

# HELP AVAILABLE TO VICTIMS OF CRIME IN PENNSYLVANIA

## POTTSTOWN POLICE DEPARTMENT

100 East High Street  
Pottstown, PA 19464  
610-970-6570

<http://www.pottstown.org>

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POLICE INCIDENT NUMBER

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CONTACT PERSON



**pennsylvania**  
COMMISSION ON CRIME  
AND DELINQUENCY

This form was created by the Office of Victims' Services in the Pennsylvania Commission on Crime and Delinquency to help assist Law Enforcement Officers to provide notice of basic rights and services to victims of crime as required by the Crime Victims Act (18 Pa.C.S. § 11.101 et. seq.). 09/08 rev

<http://www.pacrimevictims.state.pa.us>

Being a victim of crime can be very hard and confusing. People may tell you things that you do not understand. You might not be able to remember things. This is all normal. The legal system can be very hard to understand.

There are people to help you! They are called "victim advocates." They will help you for free, make things easier to understand, and answer your questions. They can help you in many other ways as well. Call them using the phone numbers on pages 9-10 to find out what they can do for you.

You may have heard that the person who committed the crime against you has "rights" under the law. You also have rights or things that must happen. This book describes them. Some of them are:

- Be told about help you can get;
- Be told about court hearings and have someone be with you at them if you want;
- Be told if the person who committed the crime against you has been arrested;
- Be told if the person who committed the crime escapes;
- Tell how the crime has hurt you before the judge decides what happens to the person who committed the crime;
- Have anything taken from you returned when it is not needed anymore for court; Be told what happens at the end of your case; and
- Be paid back by the person who committed the crime for money you lost.

There are many more "rights" that you have. They are listed on pages 6-8 of this book as they are written in the law. An advocate will be able to help you understand them and tell you which ones are for your case and which ones are not.

## VICTIMS COMPENSATION ASSISTANCE PROGRAM

This program may be able to help by paying you back for money you had to pay or lost because of a crime. Compensation may be paid to you or others for medical expenses, counseling, lost work earnings, loss of support, funeral expenses, travel costs, childcare, stolen cash, relocation, the costs to cleanup a crime-scene and other expenses.

### TO RECEIVE COMPENSATION, \*YOU HAVE TO:

- ❶ Be a victim of a crime that happened in Pennsylvania.
- ❷ Report the crime or file a Protection from Abuse Order (PFA) within three days.
- ❸ Cooperate with the police, courts and the Victims Compensation Assistance Program.
- ❹ File the claim within two years of the crime.
- ❺ Not be involved in illegal activity that caused the crime to happen.
- ❻ Lose at least \$100 because of the crime (if you are less than 60 years old).

**\*There are exceptions to the above requirements (especially if the victim is younger than 18 years old).**

### **This program will not reimburse you for:**

- X Pain and suffering.
- X Stolen or damaged property (except some medical things).

**REMEMBER**, you or a family member may receive compensation even if you don't meet all of the above requirements. To see if you may be eligible or for help in filing a claim, please contact the Victims Compensation Assistance Program at (800) 233-2339. The best way to file a claim is with the help of a victim advocate at one of the places on pages 9-10. You can also file a claim by yourself on the Internet. Just go to <http://www.pacrimevictims.state.pa.us> and click on "Financial Help."

There is no cost to file a claim!

## WHAT YOU MUST DO

To get information about your case, you must give your address and telephone number to agencies that will assist you with your rights. You must also tell them if your address or telephone number changes. For child victims, the parent or legal guardian must do this. For a homicide, a surviving family member must do this. Only people who work for the police, district attorney (this may include Victim/Witness staff) or corrections department may see your address and telephone number. No one else will be given your address or telephone number unless you say it is okay in writing.

