

## 13<sup>th</sup> JUDICIAL DISTRICT ATTORNEY'S OFFICE

### *Morgan County, Washington County and Yuma County*

830 E Platte Ave, Ste H  
Fort Morgan, CO 80701  
(970) 467-0105

### *Kit Carson, Logan, Phillips, Sedgwick, Washington & Yuma County*

110 N. Riverview Road, Rm 105  
Sterling, CO 80751  
(970) 522-2973

### *Crime Victim Compensation Fund*

830 E Platte Ave, Ste H  
Fort Morgan, CO 80701  
(970) 467-0466

In addition to the right to be informed and present, a victim also has the right to be heard at hearings on bond reduction, acceptance of a negotiated plea and at sentencing. A Victim has the right to give input to the court regarding motions to continue.

*It is the Victims responsibility to keep the District Attorney's Office informed of their current address and phone number(s) at all times.*

#### DEFINITIONS:

<b>Advisement:</b>	Court hearing where the defendant is notified of his or her rights and potential charges against them.
<b>Arraignment:</b>	Court hearing where a defendant pleads guilty or not guilty. Witnesses do not testify at this hearing.
<b>Arrest:</b>	The taking into custody of a person by a law enforcement agency.
<b>Bond Hearing:</b>	A hearing by the Court to determine how much bail is required to be posted before the defendant can be released from custody.
<b>Continuance:</b>	When a court hearing is continued.
<b>Cold Case:</b>	A term used to describe unresolved cases. This happens when all leads have been exhausted and resulted in no suspects.
<b>Critical Stages:</b>	Events in a case when victims' rights must be considered as explained in this booklet.
<b>Defendant:</b>	A person who is accused of committing a crime.
<b>Disposition:</b>	When a case is resolved without a trial.
<b>Filing of Charges:</b>	Presentation of written charges to the Clerk of Court. The document is also called a complaint and information or an indictment.
<b>Motions Hearing:</b>	A hearing where a Judge decides what evidence will be allowed at trial. A victim may be called to testify in this hearing.
<b>No Contact:</b>	A condition of bond that means that a defendant cannot have contact with a victim by phone, letter, through a third person or in person.
<b>Plea Agreement:</b>	A defendant pleads guilty to a charge or a lesser charge in return for a sentence that may be less than if convicted of all charges at trial.
<b>Preliminary Hearing:</b>	A hearing to determine if there is probable cause to believe that a crime was committed by the defendant. This is the first hearing when witnesses may have to testify.
<b>Probation:</b>	The release, under specific conditions, of a person convicted of a crime as an alternative to imprisonment.
<b>Restitution:</b>	After conviction, a defendant can be ordered to pay the victim for financial losses caused by criminal conduct. This is different from Victim Compensation.
<b>Sentence:</b>	The penalty that is given by a Judge to a defendant upon conviction of a crime.
<b>Subpoena:</b>	A court order to appear in court, which is mailed to the witness or personally delivered.
<b>Trial:</b>	An examination of issues of fact and law before a Judge or Jury. Evidence is presented to determine whether or not the defendant is guilty beyond a reasonable doubt of committing the charged crime(s).

## *Your Constitutional Rights As a Victim of a Violent Crime*



### **Travis J. Sides** District Attorney

**Office of the District Attorney  
Thirteenth Judicial District**

**Serving Kit Carson, Logan,  
Morgan, Phillips, Sedgwick,  
Washington & Yuma Counties**

As a crime victim, you may have experienced injury, loss, confusion, and a disruption of your life. Feelings of shock, disbelief, fear, vulnerability, anger, and frustration may occur. Having information and an understanding about the criminal justice system may be helpful to you at this time. As a victim of violent crime, you have the constitutional right to be informed of certain information and certain court dates.

