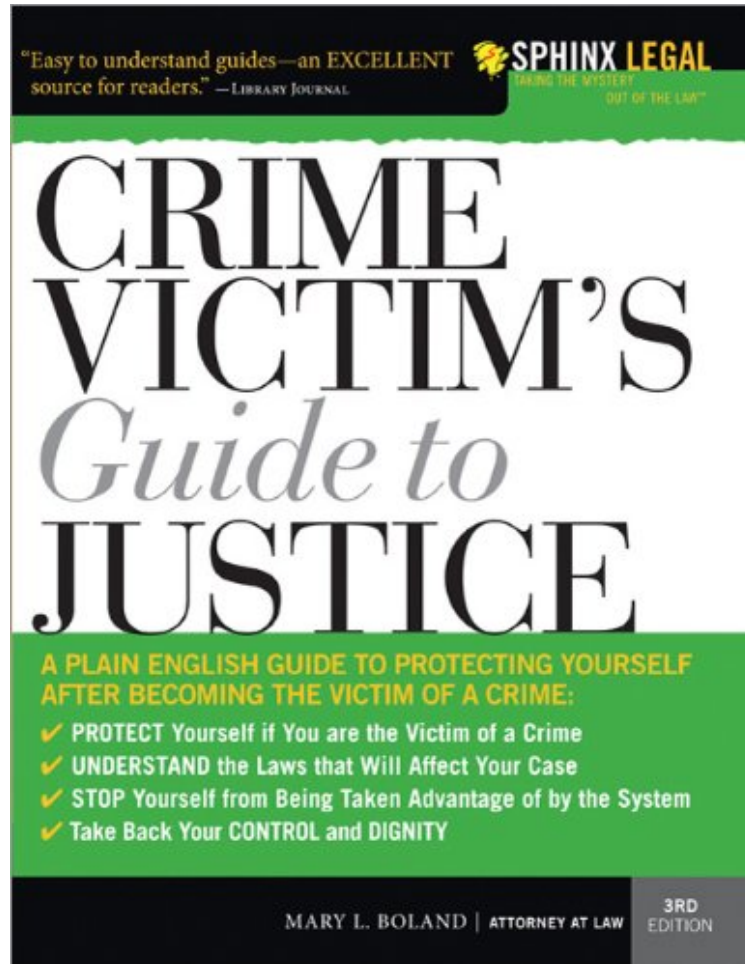


(Read and download) Crime Victim's Guide to Justice (Legal Survival Guides)

## Crime Victim's Guide to Justice (Legal Survival Guides)

Mary Boland

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**Mary Boland : Crime Victim's Guide to Justice (Legal Survival Guides)** before purchasing it in order to gage whether or not it would be worth my time, and all praised Crime Victim's Guide to Justice (Legal Survival Guides):

0 of 0 people found the following review helpful. Reviewing: "Crime Victim's Guide to Justice--3rd Edition" By Kevin Tipple While being the victim of crime can be dramatized on TV and in the movies, when you or your loved one is the victim in real life it is a far different situation. Not just because so much is depicted incorrectly or factually wrong on television and in the movies, but because the situation is now very personal and can have ramifications in a variety of ways. This book is designed to help readers navigate the labyrinth of the Criminal Justice System. After a brief introduction covering the contents of the book, Chapter One addresses the topic of "The Victim in The Criminal Justice System." Basic terms such as "Bail Conditions, Preliminary Hearing, Continuances" etc. are briefly defined and explained in relation to victim rights as the case moves through the system. While each state has some variation regarding how it classifies victim rights, Attorney at Law Mary L Boland states that the right to notice of the case and

