

**PASCO SHERIFF'S OFFICE
SHERIFF CHRIS NOCCO**

**VICTIMS' RIGHTS BROCHURE
YOUR RIGHTS AS A VICTIM OR WITNESS:**



Emergency Dial 911
Pasco Sheriff's Office
(727) 847-5878

OFFICER'S NAME

ID NUMBER

CASE NUMBER

We realize that for many persons being a victim or witness to a crime is their first experience with the criminal and/or juvenile justice systems. As a victim or witness, you have certain rights within the system. This brochure is being provided to assist with questions you may have regarding those rights and an overview of the criminal justice process. Additional community service provider listing begins on page 35.

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A Message from Sheriff Nocco to Crime Victims:



As Sheriff, I want to personally assure you the Pasco Sheriff's Office is dedicated to helping you through this troubling time. For too long our criminal justice system has ignored the rights of citizens like yourself who have witnessed or been the victim of a crime. Thankfully, we as a society, now recognize the importance of your rights, and the critical role you play in our system of justice.

Besides explaining your rights, this booklet will help you outline how the criminal justice system works. As an informed citizen, you will be better prepared to help the authorities bring the criminals involved in this case to justice. Your assistance and patience are greatly appreciated and I applaud your willingness to help your Sheriff's Office even during this difficult time.

Please take a few minutes to read this booklet so that you and your family will know what to expect, and what will be expected of you, as the case progresses. If you have any questions about the process, your rights, or how to obtain assistance, call our Victim Advocate Unit. Our victim advocates are specially trained to help you and your family through the anxiety and trauma you may be experiencing. Being a victim or witness to a crime can be a devastating experience for anyone. Please don't hesitate to reach out for help, we will be there.

CHRIS NOCCO
Sheriff of Pasco County

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NONDISCRIMINATION POLICY

No person shall, on the basis of race, color, religion, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any program or activity receiving or benefiting from federal financial assistance administered by the department and its providers. Any applicant or participant who believes that he or she has been denied services may file a complaint with the United States Department of Health and Human Services, Office of Civil Rights, United States Department of Justice, Office of Justice Programs or the Department of Children and Families, Office of Civil Rights within 180 days of the alleged violation.

No person shall be retaliated against, harassed, intimidated, threatened, coerced or discriminated against for making a charge, testifying, assisting or participating in any manner in an investigation, proceeding, or hearing for opposing alleged unlawful discriminatory practices prohibited by state and federal laws.

WHO IS A VICTIM?

“A victim is a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed. The term victim includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon a showing that the interest of such individual would be in actual or potential conflict with the interests of the victim. The term “victim” does not include the accused.” Article I, Section 16(b) (11), Florida Constitution

AS A CRIME VICTIM, THE FLORIDA CONSTITUTION GUARANTEES YOU THE FOLOWING RIGHTS

Article 1, Section 16(b), Florida Constitution

- ♦ **The right** to due process and to be treated with fairness and respect for the victim's dignity.
- ♦ **The right** to be free from intimidation, harassment, and abuse.
- ♦ **The right**, within the judicial process, to be reasonably protected from the accused and any person acting on behalf of the accused. However, this is not intended to create a special relationship between the crime victim and any law enforcement agency or office absent a special relationship or duty as defined by Florida law.
- ♦ **The right** to have your safety and welfare as well as your family's considered when setting bail, including setting pretrial release conditions that could affect you or your family's safety and welfare.
- ♦ **The right** to prevent the disclosure of information or records that could be used to locate or harass you or your family, or which could disclose confidential or privileged information of the victim.
- ♦ **The right** to the prompt return of your property when no longer needed as evidence in the case.
- ♦ **The right** to full and timely restitution in every case and from each convicted offender for all losses you suffered, both directly and indirectly, because of the criminal conduct.
- ♦ **The right** to proceedings free from unreasonable delay, and to a prompt and final conclusion of the case and any related post judgment proceedings. (In appropriate cases, the prosecutor may file a good faith demand for a speedy trial. In non-capital cases, all state-level appeals and post-conviction proceedings must be complete within two years and five years for capital cases, unless the court enters an order with specific findings concerning why the court was unable to do so and the circumstances causing the delay.)

- ♦ **The right** to be informed of your state constitutional rights, and to be informed that you can seek the advice of an attorney with respect to your rights.

AS A CRIME VICTIM, YOU ARE AFFORDED THE FOLLOWING CONSTITUTIONAL RIGHTS UPON REQUEST

- ♦ **The right** to reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if you will be a witness at the proceeding, notwithstanding any rule to the contrary. **(For this purpose, consider providing the prosecutor an address, an email address, or a telephone number at which you can be reached quickly, and update this information during the pendency of your case.)** You shall also be provided reasonable, accurate, and timely notice of any release or escape of the defendant or delinquent, and any proceeding during which a right of the victim is implicated.
- ♦ **The right** to be heard in any public proceeding involving pretrial or other release from any form of legal constraint, plea, sentencing, adjudication, or parole, and any proceeding during which a right of the victim is implicated.
- ♦ **The right** to confer with the prosecuting attorney concerning any plea agreements, participation in pretrial diversion programs, release, restitution, sentencing, or any other disposition of the case.
- ♦ **The right** to provide information regarding the impact of the offender's conduct you and your family to the individual responsible for conducting any presentence investigation or compiling any presentence investigation report, and to have any such information considered in any sentencing recommendations submitted to the court.
- ♦ **The right** to receive a copy of any presentence report, and any other report or record relevant to the exercise of a victim's right, except for such portions made confidential or exempt by law.

- ♦ **The right** to be informed of the conviction, sentence, adjudication, place and time of incarceration, or other disposition of the convicted offender, any scheduled release date of the offender, and the release of or the escape of the offender from custody.

- ♦ **The right** to be informed of all post-conviction processes and procedures, to participate in such processes and procedures, to provide information to the release authority to be considered before any release decision is made, and to be notified of any release decision regarding the offender. The parole or early release authority shall extend the right to be heard to any person harmed by the offender.

- ♦ **The right** to be informed of clemency and expungement procedures, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement is made; and to be notified of such decision in advance of any release of the offender.

