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A G U I D E T O V I C T I M ' S A S S I S T A N C E

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WHAT IS VICTIM'S ASSISTANCE?

Victim's assistance describes programs that: respond to the emotional, psychological, financial, or physical needs of crime victims; assist victims to stabilize their lives after victimization; help victims understand and participate in the criminal or juvenile justice system; and restore a measure of security and safety for the victim.

In Pennsylvania, there is a network of nonprofit and local government-based victim's assistance agencies that can provide help to victims after abuse, neglect, financial exploitation, or other crimes such as domestic violence, sexual assault, simple and aggravated assault, harassment, theft, and homicide.

This resource document's primary purpose is to give support team members information about available resources when there is an indication that a crime was committed against a person they serve.

Victim's assistance services are available to all victims regardless of whether the victim decides to press charges or the crime is prosecuted in the criminal justice system. Victims also have the right to effective communication through supports such as interpreter services, language line, sign language interpreters, and agencies with TTY capabilities.

SOME PEOPLE who have experienced violence do not identify with the term "victim," but instead feel that "survivor" or another term better reflects their experience. Although the term "victim" is used throughout this document, how people identify themselves is deeply personal and should be acknowledged and respected.



What resources are available?

In Pennsylvania, there is a strong network of victim's assistance programs, sometimes called "victim/witness units." Some programs are based in the criminal/juvenile justice system and provide assistance to victims as their cases move through those systems. The other types of victim's assistance programs are community-based nonprofits, such as domestic violence shelters and rape crisis centers, that offer services regardless of whether a victim pursues charges or if the case moves forward for prosecution. All services are free. To see what programs are offered in your county, visit www.pcv.pccd.pa.gov.

• Accompaniment

An advocate accompanies the victim to any court proceedings, meetings, or interviews with law enforcement, meetings with prosecutors, etc.

• Advocacy

Advocates help victims have their voice heard on issues that are important to them, defend and safeguard their rights, and consider their views and wishes when decisions are being made about their lives.

• Assistance with victim impact statements

Victims have the right to tell the judge how a crime changed their life. The victim can explain the victim's concerns or fears. The victim impact statement can also help the judge decide how to best hold the offender accountable for the harm the offender has caused.

• Case status updates

Victims can receive updates about every action that occurs during a case via their preferred support and communication methods.

• Communication support

Victims have the right to effective communication through supports

such as interpreter services, language line, sign language interpreters, and agencies with TTY capabilities.

• Courtroom orientation

An advocate can provide information about the courtroom experience and what to expect during the prosecution of a victim's case.

• Crisis intervention hotlines

Counselors can provide supportive counseling, outreach, assessment, and referral information for victims in times of crisis.

• Child care

Assistance with child care needs during a victim's time in court.

• Economic support

An advocate can provide guidance about where to find financial assistance, job placement, or training.

• Medical advocacy and accompaniment

An advocate can explain what to expect from medical procedures that may need to be performed after a crime and will stay with a victim during exams, if requested.

• Shelter

A variety of shelter options exist, depending on the victim's needs.

• Supportive counseling

Individual and group counseling specific to a victim's needs.

• Victim compensation

Assistance for victims and their families through the emotional and physical aftermath of a crime by easing the financial impact caused by the crime.

• Victim witness intimidation supports

If a victim is being intimidated because of the victim's involvement in the criminal justice system, there are supports to help keep the victim safe.

• Post-sentencing dispositions

Victims can ask questions or raise concerns about appeals, restitution, victim compensation, probation and parole, or other matters related to the conclusion of a case. The Pennsylvania Office of the Victim Advocate or county victim assistance offices can help answer those questions.



Where can I find additional information?

