

VICTIM'S RIGHTS REQUEST/WAIVER FORM

Pursuant to Ohio Constitution Article I, §10a, I assert or waive the rights checked below. I understand that if I change my mind, I must complete a new form and return it to the investigating officer, or, if the suspect has been charged, to the prosecutor. The investigating officer will provide the prosecutor's contact information.

Date: _____

_____ **Initial Contact**

_____ **Victim Initiated Change**

Reporting Agency: Middletown Division of Police

Report No.: _____

Report Agency Phone: (513) 425-7700

Case No.: _____

Reporting Officer: _____

County: Butler/Warren

Badge No.: _____

Suspect: ____ Adult ____ Juvenile

Middletown Prosecutor's Office: (513) 425-7895

Middletown Municipal Court

Victim Advocate Contact: heatherh@cityofmiddletown.org

One Donham Plaza, Middletown, Ohio

Request	Waive	
		The right to notice of the arrest, escape or release of the offender.
		The right to reasonable and timely notice of all public proceedings.
		The right to confer with the prosecutor in the case.
		The right to notice if the defense requests access to confidential victim information, including medical, counseling, school or employment records, access to victim's personal devices or on-line accounts, or other personal information.
		The right to appoint a Victim's Representative. Representative Name _____ Address _____ Phone _____ Email _____ Relationship to Victim _____
		The victim would also like to receive notices and exercise their rights.
		The victim needs an interpreter. Language: _____

Victim information and required signatures go on the back of this page

Victim Name: _____

Phone: _____

Other Phone: _____

Email: _____

Address: _____

If you are denied your rights you may seek to enforce your rights on your own, ask the prosecutor to enforce your rights, or retain an attorney. You may request free legal assistance through nonprofit organizations such as Ohio Crime Victim Justice Center at OCVJC.org, (866) 665-3330, (614) 848-8500, or info@ocvjc.org.

Signatures

Victim/Representative

Name: _____

Signature: _____

Date: _____

Officer/Prosecutor/Custodial Agency Rep.

Name: _____

Signature: _____

Date: _____

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WHAT ARE MY RIGHTS AS A VICTIM?

You have rights as a victim. Some rights you are automatically entitled to and some rights you must request. You can choose to exercise all, some, or none of your rights, and you can change your selections at any time.

AUTOMATIC RIGHTS
<p>You are automatically entitled to:</p> <ul style="list-style-type: none">• Be informed of your rights;• Be treated with fairness and respect for your safety, dignity, and privacy;• Reasonable protection from the accused or any person acting on behalf of the accused;• Receive information about the status of the case;• Refuse a defense interview, deposition, or other discovery request unless ordered by the court;• Object to defense requests for access to your confidential information, including medical, counseling, school, or employment records, access to your personal devices, online accounts, or other personal information;• Be present at all public proceedings;• Have a support person with you during proceedings;• Tell the court your opinion in public proceedings involving release, plea, sentencing, disposition, parole, and any other hearing that involves victims' rights;• Object to unreasonable delays; and• Full and timely restitution from the offender.
RIGHTS THAT MUST BE REQUESTED
<p>You must REQUEST the right to:</p> <ul style="list-style-type: none">• Receive notice of the arrest, escape, or release of the offender;• Reasonable and timely notice of all public court proceedings;• Confer with the prosecutor assigned to the case;• Be notified of subpoenas, motions, or other requests to access any of your personal information;• Appoint a Victim's Representative.

Of the rights that must be requested, you will be asked to select on this form which rights you want to exercise. If you cannot or do not decide when law enforcement first contacts you, then you will be treated as if you chose to exercise all of your rights. **You can change your mind at any time about which rights you choose to exercise.**

Once a prosecutor contacts you about the case, if you have not done so already, you will have to choose which of the rights that are not automatically granted that you want to exercise, or it will then be treated as if you chose not to exercise (waived) those rights. **You can change your mind at any time about which rights you choose to exercise.**

HOW DO I CHANGE THE RIGHTS I WANT TO EXERCISE?

If you did not choose to exercise some or all of your rights that are not automatically granted to you, you or your victim's representative can request those rights at any time. 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.

To change the rights you wish to exercise, you must complete a new Victim's Rights Request/Waiver Form or make a request in writing and return it to the appropriate criminal justice official.