- ♦ You have **the right** to employ private counsel. (*See Florida Bar Lawyer Referral Services.*)

- ♦ A victim who is incarcerated has **the right**, upon request, to be informed and submit written statements at all stages of the criminal and juvenile proceedings. (*sec. 960.001(1)(a)6 Florida Statutes*)

**ALL RIGHTS AFFORDED BY THE CONSTITUTION ARE
ENFORCEABLE
Article 1, section 16(c), Florida Constitution**

The victim, the retained attorney of the victim, a lawful representative of the victim, or the office of the state attorney upon request of the victim, may assert and seek enforcement of these rights and any other right afforded to a victim by law in any trial or appellate court, or before any other authority with jurisdiction over the case, as a matter of right. The court or other authority with jurisdiction shall act promptly on such a request, affording a remedy by due course of law for the violation of any right. The reasons for any decision regarding the disposition of your right shall be clearly stated on the record.

**ADDITIONAL VICTIMS RIGHTS UNDER
FLORIDA STATUTES**

- ♦ In some cases, you (or relatives where the victim is deceased) may be eligible for financial compensation from the State of Florida. Information regarding eligibility may be obtained from the State Attorney's Office, local Witness Coordination Office (where available), law enforcement agency or from the Bureau of Crimes Compensation, Office of the Attorney General - 1-800-226-6667, website: www.myfloridalegal.com/pages.nsf. The right to receive information on available crisis intervention services and local community services to include counseling, shelter, legal assistance, or other types of help, depending on the particular circumstances. Telephone numbers of these services are provided at the end of this brochure. (*sec. 960.001(1)(a)1, Florida Statutes*)
- ♦ **The right** to receive information regarding the stages of the criminal justice or juvenile justice processes and the way information about such stages may be obtained. (*sec. 960.001(1)(a)4, Florida Statutes*)
- ♦ **The right** to receive information on the steps available to law enforcement and the State Attorney's Office to protect you from intimidation and/or harassment. It is a third-degree felony to knowingly use intimidation or physical force; threaten another person or attempt to do so; engage in misleading conduct toward another person; or offer pecuniary benefit or gain to another person. If you are being threatened or intimidated, please contact the appropriate agency or any law enforcement officer. (*sec. 960.001(1)(c), Florida Statutes*)

- ♦ **The right** of the victim of domestic violence to be informed of the address confidentiality program administered through the Attorney General's Office. You may contact the Attorney General's Office at 1-800-226-6667. The State Attorney's Office may assist with this paperwork if necessary. (sec. 960.001(1)(c), Florida Statutes)
- ♦ **The right** of each victim, or witness, who has been scheduled to attend a criminal or juvenile justice proceeding to be notified as soon as possible by the agency or person scheduling his/her appearance of any change in scheduling which will affect the victim's or witness's appearance. (sec. 960.001(1)(d), Florida Statutes)
- ♦ **The right** to receive advance notification of judicial and post judicial proceedings relating to the case, including all proceedings or hearings relating to:
 - ♦ The arrest of the accused
 - ♦ The release of the accused pending judicial proceedings, and any modification of release condition to include release to community control or work release.
 - ♦ Proceedings in the prosecution or petition for delinquency of the accused, including the filing of the accusatory instrument; the arraignment; disposition of the accusatory instrument; trial or adjudicatory hearing, sentencing or disposition hearing; appellate review; subsequent modification of sentence; collateral attack of a judgment; and when a term of imprisonment, detention, or involuntary commitment is imposed, the release of the defendant or juvenile offender from such imprisonment, detention or juvenile offender from such imprisonment; detention or commitment by expiration of sentence or parole and any meeting held to consider such release.(sec. 960.001(1)(e), Florida Statutes)

- ♦ In addition to the provisions of sec. 921.143, Florida Statutes, the rights of the victim of a felony involving physical or emotional injury or trauma, or in a case in which the victim is a minor child or in a case involving a homicide, the guardian or family of the victim shall be consulted by the State Attorney in order to obtain the views of the victim or family about the disposition of any criminal or juvenile case brought about as a result of such crime, including their views about:
 - The release of the accused pending judicial proceedings.
 - Plea Agreements.
 - Participation in pretrial diversion programs.
 - Sentencing of the accused.
- ♦ **The right** to request that the State Attorney or law enforcement agency help you explain to employers and creditors that you may face additional burdens by taking time off from work to assist law enforcement and you may undergo serious financial strain either because of the crime or by cooperating with authorities. (sec. 960.001(1)(i), Florida Statutes)
- ♦ Law Enforcement agencies and the State Attorney shall inform you of your right to request and receive restitution and of your rights of enforcement in the event an offender does not pay. The State Attorney shall seek your assistance in the documentation of your losses for the purpose of requesting and receiving restitution. If an order of restitution is converted to a civil lien or civil judgment against the defendant, the Clerk of Court's office shall make available at their office, as well as on their website, information provided by the Secretary of State, the court, or The Florida Bar on enforcing the civil lien or judgment. The State Attorney shall inform you if and when restitution is ordered. (sec. 960.001(1)(j), Florida Statutes)
- ♦ **The right** to receive reasonable consideration and assistance from employees of the State Attorney's Office, Sheriff's Office, or Police Department. When requested, you will be assisted in locating accessible transportation and parking and shall be directed to separate pretrial waiting areas when such facilities are available. When requested, you shall receive assistance in attempting to locate translators when practicable. (sec. 960.001(1)(n), Florida Statutes)

- ♦ **The right** of the victim of a sexual offense to have the courtroom cleared, with certain exceptions during his or her testimony, regardless of the victim's age or mental capacity. (sec. 960.001(q), Florida Statutes)

The right to request, in certain circumstances that the offender be required to attend a different school than the victim or siblings of the victim. If the victim of an offense committed by a juvenile is a minor, the victim or any sibling of the victim attends or is eligible to attend the same school as that of the offender, the Department of Juvenile Justice or the Department of Corrections shall notify the victim's parent or legal guardian of the right to attend the sentencing or disposition of the offender and request that the offender be required to attend a different school. (sec. 960.001(1)(s), Florida Statutes)

The right of the victim who is not incarcerated to not be required to attend discovery depositions in any correctional facility. (sec. 960.001(6), Florida Statutes)

- ♦ The statutory obligation of the victim, parent/guardian of a minor victim, or next of kin of a homicide victim, that any information gained pursuant to Chapter 960, Florida Statutes, regarding any case handled in juvenile court, must not be revealed to any outside party, except as reasonably necessary in pursuit of legal remedies. (sec. 960.001(8), Florida Statutes)

- ♦ **The right** to know in certain cases and at the earliest possible opportunity, if the person charged with an offense has tested positive for hepatitis and human immunodeficiency virus (HIV) infection. In such cases, upon request of the victim or the victim's legal guardian, or the parent or legal guardian of the victim if the victim is a minor, the court shall order such person to undergo hepatitis and HIV testing within 48 hours after the charging document is filed or 48 hours from the date of request. (Section 960.003, Florida Statutes)

