



HIGHLANDS COUNTY SHERIFF'S OFFICE

Sheriff Paul Blackman

400 S. Eucalyptus St., Sebring FL 33870

Your Rights as a Victim



Highlands County Sheriff's Office

863-402-7200

Sheriff's Office Victim Advocates

863-402-6885

State Attorney's Office (Sebring)

863-402-6549

Agency Case #: _____

Deputy Name #: _____

Deputy ID#: _____

OUR VISION

Our vision is a safer Highlands County where citizens and law enforcement are joined together; the rights of all persons are respected; and community values are reflected.

OUR MISSION

The Highlands County Sheriff's Office is committed to protecting life, property, and individual rights while maintaining peace and order.

OUR PROMISE

Our promise is to deliver ethical and effective services to all of Highlands County in a professional and responsive manner that demonstrates our commitment to honoring the public trust.

A Message From Sheriff Paul Blackman



As Sheriff, I am committed to respecting the rights of all persons involved in the criminal justice system. While offenders typically have an attorney to guide them and ensure their rights are explained and protected, the same is not always true for victims and witnesses.

I realize that for many, being a victim or a witness to a crime is your first experience with the criminal and juvenile justice system. We want you to know that as a victim or witness, you have certain rights within those systems. This brochure is provided to hopefully answer any questions you may have about those rights.

In this document, you can learn about the rights guaranteed to you under the state constitution, as well as other rights that you have available under the law. Some of these rights are automatically applied, while others are available only upon request, so it is important to carefully read this brochure.

We have also included important phone numbers and addresses to help you contact those involved in the criminal justice system should you have the need. One of the important numbers is for our Victim Advocates, whose sole purpose is to help victims deal with the aftermath of a crime.

I also want to emphasize that as a victim or a witness, you are a critical part of the prosecution's case against the offender. Your involvement could be the difference between the suspect facing justice or avoiding punishment for their crime. I encourage you to take part in the prosecution, knowing that your rights and privacy will be protected as much as possible under the law.

It is an honor and a privilege to be Sheriff of Highlands County. If you have any questions, please do not hesitate to contact the Highlands County Sheriff's Office or the Office of the State's Attorney. We are here to protect your rights and help you as much as possible.

Thank you

A handwritten signature in black ink that reads "Paul Blackman".

Sheriff Paul Blackman

Your Constitutional Rights

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. The term "victim" includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim, except upon a showing that the interest of such individual would be in actual or potential conflict with the interests of the victim.

The Florida Constitution guarantees victims the following 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;
- 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;
- To be treated with fairness and respect for your privacy, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice system;
- To be reasonably protected from the defendant and persons acting on behalf of the defendant; and
- To ensure the safety of the victim and the victim's family.

A victim shall have the following specific rights upon request:

- The Prevention of Disclosure of Information or Records: To prevent the disclosure of information or records that could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information of the victim, contact the Sheriff's Office, the States Attorney's Office or Clerk of Courts;

- To 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 from the Highlands County Sheriff's Office Detention Facility may be requested by contacting the Highlands County Sheriff's Office;
- 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 pre-sentence investigation or pre-sentence investigation report, and to have the information considered in any sentencing recommendations submitted to the court;
- To receive a copy of any pre-sentence 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;
- 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 the victim's property when no longer needed as evidence in the case;
- To full and timely restitution in every case and 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, and to be informed that victims can seek the advice of an attorney with respect to their rights. This information shall be

made available to the general public and provided to all crime victims in the form of a card or by other means intended to effectively advise the victim of their rights under this section. The victim, any retained attorney of the victim, a lawful representative of the victim, or the office of the state attorney upon request of the victim, may assert and seek enforcement of the rights enumerated in this section and any other right afforded to a victim by law in any trial or appellate court, or before any other authority with jurisdiction over the case, as a matter of right. The court or other authority with jurisdiction shall act promptly on such a request, affording a remedy by due course of law for the violation of any right. The reasons for any decision regarding the disposition of a victim's right shall be clearly stated on the record. The granting of the rights enumerated in this section to victims may not be construed to deny or impair any other rights possessed by victims; 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.

