

VICTIM SERVICES



SELMA POLICE DEPARTMENT
9375 CORPORATE DRIVE
SELMA, TX 78154

Incident Report Number

Rebecca Carey
Crime Victim Liaison
(210) 651-7817

Non-Emergency Dispatch
(210) 653-0033

Emergency
911

Website:

<https://www.ci.selma.tx.us/162/Police>

AREA RESOURCES

Bexar County Victim Assistance Division (210) 335-2105
Bexar County Family Justice Center (210) 631-0100
Family Violence Prevention Services (210) 821-3880
→Crisis Hotline (210) 733-8810
Comal County Victim Assistance Program (830) 221-1300
Crisis Center of Comal County (830) 620-7520
→Crisis Hotline (830) 620-4357
Connections Individual & Family Services (830) 629-6571
→Crisis Hotline (800) 532-8192
Guadalupe County Victim Assistance (830) 303-6130
Guadalupe Valley Family Violence Shelter (800) 834-2033

Crime Victim Rights

As defined in Article 56, Texas Code of Criminal Procedure, a victim of a violent crime is someone who: (1) has suffered personal injury or death as a result of the criminal conduct of another, or who has been the victim of the offense of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual, or disabled individual; (2) is the close relative (spouse, parent, or adult brother, sister, or child) of a deceased victim; or (3) is the guardian of a victim. As a victim of a violent crime, you have the following rights:

- Receive adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
- Have their safety considered by the magistrate setting bail;
- Receive information, on request, of relevant court proceedings, including appellate proceedings, cancellations or rescheduling prior to the event, and appellate court decisions after the decisions are entered but before they are made public;
- Be informed, when requested, by a peace officer about the defendant's right to bail and criminal investigation procedures, and from the prosecutor's office about general procedures in the criminal justice system, including plea agreements, restitution, appeals, and parole;
- Provide pertinent information concerning the impact of the crime to the probation department prior to sentencing;
- Information about the Texas Crime Victims' Compensation Fund and the payment for medical examination for a victim of sexual assault, and, on request, referral to social service agencies that provide additional assistance;
- Information, on request, about parole procedures; notification of parole proceedings and of the inmate's release; and the right to participate in the parole process by submitting written information to the Board of Pardons and Paroles for inclusion in the defendant's file for consideration by the Board prior to parole;
- A separate or secure waiting area at all public court proceedings;
- Prompt return of any property that is no longer needed as evidence;

- Have the prosecutor notify, upon request, an employer that the need for the victim's testimony may involve the victim's absence from work;
- On request, the right to counseling and testing regarding AIDS and HIV infection and testing for victims of sexual assault; Request victim-offender mediation coordinated by the Victim Services Division of the Texas Department of Criminal Justice;
- Be informed of the use and purpose of a victim impact statement, to complete a victim impact statement and to have the statement considered before sentencing and acceptance of a plea bargain and before an inmate is released on parole.

A victim, guardian of a victim, or close relative of a deceased victim is entitled to be present at all public court proceedings, with the consent of the presiding judge.

As a victim of sexual assault, you have the following rights:

- The right to a forensic medical examination of the sexual assault is reported to a law enforcement agency within 96 hours of the assault. All medical examinations of sexual assault victims will be provided at no cost.
- Have an advocate or representative present during the forensic medical examination.
- To choose a pseudonym (a set of initials or fictitious name) to be used instead of a victim's name to designate the victim in all public files and records.

NOTE: *Article 56 states "A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this article."*

Victim Information and Notification Everyday (VINE)

Call VINE 24 hours a day for information on county jail status and court events. Make Texas VINE part of your safety plan. The suspect/offender will not know you are registered with Texas VINE. However, do not depend only on Texas VINE, or any single program, for your protection. Toll free 877-894-8463

Protective Orders

What is a Protective Order?

A protective order is a civil court order issued to prevent continuing acts of family violence. The protective order may last up to 2 years from the date issued.

A Protective Order may be issued to:

- A victim of family violence or dating violence as defined by the Texas Family Code; or
- A sexual assault victim who has been threatened with further harm.

A protective order may prohibit a person from:

- Committing further acts of family violence;
- Harassing or threatening the victim directly or communicating the threat indirectly through another person;
- Going to or near a school or day-care center attended by a child protected under the order; or
- Possessing a firearm.

What other options are available?

A Magistrate's Order for Emergency Protection may be issued when a defendant appears before a magistrate after an arrest for an offense involving family violence. The order may be issued on the magistrate's own motion or at the request of victim, victim's guardian, peace officer, or attorney representing the state.

The Magistrate's Order of Emergency Protection may last up to 91 days, but no less than 31 days after the date of issuance. The victim does not have to be present in the court when the order is being issued.

What happens if the protective order or magistrate's order of emergency protection is violated?

Call 911 immediately! Violating a protective order can result in a variety of penalties depending on the severity of the violation and the specific terms of the order. Remember to enact a safety plan, in addition to your protective order, to assist in preventing future occurrences.

Crime Victims' Compensation

Financial Assistance for Victims of Crime:

If you or a family member has been involved in a violent crime, the Texas Crime Victims' Compensation Fund may be able to help with some of your bills. The Fund is administered by the Attorney General and is financed by fees paid by convicted criminals.

Who is eligible?

Victims who suffer bodily injury, death, or emotional harm; U.S. residents who become victims of crime in Texas and Texas residents who become victims of crime in a state or country without comparable compensation; Family members of victims; People who legally or voluntarily assume expenses related to the crime; Peace officers and firefighters who are injured or killed during a crime.

To be eligible, the victim must not share responsibility for the crime, and must report the crime and cooperate with law enforcement and prosecution officials.

Costs that may be compensated:

Reimbursement for property damage or loss is not an eligible expense. **Approved claims may be awarded compensation for the following expenses:**

Medical, prescription, and rehabilitation expenses; Lost wages, and travel costs incurred during the justice process and for seeking medical treatment related to the crime; Mental health counseling for victims and family members; Funeral expenses; Loss of earnings or support; Child care or dependent care; Crime scene clean-up; Replacement costs for items taken as evidence or made unusable as a result of the criminal investigation.

Total recovery may not exceed \$50,000 unless the victim suffered total and permanent disability, then victims may qualify for an additional \$75,000 in benefits.

How to apply?

Applications and brochures with complete information may be obtained at Police Departments, Hospitals, Prosecutors' Offices and Office of the Attorney General.

CRIME VICTIMS' COMPENSATION 1-800-983-9933

www.texasattorneygeneral.gov

Official Notice to Adult Victims Of Family Violence

It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household and includes dating.

Please tell the investigating peace officer:

- If you, your child, or any other household resident has been injured; or
- If you feel you are going to be in danger when the officers leave or later.

You have the right to:

- Ask the local prosecutor to file a criminal complaint against the person committing family violence; and
- Apply to a court for an order to protect you (you should consult a legal aid office, a prosecuting attorney, or a private attorney).
- **If a family or household member assaults you and is arrested, you may request that a magistrate's order for emergency protection be issued.**
- **Inform the investigating officer if you want an order for emergency protection. You do not need to be present when the order is issued.** You cannot be charged a fee by the court in connection with filing, serving, or entering a protective order.

The court can enter an order that:

1. The abuser not commit further acts of violence;
2. The abuser not threaten, harass, or contact you at home;
3. Directs the abuser to leave your household; and
4. Establishes temporary custody of the children and directs the abuser not to interfere with the children or any property.

A violation of Certain Provisions of Court-Ordered Protection [such as (1) and (2) above] is a Criminal Offense.