- ♦ **The right** of a victim of a sexual offense to request the presence of a victim advocate during the forensic medical examination. An advocate from a certified rape crisis center shall be permitted to attend any forensic medical examination. (sec. 960.001(1)(u), Florida Statutes)
- ♦ If a victim has been diagnosed with autism or an autism spectrum disorder, he or she or the parent or guardian, has the right to request that a public safety official make a good faith effort to ensure that a related professional, such as a mental health counselor, special education instructor or clinical social worker be present for all interviews of the individual. All expenses related to the attendance of the professional at the interviews are the responsibility of the requesting victim, parent or guardian; however, the defendant shall reimburse the victim for all expenses related to the attendance of the professional at the interviews, in addition to restitution and penalties provided by law. (sec. 943.0439, Florida Statutes)

In addition to constitutional protections for victims, Florida Statute Chapter 960 outlines the statutory rights of victims under Florida law and can be found on the Florida Attorney General's website:

www.myfloridalegal.com

YOU ARE IMPORTANT

This booklet will provide some answers to the questions you may have as the victim or a witness to a crime. Although the procedures seem complicated, your continued involvement and cooperation are necessary to make the process work effectively. The pursuit of justice in the prosecution of criminal cases may not be successful without your cooperation.

YOUR INVOLVEMENT

If you are a victim of a crime or a witness that has seen, heard or have information about a crime, it is important to relay details to law enforcement and/or the State Attorney's Office. Minor details that seem insignificant to you may be important to the investigation.

Understandably, you may feel anxious about the court process. The law enforcement agency, the prosecutors and the court are concerned that no outside pressure be exerted to influence your testimony. Interference with a witness by threats or acts of retaliation is a serious crime and will be dealt with immediately. If you or any member of your family is intimidated or threatened in any way, immediately call the law enforcement agency handling the case or the State Attorney's Office.

ADULT CRIMINAL JUSTICE PROCESS

APPREHENSION AND ARREST

After committing a crime:

- An offender may be arrested by a law enforcement officer.
- A court can issue an arrest warrant.
- A State Attorney's Office may file an Information; or
- A grand jury may recommend charges by returning an Indictment or Presentment.

ADVISORY HEARING/FIRST APPEARANCE (FOLLOWING AN ARREST)

Within 24 hours of arrest, defendants who have not posted bond will appear before a judge for an Advisory Hearing. These hearings are typically held Monday through Friday at 1:00 pm, and Saturday and Sunday at 8:00 am. These times are subject to change. During these hearings, defendants remain at the detention center, appearing by video.

The judge will address the bond; remain as initially set, reduce or release the defendant on their own recognizance. Factors such as the charge, prior history, and chance of flight risk are considered by the judge when setting bond. The judge will assign a public defender if needed, and advise the defendant that there is to be no contact with the victim(s) upon his or her release from custody.

You are not required to attend the Advisory Hearing. However, if you wish to attend, please contact the Booking Department at (813) 235-6070 to determine the courthouse where advisories are being held. If you wish to speak with the State Attorney prior to the hearing, ask the bailiff to notify him/her of your presence.

STATE ATTORNEY'S INVESTIGATION (INVEST)

Victims of felony crimes will be notified to meet with the State Attorney's Office to provide sworn statements to a prosecutor regarding the incident. This meeting also provides you with the opportunity to provide your input regarding sentencing of the defendant as well as a face to face meeting with the prosecutor. The defendant, nor his or her attorney, will be present at this meeting.

INFORMATION FILING

Whether the crime is a misdemeanor or felony, the State Attorney Office will determine whether formal charges will be filed based upon the facts that were presented. The State Attorney's Office must inform any victims of its decision.

NOTIFYING YOUR EMPLOYER

A victim or witness may request the assistance of the law enforcement agency or the State Attorney's Office to advise an employer that your involvement is necessary to the case and may require some absences from work. They can also assist in notifying creditors if you suffer a financial hardship as a result of the crime.

ARRAIGNMENT

Within 30 days of any arrest, an arraignment hearing is scheduled, at which time the court advises the defendant of the charges that have been formally filed. If the defendant does not have an attorney at this stage, the judge will appoint one. If the defendant has an attorney, they can appear on their behalf at the arraignment.

The State Attorney will notify victims by mail of the arraignment date. The victim has the right to be present, but is not required to unless subpoenaed. Since the defendant has the option to enter a plea and be sentenced by the court at this time, you as a victim should speak with the State Attorney to relay your feelings should you not attend. If the defendant does not enter a plea, the next court date, or pre-trial date, is set at this time.

BOND HEARING

If the defendant was unable to post a bond after the initial arrest, or if bond was not set, the defendant is entitled to a bond hearing. The State Attorney's Office will notify you of the scheduled hearing and you will have an opportunity to speak regarding the defendant's release and conditions or have the State Attorney make known your wishes.

Should the defendant post bond, thorough attempts will be made to notify the victim of the release. It is important to provide the initial deputy with your correct phone number as you will be automatically registered with the VINE service. Please refer the VINE information on the inside cover of this booklet

PRE-TRIAL CONFERENCE

There may be numerous pre-trial conferences scheduled throughout the case. One of the main purposes of these hearings are for the presiding judge to ensure the case is progressing as it should and in a timely manner. Other purposes for these hearings are for the prosecutor and defense attorney's to address discovery (evidence), file motions with the court, ensure that depositions have been set, and address trial issues should it reach that point. Victims will receive notice of the hearing dates and may speak to the court after conferring with the State Attorney's Office. The trial date will be set during these court events when the judge deems necessary.

Appearance by the victim at these hearings is not mandatory, unless subpoenaed. A Victim Advocate can accompany you or attend on your behalf if you so choose, keeping you updated as to the results. Certain motions involving legal issues may be heard at the pre-trial conference and occasionally a witness may be needed at a pre-trial motion. If so, a subpoena will be issued well in advance of the hearing.

SUBPOENAS

You may receive a subpoena for the trial, a deposition, and other hearings. This is a court order requiring you to appear at the time, date and location specified. You will be required to contact the State Attorney's Office at the telephone number listed on the subpoena and provide your phone number to notify you of any changes or cancellations regarding the subpoena. Subpoenas differ from other court notices, such as pre-trial conference notices, in that they are served to you in person, rather than by mail.

