

Dear Survivor,

If you are reading this, it is probably because you or someone you love has been impacted by child abuse and/or sexual assault. You may be completely overwhelmed by what has happened. I'm sure you have a lot of questions that you may not even know how to ask. You may feel embarrassed and confused. Please know that you are not alone. The Julie Valentine Center is here to help and support you during this incredibly scary and chaotic time. Many of those who have walked through our doors or knocked have compared their experiences to that of a natural disaster, or a storm. Many feel that their lives have been taken out of their control and placed in the hands of others. Let me assure you that although it may feel that way right now, there is hope and healing. We are here to help and empower you to create a "new normal" and not let what happened to you define you or your family. Our team of dedicated professionals is available and determined to walk with you every step of the way as you create your new path.

With hopes for the future,

Shauna Galloway- Williams
Executive Director

What Can You Do: Suggestions for Friends & Family

Friends and families members want to support a loved one after a sexual assault but are often unsure how to do so. A sexual assault is an intimate and traumatic violation that affects not only the victim but everyone in their life. Although there is no "right" way to respond, some of the following suggestions may help you support your loved one after the assault.

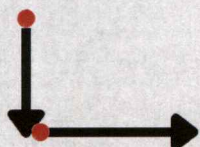
- **Stay Calm.** Expressing outrage and shock may cause your loved one further trauma. Remaining calm will create a safer environment for them to talk.
- **Allow the survivor to lead the conversation.** Let them tell you as much or as little as they are ready to tell. Do not press them to share details they do not wish to.
- **Reassure they survivor you love and support them.** The survivor needs to know that regardless of what happened, your relationship remains intact.
- **Be patient.** Understand that because anger and frustration cannot be taken out on the offender, survivors may release their feelings on loved ones. Old problems may get worse and new ones may arise.
- **Do not tell the survivors to do something differently in the future or ask why they did something.** In an effort to protect, loved ones may try to advise survivors what they believe they should do differently in the future (not drink alcohol, not to go out with these friends anymore, etc.). This advice can make the survivor feel as if it was their fault. Asking "why" questions ("why did you leave the bar with him?" or "Why were you alone?") can also make the survivor feel like they were at fault.
- **Do not touch the survivor without permission.** Physical touch may startle the survivor and may trigger flashbacks of the assault. Ask before initiating physical contact.
- **Give the survivor control and support their decisions.** During the assault, all the power and control was taken away from the victim. The healing process after the assault begins with reclaiming power. Whom to tell about the assault, whether to prosecute, and other decisions belong to the survivor. You may encourage the survivor to report the assault or to seek therapy, but support them even if their decision is not the decision you wish they would make.
 - An exception exist if they victim is a child, in which case the assault must be reported to the police.
- **Encourage the victim to seek counseling.** However, this is the survivor's decision to make. **Encourage them to seek professional help, but support them in whatever decision they make.** Consider counseling for yourself. A professional can help you maintain the strength and understanding loved ones
- **Respect the survivors confidentially.** Decision about whether to tell and whom to tell belong to the survivor. It is not your story to tell unless the survivor expressly asks you to do so.
 - The exception is an assault on anyone under the age 18, which must be reported to the police.

Box Breathing

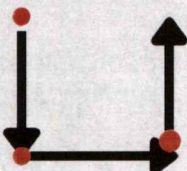
On a blank piece of paper, put your crayon, pen or pencil in the top left corner and make a dot. You can also use your mind if you don't have paper or pen. As you make your dot, inhale through your nose. As you exhale through your mouth, draw a line straight down:



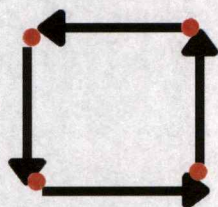
As you come to the end of your line, make another dot and inhale through your nose. As you exhale, draw a line to the right. It should look like this so far:



As you come to the end of the line, make a third dot. As you make this dot, inhale deeply through your nose. As you exhale through your mouth, draw your line, straight up



As you come to the end of the line, make a fourth dot as you inhale through your nose. As you exhale, draw a line to the left, and end where you made your first dot. This completes the box:



- Repeat steps 1-4, drawing over the dots and lines you've already created while you practice your breath.
- Once you feel comfortable with this exercise, you may try drawing your breath in your mind. This can be done with your eyes open, or closed. No one has to know that you are doing it. You may do this exercise as you wait in line at the grocery store to ground yourself, or as you try to fall asleep at night in your bed.

Anonymous Kit

Sexual Assault Examination Without Police Involvement

Options available to the Victim

You have the option of reporting your sexual assault to law enforcement. When a law enforcement agency is contacted, a police report will be made, and an investigation will begin.