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## PROTECTION FROM ABUSE (PFA) ORDER

If you are a victim of domestic violence, you have the right to go to court and file a PFA order which could include the following:

- 1) Restrain the abuser from further acts of abuse;
- 2) Tell the abuser to leave your household;
- 3) Keep the abuser from entering your home, school, or work;
- 4) Give you or the other parent temporary custody of or visitation with your child or children;
- 5) Tell the abuser to pay support to you and the minor children if the abuser has a legal duty to do so;
- 6) Tell the abuser to give up any weapons;
- 7) Tell the abuser to stop stalking or harassing you or other persons in your family; and
- 8) Tell the abuser to pay for your losses from the abuse.

For more information, contact the Domestic Violence Services program listed on page 9.

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## ADDRESS CONFIDENTIALITY PROGRAM (ACP)

If you are a victim of domestic violence, sexual assault or stalking and the person who committed the crime against you does not know where you have moved or where you are about to move, this program may be able to help you stay safe. To apply or to learn more about the program, call one of the programs listed on page 9 or the Office of the Victim Advocate at 1-800-563-6399.

Victim's Rights are found in many different laws. Here is a list of your rights. **You do not have to do anything to get most of these rights. However, you must ask for the ones that are underlined.**

If you are a victim of crime in Pennsylvania, you have the right:

- To be notified of basic information on available services;
- To be notified of certain significant actions within the justice system pertaining to your case, including the granting or denial of bail to an adult offender, the detention or release of a juvenile, the filing of a petition alleging delinquency, and the escape and subsequent apprehension of an adult prior to trial or a juvenile prior to adjudication;
- To be accompanied at all proceedings by a family member, a victim advocate or other support person;
- To give prior comment on the sentencing decision regarding an adult offender or the disposition of a delinquent child and to receive help in preparing oral and written victim impact statements detailing the physical, psychological and economic effects of the crime that will be considered by the courts;
- To collect restitution and to receive assistance with preparing, submitting and follow-up with a claim for compensation;
- To be notified of an adult offender's transfer from a state prison to a mental health facility and the discharge, transfer or escape of the adult offender from that facility;
- To receive immediate notice of the release of an adult offender on bail who is incarcerated in a local prison for a violation of a Protection From Abuse (PFA) order or for a personal injury crime committed against the victim protected by the PFA;
- To have property returned that was seized as evidence but is no longer needed for prosecution; and
- To have notice and to provide prior comment on a judicial recommendation that the defendant participate in a motivational boot camp.

## **VICTIMS OF PERSONAL INJURY CRIMES HAVE THE ADDITIONAL RIGHT:**

- To receive notice of the arrest of a suspect or the filing or forwarding of a complaint relating to the crime, including notification in 24 hours or less of a complaint alleging delinquency of a juvenile;
- Upon request, to receive notice when an adult offender is released from incarceration at sentencing;
- To receive notice of the opportunity to give prior comment on and receive post-sentencing decisions involving a release from a state prison, such as work release, furlough, parole, pardon or community treatment center placement;
- To receive notice of and provide prior comment on recommendations sought by the Department of Corrections that an offender participate in a motivational boot camp;
- To receive notice of the release of an adult offender from a local correctional facility including work release, furlough, parole, release from a boot camp or community treatment center placement;
- To receive immediate notice of the escape of an adult offender and subsequent apprehension; and
- Upon request, to receive notice of the filing, hearing or disposition of appeals;
- To receive notice of the commitment to a mental health institution from a state or local correctional institution.
- To receive notice of the termination of the courts' jurisdiction.

You can register to be notified when a particular inmate is released, transferred or escapes from a county jail or state prison. For more information, go to <http://www.pacrimevictims.state.pa.us> and click on "PA-SAVIN", call 1-866-9PA-SAVIN, or contact your local victim assistance program for help with registering.

**VICTIMS OF CRIME COMMITTED BY A JUVENILE HAVE THE ADDITIONAL RIGHT:**

- To receive prior notice of delinquency hearings and notification of hearings about transfer of a juvenile to and from criminal proceedings; and
- To receive notice of the details of the final disposition of a juvenile's case.