Important information on victim's assistance resources can be obtained from:

• **Pennsylvania Office of the Victim Advocate**
www.ova.pa.gov

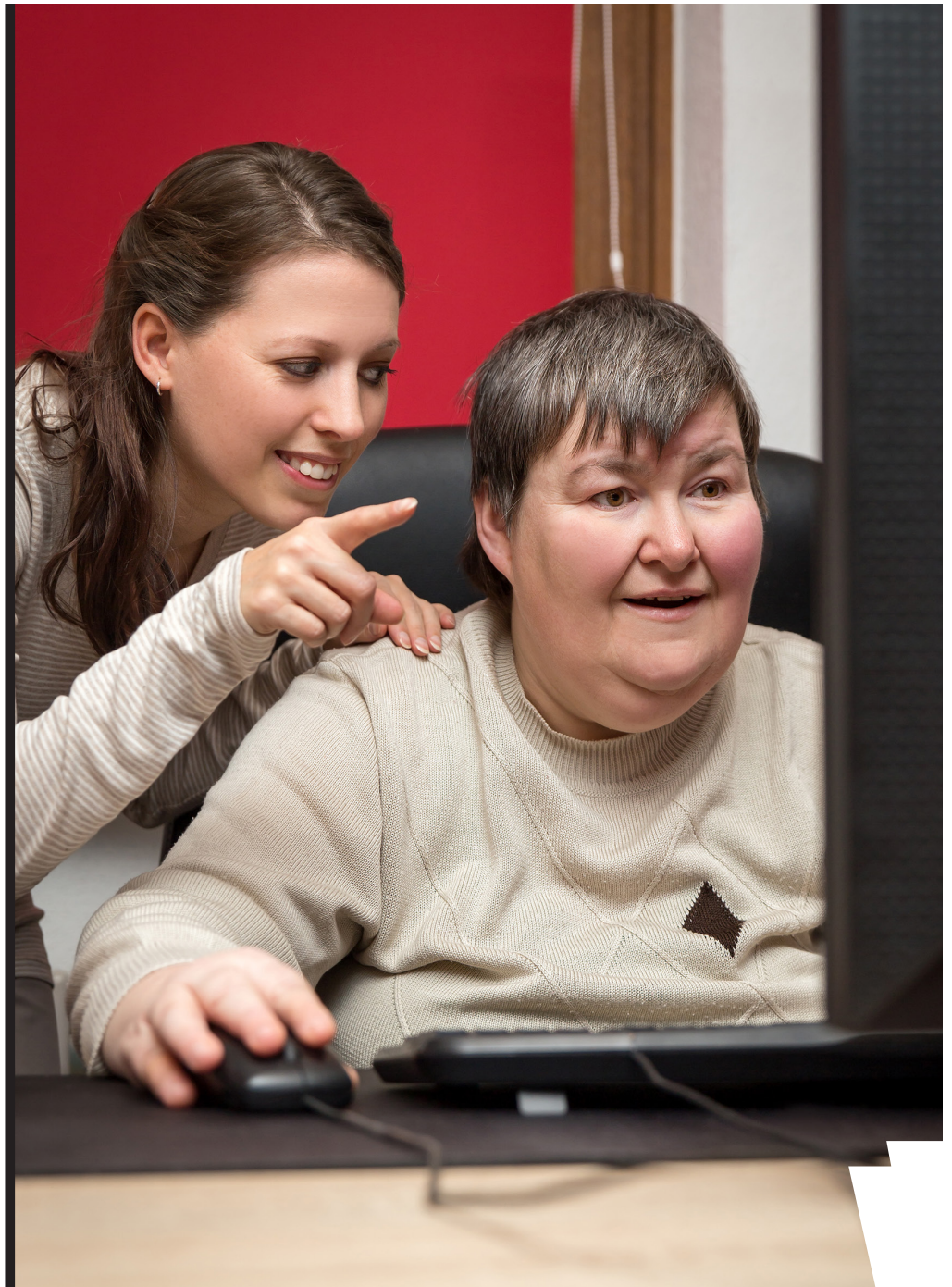
• **Pennsylvania Office of Victim's Services**
www.pcv.pccd.pa.gov

The PA Office of Victim's Services also offers the **PA Crime Victims mobile app** for download on [Apple](#) and [Android](#).

When should victim's assistance be contacted?

Support team members are in a critical position to educate victims about victim's assistance services and to identify when an individual has been victimized. A victim may need multiple reminders about the availability of victim's assistance services before the victim is ready to access services. Appendix A of this pamphlet provides an overview of some common criminal offenses and civil actions in Pennsylvania. If you suspect that an offense may have been committed against someone for whom you provide supportive services, do not hesitate to contact your local victim's assistance service agency.

Your first step as a professional who provides services is to make sure the victim is safe, that all appropriate medical and legal resources are made available, and that protective services and law enforcement are notified. It should not be assumed that a victim's current services meet the victim's needs. Crime victims in Pennsylvania have a number of rights under the law, including the right to access victim's assistance services at any time.