You have the option of not involving law enforcement. No police report is required to have a sexual assault forensic kit completed at the E.R. You can receive an anonymous forensic kit. This means that law enforcement will not be contacted, no police report will be made, and no investigation will happen.

Who can get an anonymous forensic kit?

Victims who are at least 18 years old can go to the E.R. and get a forensic medical exam. The exam is free. Notify the nurse if there is a desire to not contact police.

What happens to the kit?

Evidence will be collected and will be stored for 12 months.

The decision to report the crime is yours. If you decided to report the crime you can contact law enforcement or The Julie Valentine Center before the 12 months.

An advocate from the Julie Valentine Center will contact you at the 11th month to follow up with you regarding your anonymous kit.

Is an anonymous kit confidential?

Yes, all evidence collected will be stored and can only be released with the victim's consent.

Spousal Rape

If the victim was raped by a legal spouse, the victim only has 30 days to make a report to law enforcement.

Grounding

Let's turn our attention to grounding. Grounding: helps our brains and bodies connect to the here-and-now--Mainly by connecting us to our physical space or physical sensations. Grounding exercises help the brain signal safety to the body and they can be specially helpful when we feel panic, disconnected, or overwhelmed.

Grounding:

- Right now, I am feeling _____

(insert name of the current emotion, usually fear)

- And I am sensing in my body _____
(describe your current bodily sensations. Name at least three),

- Because I am remembering _____

(name the trauma by title, only – no details).

- At the same time, I am looking around where I am now in _____
(the actual current year),

- Here _____
(name the place where you are)

- And I can see _____
(describe some of the things that you see right now, in this place),

- And so, I know _____
(name the trauma, by title only, again)

- Is not happening now/anymore.

Keeping A Journal

- Think about what you are thankful for and write those.
- Draw pictures and doodle to display your emotions or places you wish to be
- Brainstorm, write down ideas
- Write when you are happy
- Write why you are happy
- Write about what makes you happy: objects, activities, pets, people, etc.
- Write down your short term goals.
- Write long term goals
- Write lists of accomplishments
- Write list of things to make you feel happy and repeat them to yourself.
- Write a list of things that you like about yourself- Post these things around your house/room.
- Write at least one positive thing every day about yourself or that you have done.
- Describe yourself only in positive ways

Provided by Sexual Trauma Services of the Midlands.



sexual assault & child abuse recovery

READ FIRST: Before you decide whether or not to let Julie Valentine Center (JVC) share some of your confidential information with another agency or person, an advocate at JVC will discuss with you all alternatives and any potential risks and

I understand that JVC has an obligation to keep my personal information, identifying information, and my records confidential. I also understand that I can choose to allow JVC to release some of my personal information to certain individuals or agencies.

I, _____, authorize _____, an employee of JVC, to share the following specific information with:

Who I want to have my information: Name: Specific Office at Agency: Phone Number:

The information may be shared: X in person X by phone X by fax X by mail X by e-mail I understand that electronic mail (e-mail) is not confidential and can be intercepted and read by other people.

What info about me will be shared: (List as specifically as possible, for example: name, dates of service, and any documents). Why I want my info shared: (purpose) (List as specifically as possible, for example: to receive benefits).

Please Note: there is a risk that a limited release of information can potentially open up access by others to all of your confidential information held by JVC.

I understand:

- That I do not have to sign a release form. I do not have to allow JVC to share my information. Signing a release form is completely voluntary. That this release is limited to what I write above. If I would like JVC to release information about me in the future, I will need to sign another written, time-limited release. That releasing information about me could give another agency or person information about my location and would confirm that I have been receiving services from JVC. That JVC and I may not be able to control what happens to my information once it has been released to the above person or agency, and that the agency or person getting my information may be required by law or practice to share it with others.

This release expires on _____ Date

I understand that this release is valid when I sign it and that I may withdraw my consent to this release at any time either orally or in writing.

Signed: _____ Date: _____ Witness: _____

Reaffirmation and Extension (if additional time is necessary to meet the purpose of this release)

I confirm that this release is still valid, and I would like to extend the release until _____

New Date

Outreach in Downtown Greenville: If you have a non-emergency question or concern for the outreach team to address, [United Housing Connections](#) has an outreach email to help address concerns, it is outreach@uhcsc.org.