**VICTIMS OF PERSONAL INJURY/BURGLARY CRIMES HAVE THE ADDITIONAL RIGHT:**

- To give prior comment on the potential reduction or dropping of charges or any changes of a plea in a criminal or delinquency proceeding, diversion of a case, including an informal adjustment or a consent decree.

**VICTIMS OF PERSONAL INJURY CRIME COMMITTED BY A JUVENILE HAVE THE ADDITIONAL RIGHT, UPON THEIR REQUEST:**

- To receive notice prior to the release of a juvenile from residential placement, a shelter facility, or a detention center;
- To be notified and have the opportunity to submit a written objection prior to the transfer or release from a placement facility of a juvenile who has been adjudicated delinquent when such action is contrary to a previous court order or placement plan approved at a disposition review hearing;
- To be given immediate notice of a juvenile's escape from residential placement, a shelter facility or a detention center and subsequent apprehension; and
- To submit written comment and oral testimony at a disposition review hearing.

For more information or help in understanding these rights, please contact the Victim/Witness Assistance Program or Juvenile Court Victim/Witness Assistance Program listed on page 9. They will be able to help explain your rights, which can be hard to understand. They can also help you with any questions you may have.

**AGENCIES THAT CAN ASSIST YOU:**

**Victim/Witness Assistance Program:**

Information on victims' rights and services when the offender is an adult (age 18 or over) in the criminal justice system and community -

**Agency:** *Victim Services Center of Montgomery County, Inc.*  
(Hotline: 610-277-4781 / <http://www.vscmontcopa.org>)

**Juvenile Court Victim/Witness Assistance Program:**

Information on victims' rights and services when the offender is under age 18 in the juvenile justice system and community

**Agency:** *Montgomery County DA's Office, Juvenile Division Victim/Witness Unit (610-278-6292)*

**Domestic Violence Services:**

Legal support, counseling, shelter, and other help (see page 5)

**Agency:** *Women's Center of Montgomery County (Hotline: 610-970-7363 or 1-800-773-2424 / <http://www.wcmontco.org>)*

**Agency:** *Laurel House (Emergency Shelter Hotline: 1-800-642-3150 / <http://www.laurel-house.org>)*

**Sexual Assault Services:**

Counseling, support, and help for sexual assault victims, their family members and others close to them

**Agency:** *Victim Services Center of Montgomery County, Inc.*  
(Hotline: 610-277-5200 / <http://www.vscmontcopa.org>)

**Victims Compensation Assistance Program:**

Information and help with money you lost and bills related to the crime

**Telephone Number:** (800) 233-2339

<http://www.pccd.state.pa.us> OR  
<http://www.pacrimevictims.state.pa.us>

## **AGENCIES THAT CAN ASSIST YOU (Continued):**

### **Drunk Driving Services:**

Counseling, support, and help for victims of DUI crashes and their families

**Agency: MADD (Mother's Against Drunk Driving Hotline):**  
1-800-948-6233 / <http://www.maddpa.org>

### **Homicide Services:**

Counseling, support, and help for the families of murdered victims

**Agency: Victim Services Center of Montgomery County, Inc.**  
(Hotline: 610-277-4781 / <http://www.vscmontcopa.org>)

### **Child Abuse Services:**

Counseling, information and referral services for abused and neglected children and their families

**Agency: Montgomery County Office of Children & Youth**  
(Hotline: 610-278-5800 or 1-800-932-0313 /  
<http://mcocy.montcopa.org>)

### **Elder Abuse Services:**

Counseling, shelter and protective services for older victims and their families

**Agency: Montgomery County Office of Aging & Adult Services**  
(Hotline: 1-800-734-2020 /  
<http://mcaas.montcopa.org>)

### **Robbery, Assault and Burglary Services:**

Counseling, support, and help for victims who were robbed, hurt or had their home broken into

