

## A MESSAGE FROM THE DISTRICT ATTORNEY

As a victim or witness, you play an important role in the administration of justice in Lehigh County. We will offer you help and services to make your experience as comfortable as possible.

We hope that this brochure, the Victim/Witness Unit and our employees will help you to understand your rights, how a case progresses through the court system and other important information, such as crime victims' compensation and tips for testifying.

We understand how difficult it may be for you to participate in a court case. We will try to make the experience less traumatic by explaining as clearly and promptly as we can what is happening in court cases and what you can expect.

We need your cooperation to successfully prosecute people who commit crimes, and we appreciate your assistance.

If you have any questions or problems as the case moves through the court system, please contact my office.

Thank you for your continued cooperation.

James B. Martin  
District Attorney



## PENNSYLVANIA'S VICTIM BILL OF RIGHTS

### As a crime victim, you have these rights:

- To get basic information about services to help you; To be told of important actions and court proceedings in your case. In personal injury crimes, this includes the arrest of a suspect and escape from police custody;
- To have a family member, victim advocate or another person go with you to all public criminal proceedings;
- To tell the District Attorney's Office what you think about the possibility of reducing or dropping any charge or changing of a plea in cases involving personal injury crimes, burglaries or bodily injury caused by driving under the influence of alcohol or drugs;
- To write a victim impact statement that a judge can consider when sentencing the person who did the crime. To give your opinion before sentencing;
- To recover your losses, to the extent possible. This means you might get restitution, compensation through the Crime Victims Compensation Program and your property back. Property, which was taken as evidence, can be returned when the prosecutor no longer needs it;
- To be told when an offender is being released from a local correctional facility and to be told immediately if an offender escapes (must register for this and other notices about inmates, but assistance with registration can be provided);
- To be told when an offender is being released from a state prison when the case involves a personal injury crime. To comment on a possible release. To be told immediately if an offender escapes;
- To be told when an offender is taken from a state prison and is committed to a mental health facility. To be told when an offender is released, transferred from or escapes from a mental health facility;
- To get help preparing, submitting and following up on financial assistance claims to the Crime Victims Compensation Program.

## RESTITUTION

As a victim, you have the right to be compensated for any tangible loss that you have suffered as a result of the crime. These losses may include property loss or damage and medical expenses, including copays, that are either paid or outstanding. Restitution is ordered at the time of sentencing and is paid, over time, to you by the defendant through the Lehigh County Collections Department. If you have personal injury losses or funeral expenses that require immediate assistance, you may be entitled to help from the Victims Compensation Assistance Program. VCAP is a State program and information may be found online at [www.dave.pa.gov/Public/VictimLogin.aspx](http://www.dave.pa.gov/Public/VictimLogin.aspx) or by contacting Crime Victims Council for assistance in filing a claim.



### VICTIM/WITNESS COORDINATOR

Office of the District Attorney  
Lehigh County Courthouse  
455 W. Hamilton St., 3rd Floor  
Allentown, PA 18101-1614  
610-782-3890 or 610-782-3100  
8:30 a.m. and 4:30 p.m.  
or email

[VictimWitnessUnit@lehighcounty.org](mailto:VictimWitnessUnit@lehighcounty.org)

[www.lehighcounty.org/Departments/District-Attorney/Victim-Witness-Unit](http://www.lehighcounty.org/Departments/District-Attorney/Victim-Witness-Unit)

## Victim/Witness Handbook





## SERVICES OF THE VICTIM/WITNESS UNIT

The Victim/Witness Unit of the District Attorney's Office of Lehigh County provides information to victims and witnesses about the court system and the progress of their cases through the courts. Other services that a victim or witness can receive upon request are:

Updates on case status, accompaniment to meetings with attorneys as well as all court proceedings, sentencing notification, assistance with restitution and property return, assistance with preparation and submission of oral or written victim impact statements, assistance in filing claims with the Victims Compensation Assistance Program, a separate victim/witness waiting room, referrals to other community agencies for help with non-court related issues, support and advocacy, crisis intervention, and preparation for court testimony. **Crime Victims Council, a local, non-profit organization also has court advocates available at the courthouse to help provide all of these services to victims of all crimes. Additionally, Turning Point can assist victims of domestic violence.**

**Crime Victims Council also offers a 24-hour hotline to assist victims of all crimes and their families. CVC assists both reporting and non-reporting victims in recovering from the physical, emotional, and financial impact of crime. Should you need to reach a hotline counselor, please call 610-437-6611.**

Victims can also register to be kept informed of the status of an offender incarcerated in Lehigh County Prison. In order to receive this information, victims must register with the Statewide Automated Victim Information and Notification (SAVIN) system. Registered victims will be notified by phone or text or email about changes in an offender's status, such as when an inmate is being transferred to a different prison, released or granted a home pass or furlough from prison. Advocates can help victims of personal injury crimes enroll in this free notification program.