Emergency Shelter Options

- **Men**
 - **Greenville Rescue Mission** 575 West Washington, Street Greenville, SC 29601 (864) 242-6933
 - Men can sign up in person for a bed starting at 5 a.m. At 8 a.m., eligibility and availability for a bed is determined. Men have to pass a breathalyzer for entry.
 - **Salvation Army** 417 Rutherford St, Greenville, SC 29609 (864) 235-4803
 - Men are encouraged to call to check on shelter space. If there are no beds available the person will be told to contact the shelter again to check for space. A person must meet the HUD definition of homelessness to gain admittance to any Salvation Army shelter accommodations. Which excludes those persons exiting an institution of care (hospital/jail/prison). ****Beds are not held****
 - **United Ministries Emergency Housing** (864) 271-3424
 - Only shelter for single fathers with children age 18 or younger. Call for intake or information. Calls are usually taken/returned Monday-Thursday 12:30 p.m.-4:30 p.m. ****No walk-ins****
 - **Safe Harbor** 1.800.291.2139
 - Serves survivors of domestic violence (DV) who are attempting to flee their homes. Partnership is established with [Salvation Army of Greenville](#) to accommodate male victims of DV who need emergency shelter. ****This must be initiated by male survivor of DV contacting Safe Harbor and completing their telephone intake.****
- **Women and Children**
 - **Shepherd's Gate** 11 Regency Hill Drive Greenville SC 29607 (864) 268-5589
 - Intake begins at 2:00 p.m. This is for women and children (Girls of any age and boys to age 10).
 - **Salvation Army** 417 Rutherford St, Greenville, SC 29609 (864) 235-4803
 - Women with and without children are encouraged to call to check on shelter space. If no beds are available the person will be instructed when to contact the shelter again to check for space.
 - **United Ministries Emergency Housing** (864) 271-3424
 - Emergency shelter for families with children or single mothers with sons 11 - 18 years old. Call for intake or information. Calls are returned within 24 hours M – F or 48 hours if on the weekend. ****No walk-ins****
 - **Safe Harbor** 1.800.291.2139
 - Safe Harbor provides emergency safe shelter for survivors of domestic violence and their children.
- **Youth** – see below for emergency shelter and day shelter information on next page for youth ages 17 up to age 24 years old
 - **Pendleton Place** 1133 Pendleton St, Greenville, SC 29601 864-551-0781
 - Emergency shelter for ages 12 – 17 & 18 - 21 who has run away from home, experiencing homelessness, or forced to leave home. Text or call 551-0781. Email aegreen@pendletonplace.org.

Cold Weather Emergency Shelter Beds

Available at [Miracle Hill Ministries](#) when the overnight low temperature drops below 40° (or 43° with a 60+% chance of rain) to anyone to stay after **9:00 p.m. – 8:00 a.m.** Sobriety not required. Beds may open earlier depending on temperatures.

- **Men** [Greenville Rescue Mission](#) 575 West Washington Street, 29601 (864) 242-6933
- **Women and Children** [Shepherd's Gate](#) 11 Regency Hill Drive, 29607 (864) 268-5589 Also serving girls of any age & boys up to age 10 years old)

See [free meal schedule](#) and [LiveWell's Food Resource Guide](#)

What if an individual is intoxicated?

- Outside of overflow emergency shelter beds at Miracle Hill Ministries during cold weather, there is not a clear option for intoxicated individuals. The hospital or a detox center might be the only option.

Day Shelters and Additional Services

- **Triune Mercy Center** 222 Rutherford St, Greenville, SC 29609 (864) 233-8020
 - Social workers, rehab case managers, sex trade social workers available during daytime hours, every day except Friday. Lunch offered on Saturday and Sunday, breakfast on Monday each week.
- **United Ministries** 606 Pendleton St, Greenville, SC 29601 (864) 232-6463 ○ Place of Hope 600 Pendleton Street, Greenville, SC 29601
 - Open M-F from 8 a.m.-11 a.m. for services such as access to a shower, restroom, laundry services, lockers, and telephone. For interested participants, an advanced level of intensive case management is offered: assistance obtaining identification documents, securing treatment for substance abuse or mental health issues, securing long-term housing, obtaining legal services and more.
 - Transportation assistance for individuals not from Greenville and whom have never been to Place of Hope. The counselor must talk to a family member in the returning town.
- **Pendleton Place Youth Resource Center** 1133 Pendleton Street, Greenville, SC 29601 (864) 467-3650 ○ anyone ages 17 to 24 can drop in to do laundry, eat, take a hot shower, use the computer lab, and relax from 2-5 p.m. on Mondays and Wednesdays. Fridays from 12 – 3 p.m.
- **Buncombe Street United Methodist Church Crisis Ministry**
 - Case management and resource coordination for clients experiencing crisis or a destabilizing event. ****No walkins**** Referrals are made through a community partner.
- **Community Fresh Start** – holistic care management services, education, and encouragement. Call (864) 526-1163 or email freshstartofsc@gmail.com.
- **Sunday Dinner with a Twist** – free dinner that goes to people experiencing homelessness and provides connections to resources. Call John “Redd” Martin at 864-380-5336 or email at sundaydinner2018@gmail.com.
- **Project Host Soup Kitchen** 525 S. Academy Street – free lunch Sunday – Friday from 11 a.m. – 12 p.m.

