

NJ Resource Guide for Women

Section XX:

VICTIMS OF CRIME – BILL OF RIGHTS

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The Constitutional Amendment:

**NJ Department of Law & Public Safety, State Office of Victim-Witness Advocacy,
NJ Division of Criminal Justice**

Web: <http://www.state.nj.us/lps/dcj/victimwitness/const.htm>

- ◆ The New Jersey State Constitution includes guaranteed rights for crime victims. Article I, paragraph 22 reads:
 - A victim of crime shall be treated with fairness, compassion and respect by the criminal justice system.
 - A victim of a crime shall not be denied the right to be present at public judicial proceeding except when, prior to completing testimony as a witness, the victim is properly sequestered in accordance with law or the Rule Governing the Courts of the State of New Jersey.
 - A victim of a crime shall be entitled to those rights and remedies as may be provided by the Legislature.
 - The rights of defendants in our criminal justice system were written into the Constitution of the United States at the time it was created. Rights for victims on the other hand only became part of the NJ Constitution in 1991.

Crime Victims And Witnesses Entitled Rights:

NJ Department of Law & Public Safety, Office of the Attorney General

Victims of Crime Compensation Agency

Toll Free Hotline: 1-877-658-2221

Web: <http://www.state.nj.us/victims/pages/billrght.htm>

- To be treated with dignity and compassion by the criminal justice system
- To be informed about the criminal justice process
- To be free from intimidation
- To have inconveniences associated with participation in the criminal justice process minimized to the fullest extent possible
- To make at least one telephone call provided the call is reasonable in both length and location called
- To medical assistance if, in the judgment of the law enforcement agency, medical assistance appears necessary
- To be notified if presence in court is not needed
- To be informed about available remedies, financial assistance and social services
- To be compensated for their loss whenever possible
- To be provided a secure, but not necessarily separate, waiting area at court proceedings
- To be advised of case progress and final disposition
- To the prompt return of property when no longer needed as evidence
- To submit a written statement about the impact of the crime to a representative of the county prosecutor's office which shall be considered prior to the prosecutor's final decision concerning whether formal criminal charges will be filed
- To make, prior to sentencing, an in-person statement directly to the sentencing court concerning the impact of the crime. This statement is to be made in addition to the statement permitted for inclusion in the presentence report by N.J.S. 2C:44-6. In any homicide prosecution the victim's survivor may display directly to the sentencing court at the time of this statement a photograph of the victim taken before the homicide.