

INFORMATION FOR VICTIMS OF CRIME IN WISCONSIN

INVESTIGATING AGENCY



**Menomonee Falls Police
Department**
W156N8480 Pilgrim Rd
Menomonee Falls, WI 53051
(262) 532-8700

Contact Officer: _____

Date: _____

Case #: _____

CONTACT INFORMATION

Arrest, custody, or release information:

Adult Offender

Waukesha County Jail
515 W Moreland Bd
Waukesha, WI 53188
(262) 548-7170

Juvenile Offenders

Waukesha County
Juvenile Center
521 Riverview Avenue
Waukesha, WI 53188
(262) 548-7731

To request notice of legal proceedings and information about victims' rights or to speak with the prosecutor of the case:

Adult Offender

Waukesha County
District Attorney
515 W Moreland Rd
Waukesha, WI 53188
(262) 548-7076

Juvenile Offenders

Waukesha County
Juvenile Center
521 Riverview Avenue
Waukesha, WI 53188
(262) 548-7731

Wisconsin law provides victims of crime with specific rights

The Wisconsin Constitution (Article I, Section 9m) and Wis. Stat. Chapter 950 give special rights to victims of crime. Some rights are automatic while others must be requested. The Wisconsin Department of Justice Victim Resource Center can provide you with information about victims' rights as well as victim services in your area. Call 1-800-446-6564 or access a directory online: <http://www.doj.state.wi.us/ocvs>.

Please note that it is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with about the case and to make your interests known.

If you are the victim of domestic abuse

You may contact a domestic violence victim service provider to plan for your safety and take steps to protect yourself, including filing a petition under s. 813.12 of the Wisconsin statutes for a domestic abuse injunction or under s. 813.125 of the Wisconsin statutes for a harassment injunction.

Victim Services

Waukesha County Victim/Witness Assistance

Information, support and safety planning for victims and witnesses.

Waukesha County Victim/Witness
515 W. Moreland Blvd., Room CG-72 Waukesha, WI 53188
(262) 548-7071 - Help4Victims@da.wi.gov

The Women's Center 24hr Crisis Line
(262) 542-3828 or 1-888-542-3828

Important Reminders for Victims of Crime

- If the District Attorney's Office issues charges in this case you will have the right to attend all court proceedings and, upon request, to be heard in court when your rights as a victim are implicated. Contact the Victim Witness Program for information about your rights and about charges, the next court hearing and to provide your input regarding potential protective bail conditions that may be ordered by the court.

By Phone: (262) 548-7071 By Email: Help4Victims@da.wi.gov

- If you are threatened or intimidated by anyone because of your cooperation with law enforcement and prosecution in connection with this crime, you should report that to the investigating agency. If you feel you are in immediate danger, call 9-1-1.
- It is very important that you keep agencies informed of any changes to your address, phone number, or email.
- You may be eligible to receive reimbursement for certain expenses related to the crime. It may be helpful to you to keep records of the crime-related expenses such as lost wages, repairs or medical bills because you may be required to provide this information to support your claim. Restitution may be ordered if someone is convicted of the crime against you, or you may be eligible for crime victim compensation even if no one is arrested or convicted. For more information contact the Wisconsin Department of Justice at 1-800-446-6564 or P.O. Box 7951, Madison, WI 53707-7951 or online at: www.doj.state.wi.us/ocvs.
- WI-VINE services allow you to register for notification about changes in custody status for offenders who are in a county jail. Find more information at www.vinelink.com or call 1-888-944-8463.

CRIME VICTIM' RIGHTS IN WISCONSIN

* An asterisk (*) marks those rights which a victim must specifically request.

VICTIMS' RIGHTS THAT MIGHT APPLY ANY TIME

- To be treated with fairness, dignity and respect for his or her privacy.
- To receive written information from law enforcement, within 24 hours of contact about rights, who to call for custody information regarding the offender and how to get more information about the case.
- To not have personal identifiers including email disclosed/used for a purpose unrelated to the official duties of an agency, employee or official.
- To contact the Department of Justice concerning a victim's treatment (1-800-446-6564) and to seek a review of a complaint by the Crime Victims Rights Board, as provided by law.
- To notice of a decision not to prosecute, if an arrest has been made.
- If a victim of an officer involved death, to receive information about the process by which he or she may do the following: file a complaint charging a person with a crime, if permitted by a judge; file a complaint under the John Doe investigation proceedings; and the process of an inquest.
- To reasonable protection from the accused throughout the criminal justice process.
- To a speedy disposition of the case.
- To not be compelled to submit to a pretrial interview or deposition by a defendant or his or her attorney.
- To information about the disposition of the case.*
- To attend court proceedings and to be accompanied by a service representative, as permitted by law.
- To not be the subject of an officer's or district attorney's order, request, or suggestion that the victim submit to a test using a lie detector if the victim reports having been the victim of a sexual assault.
- To the expeditious return of property when it is no longer needed as evidence.
- To file for Crime Victims Compensation, as provided by law.
- To request an order for an offender to submit to a test for sexually transmitted diseases, communicable disease, or HIV test (for certain offenses).
- To notice of a decision to close or dismiss a case or defer prosecution, if the offender is a juvenile.