Emergency Mental Health Crisis

- **Dial, Chat, or Text 988** or call **Greater Greenville Mental Health** After Hours Crisis Line (864) 241-1040 • **Mental Health America of Greenville County** Dial, Chat, or Text 988

Alcohol and Drugs

100% FREE confidential support, 24-hour hotline. Call with questions or concerns about drug or alcohol use. Call: 864.430.1802 to reach **FAVOR Upstate – Faces and Voices of Recovery**

The Phoenix Center (Main Number: 864-467-3790), (Detox: 864-467-3770, 24 hrs. day)

Housing Resources

- Links to an affordable housing list can be accessed at <https://www.gvlhomes4all.org/get-help>. A map and guide are here: <https://greenvillehousingfund.com/where-is-greenvilles-affordable-housing/>.
- If you are living in a car, shelter, outside or a building without utilities, call United Housing Connections at 864.241.0462 or utilize this online form <https://www.unitedhousingconnections.org/find-housing>.

Programs for previously incarcerated, sex trafficking, and financial assistance, behavioral health resource guide can be found here: <https://www.gvlhomes4all.org/get-help>.

REASONS TO CONTACT A Chaplain

SUPPORT



- To offer resources for self or family after trauma.
- Assistance with making meaning after trauma.
- Pastoral support in difficult or unexpected situations.
- For prayer in anxious times.

GUIDANCE



- To offer a listening ear as spiritual issues arise.
- Help with questions of faith.
- To offer spiritual coping tools.
- Provide a conversation partner for those struggling with topics such as hope, doubt, anger, evil, suffering, purity, or forgiveness.

CLARITY



- To process concerns of spiritual abuse.
- Resource to identify clergy misconduct or abusive congregational practices

HOW TO REACH OUT



Carrie Nettles
Monday-Friday 9am-3pm
Office: 864-331-0560 x 230
Email:
cnettles@julievalentinecenter.org

SOURCE:

<http://topvaps.com/top-10-reasons-to-donate-to-charity>

South Carolina Constitution: Victim's Rights

A) To preserve and protect victims' rights to justice and due process regardless of race, sex, age, religion, or economic status, victims of crime have the right to:

1. Be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal and juvenile justice process, and informed of the victim's constitutional rights, provided by statute;
2. Be reasonably informed when the accused or convicted person is arrested, released from custody, or has escaped;
3. Be informed of and present at any criminal proceedings which are dispositive of the charges where the defendant has the right to be present;
4. Be reasonably informed of and be allowed to submit either a written or oral statement at all hearings affecting bond or bail;
5. Be heard at any proceeding involving a post-arrest release decision, a plea, or sentencing;
6. Be reasonably protected from the accused or persons acting on his behalf throughout the criminal justice process;
7. Confer with the prosecution, after the crime against the victim has been charged, before the trial or before any disposition and informed of the disposition;
8. Have reasonable access after the conclusion of the criminal investigation to all documents relating to the crime against the victim before trial;
9. Receive prompt and full restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury including both adult and juvenile offenders;
10. Be informed of any proceeding when any post-conviction action is being considered, and be present at any post-conviction hearing involving a post-conviction release decision;
11. A reasonable disposition and prompt and final conclusion of the case;
12. Have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and have these rules subject to amendment or repeal by the legislature to ensure protection of these rights.

For more information visit: <http://www.scvan.org>

Compensation and Restitution/Bill of Rights

Restitution

The judge or the Parole Board may order a convicted defendant to repay you for losses suffered because of the crime. In order for the judge or Parole Board to know what losses you have suffered; you must have completed a Victim Impact Statement (VIS.) Your victim advocate will help you complete the VIS. However, some losses may be the kind that cannot be repaid. The defendant may have a limited ability to make monetary restitution (he/she may have no money, may be unemployable, or he/she may be in prison for many years.) Therefore, restitution may not be complete.

Restitution payments may be stretched out over several years. Payments are not paid by the offender directly to the victim but are paid to the clerk of court or the SC Department of Probation, Parole, and Pardon Services who issues a restitution check.