participate, the right to be protected, the right to compensation and restitution, among others are universally accepted in every state in the country. Of course, the victim as well as the victim's loved ones may be too traumatized by the impact of the crime to be proactively involved. "Getting Help" is the theme of Chapter Two which briefly discusses victim-assistance programs, crisis counseling, and the crime victim advocate among other resources. Chapter Three provides a layman's view of "Understanding Criminal Law." Types of crimes are defined as are their elements along with the idea that what is classified one way in one state may be classified very differently in another state. Different types of defenses such as entrapment, insanity, etc are also considered along with evidence witness rules. Chapter Four "The Police" is all about reporting the crime and how law enforcement works a case. "Charging the Crime" is the theme of Chapter Five which is all about Prosecutors and how they determine what charges to file. Sometimes "Plea Bargaining" comes up. This topic is covered in Chapter Seven which explains the types of plea bargains and the procedures. "Criminal Trial" is the theme of Chapter Eight which explains how a trial is done in all aspects. "After the Trial" is the theme for Chapter Nine which explains how sentencing, imprisonment (various types), probation, etc. all work and how a victim can be part of that process. Privacy is important and Chapter Ten considers the issue of "Victim Privacy in the Criminal Justice System." The chapter gives a very basic overview of the issue. Chapter Eleven looks at "Recovering Your Losses" through "Crime Victim Compensation, Restitution and Other Ways" Civil Court is an option which was taken by the Goldman family after the first O. J. Simpson murder trial. Comparisons between criminal court and civil court are made along possible outcomes. There is also a very brief consideration of the O. J. Simpson civil case. Chapter Twelve further explores the idea in "The Civil Law Suit." After explaining the advantages and disadvantages, the chapter moves into procedures, level of proof, and the basics of a civil suit among other issues. Lawyers are fundamentally a part of the system and they finally get their own discussion in Chapter Thirteen titled "The Role of Lawyers." How to find a lawyer, select a lawyer and working with your lawyer are all covered. The book concludes with a sixteen page glossary, a twelve page index of victim resources by state and nation, a four page index of victim rights and various short appendices on how to do legal research, manage the case, and sample forms. A six page index completes the 172 page book along with a one page author bio. This third edition released last year provides a simplistic catch all overview of the criminal justice system. As such and as noted in the book, things vary tremendously from state to state. While it may assist readers with having an idea regarding the basic terms and general issues, it lacks specificity for a specific state or locality. Chapters are short and have little depth because the book is a general reference and not tied down to any state or locality and does not consider any issue at depth. Therefore, for folks that have a basic understanding of the system, this legal reference guide will be of little assistance as it is designed and written for people who have no understanding of the system at all. Kevin R. Tipple (copyright) 2009 of 0 people found the following review helpful. An outstanding guide to the court system and victim rights By Midwest Book Review If you've been the victim of crime you have rights and obligations within the criminal justice system - and the opportunity to seek your own justice. CRIME VICTIM'S GUIDE TO JUSTICE tells how to report a crime, get help to investigate a case, effectively testify at trial and sentencing, and pursue a civil case against an assailant. It's an outstanding victim's guide to the court system and victim rights that is a key to working effectively within an often-puzzling system. General-interest as well as legal libraries will find it a popular lend and an important reference selection. Diane C. Donovan California Bookwatch

**DON'T BECOME A VICTIM** of the Legal System If you have been the victim of a crime, your involvement with the justice system is just beginning. As a crime victim, you have certain rights and obligations within the criminal justice system as well as the opportunity to seek your own justice and receive compensation for your injuries through civil court proceedings. Crime Victim's Guide to Justice explains everything you need to know to get justice. **LEARN HOW TO:** - Report a crime and get the police to investigate your case - Seek medical and emotional help for yourself - Effectively testify at trial and sentencing - Pursue a civil case against your assailant to win compensation **ESSENTIAL INFORMATION ON:** - Finding help when you are in an emotional crisis - Obtaining crime victim's compensation - How the court system works and what to expect - Your rights as a victim - And much more ... "The feeling of powerlessness felt by the victim of a senseless crime should be alleviated to some degree by reading [Boland's] explanations and advice." - Booklist "Crime Victim's Guide to Justice should be on the reference shelf of every community library, social services agency, community services center, legal assistance office, and criminal law library in the country." - Bookwatch "[This book] will give you the knowledge and power to forge ahead if something happens to you." - New Woman