**Agency: Victim Services Center of Montgomery County, Inc.**  
(Hotline: 610-277-4781 / <http://www.vscmontcopa.org>)

### **Pottstown Police Department:**

**Emergency Phone: 911**

**General Phone: 610-970-6570**

<http://www.pottstown.org> (Follow links to Police Department)

## **Facts Victims of Choking (Strangulation) Need to Know!**

Strangulation has only recently been identified as one of the most lethal forms of domestic violence: **unconsciousness may occur within seconds and death within minutes.** When domestic violence perpetrators choke (strangle) their victims, not only is this felonious assault, but it may be an attempted homicide. Strangulation is an ultimate form of power and control, where the batterer can demonstrate control over the victim's next breath; having devastating psychological effects or a potentially fatal outcome.

Sober and conscious victims of strangulation will first feel terror and severe pain. If strangulation persists, unconsciousness will follow. Before lapsing into unconsciousness, a strangulation victim will usually resist violently, often producing injuries of their own neck in an effort to claw off the assailant, and frequently also producing injury on the face or hands of their assailant. These defensive injuries may not be present if the victim is physically or chemically restrained before the assault. Victims may lose consciousness by any one or all of the following methods: blocking of the carotid arteries in the neck (depriving the brain of oxygen), blocking of the jugular veins (preventing deoxygenated blood from exiting the brain), and closing off the airway, making breathing impossible.

Very little pressure on both the carotid arteries and/or veins for ten seconds is necessary to cause unconsciousness. However, if the pressure is immediately released, consciousness will be regained within ten seconds. To completely close off the trachea (windpipe), three times as much pressure (33 lbs.) is required. Brain death will occur in 4 to 5 minutes, if strangulation persists.

Be aware that strangulation may cause the following symptoms and/or consequences: difficulty breathing, raspy, hoarse or loss of voice, coughing, difficulty swallowing, drooling, nausea, vomiting, changes in behavior, hallucinations, headaches, light headedness, dizziness, urination or defecation, miscarriage, swollen tongue or lips. These symptoms may be an early indication of an internal injury such as swelling, bleeding, fractured larynx ("voice box") or hyoid bone, seizures, pulmonary edema (lungs filled with fluid) or death within 36 hours due to progressive internal injuries and/or complications. It is possible to survive the assault, regain consciousness, refuse medical treatment, and then die later from undiagnosed or unsuspected fatal injury.

Victims should look for injuries on their face, eyes, ears, nose, mouth, chin, neck, head, scalp, chest and shoulders, including: redness, scratches or abrasions, fingernail impressions in the skin, deep fingernail claw marks, ligature marks ("rope burns"), thumbprint-shaped bruises, blood-red eyes, pinpoint red spots called "petechiae" or blue fingernails. All of these injuries change in appearance over time after the assault. Some injuries, like redness, may persist for only a few minutes. Others, like petechiae, persist for days. Observation of the changes in these signs over time can greatly facilitate determination of the nature and scope of internal damage produced during the assault, and lend credibility to witness accounts of the force and duration of the assault. Documentation by photographs sequentially for a period of days after the assault is very helpful in establishing a journal of physical evidence.

Victims should also seek medical attention if they experience difficulty breathing, speaking, swallowing or experience nausea, vomiting, light headedness, headache, involuntary urination and/or defecation.

Although most victims may suffer no visible injuries whatsoever and many fully recover from being strangled, all victims, especially pregnant victims, should be encouraged to seek immediate medical attention. A medical evaluation may be crucial in detecting internal injuries and saving a life.

## **Monitor and Log Your Signs and/or Sypmtoms**

Date and Time:	Journal your Signs – Red spots, scratch marks, brusining, swelling to face, neck, ears, mouth, chin, scalp, chest or shoulders	Journal your Symptoms – Voice changes, Swallowing changes, behaviorial changes, dizziness, headaches, fainting, urination or defecation	Journal any other sensation