



BOARDMAN POLICE DEPARTMENT

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Todd Werth, CHIEF OF POLICE

BOARDMAN POLICE DEPARTMENT VICTIM & WITNESS PROGRAM

The Boardman Police Department is committed to providing guidance and assistance to crime victims, crime victim's family, and witnesses of crime. A priority of the employees of the Boardman Police Department is to show compassion and understanding for victims and witnesses and to make reasonable efforts to provide support and information as needed.

The purpose of departmental policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the Boardman Police Department meets all related legal mandates. Crime victims are provided certain rights detailed in the Ohio Constitution Article I, Section 10(a) and the Ohio Revised Code (ORC 2930 - Victim's Rights), often called "Marsy's Law" or the Ohio Crime Victims' Bill of Rights. Crime victims have the right to reasonable notice, to be present and heard at all court proceedings, to be informed of the release of the offender, to offer input on negotiated plea agreements, to a prompt conclusion of their case, and to restitution for economic losses resulting from the criminal offense or delinquent act. Some rights are automatic, some must be requested to be exercised.

Below is an outline of rights afforded to victims of crime in Ohio and the Boardman Police Department's policies, procedures, and practices utilized to facilitate these rights.

OHIO VICTIMS' RIGHTS

As a victim of crime, you have constitutionally protected rights. These rights are detailed by the Ohio Attorney General's Office Crime Victim Services at <https://www.OhioAttorneyGeneral.gov/Individuals-and-Families/Victims> or by calling 800-582-2877. **Some rights are automatic. *Some rights require your request.**

To ensure victims understand their rights, the Boardman Township Police Department utilizes a version of a Victims Rights Request Form (VRRF). The VRRF provides important information about your rights. This form is NOT a public record. If you are a victim of an offense of violence or sexually oriented offense, an officer will review this form with you immediately at the scene or as soon as practical afterwards. You will be asked to provide information to assist the officer in

completing this form so that we know which rights you wish to exercise. The officer will provide you a copy of the completed form.

Officers will provide victims of all other offenses information on how to obtain and complete the form electronically or provide a printed form, upon request.

Requesting and Enforcing Your Rights

The back of this form provides a list of rights that must be requested if you wish to exercise them. It is your choice. You can choose to exercise all, some, or none of your rights.

- PLEASE NOTE: If you are a victim of an offense of violence or a sexually oriented offense and you do not complete the form or request your rights at first contact with law enforcement, you will be automatically opted in to all “upon request” rights until you are contacted by the prosecutor. Once contacted by a prosecutor, you will no longer be opted in and you must request your rights in order to exercise them.

You can change your mind at any time about which rights you choose to exercise. However, if you choose not to exercise some rights and then request them later, you may give up some rights that only apply during certain stages of the case. If you change your mind, you must call, email, or complete a new form and return it to the investigating officer, prosecutor, court, prison, jail, or community based correctional facility to ensure officials have updated information on the rights you wish to exercise and updated contact information.

If any of your rights are denied, you may ask the advocate or prosecutor to help, seek enforcement on your own, hire an attorney, or request free legal assistance from Ohio Crime Victim Justice Center at <https://www.ocvjc.org/request-for-assistance> or call 614-848-8500.

An online resource to help you understand and exercise all of your rights is the Victims Rights Toolkit, <https://www.ocvjc.org/victims-rights-toolkit>.

Appointing a Victim Representative

You may choose to exercise your rights and/or choose a representative to exercise your rights. A representative can be anyone other than the defendant. You can choose, change, or remove a representative at any time.

Privacy and Safety

You may be eligible for a protection order. The investigating officer will provide available resources to assist you with obtaining a protection order.

You may use the VRRF to request redaction (removal) of your name, address, and identifying information from public records related to this case. This request does not apply to crash reports submitted to the Department of Public Safety. You must send a separate request to the Department of Public Safety to request redaction of crash reports at <https://publicsafety.ohio.gov/help-center/contact-us>.

You may be able to keep your address private by obtaining a Safe at Home address. Learn more at: www.safeathomeohio.gov or call 614-995-2255

If the defendant, defendant's attorney, or anyone else acting on behalf of the defendant contacts you to talk with you, request an interview, or attempt to obtain any information or materials from you, you have the right to refuse. Immediately contact the prosecutor to let them know you have been contacted.

You can receive texts, calls, or emails to receive notice of a defendant or offender's release or escape from jail or prison. Register at: <https://www.vinelink.com/#state-selection>

Arraignment

An arraignment is a hearing that can happen within a couple days after the defendant is charged with a crime.

If you request notification, law enforcement will notify you of the arrest of the defendant and can provide you a phone number for the clerk of the court to get information on the date, time, and location of the arraignment proceeding.

During arraignment the judge decides whether or not to release the defendant on bond, bond conditions, and whether or not to issue a protection order.

You have the right to attend the arraignment and tell the judge about any safety concerns and your opinion regarding release, bond conditions, and whether or not you would like a protection order.

Compensation and Restitution

Crime Victim Compensation Fund: You may be eligible to apply for reimbursement for certain financial losses relating to your victimization, even if the suspect has not been arrested or convicted. You may apply at:

<https://www.ohioattorneygeneral.gov/individuals-and-families/victims/apply-for-victims-compensation> or 800-582-2877.

Restitution: Upon conviction, the court must order the offender to pay you for certain financial losses relating to your victimization. It is important to keep a record of all expenses incurred as a result of the crime so that the court can use this information to determine what costs are properly included in an order of restitution.

<https://www.supremecourt.ohio.gov/docs/JCS/courtSvcs/MarsysLaw/SCO-CSD-0002.pdf>

The Boardman Township Police Department's version of the Victim's Rights Request Form (VRRF) may be found on our website under the "Victim Assistance" tab. At any point, a victim of a crime may complete the form and provide it to the Boardman Police Department or Mahoning County Prosecutor's Office.

Victims with disabilities, non-English speaking, and limited English proficient victims have the right to a qualified or certified interpreter at all meetings with prosecutor, contacts with law enforcement, court proceedings, etc., and at no cost to the victim. The Boardman Police Department contracts with an outside agency to provide those services, again at no cost to the victim or their family.

Our officers and staff are available at any time to assist in the completion of the form and answer any questions or concerns.

Todd D. Werth

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Chief of Police