### **Violent crimes that apply are:**

The crimes specifically covered by the Victims' Rights Act include:

Arson in the First Degree  
 Assault  
 Bias Motivated Crimes  
 Careless Driving Resulting in Death  
 Child Abuse  
 Coercion of Involuntary Servitude  
 Crimes Against at Risk Persons  
 Crimes Involving Child Prostitution  
 Crimes Involving Domestic Violence  
 Failure to stop at the scene of an accident that results in serious injury  
 First Degree Burglary  
 Hit & Run Resulting in Death  
 Human Trafficking in Adults or Children  
 Incest  
 Indecent Exposure  
 Intimidation of a Witness or Victim  
 Invasion of Privacy for Sexual Gratification  
 Kidnapping  
 Menacing  
 Murder, Manslaughter, Homicide  
 Posting a private image for harassment or pecuniary gain  
 Retaliation against a Judge or Juror  
 Retaliation Against a Witness or Victim  
 Robbery  
 Second Degree Burglary (Dwelling)  
 Sexual Assault on an Adult or Child  
 Sexual Exploitation of Children  
 Stalking  
 Tampering with a Witness or Victim  
 Unlawful Sexual Contact  
 Vehicular Assault, Vehicular Homicide  
 Violation of a Criminal Protection Order Issued Against a Person Charged with Stalking  
 Violation of a Protection Order in a Sexual Assault Case

The Victims' Rights Act also includes any criminal attempt, conspiracy, criminal solicitation, or accessory involving any of the crimes specified above.

The Victim/Witness Assistance program can answer questions you may have or talk with you about your case.

## **YOUR RIGHTS AS A VICTIM OF A VIOLENT CRIME**

- ❖ To be treated with fairness, respect, and dignity.
- ❖ To be informed of and present for all critical stages of the criminal justice process.
- ❖ To be present and heard in court regarding any bond reduction, continuance, acceptance of plea negotiations, case disposition, or sentencing.
- ❖ To have a safe place to wait before court.
- ❖ To consult with the Deputy District Attorney before the case is resolved or goes to trial and to be informed of how it is resolved.
- ❖ To prepare a Victim Impact Statement and to be present and to be heard at sentencing.
- ❖ To be informed of the status of your case and any scheduling changes or cancellations if known in advance.
- ❖ The right to have the restitution determined by the Court.
- ❖ To be informed of post-conviction release or modification hearings.
- ❖ To get your property back when it is no longer needed for prosecution as evidence.
- ❖ To be informed of the availability of financial assistance and community services.
- ❖ To be given appropriate employer intercession services regarding court appearances and meetings with criminal justice officials.
- ❖ To be assured that in any criminal proceeding the court, the prosecutor and other law enforcement officials will take appropriate action to achieve a swift and fair resolution of the proceedings.

For a Complete listing of your rights, please refer to Colorado Revised Statutes, 24-4.1-101 - 24-4.1-304.

If all efforts to obtain your rights have failed, you may request assistance from the Governor's Victims' Coordinating Committee. For additional information call the Office of Victims' Program at the Division of Criminal Justice (303) 239-4442.

## **VICTIM WITNESS ASSISTANCE PROGRAM**

Being victimized and going through the court system can be difficult and confusing. Trained Victim/Witness Assistants can give you support, information and referrals. The Office of the District Attorney provides a Victim Witness Assistance Program for your benefit. This program is staffed by people who care about you and your involvement in the criminal justice system. Their goal is to help lessen the impact of being a victim of the crime or a witness to a crime.

A Victim/Witness Assistant can give you information about how the court system works and what is happening with your case. We can also talk to you about your feelings and answer your questions. Some of the services available are:

- ❖ Crime Victim Compensation – 970-542-3473 or by email [jolsen@13thda.com](mailto:jolsen@13thda.com)
- ❖ Restitution Program
- ❖ Referral to other services which may be of help

### **Community Resources**

Your local community has resources to provide you with support and assistance. A good place to start is your local law enforcement agency's Victim Assistance Program, the District Attorney's Victim-Witness Coordinator, or a community service provider or by visiting the 13<sup>th</sup> Judicial District Victim Services Unit website at [www.13thvictimservices.com](http://www.13thvictimservices.com)

Resources frequently requested are:

### ***Law Enforcement Victim Advocates***

Kit Carson County	(719) 346-8876
Logan County	(970) 522-2578
Morgan County	(970) 542-3449
Phillips County	(970) 854-3644
Sedgwick County	(970) 474-3355
Washington County	(970) 345-2244
Yuma County	(970) 332-4805
Colorado State Patrol	(303) 273-1618

### ***13<sup>th</sup> Judicial District Probation***

Fort Morgan	(970) 542-3465
Sterling	(970) 522-4303
Wray	(970) 332-5213
Burlington	(719) 346-5938

### ***Domestic Violence Shelter***

S.H.A.R.E.	(970) 867-4444
Help for Abused Partners	(970) 522-2307

### ***Sexual Assault Resource Center***

S.A.R.A. House	(970) 867-2121
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