## STEPS OF THE COURT SYSTEM

- 1. ARREST**  
When there is enough evidence for probable cause to support that a crime has been committed, a case against a suspect can be started. Once the case is started, the suspect is called the "defendant."
- 2. PRELIMINARY ARRAIGNMENT AND BAIL**  
A preliminary arraignment is held to inform the defendant of the offenses that he/she is being charged with and to set bail. A defendant can be released from jail if bail is posted. If bail is not posted, the defendant could remain in jail. That decision is made by the Judge at the time of the Preliminary Arraignment and is subject to modification as the case progresses.
- 3. PRELIMINARY HEARING**  
The first time you may have to come to court as a victim or witness is for the preliminary hearing. A district judge listens to evidence and testimony of witnesses at this hearing. The district judge decides whether there is enough evidence to require the defendant to go to trial in Lehigh County Court of Common Pleas. That is called binding the case over for court.
- 4. ARRAIGNMENT**  
The defendant is then arraigned in criminal court. He is told about his rights and court deadlines.
- 5. INTERVIEWS ABOUT THE CASE**  
An assistant district attorney may contact you before you are scheduled to be in court. If the defendant's lawyer contacts you, you can decide whether you want to talk to the lawyer. You have the right to refuse to discuss the case with the defendant's lawyer. You can agree to speak to the defendant's lawyer alone, or you can decide that you want to speak to the defendant's lawyer only if the assistant district attorney also is present. You should report all contacts with the defense lawyer to the District Attorney's Office at 610-782-3100.

*\* This brochure was produced by the Office of the District Attorney of Lehigh County and funded by a grant from the Pennsylvania Commission on Crime and Delinquency.*

*All monies for this grant were collected from persons convicted of crime in Pennsylvania.*

## 6. POSSIBLE RESULTS OF A CASE

On the scheduled court date, the following things can happen:

1. The case can go to **trial**, and you will be required to come to court and testify;
2. The defendant can **plead guilty**. A trial won't be held, and you will not have to come to court;
3. If the crime is nonviolent, and this is the defendant's first offense, there can be an **alternate disposition**. For example, the defendant can be accepted into the court's Accelerated Rehabilitative Disposition program, which is similar to probation;
4. The case can be **continued**, which means it is postponed to another date;
5. The defendant can fail to come to court. A **bench warrant** will be issued for his arrest. After the defendant is apprehended, you will be told about a new court date.

## SENTENCING

If the defendant is found guilty at a trial or pleads guilty, the judge **may** order a **Pre-sentence Investigation (PSI) report**. A date for sentencing will be set. You may prepare a **victim impact statement** for sentencing. This statement describes how the crime has affected you and your family financially, emotionally or physically. This statement will be a part of the report. It will be given to the judge before he or she decides what sentence to give the defendant. As a victim or witness, you have the right to come to the sentencing, but you do not have to be there. If you come to the sentencing, you can tell the judge how the crime has affected you financially, emotionally or physically. In certain cases, a judge can give a defendant who has not shown violent behavior a sentence that allows the defendant to get out of prison earlier if he completes rehabilitation programs. A victim can give an opinion about the defendant's opportunity for early release to a judge, who will consider the victim's views.

## COURTROOM ETIQUETTE

**Please note that cell phones must be turned off while in the courtroom.**  
**Please do not post or comment about your case on any form of social media.**  
**Photographs, video, or audio taping are all strictly prohibited in the courtroom.**

## THE RIGHT TO FREEDOM FROM INTIMIDATION

It is not unusual for a victim or witness to feel threatened or scared by the defendant or the defendant's family or friends. The defendant may have threatened the victim during the crime. The victim may feel vulnerable and afraid after the crime. If you are feeling afraid as the case goes through court, it often helps to talk to someone.

Victim Witness advocates and Crime Victims Council court advocates can listen, support you emotionally and act on your behalf to help you. Victims should keep a record of any threats or harassment by the defendant or the defendant's family or friends. The record should include dates and times that the threats occurred and names, addresses and phone numbers of any witnesses. This will help to give evidence to the police and District Attorney's Office. You should take all threats seriously. Report them to the police or the assistant district attorney who is handling your case. You also can take extra steps to protect yourself. This can mean changing your telephone number or asking police to do extra patrols in your neighborhood.

## DEALING WITH THE MEDIA

You may be approached by newspaper, radio or television reporters or photographers. They may ask you for an interview or may ask to take your photograph. They also may ask to videotape you so they can put the interview on their Internet Websites.

You do not have to talk to reporters, photographers or videographers. However, if you choose to talk to the media, the Victim/Witness Unit will give you a copy of Guidelines For Dealing With The Media, which will explain the rights that you have when dealing with the media.

Please keep in mind that any statements you make to the media outside of sworn testimony in court could be publicized and could jeopardize the case.

The Victim/Witness Unit of the District Attorney's Office will not make any statements on a victims behalf about a case to the media unless it is to tell them that the victim has no comment.