**VICTIM’S RIGHTS REQUEST/WAIVER FORM**

Pursuant to Ohio Constitution Article I, §10a, I assert or waive the rights checked below. I understand that if I change my mind, I must complete a new form and return it to the investigating officer, or, if the suspect has been charged, to the prosecutor. The investigating officer will provide the prosecutor’s contact information.

Victim Name: Cell Phone:

Address\*:

E-mail: Other Phone:

Alternative Contact Name and Phone No.:

Relationship to you:

Preferred methods of contact (*circle all that apply*) Text E-mail Phone Mail

REQUEST WAIVE

  The right to notice of the escape or release of Suspect:

  The right to reasonable and timely notice of all public proceedings.

  The right to be present at all public proceedings.

  The right to be heard in all public proceedings, including those involving release, plea, sentencing,

 disposition, parole, and any other hearing that involves victim’s rights.

  The right to confer with the prosecutor in the case.

  The right to full and timely restitution from the offender.

  The right to notice if the defense requests access to confidential victim information, including

medical, counseling, school or employment records, access to victim’s personal devices or on-line accounts, or other personal information.

  The victim would also like to receive notices and exercise their rights.

  The right to appoint a Victim’s Representative.

 Representative Name:

 Address:

 Phone:

 E-mail:

 Representative’s Relationship to Victim

If you are denied your rights, you may seek to enforce your rights on your own, ask the prosecutor to enforce your rights, or retain an attorney. You may request free legal assistance through nonprofit organizations such as Ohio Crime Victim Justice Center at OCVJC.org., (866) 665-3330, (614) 848-8500, or infor@ocvjc.org.

Victim/Representative’s Signature: Date:

If victim is a minor, a Parent/Guardian Signature: Date:

VOCA/Officer/Prosecutor/Custodial Agency Rep. Signature: Date:

*\*If you participate in the Secretary of State’s Address Confidentiality Program “Safe at Home”, please use the post office box address given to you. For more information, call (877)767-6446.*

***OFFICE USE ONLY*** Suspect:  Adult  Juvenile

Initial Contact with law enforcement: (Date) Victim:  Adult  Juvenile

Initial Contact with prosecutor’s office: (Date)

Victim initiated change: (Date)

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**MARSY’S LAW VICTIM’S RIGHTS REQUEST/WAIVER FORM**

As a crime victim in Ohio, you have rights. Criminal justice system officials are required to perform certain duties to ensure that you know your rights. Some rights are automatic, but most rights require your request.

This document provides important information about your rights that begin when you report to law enforcement. Page one of this document lists rights that can be requested and provides a form to officially notify law enforcement, jails or other custodial agencies, prosecutors, and judges that you which to request or waive certain rights. Law enforcement should forward this document to the prosecutor if the suspect is charged.

Law enforcement will provide you with information, in writing, about additional services, resources, and rights that may be available to you. Additional services, resources, and rights are also included in the Ohio Attorney General’s Victims’ Rights Handbook (<https://www.ohioattorneygeneral.gov/Files/Publications-Files/Publications-for-Victims/Picking-Up-the-Pieces-A-Guide-to-Helping-Crime-Vic.aspx>).

* **Who is a victim? Who can act as a victim’s representative?**
	+ A victim is any person against whom a criminal offense or delinquent act is committed or any person who is directly and proximately harmed by the commission of the offense or act. The term “victim” does not include the suspect, defendant, or offender in the case.
	+ Crime victims can exercise their rights themselves, choose a representative to exercise their rights, and/or retain an attorney. A suspect, defendant, or offender cannot be a representative. Victims can choose a representative at any time, and always have the right to change their representative.
	+ If the victim is a minor, incapacitated, incompetent, or deceased, a member of the victim’s family or another person may act as the victim’s representative. If there is a conflict of who will act as the representative, each person can ask the judge to choose a representative.
* **Requesting or waiving your rights**
	+ You can change your mind later about requesting or waiving your rights. However, if you first waive your rights and then request them at a later time, you may give up some rights that only apply at certain stages of the criminal justice process.
	+ **Arraignment** is a hearing that can happen quickly after the defendant is charged. During arraignment the judge often decides whether or not to release the defendant on bond, conditions of bond, or issue a protection order. To attend arraignment and be heard by the judge, you should call the clerk of courts, jail, or investigating officer to confirm the date, time, and location.
* **Restitution and Compensation**
	+ Restitution: Upon conviction, the court must order the offender to pay you for verifiable financial costs relating to your victimization.
	+ Crime Victim Compensation Fund: You may be eligible to apply for reimbursement of verifiable financial costs relating to your victimization, even if the suspect has not been arrested or convicted. You may apply for compensation at: [https://ohioattorneygeneral.gov/VictimsCompensation.aspx or call 800/582-2877](https://ohioattorneygeneral.gov/VictimsCompensation.aspx%20or%20call%20800/582-2877).
	+ You must save receipts, estimates, invoices, pay stubs for lost wages, medical or other bills, mileage logs, and other written documentation.
* **Privacy and Safety**
	+ Protection Order: the investigating officer will provide available resources to assist with obtaining a protection order.
	+ Safe at Home: you may be able to keep your address private by obtaining a Safe at Home address. Learn more at: https://www.ohiosos.gov/secretary-office/office-initiatives/safe-at-home/ or call 614/995-2255.
	+ VINE: you can receive texts or emails to receive notice of a defendant of offenders release from jail or prison. Register at: <https://www.vinelink.com/#state-selection>.
* **Your right to refuse an interview, deposition, or discovery request from the accused or any person acting on the accused’s behalf.**
	+ If the defendant, defendant’s attorney, or anyone else acting on behalf of the defendant contacts you to talk with you, request an interview, or attempt to obtain any information or materials, you have the right to refuse. Immediately contact the prosecutor to let them know you have been contacted. If the suspect has not yet been charged, contact a victim’s rights attorney.

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