The SC Victims' Compensation Fund

A victim of a crime who has suffered some loss as a result of that crime may be eligible for compensation from the SC Victims' Compensation Fund. The fund may provide benefits when someone has medical expenses, loss of earnings, counseling expenses, or (in death cases) funeral expenses, if those expenses are not covered by other sources.

To qualify for compensation, one must report the crime to the police within 48 hours of its occurrence (if possible), cooperate with law enforcement and the State Office of Victim Assistance (SOVA), and complete an application (see Resources List). Your law enforcement or solicitor's office victim advocate will be able to help you with your application.

To receive funds, the loss must exceed \$100. As of July 1, 1996, the maximum allowable compensation for funeral expenses is \$4,000; for any one claim is \$15,000; and for extreme cases that are approved by the board, the maximum is \$20,000.

Seeing the defendant

In addition, to going through the criminal court process, you may consider suing the defendant for damages. This takes place in civil court. These matters are heard at your county courthouse, probably the same place the criminal trial did or will take place, but in a somewhat different kind of trial. In order to determine whether or not you should sue, you will need to discuss the matter with the attorney of your choice. Before you decide whether or not to proceed with a civil action, please confer with the prosecutor of your criminal case first. You may contact the SC Bar Lawyer Referral Service or SCVAN to help you find a civil attorney.

Other Financial Needs

Your victim advocate or SCVAN staff will gladly help you find additional sources of financial assistance if you feel additional resources are necessary. There are many organizations that can provide you with free or inexpensive clothing, food, furniture, medicine, doctor and dental care, and other vital services.



For more information visit:
<http://www.scvan.org>

Criminal Court Process

Where you fit in the process. As a victim, witness, or the survivor of a victim, you may feel that you are not part of the process, but you are! Don't be afraid to ask all the questions you have or to be kept informed each step of the way. You will be asked or allowed to participate at various points throughout the prosecution of the case and later during the defendant's incarceration, if he is convicted. You have rights, which are stated in the South Carolina State Constitution (and in this folder). If you are a victim, or the survivor of a victim, how the crime has affected you is a very important part of the case.

Warrant and arrest

If a suspect has been positively identified, you, a witness, or a police officer may be the person who signs the arrest warrant that charges the suspect with the crime. The police will be able to tell you who must sign the warrant. If you are to sign the warrant, you will have to go to an office to do so. It may be the magistrate's office, an office at the county courthouse, or at the city court. You will speak with a judge or a clerk who will prepare the warrant. You will be required to swear that the crime happened and that the suspect did the crime. Whoever listens to what you have to say must be satisfied that there is probable cause to issue the warrant. If they believe what you tell them, a warrant will be issued at that time. Once the arrest warrant is issued, a police officer will serve it (read and give a copy) to the defendant, the person accused of the crime. If the defendant is in jail, the warrant will be served there. If he is not in jail, a police officer must find the defendant, serve the arrest warrant, take the defendant into custody, and take him to jail. At the jail, the defendant will be photographed, fingerprinted, and placed in a cell. Usually, as soon as he can after he is arrested, the defendant contacts his attorney to help him with his defense against the charges made against him. In less serious or juvenile cases, the defendant may be released instead of being kept in custody. The defendant may be required to post bond before he is released. The purpose of the bond is to assure that the defendant will appear in court. It is not intended to make it impossible for the defendant to get out of jail. You have a right to be notified of and to be present at a bond hearing. If you are not notified, please call SCVAN or the Office of the Crime Victims' Ombudsman at 803-734-0357. Very often the defendant will be out of jail in a matter of hours after he is arrested. Typically within a day or two after the arrest warrant is served, the defendant is brought before a judge to be arraigned (formally charged).

Attorneys

There are two kinds of attorneys in criminal cases: the solicitor (or deputy solicitor or assistant (solicitor), who prosecutes the case for the State, and the defense attorney, who represents the defendant. However, if you are considering a civil lawsuit regarding the case and you have retained an attorney, he may want to follow the progress of the criminal case. Your attorney will not participate in the criminal trial, but you do have the right to represent throughout the criminal justice process if you choose to hire a private attorney. The victim advocate in the solicitor's office will keep you informed of the case's progress. You do not have to talk with the defense attorney prior to trial. However, he may request to interview you. Before you do, please discuss whether or not you should speak to him with the solicitor handling your case. Always keep the solicitor's office informed before you start a civil case.

Preliminary Hearing.

