



# Clay County Clerk of Court and Comptroller

Tara S. Green, Clerk

## Statement of Crime Victim's Rights

*Florida's Constitution and Statutes provide victims of crime the following rights to the extent these rights do not interfere with the constitutional rights of the accused:*

### **Rights that are automatic:**

1. The right to due process and to be treated with fairness and respect for the victim's dignity.
2. The right to be free from intimidation, harassment, and abuse.
3. The right to be reasonably protected from the accused, within the judicial process.
4. The right to have the safety and welfare of the victim and the victim's family considered when setting bail and release conditions.
5. The right 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.

### **Rights that must be requested:**

6. The right to reasonable, accurate, and timely notification of, and to be present at, all court proceedings involving the criminal conduct, even if the victim is to testify, notwithstanding any rule of evidence to the contrary.
7. The right to be heard in any public proceeding involving release, plea, sentencing, and parole or that implicates the victim's right.

8. The right to confer with the prosecution concerning any disposition of the case.
9. The right to provide a victim impact statement for any presentence investigation report.
10. The right to receive a copy of any presentence investigation report except for such portions made confidential or exempt by law.
11. The right to be informed of the conviction, sentence, incarceration, or other disposition and any release or escape of the offender.
12. The right to be informed of, and to participate in, all post-conviction processes.
13. The right to the prompt return of the victim's property when no longer needed as evidence in the case.
14. The right to full and timely restitution for all losses, both directly and indirectly, and crime compensation and services when applicable.
15. The right to proceedings free from unreasonable delay, and to a prompt and final conclusion of the case and any related post-judgment proceedings.
16. The right to be informed of these rights.
17. The right to retain and to seek the advice of an attorney regarding these enumerated rights.

## Assertion of Crime Victim's Rights

Please circle the rights you want to assert, sign, and promptly return this form by U.S. mail to the Clay County Clerk of Court and Comptroller, Attention: Criminal Department, 825 N. Orange Avenue, Green Cove Springs, Florida 32043 or by e-mail to [info@clayclerk.com](mailto:info@clayclerk.com).

State of Florida v. \_\_\_\_\_

Clerk Case Number \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

*"The assertion of certain rights may be subject to the jurisdiction and procedures of other agencies or the court system. The Clay County Clerk's Office will facilitate the exercise of these rights to the extent possible within its authority."*