar por un abogado, el juez le asignará uno. Bajo ciertas circunstancias, un acusado puede representarse a sí mismo.

Una vez que se introduce una denuncia por un delito mayor, se presenta el caso ante un juez en una audiencia preliminar.

Si el acusado se declara culpable o es hallado culpable en el juicio, él o ella será condenado por un juez a prisión, cárcel, libertad a prueba y/u otras condiciones y castigos.

Si el acusado es absuelto en el juicio, saldrán en libertad.



Escanee aquí para ver este folleto en internet.

Comparecencia en un Proceso Judicial

Víctimas, sus familiares, amigos y el público en general pueden ir a los procesos judiciales para escuchar argumentos legales, testimonios y decisiones judiciales.

Para cumplir con la etiqueta y protocolo del tribunal, por favor:

- Vístase adecuadamente.
- No lleve puestos, ni exhiba, botones u otros artículos que identifiquen a la víctima.
- Deje cualquier bebida, alimento y goma de mascar fuera de la sala del tribunal.
- Póngase de pie cuando el alguacil o juez así le instruya.
- Absténgase de hablar adentro de la sala del tribunal.
- Absténgase de hablar cerca de un miembro del jurado o intentar hablar o comunicarse con un miembro del jurado.
- Cuando se están leyendo los veredictos, absténgase de cualquier arrebató verbal u otra reacción perturbadora.

El juez puede excluir de la sala del tribunal a personas que alteren el orden o que no respeten el decoro del tribunal.

Víctimas, familiares y amigos deben evitar confrontaciones con la familia de los acusados y no se deben comunicar con los acusados ni su familia.

Avise de inmediato a la policía y a los funcionarios del tribunal si hay amenazas, comportamiento intimidante o intentos de disuadir a una víctima o a sus familiares de tomar parte en los procesos judiciales.

En los casos de homicidio, las fotografías de las víctimas pueden ser introducidas como evidencia. Ciertos familiares quizá prefieran salir de la sala del tribunal antes de la presentación de dichas pruebas.

Testimonio en el Tribunal

Un testigo citado por el fiscal o el abogado de la defensa debería:

- Decir siempre la verdad.
- Escuchar con atención y responder sólo la pregunta que se le formule; responda “sí” o “no” si la pregunta lo amerita y no dé voluntariamente ninguna otra información.
- Pedir que se le repita la pregunta si es confusa o no la entiende; y no adivine si no sabe la respuesta.
- Ser paciente y cortés al responder a las preguntas de los abogados – a ambos abogados se les permite interrogar a los testigos.
- Pedir revisar sus declaraciones previas concernientes al caso – tales como declaraciones a la policía – antes de subir al estrado de los testigos; esté preparado para responder preguntas al respecto.
- Esperar hasta que el juez le diga que responda cuando un abogado objeta a una pregunta.
- Hablar en voz alta y clara.
- Vestir formalmente.

Servicios para víctimas

La Oficina de Servicios para Víctimas en la Fiscalía de Distrito está disponible en tribunales y cuarteles de policía por todo el condado para ayudar a las víctimas de crímenes quienes sufrieron heridas o amenazas de sufrir daños.

Los representantes de servicios para víctimas proporcionan ayuda y recursos a las víctimas para ayudar a mantenerlas seguras y proveen referencias a consejería de salud mental fundada en el trauma para atender los efectos traumáticos del ser víctima de un delito.

Además de ayudar a las víctimas a obtener restitución, los representantes de servicios para víctimas proveen servicios de intervención en

situaciones de crisis, y las referencias necesarias a las víctimas y a sus familiares; ayudan a solicitar órdenes de protección; a guiar a las víctimas de delitos penales a través del proceso judicial; a hacer arreglos para conseguir albergue de emergencia, alimento y ropa; y a tramitar una solicitud de indemnización a través del Junta de Compensación para Víctimas de California.

Es posible que las víctimas de violencia o de amenazas de violencia con informes policiales en el expediente sean elegibles para ser indemnizadas por pérdidas y gastos relacionados con el delito penal como pérdida de salario y gastos de reubicación, médicos o de consejería.

El personal está a la orden para ayudar a víctimas en varios idiomas. No hay ningún cobro o requisito de residencia legal.

Impacto a la Víctima

En el dictamen de la condena del acusado, las víctimas tienen el derecho a hacer declaraciones explicando como el delito les afectó personalmente y a sus familiares y amistades. Si la víctima no puede o está renuente a hacer su declaración en el tribunal, puede hacer que alguien lea la declaración o puede presentar una declaración grabada o escrita ante el juez.

Restitución

Las víctimas de crimen tienen derecho a restitución. El juez que dicta la condena debe ordenar que el convicto pague por las pérdidas financieras derivadas del delito penal. Las víctimas deberían dar información, como recibos y documentos de apoyo, sobre la pérdida, incluyendo la cantidad en dólares, a los fiscales, a los funcionarios de libertad a prueba y al personal de la Oficina de Servicios para Víctimas en la Fiscalía de Distrito. En algunos casos se pedirán tales documentos para llevar a cabo una audiencia si el convicto no está de acuerdo con la pérdida alegada por la víctima.

A un convicto condenado a prisión se le deducirá el monto de restitución de la cuenta y salario que tenga en prisión. Si el convicto es condenado a libertad condicional, el Departamento de Libertad Condicional recaudará la restitución ordenada por la corte. Si tiene preguntas sobre el pago de una orden de restitución, favor llamar al Programa de Mejora en Restitución al **1-800-380-3811**.

Aviso Sobre Libertad Condicional

La víctima tiene derecho a que se le avise sobre todas las audiencias de libertad condicional y a aportar información para que sea considerada antes de que se tome una decisión de liberar a un convicto.

La víctima también tiene derecho a ser informada de cualquier cambio en el estado de un convicto tales como condena cumplida, fuga o muerte.

Para recibir tales notificaciones, la víctima debe llenar el formulario 1707 **Solicitud de Servicios para Víctimas** del Departamento de California de Correcciones y Rehabilitación (CDCR, por sus siglas en inglés), y mantener informada de su domicilio actual a la Oficina del CDCR de Derechos y Servicios para Sobrevivientes y Víctimas. Para obtener el formulario e instrucciones para llenarlo, llame al **1-877-256-6877** o visite el sitio web http://www.cdcr.ca.gov/victim_services. Representantes de servicios para víctimas pueden ayudar a completar y entregar el formulario.



Ayudando a las Víctimas del Crimen

1-800-380-3811

Fiscalía de Distrito del Condado de Los Ángeles
Departamento de Servicios para Víctimas
<http://da.lacounty.gov/victim>