DEPOSITIONS

The defendant's attorney can issue a subpoena for you, as a victim or witness, to appear for a deposition. You will answer questions under oath concerning your knowledge or involvement of the criminal offense. This proceeding is within an office setting with a prosecutor, defense attorney and court reporter. You have the right to request a victim advocate to attend with you.

PLEA AGREEMENTS

Plea negotiations may occur between the State Attorney and the defense attorney. During this process, the State Attorney may offer a specific disposition in exchange for a guilty plea, and will request input from the victim when an agreement has been presented. The State Attorney's Office must consult with the victim before finalizing the plea agreement with the defendant. The victim can make a statement to the judge before the sentence is pronounced. The defendant's date of release from the Pasco Detention Center will be posted on www.pascosheriff.com.

PRE-TRIAL INTERVENTION / DIVERSION PROGRAM

According to their discretion and office policy, the State Attorney's Office may agree to utilize pretrial intervention and diversion programs.

Pre-Trial Intervention Program. Defendants with no more than one nonviolent misdemeanor, who is charged with any misdemeanor or any third degree felony is eligible for release to the pretrial intervention program on approval of the administrator of the program and the consent of the victim, the State Attorney, and the judge. Successful completion of the program results in a dismissal of the charges.

Diversion Program. Diversion is similar to probation where the defendant accepts responsibility for the offense and is released under supervision for six months to a year. During the program, the probation office supervises the defendant. You have a right to provide the State Attorney with your opinion on the defendant's participation in the pretrial division program.

SENTENCING

Presentence Investigation (PSI) - You have the right to provide information regarding the impact of the offender's conduct to you and your family to the individual responsible for conducting and/or compiling the presentence investigation. You have a right to review the non-confidential portions of the presentence investigation prior to the sentencing hearing.

Sentencing Hearing - If the defendant is found or pleads guilty, the judge reviews sentencing guidelines, plea agreements, and other factors and determines what type of sentence the defendant should receive. You have a right to provide an oral and/or written victim impact statement (VIS) to the State Attorney's Office at any time before the court imposes the sentence.

NOTE: If the victim and the offender attend the same school, the victim's parents have the right to attend the sentencing or disposition of the offender and request that the offender be required to attend a different school. (sec. 960.001(1)(s), Florida Statutes)

TRIAL

If the case goes to trial, you, as the victim or witness, may have to testify. More often than not, it will be a jury trial where they find the defendant guilty or not guilty and the judge will pronounce sentence. The prosecution presents its case first, with the defense attorney following, and both ask questions of the victim and witnesses. In proving the defendant's guilt, the prosecution relies heavily on victim and witness cooperation. A victim advocate can attend with you through the entire trial process should you feel it necessary. You cannot be excluded from any hearing, trial or proceeding relating to the offense. Your rights involving the trial stage are listed in this brochure. The defendant's date of release from the Pasco Detention Center will be posted on the Pasco Sheriff's Office website of www.pascosheriff.com.

VICTIM IMPACT STATEMENT

A victim has the right to provide an oral or written impact statement with the court at any time before sentence is imposed on the offender. This allows a victim to indicate exactly what impact the crime has had upon his or her life including, medical costs, mental anguish, lost wages and impaired mobility. These relevant details are important for the judge to take into consideration before sentencing the offender.

The victim impact statement form may be obtained from the State Attorney's Office or a Sheriff's Office Victim Advocate and assistance will be available to complete the form. This document will then be placed in the court file. The victim advocate can deliver this statement on behalf of the victim at the appropriate court hearing.

RESTITUTION

As part of the defendant's sentence, the court may order restitution to be paid to the victim. The State Attorney is responsible for presenting to the court the dollar amount and items to be considered as restitution. The victim impact statement assists in this process as it lists items such as crime related receipts, medical bills, and loss of wage information. Typically, restitution is a condition of probation and should victims have not received restitution as ordered by the court, a victim advocate can assist in this process.

RETURN OF PROPERTY

You have the right to the prompt return of property, unless there are compelling law enforcement reasons to retain it, such as items to be used in trial. You can contact the victim advocate office to assist in this process.

VICTIM COMPENSATION

If you are a victim of a criminal act, the Florida Attorney General's Office offers a Crime Victim Compensation Program. A victim advocate can assist you in completing the application and submitting it on your behalf. Remittance or reimbursement to you or the provider for medical treatment, out of pocket co-pays, wage loss, counseling, funeral assistance for homicide victims, and possible relocation assistance are offered upon approval of the application. Forms are available through law enforcement agencies, advocacy centers, the State Attorney's Office and on-line. For further information, please contact our agency Victim Advocate Unit or the Florida Attorney General's Office at 1-800-226-6667 or <https://myfloridalegal.com/>.

JUVENILE JUSTICE PROCESS

Intake - The process of determining where a child under the age of 18 will be placed until the case is resolved. There are three forms of detention status: home, non-secure or secure.

Diversion Programs – This is an alternative to trial where the juvenile is placed in a community-based program such as juvenile arbitration, juvenile alternative services program (JASP), or a treatment plan (Walker plan). If a juvenile successfully completes the diversion program, then the charges are generally dismissed.

Formal Charges - The filing of a petition in court by the State Attorney's Office. The charge may be filed in either juvenile court or adult court, depending upon the crime and age of the offender.

Arraignment - The accused is formally charged and enters a plea of guilty, not guilty, or no contest.

Adjudicatory Hearing - The trial of the juvenile, conducted in front of a judge. The judge will decide whether the juvenile committed the charged offense(s).

Dispositional Hearing (Sentencing) - When a juvenile is found to have committed a delinquent act, the court will hold a dispositional hearing to determine which sanction to impose on the juvenile. The sanctions could range from community-based sanctions like probation and community services up to residential commitment.

Juveniles Tried As Adults - Juveniles who commit very serious crimes may be tried as adults. Juveniles who are prosecuted as adults may be sentenced to adult or juvenile sanctions.

This is not an exhaustive overview of the criminal justice system but is meant as an overview for how the process works. Each court and case could have unique components. You may contact your State Attorney or law enforcement agency for more information regarding the stages of the criminal justice and juvenile justice processes.

