

to the authority with jurisdiction over the case and to have that information considered by that authority.

- To full restitution from any person who has been ordered to pay restitution to the victim and to be provided with assistance collecting restitution.

#### **VICTIMS' RIGHTS ENFORCEMENT**

- To assert and seek in circuit court or before any other authority of competent jurisdiction, enforcement of the rights in this section and any other right, privilege, or protection afforded to the victim by law.
- To obtain review of all adverse decisions concerning their rights as victims by courts or other authorities by filing petitions for supervisory writ in the court of appeals and Supreme Court.

#### **WITNESS RIGHTS**

Per WI SS 950.04(2W), witness of crimes have the following rights:

- To request information from the district attorney about the final disposition of the case.
- To be notified that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the person an unnecessary trip to court.
- To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available.
- To be informed of financial assistance and other social services available as a result of being a witness of a crime, including information on how to apply for the assistance and services.
- To not have his or her personal identifiers, as defined in s. 85.103 (1) and including an electronic mail address, used or disclosed by a public official, employee, or agency for a purpose that is unrelated to the official responsibilities of the official, employee, or agency.
- To be informed of the procedure to be followed in order to apply for and receive any witness fee to which they are entitled.
- To be provided a waiting area under ss. 938.2965 and 967.10.
- To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.
- To be provided with appropriate intercession services to ensure that employers of witnesses will cooperate with the criminal justice process and the juvenile justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances.
- To be entitled to a speedy disposition of the case in which they are involved as a witness in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

### **VICTIM SERVICES**

**Center Against Sexual & Domestic Abuse (CASDA)**  
715-392-3136 or 1-800-649-2921

**Program for Aid to Victims of Sexual Assault (PAVSA) 218-726-1442 or**  
**24 hr. crisis line 218-726-1931**

**Safe Haven Shelter 218-728-6481**

**Harbor House 715-392-4157**

**Northwest Wisconsin Community Services Agency (NWCSA) 715-392-5127**

**Solid Rock Mission (men only) 715-392-6264**

**Douglas County Health & Human Services**  
715-395-1305

**American Indian Community Housing Organization**  
218-722-2247

**Chum Center 218-720-6521**

**Ruth House 715-392-2833**

**WI Department of Justice**  
P.O. Box 7951, Madison, WI 53707  
1-800-446-6564  
[www.doj.state.wi.us/ocvs](http://www.doj.state.wi.us/ocvs)

**WI-VINE – Register to receive notifications via email, text or phone call or to check custody status online at any time. Receive info on status of offenders in county jail.**  
1-888-944-8463 [www.vinelink.com](http://www.vinelink.com)

If you are threatened or intimidated by anyone because of your cooperation with law enforcement and prosecution in connection with this crime, you should report that to the investigating agency.

**If you feel you are in immediate danger, call 9-1-1.**

**\*\*THIS BROCHURE IS ALSO ON OUR WEBSITE**  
[www.sheriffofdouglascountywi.org](http://www.sheriffofdouglascountywi.org)

## **DOUGLAS COUNTY SHERIFF CRIME VICTIM / WITNESS RIGHTS**



1316 N. 14<sup>th</sup> St. Suite 100  
Superior WI 54880  
715-395-1371

Contact Officer: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Date: \_\_\_\_\_  
Incident #: \_\_\_\_\_

Arrest, custody or release information:  
Douglas County Jail 1310 N. 14<sup>th</sup> St. Superior, WI 54880  
715-395-1508

#### **Wisconsin law provides victims and witnesses of crime with specific rights**

The Wisconsin Constitution (Article I, Section 9m) and Wis. Stat. Chapter 950 give special rights to victims of crime. Some rights are automatic while others must be requested. The Wisconsin Department of Justice Victim Resource Center can provide you with information about victims' rights as well as victim services in your area. Call 1-800-446-6564 or access a directory online at [www.doj.state.wi.us/ocvs](http://www.doj.state.wi.us/ocvs).