Before a case goes to trial, it typically goes through at least two hearings. The first is the preliminary hearing. The purpose of the preliminary hearing is to present the basic elements of the case so that the judge may decide whether or not there is probable cause and sufficient reason to go forward with the case and to continue to hold the defendant to the requirements of his bond. Sometimes the defendant chooses not to be present at the preliminary hearing. However, the defense attorney may be present at the hearing. He has a right to know what evidence exists against his client. This is called the "right of discovery." The defense attorney may ask questions at the preliminary hearing. The preliminary hearing is open to the public. You do not need to attend unless the police or solicitor asks you to. You might wish to attend in order to follow the progress of the case, and you have that right.

The Plea

After probable cause is established at a preliminary hearing, the defendant is formally arraigned and charged with the crime and advised of his rights. At the arraignment, the defendant pleads either "guilty" or "not guilty." Many plead "guilty." If he pleads "guilty," he may be sentenced immediately or at some future time. He may change his plea up to the point where the judge accepts his plea of "guilty." If he pleads "not guilty," his case will go to trial. He may change his plea to "guilty" up to the point where either a judge or jury declares a verdict. The vast majority of criminal cases in South Carolina are handled through guilty pleas, and not trials.

Grand Jury.

The second hearing is held before the Grand Jury, a group of eighteen citizens. Grand Jury hearings are not open to the public. The grand jury listens to the basic elements of lots of cases, one right after the other. The solicitor may be the only one who presents your case, or several witnesses may testify. The solicitor might ask you to testify. If the Grand Jury issues a "No Bill," the case will not go to trial. If the Grand Jury issues a "True Bill" (or indictment), the case will be handled in the General Sessions Court.

Trials

A trial may be held before both a judge and jury (a jury trial) or before a judge with no jury (a bench trial.) The more serious criminal trials are held in General Sessions court. The judge or jury must listen to all the facts of the case and decide whether or not the defendant is guilty of the crime. If the defendant is found "not guilty," he will be released from custody. If the defendant is found "guilty," he may be sentenced right then or at a later time. Almost always the judge decides the sentence. Under South Carolina law, the jury decides the sentence only in cases in which the solicitor asks for the death penalty (called "capital" cases.)

Victim Impact Statement (VIS.)

The VIS is a voluntary, written or oral statement by the victim telling how the crime has affected the victim's life and family. The VIS form has a place for you to request notification of court hearings and other proceedings: post-sentence hearings affecting probation, parole, and release; and notification in the event the offender escapes. The VIS is used by the solicitor to prepare a sentence recommendation and by the judge to determine the sentence and restitution, if any. Depending on the sentence, your VIS also may be sent to the SC Department of Corrections and/or Probation, Pa- role, and Pardon Services. The Parole Board may use your VIS to determine restitution. Make sure that you ask for and complete a VIS. This insures your voice is heard and that the criminal justice system knows how the crime affected you. Make sure it is filed with the solicitor's office if your case is going forward to General Sessions Court. Your victim advocate is required to advise "all victims of their right to submit to the court, orally or in writing at the victim's option, a victim impact statement to be considered by the judge at the sentencing or disposition hearing in general sessions court and at a parole hearing" and provide you with a copy of the VIS form (SC Code§16-3-1550.) You may make your statement orally in court, if you wish, instead of in writing, but a written VIS can be sent places where it is useful, such as to the SC Department of Corrections (SCDC), the Department of Probation, Parole, and Pardon Services (DPPPS), and the Parole and Community Corrections Board to be considered every time the defendant has a hearing.

Pre-trial intervention (PTI.)

The defendant may be eligible for the Pre-trial Intervention Program. The program serves mostly first-time offenders charged with a less serious offense. However, the solicitor may request that any defendant be allowed to participate. The defendant pays for this program. It allows him to make restitution (to pay for the damage or injury he has caused) and to attend classes that teach him the impact of his behavior and how to avoid repeating his offense. You should be notified when the defendant applies for PTI and be allowed to express your opinion to the solicitor regarding the defendant's participation. If he successfully completes PTI, his case will be dismissed. If he fails to complete PTI, his case will be sent back to court.

Sentencing

After a plea of "guilty" is entered or a verdict of "guilty" is reached in the case, the judge will sentence the defendant (except in death penalty cases, in which the jury decides the sentence.) The judge will consider all the information he has, including your VIS, as well as the information the defense presents.



For more information visit:
<http://www.scvan.org>

Testifying in Court.

Testifying means telling the truth. Always tell the truth. If you learn that you will be asked to testify, you will want to talk with the solicitor about what to expect. The solicitor's office victim advocate may help you prepare to testify. In court, all you need to do is tell what you know and answer the questions you are asked. You might be nervous and the defense attorney might try to upset you, but do your best to stay calm, take your time, and answer questions with simple, truthful answers.

