

YOUR CONSTITUTIONAL RIGHTS AS A VICTIM OF CRIME

In Florida, victims of crime have constitutional and statutory rights. This insert is being provided to you by the Fort Pierce Police Department as a summary of your constitutional rights pursuant to Article I, Section 16 of the Florida Constitution. You can access this provision in full at www.leg.state.fl.us.

WHAT HAPPENS NEXT IN THE PROCESS WHEN AN OFFENDER IS ARRESTED, FIRST APPEARANCE INFORMATION

An arrested person is seen by a judge within 24- to 48- hours at a court proceeding known as First Appearance, provided the accused has not posted bond and already been released. Initial bond amounts are pursuant to a bond schedule set by Administrative Order.

All First Appearance hearings are held at the St. Lucie County Courthouse 201 North 2nd Street Fort Pierce. These hearings are held on normal court work days at 8 a.m. Anyone may attend these hearings. Victims may contact the State Attorney’s Office at (772) 465-3000 for more information.

WHO IS A VICTIM?

A “victim” is a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act or against whom the crime or delinquent act is committed.

SUMMARY OF YOUR CONSTITUTIONAL RIGHTS

- To preserve and protect your right to achieve justice, ensure a meaningful role throughout the criminal and juvenile justice systems;
- To have your rights and interests respected and protected by law;
- To due process, fair treatment and respect for your dignity;
- To be free from intimidation, harassment, and abuse;
- To be reasonably protected from the accused and any person acting on behalf of the accused within the judicial process;
- To have the safety and welfare of you and your family considered when setting bail and pretrial release conditions; and
- To prevent the disclosure of information or records that could be used to locate or harass you or your family or which could disclose your confidential or privileged information.

A victim shall have the following specific rights upon request:

- Reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing or adjudication, even if the victim will be a witness at the proceeding, notwithstanding any rule to the contrary;
- Reasonable, accurate and timely notice of any release or escape of the defendant or delinquent, and any proceeding during which a right of the victim is implicated;
- To be heard in any public proceeding involving pretrial or other release from any form of legal constraint, plea,

sentencing, adjudication or parole, and any proceeding during which a right of the victim is implicated;

- To confer with the prosecuting attorney concerning any plea agreements, participation in pretrial diversion programs, release, restitution, sentencing or any other disposition of the case;
- To provide information regarding the impact of the offender’s conduct on you or your family to the court or person conducting any presentence investigation or presentence investigation report and to have the information considered in any sentencing recommendations submitted to the court;
- To receive a copy of any presentence report and any other report or record relevant to the exercise of a victim’s right, except for such portions made confidential or exempt by law;
- To be informed of the conviction, sentence, adjudication, place and time of incarceration, or other disposition of the convicted offender, any scheduled release date of the offender and the release of or the escape of the offender from custody;
- To be informed of and participate in all post-conviction processes and procedures and provide information to the release authority to be considered before any release decision is made and to be notified of any release decision regarding the offender;
- To be informed of clemency and expungement procedures, to provide information to the governor, the court, any clemency board and other authority in these procedures and to have that information considered before a clemency or expungement decision is made; and to be notified of such decision in advance of any release of the offender.
- To the prompt return of your property when no longer needed as evidence in the case;
- To full and timely restitution from each convicted offender for all losses suffered, both directly and indirectly as a result of the criminal conduct;
- To proceedings free from unreasonable delay and to a prompt and final conclusion of the case and any related post-judgment proceedings;
- To be informed of these rights;
- To seek the advice of an attorney with respect to their rights; and
- To assert and seek enforcement of these rights and any other right afforded to a victim by law and to have the court or other authority with jurisdiction act promptly on such a request and to seek remedy for the violation of any right.

CASE NUMBER: _____

OFFICER: _____

ID #: _____ PHONE #: _____



Fort Pierce Police Department
920 South U.S. Highway 1
Fort Pierce, Florida 34950
(772) 467-6800