Your Rights Under Florida Law

Florida Statutes also provide the victim with statutory rights and many overlap with the constitutional rights listed above. Additional rights not already mentioned which may apply in your case include:

- Either you, or the State Attorney's Office with your consent, have standing to assert any legal rights of a crime victim as provided by law or the Florida Constitution;
- The right to be informed of crisis intervention services and referrals;
- Explanation concerning the stages of the criminal justice process and your role as a victim;
- To be consulted by the State Attorney in certain felony cases;
- The right to have a Victim Advocate present during discovery depositions and the right to be excused from depositions held at a correctional facility, unless you are a victim currently incarcerated;
- To be provided information concerning protection from the intimidation. It is a felony of the third degree to threaten and intimidate victims and witnesses. Contact your local law enforcement agency should this occur;
- Access to a translator, transportation and separate waiting rooms;
- To be told of your right to request and receive assistance, if applicable, in filing Florida Crimes Compensation Claims at 1-800-226-6667;
- To request assistance from law enforcement and the State Attorney's Office in notifying employers/creditors of financial strain and absenteeism resulting from victimization;

- Victims of sexual offenses may request the courtroom be cleared in certain instances during their testimony and in cases involving the transmission of bodily fluids to request hepatitis and HIV testing of the accused and the right to request a Victim Advocate to be present during a forensic medical examination;
- A victim of a sexual offense cannot be required nor be asked by a law enforcement officer, state attorney or other government official to submit to a polygraph or other truth telling device as a condition of the investigation;
- In juvenile cases, minor victims may request at sentencing/disposition, that the defendant be required to change schools if they attend the same school;
- If you are incarcerated, to be informed and submit written statements at all crucial stages of the criminal and juvenile proceedings;
- The right of the victim of domestic violence to be informed of the address confidentiality program administered through the Attorney General's Office. You may contact the Attorney General's Office at 1-800-266-6667. The Sheriff's Office Victim Advocate may assist with this paperwork if necessary;
- The right to submit an oral or written impact statement to the court, pursuant to Chapter 921.143, Florida Statutes, prior to sentencing of the offender. The State Attorney or any assistant state attorney shall advise all victims, or when appropriate, the victim's parents, guardian, next of kin, or lawful representative that statements, whether oral or written, shall relate to the facts of the case and the extent of any harm, including social, psychological, or physical harm, financial losses, loss of earnings directly or indirectly resulting from the crime for which the defendant is being sentenced, and any matter relevant to an appropriate disposition and sentence; and
- Law enforcement agencies and the State Attorney shall inform you of your right to request and receive restitution and your rights to enforcement if the offender does not pay. The State Attorney shall seek your assistance in documenting your losses. If an order of restitution becomes a civil lien or judgment against the defendant, the Clerk shall make available information on enforcing the civil lien or judgment. The State Attorney shall inform you if and when restitution is ordered.





IMPORTANT PLACES

Sheriff's Office
 400 S. Eucalyptus St.
 Sebring, FL 33870
 863-402-7200

Courthouse
 430 S. Commerce Ave.
 Sebring, FL 33870
 863-402-6565

State's Attorney
 411 S. Eucalyptus St.
 Sebring, FL 33870
 863-402-6549

Frequently Used Numbers

Child/Adult Abuse Hotline
 1-800-962-2873

Department of Juvenile Justice
 863-471-5300

Tri-County Human Services
 863-452-0106

Clerk of Courts
 863-402-6565

Crisis Hotline
 800-627-5906

Domestic Violence Hotline
 800-500-1119

Rape Crisis Hotline
 877-688-5077

Elder Helpline
 800-963-5337

If you are a victim of a crime or a witness because you have seen, heard, or know something about a crime that has been committed, you are important to the case. Your testimony may be necessary to establish the facts. Understandably, you might feel anxious about testifying in court. However, without your testimony the defendant might go unpunished.

Information gained by the victim pursuant to Chapter 960, Florida Statutes, including next of kin of a homicide victim, regarding any case handled in juvenile court, must not be revealed to any outside party, except as reasonably necessary in pursuit of legal remedies.

Current inmates of the HCSO detention facility can be checked on the Highlands County Sheriff's Office website: www.highlandssheriff.org/NameSearch.org or via the Highlands County Sheriff's Office smart-phone app.

The status of a convicted felon status can be found on VINELINK.com. Call 1-877-846-3435 to sign up to receive automatic custody status updates, if you want to be notified of an offender's release status.