EXEMPTION FROM PUBLIC INSPECTION

Amendment 6 (Marsy's Law) of the Florida Constitution Section 16, Article 1, broadens those exempt from disclosure of personal information to all victims of crime as listed under Florida Constitutional Victim's Rights: ***The right to prevent the disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information of the victim. To exercise this right, the victim must complete an exemption form, (in the rear of this booklet) if not done so at the time of report.***

Florida Statute 119.071(2)j states any information which reveals the home or employment address and telephone number or personal assets of a person who is/has been the victim of sexual battery, aggravated child abuse, stalking/aggravated stalking, harassment, aggravated battery, or simple/aggravated domestic violence is exempt from public inspection and examination. Any information that is not exempt or confidential, but that reveals home or employment address or telephone number, or personal assets of a person who is/has been the victim of sexual battery, aggravated child abuse,

stalking/aggravated stalking, harassment, aggravated battery, or simple/aggravated domestic violence is exempt upon written request by the victim to the custodian of records, which must include official verification that an applicable crime has occurred. Such information shall remain exempt for 5 years, after which it will become available to the public. This exemption also applies to current and former U.S. military personnel, as well as their spouses and dependents who served after 9-11-2001. The exemption is for home address, telephone numbers, dates of birth, and place of employment. The service member must submit, to the agency which has custody of the information, a written request to exempt the information, along with a written statement that the service member has made reasonable efforts to protect the information from being accessible through other means available to the public. The names, addresses and telephone numbers of victims of misdemeanor and aggravated stalking are exempt. Any and all information regarding the identity of a human trafficking victim under the age of 18 is included in this exemption.

VICTIM ADVOCATE SERVICES

The Pasco Sheriff's Office Victim Advocates offer a vast array of services for victims of crime and ensure that Victim Rights listed in Florida Statute Chapter 960 and the Florida Constitution are being upheld. Victim Advocates provide assistance to the victim through the entire criminal justice process, while acting as a liaison on their behalf. Some, but not all of the services they provide are crisis intervention, referrals to community services and crime specific counseling, victim compensation application assistance, acting as a liaison for the victim in most capacities, transportation, and facilitate return of property. A bilingual advocate is available to provide assistance. Victim related forms and information are located within the Victim Services and Resources tab on www.pascosheriff.com.

DOMESTIC VIOLENCE?

IT ISN'T JUST WRONG..... IT'S A CRIME.

Under the provisions of Florida Statute (F.S.) 741.28, domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. This includes:

- ♦ Physical acts such as pushing, slapping, kicking, punching, choking, and beating (F.S. 741.30)
- ♦ Emotional or verbal abuse such as threats, verbal intimidation, following and stalking, or acting out in anger (F.S. 741.30)
- ♦ Sexual Abuse/Battery is any unwanted touching or forcing of someone to engage in a sexual act against his/her will (F.S. 784.046)
- ♦ Dating Violence is violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature (F.S. 784.046)
- ♦ Human Trafficking is the recruitment, harboring, transportation, or obtaining a person through force, fraud, or coercion, for the purpose of a commercial sex act or in which the person induced to perform such an act is under 18 years of age. (F.S. 787.06)
- ♦ Procuring a Person Under the Age of 18 for Prostitution — (F.S. 796.03)
- ♦ Lewd or Lascivious Offense is any sexual activity committed upon or in the presence of a person less than 16 years of age. (F.S. 800.04)

WHAT DOES THE LAW MEAN?

If someone is abusing you physically or sexually, threatening you, falsely imprisoning you, or if a family or household member is stalking you, there is a law to protect you. Family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have resided together in the same single dwelling unit in the past. The law also protects you if you are currently in or have been in a violent dating relationship within the last 6 months. Report any instances of domestic violence to law enforcement. You also have the option of filing a domestic violence injunction whether you report to law enforcement or not.

INJUNCTIONS

IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, PHYSICAL, EMOTIONAL, VERBAL, OR SEXUAL ABUSE OR BATTERY, DATING VIOLENCE, HUMAN TRAFFICKING, PROSTITUTION UNDER THE AGE OF 18, OR LEWD OR LASCIVIOUS OFFENSES UPON OR IN THE PRESENCE OF SOMEONE UNDER THE AGE OF 16 or if you have reasonable cause to believe you are in imminent danger of becoming the victim of any act of domestic violence, you have the right to file a **PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE**. If you are a victim of repeat violence, dating violence, sexual violence, or the parent of any minor child who is living at home and who seeks an injunction for protection against repeat, dating, or sexual violence on behalf of the minor child, or you genuinely fear repeat violence, you may ask the State Attorney to file a criminal complaint. You also have the right to file a **PETITION FOR INJUNCTION FOR PROTECTION AGAINST REPEAT VIOLENCE, DATING VIOLENCE, and OR SEXUAL VIOLENCE**. This may include, but need not be limited to provisions that restrain the abuser from further acts of abuse; direct the abuser to leave your household; and prevent the abuser from entering your residence, school, business, or place of employment.

The Clerk of the Court is required to assist you in seeking both injunctions for protection and enforcement for a violation of an injunction. Representation by an attorney is not required of either party. (Section 741.30(1) (f) F.S.) **IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, PHYSICAL, EMOTIONAL, VERBAL, OR SEXUAL ABUSE OR BATTERY, DATING VIOLENCE, HUMAN TRAFFICKING, PROSTITUTION UNDER THE AGE OF 18, OR LEWD OR LASCIVIOUS OFFENSES UPON OR IN THE PRESENCE OF SOMEONE UNDER THE AGE OF 16** you may ask the State Attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting a **PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE** which may include, but need not be limited to the following:

- ♦ Provisions which restrain the offender from further acts of abuse;
- ♦ Directing the offender to leave your household;
- ♦ Preventing the abuser from entering your residence, school, business, or place of employment;
- ♦ Awarding you custody of your minor child or children; and
- ♦ Directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.
- ♦ For safety reasons, you may furnish your address to the court in a separate confidential filing when filing the petition for injunction. You are not required to remain in a residence or household where
- ♦ you are a victim of domestic violence. Your address may be different from that of your partner without penalty.

HOW CAN THE LAW HELP ME?

If you have been a victim of domestic violence, the offender has hurt you sexually or physically, or if you are afraid that you will be hurt, Florida's domestic violence law enables you to work with the court system to help keep you safe. Contact your local domestic violence center for safety planning prior to filing for an injunction.

Go to the Clerk of the Court's Office at your local courthouse.