Criminal Law

The purpose of criminal law is to enforce the laws regarding how people behave. Those who disobey the criminal law must answer for their crimes and be made to obey the law. Both the State of South Carolina and the United States government have laws that define crimes. Most criminal cases are tried in state courts.

Constitutional Law.

The Constitution of the United States (and its amendments, or changes) guarantees the rights of citizens. One who is charged with a crime is presumed innocent until he is proven guilty beyond a reasonable doubt. Crime Victims have rights in our State Constitution.

Definitions of crimes.

The definitions of crimes are found in the statutes (laws) that make up the criminal code and in the common law. The common law is the entire set of court decisions of both the United States and England.

Jurisdiction.

In order for a court to hear a case, it must have jurisdiction, the authority to hear it and make a decision. Which court has jurisdiction is determined by what kind of crime was committed and where it happened.

Juveniles.

Juveniles (persons 16 years of age and younger) who commit crimes usually are not tried in criminal court. Instead the juvenile's case is heard in family court. There is another section in this folder dealing with juvenile cases.

Final Note

There is no way to predict the outcome of the criminal court process. What is important for you is to go through the process to its conclusion. Once a defendant found guilty is sentenced, you may register to be notified about hearings regarding probation and parole and request the solicitor's office and the Attorney General's Office to keep you posted regarding the phases of the appeals

The Law Enforcement Process

Usually, Your first contact with law enforcement will be through the dispatcher or the patrol officer. It is the patrol officer's job to respond to emergency situations and begin the investigation process (gathering information about the crime.) The patrol officer may play a major role in the investigation, but his work may be passed on to an investigator (or detective) who will be in charge of the investigation until the solicitor's office becomes involved in the case. The solicitor (or deputy solicitor), called district attorney in many states, is the attorney for the State. The police will conduct the investigation. The solicitor's office makes decisions about the prosecution of the case.

The person who takes photographs, searches for fingerprints, and collects items of evidence at the crime scene is the forensics officer (sometimes known as crime scene technician or criminologist), if your law enforcement agency has such a specialized officer. If you are the victim of an attack, you may actually be part of the "crime scene." Evidence may be on your person that needs to be collected (including clothing or samples taken by swabbing or scraping under the fingernails) or documented (such as by photographs.)

Some of the evidence that needs to be collected might require the service of a medical doctor or Forensic Nurse. In those cases, you will be required to go to a doctor's office or hospital. The doctor has a list of things he must do to collect evidence. This list is often called a "protocol".

Anyone who has control over a person or property may give permission for the police to collect evidence. Sometimes when the police are not given permission to collect evidence, they must go to a judge to get a search warrant.

Anyone who has any information about your case is a potential witness. They might not have seen the crime committed, but what they know may help prosecute the case, and convict the offender. The person who committed the crime is the offender or perpetrator. In the beginning, he is usually called the suspect. Once a warrant is issued charging him with the crime, he becomes the defendant. His attorney is the defense attorney. If the defendant cannot afford an attorney, the court may appoint one to represent him, or he may qualify to be represented by a defense attorney that is paid for by the taxpayers called a public defender.

Anyone who knowingly helps the offender commit the crime, but doesn't participate in the criminal act, is an accessory and also may be charged with a crime.

The criminal prosecution begins when the police begin efforts to arrest a suspect. Up until that point, the police are conducting an investigation.

The investigation may take several days or more until the case is solved, or it may never be solved. Your cooperation likely will be necessary throughout the investigation. However, your participation in the case may go on for much longer, perhaps years.

The person who will help you with your needs is the victim advocate. Your victim advocate may be at the police or sheriff's department, the solicitor's office, another governmental agency, or a private organization. You may have more than one victim advocate. The victim advocate's job is to answer your que

Our state has a Crime Victims' Ombudsman. If you have problems getting the service you need from people in the criminal justice system, you may want to contact the Ombudsman at 803-734-0357. The Ombudsman has a process in place to look into the problem you are having and help you navigate the criminal justice system.

Law enforcement agencies must provide victims, free of charge, the following:

- a copy of the initial incident report of the case,
- documents which describe your Constitutional rights as a crime victim, your responsibilities as a crime victim,
- local victim assistance contact information, social service providers,
- victim compensation information,
- rights concerning harassment and threats, assistance with creditors, landlords and employers,
- information concerning the status and progress of the case and investigation.

It is the responsibility of law enforcement to provide a copy of the incident report, free of charge.

Note: In most cases throughout the text of this folder, the masculine gender is used to represent both sexes, as is proper in formal writing. If you do not understand a term used in the text, consult the glossary (Words You Are Likely to Hear.)