How are services and supports provided?

There are a variety of resources available across the Commonwealth. Many of the supports available involve an advocate. Victim's assistance programs employ specialized advocates who work with, support, and guide the victim. A person seeking supports might work with multiple advocates depending on the victim's needs.



What type of victim's assistance agency should I call?

It might be hard to determine what type of victim's assistance agency to call. The first thing to consider is which services are most appropriate to meet the victim's current needs.

Community-based victim's services

Community-based agencies, such as domestic violence shelters and rape crisis centers, can provide services regardless of whether the victim decides to press charges or the crime is prosecuted in the criminal justice system. Every county in Pennsylvania has domestic violence and rape crisis programs. Some counties also have a general, nonprofit agency that provides services to all crime victims.

Domestic violence shelters

• Confidential hotlines

- Available 24 hours a day, 365 days a year
- Provide counseling, crisis intervention, support, information and referrals

• Shelter

- 24-hour emergency shelter
- Safe homes
- Transitional housing

• Counseling

- Empowerment counseling (helps the victim overcome feelings of hopelessness and powerlessness that are common among victims)
- Options counseling (identifies the victim's choices; assesses risks and benefits)
- Safety planning (assessment of risk and danger; strategies for enhancing safety; identification of potential resources)
- Support groups

• Advocacy

- Legal advocacy (legal options, preparation and assistance with Protection from Abuse (PFA) forms and filings)
- Medical advocacy (shelter staff will advocate for the victim in hospitals or clinics)
- Children's advocacy (counseling, therapeutic art, music, and play for children in shelter)
- Accompaniment (an advocate goes with the victim to meetings with the victim's lawyer, court proceedings, or any other times support is needed)

• Economic support

- Aid in obtaining cash assistance and employment training
- Help with securing safe, affordable, permanent housing
- Job training and identification of employment opportunities



Rape crisis centers

- Free and confidential crisis counseling, 24 hours a day
- Prevention education programs for schools, organizations, and other public groups
- Services for the victim's family, friends, partners, or spouse
- Information and referrals to other services in the victim's area
- Advocates from rape crisis centers are available to accompany victims of sexual violence, rape or incest to medical facilities, the police station, and court
- Advocates can act on behalf of a victim, if requested, and assist with navigating the medical, police, and court systems



System-based victim service agencies (victim/witness programs)

Each county in Pennsylvania has a program that provides services to victims of crime if charges are brought concerning what happened to them and the case is prosecuted in the criminal justice system. These programs are usually located in the District Attorney's Office or the Juvenile Probation Office. Once charges are filed, someone from one of these offices will contact the victim to initiate services. These agencies might provide information about:

- Rights as a victim of crime
- Registering for an offender release notification
- The right under Pennsylvania law to provide input regarding release of an offender
- Victim's compensation
- Advocacy
- Counseling/therapy
- The legal process
- Registering for court notifications
- Receiving notification of offender escape, recapture, or any custody change
- Court accompaniment
- Assistance with victim impact statements
- Understanding post-sentencing/dispositions
- Medical advocacy and accompaniment
- Receiving notification of execution of the offender



VICTIM'S BILL OF RIGHTS

This list was adapted from the Crime Victims Act, 18 P.S. § 11.201, et seq., and only contains some of the rights victims have.

What are the rights of the victims?

Victims have a right:

- To receive basic information about available services.
- To be notified of certain significant actions and proceedings within the criminal and juvenile justice systems pertaining to their case.
- In personal injury crimes, to be notified of an offender's escape from law enforcement custody.
- To access information regarding the grant or denial of bail.
- To receive immediate notification of the release of an offender on bail (PFA cases).
- To receive immediate notification of an offender's pretrial escape from a local correctional

facility and of the subsequent apprehension.

- To be accompanied by an advocate at criminal proceedings.
- In cases involving personal injury crimes or burglary, to receive notice of and submit prior comment on the potential reduction or dropping of any charge or changing of a plea or diversion of a case.
- To have the opportunity to offer prior comment on sentencing of a defendant.
- In personal injury crimes, to be notified in advance of the date, time and place of sentencing/disposition.
- To have an opportunity to submit a written or oral victim impact

statement.