- ♦ Bring identification;
- ♦ Bring information about where the offender can be located;
- ♦ Bring any other information on the offender such as photos or identification;
- ♦ Bring any papers relating to your case;
- ♦ Tell the clerk that you are interested in filing a **PETITION FOR INJUNCTION FOR PROTECTION AGAINST DOMESTIC VIOLENCE, REPEAT VIOLENCE, DATING VIOLENCE, OR SEXUAL VIOLENCE**;
- ♦ The Court Clerk will help you in filing the proper paperwork. By filling out these forms, you will be explaining to the judge exactly what type of protection you need;
- ♦ After you have completed the paperwork, the court will determine whether danger exists. The court may order a **temporary injunction**, which is good for 15 days. Then a full hearing is held to consider your safety and the safety of your children;
- ♦ The offender must be served with the injunction before it becomes effective. The injunction will tell the offender what the judge requires and when to return to court for a hearing. This hearing will be within 15 days unless the offender cannot be served;
- ♦ **It is important for you to attend the hearing** so that you can make sure the judge understands exactly what help you need and why. **If you do not attend, usually the judge will drop the injunction**; and
- ♦ After the hearing, a **final injunction** may be granted. The final injunction is valid until dissolved or amended by the court.

EMERGENCY INJUNCTION

To obtain an injunction after normal business hours, please contact the respective domestic violence shelter's crisis hotline for your area:

- ♦ East of US 41 - Sunrise of Pasco - (352) 521-3120
- ♦ West of US 41 - Salvation Army Domestic Violence Outreach - (727) 856-5797

Upon contacting the shelter, an intake will be performed to determine if the criteria is present to file an emergency injunction. If the criteria has been met, the representative of the domestic violence shelter will guide you through the rest of the process.

WHAT DO I DO IF THE OFFENDER VIOLATES THE INJUNCTION?

You will receive a copy of the injunction. **Keep it with you at all times.**

- ♦ If the offender violates the conditions of an injunction, **call law enforcement right away.**
- ♦ The offender may be arrested.
- ♦ If the offender is arrested, he/she will be held until the court determines bail.
- ♦ The judge will consider your safety and the safety of your children.
- ♦ You may go to court if you wish.
- ♦ The court may order penalties as allowed by law.

IF THE INJUNCTION HAS BEEN VIOLATED, BUT NO ARREST HAS BEEN MADE, report the violation to the Clerk of the Circuit Court in the county where the violation occurred and complete an affidavit in support of the violation. The judge will determine what action should be taken for your safety and the safety of your children. You can also report it to your local law enforcement agency.

IF YOU HAVE AN OUT OF STATE COURT ORDER FOR PROTECTION AGAINST DOMESTIC VIOLENCE, federal and state law provide that law enforcement recognize and act on the order as if issued by a Florida court. This includes orders issued by courts from the District of Columbia, Indian tribes, commonwealth territories, or possessions of the United States.

Additional Injunction Information by the Administrative Office of the Courts Sixth Judicial Circuit

If you are a party involved in an action to seek protection from domestic violence, sexual violence, dating violence or repeat violence and have questions similar to those listed below, there are informational videos available that may assist you. The videos were produced by the Office of the State Courts Administrator, and can be viewed on the 6th Judicial Circuit Court website by using a computer that has internet access.

- ♦ What is an injunction?
- ♦ Where do I go to get an injunction?

- ♦ Will someone be able to help me fill out the forms?
What type of injunction do I need?
- ♦ Does it cost money to get an injunction

“Florida Injunctions for Protection: An Overview”

This video may help to explain the process for obtaining a Petition for protection. It may assist petitioners, as well as respondents, to understand the four different orders of protection and the requirements necessary for filling a petition. This video is approximately 13 minutes long.

“Florida Injunctions for Protection, the Hearing”

This video may help to explain what will take place at your court hearing. It provides information about courtroom procedures and may answer some questions you might have about the court process. This video is approximately 15 minutes long. You can access this video by:

- Entering the website by www.jud6.org
- Click on **Contact Information** (upper right area)
- Click on **Domestic Violence**
- Click on one of the videos, **Domestic Violence Injunction Overview** or **Domestic Violence Injunction Hearing**

If you do not have a computer available that connects to the internet, you can use a computer located either in West Pasco Law Library located within the West Pasco Judicial Center, 7530 Little Road, New Port Richey or the East Pasco Law Library located within the Robert D. Sumner Judicial Building, 38053 Live Oak Avenue, Dade City.

Also, most public libraries have computers with internet access. If you do not know how to use the internet, bring this information sheet with you to the library and someone there may be able to help you.

PASCO SHERIFF’S OFFICE DOMESTIC VIOLENCE INITIATIVE

Due to the recent arrest of the offender who committed domestic violence against you, the offender has been identified as a family violence offender. Accordingly, the offender will be provided with a

Domestic Violence Prevention Letter and Resource list. ***A priority of this program is to emphasize to the offender, that you, the victim, did not request the Pasco Sheriff’s Office take any action against them.*** The offender will be informed in writing of the conditions of any no contact order imposed by the advisory judge to ensure the offender knows what actions would cause a violation. If you and the offender have children in common, the offender must ask the court to assign a third party to arrange visitation. The offender will be advised by law enforcement that they may periodically perform a follow up check at any of the locations related to the violence to confirm the offender is complying with all of the conditions of any no contact order.

A victim advocate will be assigned to assist you through the entire process. Please reach out to any of the below listed resources at any time:

- ♦ Call 911 for emergencies
Sunrise of Pasco Domestic and Sexual Violence Center
- ♦ (352) 521-3120, confidential, 24-hour service
Salvation Army Domestic Violence Program
(727) 856-5797, confidential, 24 hour service

These agencies provide assistance with emergency shelter, safety planning, injunction and/or relocation assistance, accompaniment to injunction hearing, legal referrals, Florida Attorney General Crimes Compensation Program paperwork assistance, counseling for survivors and their children, and emotional support.

Pasco Sheriff’s Office Victim Advocate Unit (727) 847-5878

This unit provides referrals for services, court assistance, criminal justice information, injunction assistance, Florida Attorney General Crimes Compensation assistance, transportation to case related events, court and investigative process information, and acts as a liaison between all entities and the victim.

SEXUAL BATTERY - DEFINITION, VICTIM’S RIGHTS & SERVICES

If you are the victim of a sexual crime, you have certain rights. Supportive services are also available to you free of charge regardless of whether or not you continue with the criminal justice process.

WHAT IS SEXUAL BATTERY?

In the state of Florida, the legal term for the crime of rape or sexual assault is sexual battery (F.S.794). Sexual battery means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object committed without that person's consent (if that person is an adult).

Consent means intelligent, knowing, and voluntary consent and does not include coerced submission. The law says that consent does not mean the failure by the alleged victim to offer physical resistance to the offender.

If the victim is under 16 years of age, consent cannot be used as a defense to a sexual crime. Furthermore, a 16- or 17-year-old cannot legally consent to sexual activity with a person in a position of familial or custodial authority or to a person 24 or older.