Laws That Affect You

The following summarizes the law (~ 16-3-1506, et seq.) that describes the responsibilities of the criminal justice system to you, as a crime victim (whether it be law enforcement; courts, prosecutors, the Attorney General, jails, other departments of confinement, the Department of Corrections, the Department of Probation, Parole, and Pardon Services, the Juvenile Parole Board, and the Department of Juvenile Justice.)

First of all, we ask YOU to help us keep you informed:

Responsibilities of Victims and Prosecution Witnesses

- Keep agencies apprised of your legal name, address, and phone number.
In order to receive restitution, you must provide the solicitor or judge details of the financial impact of the crime upon you.
- Notify prosecutor or judge of your desire to be present for hearings.
- Submit your Victim Impact Statement in a timely manner to your Victim Advocate.
Notify the solicitor of your desire to make an oral statement in court before sentencing.

The following are what you, as a crime victim, can expect from the criminal justice system: Upon Report of Crime, Law Enforcement has the Following Duties to Victims:

- Provide you with a free copy of the incident report.
Provide you with a description of your rights, services available to you, and procedures if you are harassed or threatened.
- Assist you with filling out SOVA compensation and other social service applications.
- Assist you with problems with creditors, employers, schools, etc.
- Inform you of the status and progress of your case and investigation.
Provide you with transportation to and protection in the courthouse.

Upon Arrest or Pick-up, the Appropriate Agency has the Following Duties to Victims:

- Notify you of the arrest or pick up of the defendant.
- Notify you in advance of pretrial release proceedings.
- Provide you with information about victim assistance agencies.
Notify you before proceeding with bail/bond/detention hearings, and verify that before a judge.
- Impose measures to protect you as a condition of defendant's pre-trial release.
Notify you in advance of preliminary hearings.

Upon Release, Transfer or Escape, a Department or Agency Having Custody of a Defendant Must:

Notify you of any release, transfer or escape by the defendant.



For more information visit:
<http://www.sevan.org>

Laws That Affect You

Upon Referral of Case to Summary Court for Disposition, the Summary Court has the Following Duties to Victims:

- Notify you of your rights and about the practices and procedures of the Court.
- Provide you with a Victim Impact Statement form.
- Notify you in advance of all hearings.
- Return your personal property in a timely manner.
- Recognize and protect your rights.

Upon Referral of Offender to Department of Juvenile Justice, DJJ has the Following Duties to Victims:

- Inform and confer with you before taking action.
- Inform you of the status and progress of the case.

Upon Referral of Case for Disposition in General Sessions or Family Court, the Appropriate Agency (usually the prosecuting agency) has the following Duties to Victims:

- Provide you with a Victim Impact Statement form and assist you in completing it.
- Inform you of practices and procedures of the criminal justice system.
- Inform you of your right to legal counsel.
- Return your personal property in a timely manner.
- Inform you of compensation, fees, financial assistance and assist with applications.
- Inform you of status and progress of the case.
- Talk with you regarding decisions on handling and disposition of your case.
- Notify you in advance of each hearing.
- Assist with creditors, employers, schools, etc.
- Respond actively to threats and intimidation.
- Minimize your inconvenience and familiarize you with the procedures in court and practices within the criminal justice system.
- Refer you to appropriate service and assistance agencies

Laws That Affect You

Laws that Provide for Protection of Your Constitutional Rights

- Employers must not retaliate, suspend or reduce your wages or benefits if you are subpoenaed to court.
- Victims and witnesses may not be sequestered (kept out) of the courtroom.
- Law enforcement and prosecutors must have separate waiting areas for you and defendants and their witnesses.
- The Court must recognize your rights as diligently as those of the defendant.
- The Court must notify you of all proceedings in a timely manner. If notice was not given in a timely manner, hearings must be delayed.
- The Court must treat sensitively witnesses who have special needs (elderly, handicapped, children) by using closed or taped sessions.
- Judges must hear or review all victim impact statements before sentencing.
- Judges must address the issue of restitution.
- Judges must order reasonable expert witness fees and reimbursement to victims of reasonable out-of-pocket expenses associated with complying with a subpoena to testify.
- Prosecutors must forward victim impact statements and victim contact information to Department of Corrections, SCDPPPS, DJJ, and/or the Juvenile Parole Board. All victim information must be kept confidential.
- Prosecutors must file the Victim Impact Statement with all indictments.
- Prosecutors must inform you about your responsibility to provide your current contact information to all agencies that may deal with the offender.
- Prosecutors must inform you about procedures for the collection of restitution, fees and expenses, and provide you with contact information for criminal justice agencies that can assist you with collection.