- To be restored, to the extent possible, to the pre-crime economic status.
- To have assistance with preparing, submitting, and following up with victim's compensation claims.
- To receive information upon request about post-sentencing notifications.
- To receive notice of the disposition of the victim's case and the offender's sentence and any sentencing modifications.
- To receive notice of an offender's commitment to a mental health facility.
- To be notified of the termination of the court's jurisdiction.

In personal injury crimes where the offender is sentenced to a state correctional facility, victims have the right:

- To provide comment prior to sentencing and to receive post-sentencing release decisions.
- To receive immediate notice of an escape and of the subsequent apprehension of the offender.

In personal injury crimes where the offender is sentenced to a local correctional facility, victims have the right:

- To receive notice of the date of the release from the local correctional facility.
- To receive immediate notice of an escape and of subsequent apprehension of the offender.

Common criminal offenses and civil actions in Pennsylvania

Appendix A provides an overview of some common criminal offenses and civil actions in Pennsylvania. The descriptions of the criminal (Title 18) and civil (Title 23) actions provided below have been summarized to provide the reader with a basic understanding and should not be relied on for any legal proceedings. Criminal law deals with crimes and criminal punishments brought by a law enforcement agency. Although not described in this document, many crimes have varying classes of offenses (felony of the first degree, felony of the second degree, felony of the third degree, misdemeanor of the first degree, etc.). These classes of offenses help to differentiate on reasonable grounds between serious and minor offenses. The class of the offense is often partially determined by the age or dependency of the victim, ex: a crime against a minor or care-dependent person will have a more severe punishment. Civil law deals with legal actions or lawsuits between individuals or organizations in which compensation is awarded to the victim.



PLEASE NOTE

Victim's assistance services are available to all victims regardless of the victim's intent to press criminal charges or whether the crime is prosecuted in the criminal justice system. Appendix A provides an overview of some common criminal offenses and civil actions in Pennsylvania and is for informational purposes only. It is the responsibility of law enforcement to determine what incidents are crimes.

Adapted from: Title 23-Chapter 61-Protection from Abuse Act (23 Pa. C.S. § 6101, et seq.); Title 18-Chapter 27-Assault (18 Pa. C.S. §§ 2701-2702, 2709, 2713, 2713.1; Title 18-Chapter 31-Sexual Offenses (18 Pa. C.S. §§ 3121-3133); Title 18-Chapter 39-Theft and Related Offenses (18 Pa. C.S. §§ 3921-3935.1); Title 18 - Chapter 43 - Offenses Against the Family (18 Pa. C.S. § 4302); and Title 18 - Chapter 63 - Minors (18 Pa. C.S. §§ 6312, 6320).

What is abuse?

Pennsylvania's Protection from Abuse Act defines abuse as the following acts between family or household members, sexual or intimate partners, or persons who share biological parenthood:

- Causing or attempting to cause bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, aggravated indecent, assault, indecent assault or incest;
- Causing the victim to reasonably fear imminent serious bodily injury;
- False imprisonment (captivity or confinement);
- Physically or sexually abusing minor children;
- Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of

bodily injury. In other words, stalking or harassment that makes a person afraid of bodily injury.

What is sexual assault?

Rape

- A person commits a rape when the person engages in sexual intercourse:
- With a victim by force or threat of force and the victim is prevented from resisting; or
- With a victim who is unconscious or unaware; or
- Where the person has impaired the victim's ability to understand or decide the victim's conduct; or
- Where the victim suffers from a mental disability which prevents the victim from consenting.

Statutory sexual assault

- A person commits statutory sexual assault when the person engages in sexual intercourse with a victim under the age of 16 years and the



person is at least four years older than the victim.

Involuntary deviate sexual intercourse

- A person commits involuntary deviate sexual intercourse when the person commits rape and the victim is less than 16 years of age and the person is at least four years older than the victim.

Involuntary deviate sexual intercourse with a child

- A person commits involuntary deviate sexual intercourse with a child when the person commits rape and the victim is less than 13 years of age.

Institutional sexual assault

- A person commits institutional sexual assault when the person is an employee of a county, state, or private facility and engages in sexual intercourse, deviate sexual intercourse, or indecent contact with a victim who is supervised by or receives services from that person.