A victim of sexual battery can report the crime to law enforcement and can ask the State Attorney (sometimes referred to as a prosecutor) to file a criminal complaint against the offender(s). A victim has the constitutional right to be informed, to be present, and to be heard at all crucial stages of a criminal or juvenile proceeding, to the extent that this right does not interfere with constitutional rights of the accused.

WHAT HAPPENS DURING A FORENSIC EXAMINATION?

Often when a sexual crime has occurred, the victim is examined by a registered nurse or a doctor. In a private area, the medical professional will conduct a head-to-toe exam checking for injuries and collecting evidence which may include a pelvic exam and taking photos. The victim has the right to:

1. Decline any part of the exam at any point.
2. Keep the exam confidential.
3. Have an advocate present from a certified rape crisis center

The medical professional will ask the victim some questions about the crime and her/his medical history. The medical professional also may take blood, urine, saliva, pubic hair combings, and/or nail samples, and place items of the victim's clothing into the exam kit.

The medical professional can prescribe medications to protect the victim from certain sexually transmitted infections and recommend follow-up medical care.

HIV prevention medication may be available if that is of particular concern to the victim and should be started right away.

A victim who is concerned about pregnancy as a result of the crime should be provided with medically accurate information about the option to receive or purchase emergency contraception to prevent pregnancy. Emergency contraception should be started within 120 hours of the crime and is available over-the-counter to women 18 and older at many pharmacies.

The exam is free regardless of whether or not the victim is pursuing criminal charges against the offender although the victim may be responsible for medications and additional healthcare costs.

HELP IS AVAILABLE

Anyone who has been the victim of a sexual crime needs compassion, sensitivity, and caring. Dealing with the feelings and circumstances resulting from the crime can be overwhelming and confusing. Services including hotline, crisis intervention and advocacy are available to you free of charge from your local certified rape crisis center. An advocate from a rape crisis center can:

1. Arrange immediate shelter.
2. Assure you that your reactions and emotions are a normal part of the response to the crime.
3. Listen to your feelings and concerns.
4. Help you understand and weigh your options.
5. Be with you at appointments if you desire, including the forensic exam.
6. Contact others on your behalf with your permission.

Rape crisis centers are legally and ethically required to protect your confidentiality (Florida Statute 90.5035). Unless you specifically ask them in writing with your signature to release information about you, they will not. **Call 1-888-956-7273 to be referred to local services.**

WHAT IF I FEAR FOR MY SAFETY

Both adult and minor victims of sexual crimes who fear for their safety or fear the offender might contact them may seek a sexual violence injunction (Florida Statute 784.046).

- ♦ To obtain the injunction the victim or guardian must have reported the crime to law enforcement and cooperate in any criminal proceeding against the offender.
- ♦ Victims may also seek an injunction against an offender who has been released from jail or prison or who will be released within 90 days.
- ♦ Filing for a sexual violence injunction is free.
- ♦ The petition can be obtained on-line through www.pascoclerk.com or from any courthouse.
- ♦ An advocate can assist you in completing the injunction.

Victims of sexual crimes have various other rights, many of which are found in Chapter 960 of the Florida Statutes, including the right:

- ♦ To have information relating to the criminal investigation of the crime that might identify the victim kept confidential and exempt from public records (Florida Statutes 119.071 and 92.56).
- ♦ To have an advocate from a certified rape crisis center present during the forensic examination.
- ♦ To have an advocate present during a discovery deposition (a defense attorney's pre-trial questioning of witnesses).
- ♦ To have the offender, if charged with the crime, tested for HIV and to receive the results of that testing.
- ♦ To not be asked or required to submit to a polygraph examination as a condition of proceeding with the investigation of the offense.

Domestic and Sexual Violence Safety Plan

- ♦ Keep your cell phone and home phone charged at all times.
- ♦ Have an escape route with your children in the event your abuser comes back to the home.
- ♦ Tell your neighbor that your offender should not be at your home and to contact law enforcement and you, if they see your offender near your home.

- ♦ Be aware of your surroundings at all times, especially when going to your car.
- ♦ Call 911.
- ♦ Contact your local Domestic Violence Center for additional safety plan and shelter if needed.
- ♦ Obtain a Domestic Violence Injunction
- ♦ Inform your supervisor, school, and family that you should not be getting phone calls or visits from the abuser.
- ♦ Stay in contact with the state attorney, victims advocate, law enforcement, and domestic violence advocates and relay any concerns that you may have.

Pasco Sheriff's Office PUBLIC RECORDS & PROPERTY RELEASE Custodian Information

For public records inquiries, please contact:

Records Department

Email: Records@pascosheriff.org

Phone: (813) 235-6118

Fax: (813) 235-6119

20105 Central Boulevard
Land O'Lakes, FL 34637

For **Property Release**, please contact
Property Evidence

Email:

Propertyevidence@pascosheriff.org

Phone: (813) 235-6120

20105 Central Boulevard
Land O'Lakes, FL 34637

MAC Associates

1730 South Pinellas Ave, Suite G
Tarpon Springs, FL 34689
727.937.7900 +
BIP groups and individual, Anger Management,
Trauma Assessment for children \$150, DV 101 M/F
sliding scale fee for groups

Prevention Projects (since 1981)

13743 US 98 Bypass
Dade City, FL 33523
352.523.0024 ** +
Individual 14 weeks BIP \$50/session, BIP assessments \$75,
Anger management,
DV M/F, Trauma Assessments \$150, Mental Health Evaluations
Hours: Tuesday-Wednesday 10am-Noon, 3pm-7pm
Semi-retired

Psychological Management Group

7402 North 56th St, Bldg. 100 Ste. 102
Tampa, FL 33617
813.963.1016 ** +
Tampa: BIP (Spanish), Victims Trauma Program, DV Assessments,
20 week group therapy
NPR: M/F BIP, Anger Management, Substance Abuse, Sex Offender
Zephyrhills: Fri Only – Substance Abuse

Sober Solutions (since 2011)

5014 Mission Square
Zephyrhills, FL 33541 and
8056 Old County Road 54
NPR, FL 34653
813.715.2931 & 727.372.2010
BIP M/F both locations have evenings, \$50 assessment and \$25 groups,
Substance Abuse, Parenting, Anger Management, Restorative Justice

Trinity Outreach of Zephyrhills

5254 6th Street
Zephyrhills, FL 33542
877.333.1845
BIP Women only, Recovery Groups, Breakthrough Parenting,
Anger Management

