



What is VOCAP?

Located at the Davis County Attorney's Office, the Victim Services Division provides critical services and information to victims of crime in Davis County - including adults and children, victims of domestic violence, families of murder victims, and victims of other crimes as outlined in the Victim's Bill of Rights (found in the Utah Code). This division provides assistance concerning the court process, notifications of court hearings, updates on discussions between the prosecution and the defense, and schedules appointments with assigned prosecutors. Advocates also provide victims with information about community resources, including the Utah Office for Victims of Crime, that may assist victims.

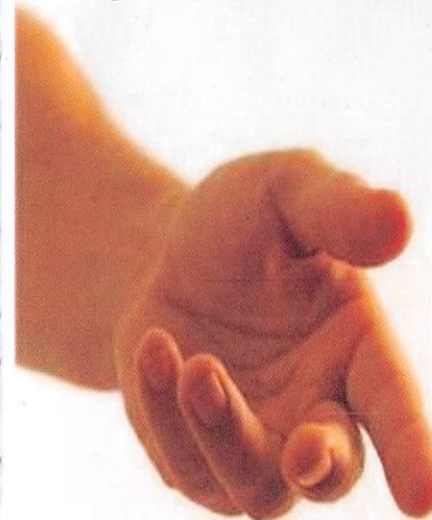
VICTIMS' BILL OF RIGHTS

The Utah Legislature passed a victims' bill of rights in 1987 and constitutional legislation in 1994 to ensure all victims and witnesses of a crime, especially children, are treated with courtesy and sensitivity.

THE LAW LISTS SOME OF YOUR RIGHTS

- **Threats:** It is a crime for anyone to threaten you or to hurt you because of your testimony. You have a right to know what to do if you are threatened. You have the right to be treated with dignity and respect.
- **Your Role:** You have a right to know what you are expected to do as a witness. We will explain it to you.
- **Your Case:** You have a right to know what is happening in your case. We will keep you informed and we will explain each legal step so you will understand what is going on in your case.
- **Safe Place:** You have a right to be in a safe place when you are waiting for court. We will show you where to wait for your turn to testify.
- **Restitution:** You have a right to be paid for medical expenses and other losses that result from a violent crime. We can tell you about the restitution laws in Utah and whether you should apply for help from the Crime Victims' Reparation Board.
- **Getting Your Property Back:** You have the right to retrieve any of your property that has been taken as evidence when it is no longer needed as evidence.
- **Job Problems:** If serving as a witness causes problems with your job, you have a right to assistance from us. You may ask us to talk to your employer to explain your duty as a witness. We will try to avoid conflicts with your work, but when we cannot, we will try to make your time in court as short as possible.
- **Speedy End to the Case:** You have the right to have your case completed quickly. We will do what we can to get a speedy disposition of the case.
- **Timely Notice:** You have a right to timely notice of all court dates. If the case is canceled or postponed, we will let you know as soon as possible.
- **Speak to the Judge:** You have the right to be present during all court proceedings and to speak to the judge in the proceeding.

a guide to **VOCAP**



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Victims of Crime Assistance Program
(VOCAP)



Providing Assistance, Services, and Resources to Victims of Crime...

HELPING VICTIMS REBUILD THEIR LIVES.

VICTIM IMPACT STATEMENTS

Victim Impact Statements (VIS) provide victims the opportunity to express physical, financial, and emotional effects the crime has had on them and their family. An advocate, from the prosecutor's office, will send a VIS, along with notification of charges to the victim. Such input is vital to help court personnel make informed decisions about sentencing and release. VIS's will provide useful information about the following issues:

- **Restitution:** Reimbursement for damages or financial losses.
- **Measures to Promote Victim Safety & Security:** Criminal Protective Orders and No Contact Orders
- **Victim Recommendations:** Regarding offender treatment and supervision

THE COURT PROCESS

- **Preliminary Hearing:** In felony cases the prosecution must present evidence to show that a crime has been committed and that the defendant probably committed the crime. If the judge finds probable cause, the case is "bound over" to the district court for arraignment and trial. If probable cause is not found, the case will be dismissed.
- **Arraignment:** The defendant appears before a judge to be advised of his/her right for a trial and a plea to the charge is entered. Most defendants plead not guilty at this point in the process.
- **Pretrial Conference:** The prosecutor can discuss the case with the defendant's attorney to determine if settlement without a trial is possible. This may involve a plea negotiation. It is not uncommon to have more than one pretrial conference.
- **Plea Negotiation:** This allows the victim to avoid having to testify in court.
- **Trial:** This is the point at which the defendant's guilt or innocence will be determined by either a judge or a jury.
- **Sentencing:** This is the point in the process when the judge tells the defendant what his/her punishment will be. The punishment may be probation, prison, or something in between.

RESTITUTION

Court-ordered restitution holds offenders financially responsible for their criminal actions and provides victims with some monetary compensation to cover their losses resulting from a crime. These include: property damage or loss, medical expenses, and costs for counseling.

RESOURCES

Utah Office for Victims of Crime

801-238-2360 (office) / 801-533-4127 (fax)

www.crimevictim.utah.gov

VINELINK 1-877-884-8463

(To receive information about the custody status of a particular defendant, register with VINELINK)

For other community services, please call:
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