Indecent assault

- A person commits indecent assault if the person touches the sexual or other intimate parts of the victim for the purpose of arousing or gratifying sexual desire, in any person.

Incest

- A person is guilty of incest if that person knowingly marries or cohabits (lives with as an intimate couple) or has sexual intercourse with an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood.

Sexual abuse or exploitation

(As defined by the Child Protective Services Law)

- A person commits sexual abuse or exploitation if the person uses, hires, coerces, or persuades a child to engage in sexually explicit conduct. This includes:
 - Looking at the sexual or other intimate parts of a child;

- Engaging in sexually explicit conversation with a child;
- Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual;
- Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depiction or filming.

Sexual exploitation of children *(As defined by the Crimes Code)*

- A person commits sexual exploitation of a child if the person procures for another person a minor for the purpose of actual or simulated sexual activity or nudity arranged for the purpose of sexual stimulation or gratification of any person.

What is assault?

Simple assault

- A person commits simple assault if the person:
 - Intentionally or knowingly

attempts to cause bodily injury to another;

- Negligently causes bodily injury to another with a deadly weapon;
- Attempts by physical menace to put another person in fear of imminent serious bodily injury.

Aggravated assault

- A person commits aggravated assault if the person attempts to cause serious bodily injury to another, or causes such injury intentionally, knowingly or recklessly under circumstances manifesting extreme indifference to the value of human life.
- Some examples of aggravated assault include attempting to cause bodily injury to:
 - Another person with a deadly weapon; or
 - A child less than six years of age, by a person 18 years of age or older.

What is Harassment?

- A person commits the crime of harassment when — with intent to harass, annoy or alarm another — the person:
 - Strikes, shoves, kicks or otherwise has physical contact with another person or attempts or threatens to do the same;
 - Follows the other person in a public place or places;
 - Engages in a course of conduct or repeatedly commits acts which serve no legitimate purpose;
 - Communicates to or about such other person any lewd, lascivious, threatening or

obscene words, language, drawings or caricatures; or

- Communicates repeatedly in an anonymous manner, or at extremely inconvenient hours, or in a manner other than specified above.

What is stalking?

- A person commits the crime of stalking when the person engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which show an intent to cause the person to reasonably fear bodily injury or to cause substantial emotional distress.
- A person also commits the crime of stalking when the person engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate an intent to cause the person to reasonably fear bodily injury or place such other person in reasonable fear of bodily injury or to cause substantial distress to such other person.

What is Theft?

- A person is guilty of theft if the person unlawfully takes, transfers or exercises control over movable or immovable property of another with intent to deprive the other person thereof. Theft comes in many forms, including theft by deception (tricking a person), theft by extortion (threatening a person), and financial exploitation

of an older adult or care-dependent person (a trusted person wrongfully takes or uses the money or assets of an older person or care-dependent person).

What is Neglect and Abuse of a Care-Dependent Person?

Neglect of a

Care-Dependent Person

- A caretaker is guilty of neglect of a care-dependent person if the caretaker:
 - Intentionally or recklessly fails to provide treatment, which causes bodily injury, serious bodily injury, or death.
 - Intentionally or recklessly uses a restraint, medication, or isolation on a care-dependent person contrary to law which causes bodily injury, serious bodily injury, or death.
 - Intentionally or recklessly endangers the welfare of a care-dependent person by failing to provide treatment, care, goods or services.

Abuse of a

Care-Dependent Person

- A caretaker is guilty of abuse of a care-dependent person if the caretaker strikes, shoves, kicks or otherwise subjects or threatens to subject the care-dependent person to physical contact with the intent to harass, annoy or alarm a care-dependent person; or if the caretaker harasses or stalks a care-dependent person; or uses any audio, video, or still image of the care-dependent person to ridicule or demean them.

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ADDITIONAL RESOURCES

THE NATIONAL DOMESTIC VIOLENCE HOTLINE

1-800-799-SAFE (7233)

TTY: 1-800-787-3224

PENNSYLVANIA COALITION AGAINST DOMESTIC VIOLENCE

1-800-932-4632

TTY: 1-800-553-2508

www.pcadv.org

NATIONAL SEXUAL ABUSE HOTLINE

1-800-656-HOPE (4673)

PENNSYLVANIA COALITION AGAINST RAPE

1-800-692-7445

www.pcar.org