Western Judicial

610 W Jefferson St
Brooksville, FL 34601
352.796.1378 +
BIP Male 5:30-7pm Fri, 11-12:30 Sat, Female –Tues 3-4,
Substance Abuse, Anger Management

RECOVERY GROUPS:

Bridgewater Church

30660 Wells Road
Wesley Chapel, FL 33545
Contact –Mark Yenny
crbridgewater@gmail.com
813-451-1434 • Thursday 7:00 PM

Celebrate Recovery Life Church

6542 Applewood Dr.
Wesley Chapel, FL 33544
Contact – Alicia Nolan
aliciadnolan@aol.com
813-994-0685 • Monday 7:00 PM

Generations Christian Church

1540 Little Road
Trinity, Florida 34655
Contact – Al Squitieri
al.squitieri@generationscc.com
727-375-8801 x2465 • Friday 7:00 PM

Generations Christian Church

34 Seven Hills Dr.
Spring Hill, Florida 34609
Contact - John Schaaf
john.schaaf@generationscc.com
727-375-8801 • Friday 7:00 PM

Idlewild Baptist Church

18371 N. Dale Mabry
Lutz, Florida 33548
Contact – Earl Burgess
cr@idlewild.org
813-382-3267 • Monday 7:00 PM

Lakeview Community Church

475 Eastlake Road North
Tarpon Springs, Florida 34668
Contact Bob Loeffler
lakeviewcelebraterecovery@yahoo.com
727-942-0229 • Tuesday 7:00 PM

Little Lake Chapel

10012 Moon Lake Rd.
Port Richey, Florida 34654
Contact - Henry Becoat
habecoat@aol.com
315-489-4980 • Monday 6:00 PM

New Life Church of Ridge Manor
 6375 Windmere Rd
 Brooksville, Florida 34602
 Contact - John Sicurella
 deadsledmotors@aol.com
 813-230-8780 • Friday 7:00 PM

New Walk Church
 35008 SR 54
 Zephyrhills, FL 33541
 Contact - Adam Grenville
 adamgrenville@gmail.com
 352-424-2129 • Monday 7:00 PM

Openwater Church
 15612 Race Track Road
 Odessa, Florida 33556
 Contact Tonya Towner
 tonya@openwaterchurch.com
 813-920-9922 • Tuesday 6:45 PM

RESOURCE AND REFERRAL NUMBERS

Pasco Sheriff's Office
 727-847-5878

**Pasco County
 Non-Emergency Communications Division**
 727-847-8102

State Attorney
West – 727-847-8158 **East** – 352-521-4333

Victim Advocate
County Wide - 727-844-7712

Abuse Registry (Elderly and Children)
 1-800-962-2873

Crimes Compensation
 (Attorney General)
 1-800-226-6667
 www.myfloridalegal.com/pages.nsf

Florida Bar Lawyer Referral Service
 1-800-342-8060

Pasco Sheriff's Office

**RIGHTS OF VICTIMS / WITNESSES
 IN THE CRIMINAL JUSTICE SYSTEM**

NOTIFICATION INFORMATION		Date	Case Report Number
Defendant #1 (Print)		Defendant #2 (Print)	
Defendant #3 (Print)		Defendant #4 (Print)	
Victim/Witness Print <input type="checkbox"/> Victim <input type="checkbox"/> Witness <input type="checkbox"/> Next of Kin of Homicide Victim <input type="checkbox"/>	Home Phone Number	Work/Other Phone Number	
Address (Street, PO Box, Etc.)	City	State	Zip

IF YOU ARE THE VICTIM / WITNESS OF A CRIME OR THE NEXT OF KIN OF A HOMICIDE VICTIM, YOU HAVE CERTAIN RIGHTS (FLORIDA STATUTE CHAPTER 960 and Article I, Section 16, Florida Constitution). THESE RIGHTS ARE EXPLAINED IN THE RIGHTS OF VICTIMS / WITNESSES BROCHURE YOU WILL RECEIVE FROM THE PERSON YOU ARE REPORTING YOUR CASE TO. PLEASE READ AND ANSWER THE FOLLOWING QUESTIONS AND SIGN BELOW THAT YOU HAVE DONE SO.

1. On Scene Arrest Notification

I have been notified that a suspect was arrested in reference to this case, and I have been informed that I may attend the First Appearance Hearing, and to call 352-521-4333 or 727-847-8158 for information regarding the hearing. Yes No N/A

2. Please Answer The Following:

- I want to be notified if an arrest is made at a later date reference this case. Yes No
- I want to be notified if a defendant is released reference this case. Yes No
- I have received a Rights of Victims and Witnesses Brochure. Yes No
- I understand the rights afforded to me as a victim of sexual battery (FSS 794.052) Yes No N/A
- I understand the rights afforded to me in Article I, Section 16, FL Constitution Yes No

3. Public Records Exemption:

- a. If you are the victim of certain sex crimes or child abuse, your name, address, and other identifying information is exempt from public records release per Florida State Statute 119.071(2)(h)1.
- b. If you are victim of one or more of the crimes specified in Florida State Statute 119.071(2)(j)1 ([sexual battery, aggravated child abuse, aggravated battery, aggravated stalking, harassment – harassing/ obscene telephone calls, or domestic violence), you may request an exemption prohibiting the disclosure of information to the general public that reveals your home and work telephone numbers, home and work addresses, and personal assets not otherwise held confidential or exempt from the provisions of the "Public Records Law", F.S.S. 119.07(1). Please note this exemption may not be used to exempt the identity or name of the victim [although other statutory provisions may, for certain more limited offenses, render the identity of the victim exempt or confidential without the need for a request].
- c. As a victim of any crime, you have the right to prevent the disclosure of information or records that could be used to locate or harass you or your family, or which could disclose confidential or privileged information about you. Article I, Section 16, Fl. Constitution (Marsy's Law)

Do you wish to exercise this additional exemption? (Please check one) Yes No N/A

I CERTIFY THAT I HAVE RECEIVED A "RIGHTS OF VICTIMS / WITNESSES IN THE CRIMINAL JUSTICE SYSTEM" BROCHURE AND THAT I HAVE READ, UNDERSTAND AND ANSWERED THE ABOVE QUESTIONS AND INFORMATION.

 VICTIM / WITNESS (SIGNATURE):

Submit This Form To The Pasco
 Sheriff's Office Records Department
 20105 Central Blvd.
 Land O'Lakes, FL 34637
 (813) 235-6118

 REPORTING OFFICER / PST (SIGNATURE): ID#: