

Crime Victim Rights

The Victim Rights Act (VRA) (C.R.S. § 24-4.1-301 through 304) intends to give victims/survivors a role in the system and to ensure that they are well treated and their rights are protected. This law covers many different types of crimes against persons, including crimes related to domestic violence (DV) and sexual assault (SA).

Who's automatically responsible under VRA?

- Law Enforcement
- District Attorney
- Division of Youth Corrections
- Judges/Courts

If you are a victim of a DV/SA-related crime, you have the right:

- To be treated with



Fairness



Respect



Dignity

- To be **informed**, **present**, and **heard** during critical stages

Initial Critical Stages

* = right to be **heard** during this stage

Filing of charges	Decisions to not file charges	Preliminary hearing
Bond reductions/modifications*	Arraignment	Hearings on motions
Disposition/plea	Trial	Sentencing*

Critical Stages after Sentencing

* = right to be **heard** during this stage

Appellate review	Modifications of sentence*	Post-conviction DNA testing
Probation revocations	Warrant issued by probation	Change of venue – probation supervision
Request for early termination from probation or community corrections	Attack on judgment/conviction	Parole hearing*
Parole, release, or discharge from prison	Parole revocation hearing*	Execution of an offender in a capital case
Transfer to/placement in a non-secure facility or non-residential status	Transfer, release, or escape from any state hospital	Petitions by sex offenders to cease registration
	A hearing about the destruction/loss of biological evidence	

You have the right to...

- To be assured a swift and fair resolution
- To be free from intimidation, harassment, or abuse and informed of steps to take if this occurs
- To have personal property returned quickly when no longer needed as evidence
- To be informed in advance of any scheduling changes
- To be notified of financial assistance availability or how to request protection of your address
- To have employer mediation services regarding court appearances
- To be informed of the results of any HIV testing if you experienced SA
- To be heard involving a subpoena for records concerning your medical history, mental health, education, or victim compensation, or any other records that are privileged pursuant to section 13-90-107 C.R.S.
- To be notified of a hearing concerning a petition for sealing of records that was filed by the defendant

MUST MAKE A <u>WRITTEN</u> REQUEST	CAN MAKE <u>WRITTEN</u> OR <u>VERBAL</u> REQUEST
To be informed of and present for critical stages which occur after sentencing	To be notified if the accused is released from county jail
To be notified if the accused is released, discharged, paroled, escapes, or runs away from probation/parole	
To be present and/or heard at sentence reconsideration, parole hearing, or commutation of sentence	

Children have additional rights:

- To have proceedings explained in an easily understandable language
- To have an advocate that can assist the child and the child's family in coping with the emotional impact of the crime and any subsequent criminal proceeding in which the child is involved
- To have an advocate that can advise either the judge or the district attorney concerning the child's ability to understand and cooperate in any court proceeding and also the potential effects of the proceeding on the child

Crime Victim Compensation

- Crime victims are eligible to request compensation for certain losses related to a crime
- CVC provides financial assistance for medical care, counseling, property damage, etc. related to the crime

If you think your rights have been violated, please call the Division of Criminal Justice at 303-239-4497 and talk to the Victims' Rights Act Specialist. If you are not sure how to report a suspected violation of your rights, feel free to contact a DOVE advocate for assistance with this process.