If you are the victim of domestic abuse. You may contact a domestic violence victim service provider to plan for your safety and take steps to protect yourself, including filing a petition under s. 813.12 of the Wisconsin statutes for a domestic abuse injunction or under s. 813.125 of the Wisconsin statutes for a harassment injunction.

If you are the victim of a sexual assault you will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation.

Please note that it is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with about the case and to make your interests known.

### **IMPORTANT REMINDERS FOR VICTIMS OF CRIME**

- If the District Attorney's Office issues charges in this case you will have the right to attend all court proceedings and, upon request, to be heard in court when your rights as a victim are implicated. Contact the Victim Witness Program for information about your rights and about charges, the next court hearing and to provide your input regarding potential protective bail conditions that may be ordered by the court. Phone: 715-395-1218 Email: Jennifer.Stank@da.wi.gov
- If you are threatened or intimidated by anyone because of your cooperation with law enforcement and prosecution in connection with this crime, you should report that to the investigating agency. If you feel you are in immediate danger, call 9-1-1.
- It is very important that you keep agencies informed of any changes to your address, phone number, or email.
- You may be eligible to receive reimbursement for certain expenses related to the crime. It may be helpful to you to keep records of the crime-related expenses such as lost wages, repairs or medical bills because you may be required to provide this information to support your claim. Restitution may be ordered if someone is convicted of the crime against you, or you may be eligible for crime victim compensation even if no one is arrested or convicted. For more information contact the Wisconsin Department of Justice.
- WI-VINE services allow you to register for notification about changes in custody status for offenders who are in a county jail. Find more information at [www.vinelink.com](http://www.vinelink.com) or call 1-888-944-8463.
- You may be eligible for the WI DOJ Address Confidentiality Program. For more information contact the Wisconsin Department of Justice WI SS 165.68

### **VICTIMS' RIGHTS THAT MIGHT APPLY ANY TIME**

- To be treated with fairness, dignity and respect for his or her privacy.
- To receive written information from law enforcement, within 24 hours of contact about rights, who to call for custody information regarding the offender and how to get more information about the case.
- To not have personal identifiers including email disclosed/used for a purpose unrelated to the official duties of an agency, employee or official.
- To contact the Department of Justice concerning a victim's treatment (1-800-446-6564) and to seek a review of a complaint by the Crime Victims Rights Board, as provided by law.
- To notice of a decision not to prosecute, if an arrest has been made.
- If a victim of an officer involved death, to receive information about the process by which he or she may do the following: file a complaint charging a person with a crime, if permitted by a judge; file a complaint under the John Doe investigation proceedings; and the process of an inquest.
- To reasonable protection from the accused throughout the criminal justice process.
- To a speedy disposition of the case.
- To not be compelled to submit to a pretrial interview or deposition by a defendant or his or her attorney.
- To attend court proceedings and to be accompanied by a service representative, as permitted by law.

- To not be the subject of an officer's or district attorney's order, request, or suggestion that the victim submit to a test using a lie detector if the victim reports having been the victim of a sexual assault.
- To the expeditious return of property when it is no longer needed as evidence.
- To file for Crime Victims Compensation, as provided by law.
- To request an order for an offender to submit to a test for sexually transmitted diseases, communicable disease, or HIV test (for certain offenses).
- To notice of a decision to close or dismiss a case or defer prosecution, if the offender is a juvenile.

### **VICTIMS' RIGHTS THAT APPLY AFTER AN OFFENDER HAS BEEN CHARGED**

- To receive written information from the district attorney regarding the victim's rights and how to exercise them.
- Upon request, the opportunity to communicate with the prosecutor (or intake worker) about the possible outcome of the case, potential plea agreements and sentencing options.\*
- To be notified of the time, date and place of court proceedings, if requested.\*
- To be provided a waiting area separate from defense witnesses.
- To have the victim's interests considered when the court is deciding whether to grant a continuance or deciding whether to exclude persons from a preliminary hearing.
- To be contacted about the right to make a statement at disposition or sentencing.
- To assistance with an employer about the need to attend court appearances.
- To be notified if charges are dismissed.