VICTIMS' RIGHTS THAT APPLY AFTER AN OFFENDER HAS BEEN CHARGED

- To receive written information from the district attorney regarding the victim's rights and how to exercise them.
- Upon request, the opportunity to communicate with the prosecutor (or intake worker) about the possible outcome of the case, potential plea agreements and sentencing options.*
- To be notified of the time, date and place of court proceedings, if requested.*
- To be provided a waiting area separate from defense witnesses.
- To have the victim's interests considered when the court is deciding whether to grant a continuance or deciding whether to exclude persons from a preliminary hearing.
- To be contacted about the right to make a statement at disposition or sentencing.
- To assistance with an employer about the need to attend court appearances.
- To be notified if charges are dismissed.

VICTIMS' RIGHTS RELATED TO THE SENTENCING OF THE OFFENDER BY THE COURT

- To provide a statement to the court, in person or in writing, about the economic, physical and psychological effects of the crime and to have that information considered by the court.
- To be contacted by the person preparing the pre-sentence report (or court report, if the offender is a juvenile) to have the impact on the victim included in the report.
- To restitution from a juvenile offender, as permitted by law.
- To recompense from forfeited bail, as determined by the court.
- To view certain portions of a pre-sentence investigation report.
- To restitution from an adult offender for any crime considered at sentencing.

VICTIMS' RIGHTS THAT APPLY AFTER SENTENCING

- To be provided sentencing or dispositional information.*
- To attend parole interviews or hearings and make statements.
- To be notified of a conditional release.
- To be provided with notice of a petition for a sentence adjustment or reduction and applications for early release.
- To be notified by the Department of Corrections of certain releases, escapes, confinements, leave, release to extended supervision and participation in the intensive sanctions program. If you have questions about receiving notices from the Department of Corrections, call 1-800-947-5777.
- To attend a hearing on a petition for a modification of a sentence and to provide a statement.
- To notification from the Department of Health Services concerning discharge, home visits and supervised release of certain offenders.
- To be notified of applications for parole or release to extended supervision; to provide statements concerning parole.
- To have the clerk of court send: a copy of an inmate's petition for extended supervision and notice of the hearing on that petition; a copy of a motion for post-conviction DNA testing and notice of any related hearing.*
- To be notified by the governor of a pardon application and to make a written statement about that application.
- To a civil judgment for unpaid restitution.
- To be notified when an offender's release to parole or extended supervision is revoked for violating a condition of release

Please note: It is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with regarding the case.

This form is provided in compliance with Wis. Stat. 950.04(1v)(t) and 968.075(3)(a)4

VICTIMS OF CRIME CONSTITUTIONAL AMENDMENT RIGHTS

On April 7, 2020, Wisconsin voters ratified an amendment to the Wisconsin State Constitution entitling rights to crime victims. In addition to all other rights previously available to victims, these rights apply to crime victims at the time of their victimization and throughout the criminal and juvenile justice processes. These rights are effective as of May 4, 2020 and apply to all current and future victims.

VICTIMS' RIGHTS THAT MIGHT APPLY AT ANY TIME

- To be treated with dignity, respect, courtesy, sensitivity, and fairness.
- To privacy.
- To timely disposition of the case, free from unreasonable delay.
- To reasonable protection from the accused throughout the criminal and juvenile justice process.
- Upon request, to timely notice of any release or escape of the accused or death of the accused if the accused is in custody or on supervision at the time of death.
- To refuse an interview, deposition, or other discovery request made by the accused or any person acting on behalf of the accused.
- To compensation as provided by law.
- Upon request, to reasonable and timely information about the status of the investigation and the outcome of the case. To timely notice about all rights under this section and all other rights, privileges, or protections of the victim provided by law, including how such rights, privileges, or protections are enforced.

VICTIMS' RIGHTS THAT APPLY TO PROCEEDINGS

- To proceedings free from unreasonable delay.
- Upon request, to attend all proceedings involving the case.
- Upon request, to reasonable and timely notification of proceedings.
- Upon request, to be heard in any proceeding during which a right of the victim is implicated, including release, plea, sentencing, disposition, parole, revocation, expungement, or pardon.

VICTIMS' RIGHTS THAT APPLY AFTER AN ACCUSED HAS BEEN CHARGED AND/OR RELATED TO SENTENCING OF THE ACCUSED

- Upon request, to confer with the attorney for the government.
- To have information pertaining to the economic, physical, and psychological effect upon the victim of the offense submitted to the authority with jurisdiction over the case and to have that information considered by that authority.
- To full restitution from any person who has been ordered to pay restitution to the victim and to be provided with assistance collecting restitution.

VICTIMS' RIGHTS ENFORCEMENT

- To assert and seek in circuit court or before any other authority of competent jurisdiction, enforcement of the rights in this section and any other right, privilege, or protection afforded to the victim by law.
- To obtain review of all adverse decisions concerning their rights as victims by courts or other authorities by filing petitions for supervisory writ in the court of appeals and supreme court.

Please note: It is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with regarding the case.

If you are a victim of sexual assault, human trafficking, or child sexual abuse, you have the right to be accompanied by a victim advocate at law enforcement interviews and other proceedings related to the crime committed against you, pursuant to Wisconsin Statute 950.045. A parent or guardian may request a victim advocate on behalf of a minor victim of these crimes. To request a victim advocate, please inform the investigating officer, or contact Victim/Witness Assistance at (262) 548-7071.

POLICE REPORTS:

Police reports are available upon request through the Menomonee Falls Police Department Business Office, 24 hours a day. There is a call box to the right of the main Village Hall doors when they are locked. Reports may not be available during the investigative or processing stages. Please call (262) 532-8700 to check on the release of a specific report. There is a charge of \$.25 per page and \$25.00 per media DVD.