



TOWN OF NORTH ANDOVER, MASSACHUSETTS

Police Department

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Massachusetts Victim's Bill of Rights

The Massachusetts Victim Bill of Rights (M.G.L. c.258B) provides the following rights and services to crime victims and survivors in order to ensure a meaningful role for them in the criminal justice system. While the Bill of Rights applies to all crimes, victims and survivors of violent crimes are given priority status for services. If you wish to be notified of the status of a pending criminal case, you must provide your victim witness advocate, prosecutor and others in the criminal justice system with a current address and phone number at which you can be reached.

The Right to be Informed about Victim Rights and Services in the Criminal Justice System:

You have the right to be informed of how a criminal case progresses through the system, what your role is in the process, what will be expected of you, and why.

You have the right to be informed of rights and services available to victims in the criminal justice system.

You have the right to assistance in applying for social services, financial assistance and certification to receive information about an offender.

The Right to Receive Specific Information about the Criminal Case Involving You:

You have the right to be updated on significant developments in the case.

You have the right to be notified in a timely manner of any changes in schedule for court appearances for which you have been ordered to appear.

You have the right to be notified of the final disposition of the case, including an explanation of the type of sentence imposed and a copy of the conditions of probation, if any.

You have the right to be notified by the offender's supervising probation officer whenever that offender seeks to change a restitution order.

The Right to be Heard and Present at Court Proceedings:

You and your family members have the right to be present at all court proceedings

unless you are required to testify and the judge determines that your testimony may be influenced by your presence.

You have the right to present a Victim Impact Statement to the court at sentencing about the physical, emotional and financial effects of the crime on you and about your opinion regarding the sentence to be imposed.

You have the right to submit your Victim Impact Statement to the Parole Board as part of its records on the offender.

You have the right to be heard at any hearing in which the offender is seeking to change a restitution order.

You have the right to be heard at any other time deemed appropriate by the judge.

The Right to Confer with Key Officials at Major Stages in the Court Process:

You have the right to confer with the prosecutor before the start of the case, before a case is dismissed, and before a sentence recommendation is made.

You have the right to confer with the prosecutor whenever a defense motion is made to obtain any psychiatric records or other confidential information.

You have the right to confer with the probation officer about the impact of the crime on you before the officer files a full pre-sentence report on the offender with the court.

The Right to Financial Assistance:

If eligible, you have the right to apply for Victim Compensation for certain out-of-pocket expenses, such as medical, counseling or funeral costs, or lost wages incurred as a direct result of the crime.

You have the right to receive a witness fee for each day that you are required to be in court.

You have the right to request that the judge order the offender to pay restitution for your crime-related financial losses, and to receive a copy of the offender's schedule of restitution payments from the offender's supervising probation officer.

If applicable, you have the right to consult a private attorney to initiate a civil lawsuit on your own for damages resulting from the crime by consulting a private attorney.

The Right to be Notified of an Offender's Release or Status While in Custody:

Upon request, you have the right to advance notification whenever the offender is moved to a less secure correction facility.

Upon request, you have the right to advance notification whenever the offender receives a temporary, provisional or final release from custody.

Upon request, you have the right to immediate notification whenever the offender escapes from custody.

You have the right to be informed by the Parole Board of the offender's parole eligibility.

If eligible, you have the right to obtain additional information about the offender, such as a criminal record or the offender's compliance with the terms of a sentence.

The Right to Other Protections in the Criminal Justice System:

You have the right to request confidentiality during the court proceedings for yourself and family members on personal information such as home address, telephone number, school and place of employment.

You have the right to certain protections by law enforcement from harm or threats of harm caused by your cooperation with the court process.

You have the right to be provided with a safe and secure waiting area, which is separate from the defendant and the defendant's family during court proceedings.

You have the right to a prompt disposition of the criminal case involving you.

You have the right to refuse or agree to participate in interviews with the defense team before trial, or to set reasonable conditions on the conduct of any such interview if you choose to be interviewed.

You have the right to request intercession by the prosecutor's office with your employers or creditors if the crime or your involvement in the court process causes problems in meeting work or payment obligations.

If you are a survivor of a homicide victim, you have the right to bring a small picture of your loved one into the courtroom.

You have the right to receive referrals for assistance to statewide resources and local social service agencies.

You have the right to have property seized as evidence returned to you as soon as possible once it is no longer needed for law enforcement purposes.