### **VICTIMS' RIGHTS RELATED TO THE SENTENCING OF THE OFFENDER BY THE COURT**

- To provide a statement to the court, in person or in writing, about the economic, physical and psychological effects of the crime and to have that information considered by the court.
- To be contacted by the person preparing the pre-sentence report (or court report, if the offender is a juvenile) to have the impact on the victim included in the report.
- To restitution from a juvenile offender, as permitted by law.
- To recompense from forfeited bail, as determined by the court.
- To view certain portions of a pre-sentence investigation report.
- To restitution from an adult offender for any crime considered at sentencing.

### **VICTIMS' RIGHTS THAT APPLY AFTER SENTENCING**

- To be provided sentencing or dispositional information.\*
- To attend parole interviews or hearings and make statements.
- To be notified of a conditional release.
- To be provided with notice of a petition for a sentence adjustment or reduction and applications for early release.
- To be notified by the Department of Corrections of certain releases, escapes, confinements, leave, release to extended supervision and participation in the intensive sanctions program. If you have questions about receiving notices from the Department of Corrections, call 1-800-947-5777.
- To attend a hearing on a petition for a modification of a sentence and to provide a statement.

- To notification from the Department of Health Services concerning discharge, home visits and supervised release of certain offenders.
- To be notified of applications for parole or release to extended supervision; to provide statements concerning parole.
- To have the clerk of court send: a copy of an inmate's petition for extended supervision and notice of the hearing on that petition; a copy of a motion for post-conviction DNA testing and notice of any related hearing.\*
- To be notified by the governor of a pardon application and to make a written statement about that application.
- To a civil judgment for unpaid restitution.
- To be notified when an offender's release to parole or extended supervision is revoked for violating a condition of release

### **VICTIMS OF CRIME CONSTITUTIONAL AMENDMENT RIGHTS**

On April 7, 2020, Wisconsin voters ratified an amendment to the Wisconsin State Constitution entitling rights to crime victims. In addition to all other rights previously available to victims, these rights apply to crime victims at the time of their victimization and throughout the criminal and juvenile justice processes. These rights are effective as of May 4, 2020 and apply to all current and future victims.

### **VICTIMS' RIGHTS THAT MIGHT APPLY AT ANY TIME**

- To be treated with dignity, respect, courtesy, sensitivity, and fairness.
- To privacy.
- To timely disposition of the case, free from unreasonable delay.
- To reasonable protection from the accused throughout the criminal and juvenile justice process.
- Upon request, to timely notice of any release or escape of the accused or death of the accused if the accused is in custody or on supervision at the time of death.
- To refuse an interview, deposition, or other discovery request made by the accused or any person acting on behalf of the accused.
- To compensation as provided by law.
- Upon request, to reasonable and timely information about the status of the investigation and the outcome of the case.
- To timely notice about all rights under this section and all other rights, privileges, or protections of the victim provided by law, including how such rights, privileges, or protections are enforced.

### **VICTIMS' RIGHTS THAT APPLY TO PROCEEDINGS**

- To proceedings free from unreasonable delay.
- Upon request, to attend all proceedings involving the case.
- Upon request, to reasonable and timely notification of proceedings.
- Upon request, to be heard in any proceeding during which a right of the victim is implicated, including release, plea, sentencing, disposition, parole, revocation, expungement, or pardon.

### **VICTIMS' RIGHTS THAT APPLY AFTER AN ACCUSED HAS BEEN CHARGED AND/OR RELATED TO SENTENCING**

- Upon request, to confer with the attorney for the government.
- To have information pertaining to the economic, physical, and psychological effect upon the victim of the offense submitted