

Know Your Rights:

A Guide for Victims and
Witnesses of Crime



Your Rights

Under 42 United States Code § 10607, victims have these rights:

1. The right to be informed of the place where they may receive medical and social services.
2. The right to be informed of public and private programs that are available for counseling, treatment, and other support services.
3. The right to receive reasonable protection from a suspected offender and persons acting in concert with or at the behest of the suspected offender.
4. The right to know the status of the investigation of the crime to the extent it is appropriate and will not interfere with the investigation.
5. The right to notification regarding the arrest of a suspected offender.
6. The right to have any property that is being held for evidentiary purposes maintained in good condition and returned as soon as it is no longer needed for evidentiary purposes.

As federal law enforcement professionals, the U.S. Postal Inspection Service considers it part of our job to address issues or concerns experienced by victims and witnesses of crime. We know that, as a victim or witness, you may feel anger, frustration, or fear as the result of a criminal act.

We have prepared this information to help you deal with problems and questions that may surface during an investigation and to provide you with a better understanding of the criminal justice system. We have included information and services available to you as a victim or witness.

We hope this information will be helpful. We encourage you to contact the Postal Inspector handling your case or the designated Postal Inspection Service representative if you have further questions.

Investigating Your Case

Although the days and months ahead may be difficult for you and your family, your assistance is important to ensure that justice is served.

During the investigation, you may be informed of the status of the case. Throughout the investigation, a Postal Inspector or other professional employee will remain your primary contact. If you have questions, be sure to contact one of these individuals as soon as possible. A criminal investigation can be complex and lengthy. It may involve several federal and local agencies.

Remember, your interests are important to us. We are here to help answer any questions you may have.

If your case is accepted for prosecution, you may be contacted by the attorney's office assigned to handle your case. Most prosecutors' offices have a Victim/Witness Specialist to help answer your questions and assist with your concerns during the pretrial and court phases of the case.

If You Are Threatened or Harassed

If anyone threatens you, or you feel you are being harassed because of your cooperation with authorities, report it to your Postal Inspector. There are penalties for harassment and other threats. The Inspector may discuss protective measures with you. If you feel you are in immediate danger, call 911.

If You Were Physically Injured

If you were injured or threatened with physical injury as a result of the crime and lack insurance or other means to pay for medical bills, check your state's crime victim compensation program. In many states, the cost of counseling, lost wages, and certain funeral expenses may be covered.

The law varies by state, but your Victim/Witness Specialist can provide you with the necessary information.

If You Had Property Stolen

As part of its investigation, the Postal Inspection Service attempts to recover property or money which may have been stolen from you. If we recover it, we will notify you and make every effort to have it returned as quickly as possible. Restitution may be available for property not recovered or for the cost of any necessary repairs.

Assisting With Your Employer

Upon request, during the investigation and court processing, we can call your employer to discuss the importance of your role as a victim or witness to the government's case and to explain any absences you may need to take from your workplace.

Restitution

If a person is arrested and successfully prosecuted in your case, you may be eligible for restitution. This is a court-ordered payment made to you as a victim of a crime. Upon conviction, the offender pays out-of-pocket expenses resulting from your victimization.

If the court orders restitution at sentencing, it may consider the offender's present and future ability to pay. If the defendant has assets, the court may order restitution to be paid immediately or in scheduled payments. In many cases, however, the proceeds of the crime are no longer available and the defendant does not have sufficient assets to pay restitution. It is possible, therefore, that a victim may not receive restitution.

Other remedies may include a civil suit or small claims court action. Restitution cannot be avoided through bankruptcy.

Assisting With Your Recovery

Victims and witnesses are emotionally affected by crime. Although everyone reacts differently, victims and witnesses commonly report some of these behaviors:

- Increased concern for your personal safety and that of family members. You may naturally be more cautious.
- Trouble concentrating on the job.
- Difficulty handling everyday problems or feeling overwhelmed.
- Going over the circumstances of the crime again and again and thinking about what might have gone differently.
- Difficulties from financial loss.

These problems are normal, and they may decrease with time. Talking with the Postal Inspector handling your case or the designated representative may assist in your recovery. If the defendant either pleads guilty or is found guilty, you have the opportunity, before sentencing, to submit an “Impact Statement” describing the emotional, physical, and financial effects of the crime on your life and that of your family. An Inspection Service professional or Victim/Witness Specialist from the Prosecutor’s office can help you prepare the statement, if needed.

For Assistance

Call the designated Postal Inspection Service representative at a local office for information on the status of your case. If the case is prosecuted federally, you should receive information on how to access the Department of Justice’s Victim Notification System (VNS). VNS is a computer-based system that provides updated information on your case. You can access it at no cost via a toll-free number.

Victim-Witness Programs

U.S. DEPARTMENT OF JUSTICE
OFFICE FOR VICTIMS OF CRIME
www.ovc.gov

NATIONAL ORGANIZATION FOR VICTIM
ASSISTANCE
800-879-6682
www.trynova.org

NATIONAL CENTER FOR VICTIMS OF CRIME
www.victimsofcrime.org

FEDERAL TRADE COMMISSION
877-FTC-HELP (877-382-4357)
www.ftc.gov

U.S. POSTAL INSPECTION SERVICE
475 L’ENFANT PLAZA SW RM 3800
WASHINGTON DC 20260-3100
877-876-2455
postalinspectors.uspis.gov
victimsassistance.uspis.gov

Limited Confidentiality Statement

Designated Postal Inspection Service professionals are available to assist you as you go through the criminal justice process. However, you should know that they are part of a team with Postal Inspectors and personnel from the U.S. Attorney's Office. Discussions that you have with them may not be considered completely confidential. As part of the team, there may be times when the designated employee may need to share information you provided with other team members. This is especially important if you share information about your safety, a medical emergency, when the information relates to child abuse, or when the nondisclosure of the information could interfere with the investigation or prosecution of the case.

If you have any questions about limited confidentiality, you may contact me for clarification. Remember, your interests are important to us. Many victims have questions, and we are here to help provide you with answers and practical assistance.

Important Contact Numbers

Name: _____

Title: _____

Phone: _____

Postal Inspector

Name: _____

Phone: _____