**About the Author** Mary L. Boland received her law degree from John Marshall Law School. She is a full-time prosecutor and an adjunct faculty member at Roosevelt University in Chicago, Illinois. A long-time victim's advocate, she has worked to pass legislation protecting victim's rights and has served as a consultant to various federal agencies. Excerpt. Reprinted by permission. All rights reserved. Excerpt from Chapter 1: The Victim in the Criminal Justice System **The Rights of Victims** In colonial times, when a person committed a crime, it was considered to be an injury to the victim and the victim was entitled to prosecute the case. This system favored wealthy victims, however,

because poorer victims did not have the financial resources to seek justice. To make the process fairer, the government took over the responsibility of prosecuting a person accused of committing a crime. Crimes began to be considered public wrongs committed against the community, rather than private wrongs committed only against the individual victim. However, victims began to be considered a piece of evidence in the process, and they lost the ability to have meaningful participation in the process of justice. For example, even though the crime is committed against the victim, the victim is often seen by the criminal justice system as peripheral to the case. The victim is not a party to the case, and cannot force the prosecutor to act on his or her behalf. The law does not permit a victim to privately prosecute a criminal case. For many years, victims did not have any legal rights at all. They were expected to appear and give testimony, often without much preparation by the prosecutor. It may take months, even years, for a case to come to trial, and many victims just dropped out of the criminal court process. In the 1970s, the crime victims' rights movement sought changes in the system to increase the rights of crime victims. President Reagan commissioned a task force on victims that produced a scathing report about the treatment of victims in the system and suggested numerous reforms. Improvements over the last twenty years include:- rape evidence collection kits;- better training of medical personnel;- removal of victims' personal information from the public records;- notification of victims when the perpetrator of a crime is released on bail;- education of victims in court procedures;- safe waiting areas for victims;- limiting continuances;- victims not being required to testify as to their addresses; and,- assigning a single prosecutor for the entirety of the criminal case.

**Rape Evidence Collection Kits** Before the presidential task force changed medical protocols, rape was not considered an injury by many hospitals. Rape evidence collection kits and the training of hospital staff are modifications that have improved the experiences of the victim. The kits standardized the type and quantity of evidence collected, so that all medical procedures and evidentiary requirements could be completed in most cases at the initial emergency room visit.

**Training of Medical Personnel** The training of medical personnel improved the understanding of the dynamics of certain kinds of crimes, which resulted in more sensitive treatment of victims. For example, prior to training, some medical personnel blamed domestic violence victims for the crimes, asking, "Why didn't you leave, if this has happened before?" or "What were you two fighting about this time?" This made victims more reluctant to report the true nature of the injury. Some preferred to say that they had "fall en down stairs," or "bumped into a door," rather than be humiliated with questions or comments from medical staff. Training on the dynamics of domestic violence, including the cycle of violence often present in these cases, has improved the treatment of victims and made them more likely to report these types of crimes.

**Public Records** Prior to the changes in the law, the victim's name and address were available as public records. As a result, victims were easily harassed by the media, insurance and security salesmen, and the perpetrators of the crimes. Today, the release of the victim's address on public records may be prohibited. Some states also provide victims with protection from the assailant's intimidation by adding new crimes for communication or harassment of a witness, and increasing penalties for offenders who harass witnesses prior to trial. In some states, the offender's bail may be revoked if he or she violates the condition prohibiting him or her from contacting the victim pending trial, and he or she could return to jail until trial.

**Bail Conditions** After being arrested, some offenders continue to harass their victims, either from a jail phone or after being released on bail (often without the victim being made aware of the release). When releasing the accused on bail, judges were not always aware of continued threats or harassment of the victim. Today, prosecutors more often confer with victims regarding danger issues and bail conditions. In some states, information about bail release is available, and intimidation of the victim may specifically be cause for the revocation of bail.

**Preliminary Hearing** Prior to changes in the law, victims did not know what was involved in a preliminary hearing, how long it would take, or how they should prepare. Now, victims are entitled to know about the procedures. Prosecutors and victim-witness personnel take the time to prepare the victim before the different parts of the trial.

**Safe Waiting Areas** Victims and assailants often came in contact with each other in the hall ways surrounding the preliminary hearings, causing the victim continued distress. Victims are now entitled to wait in areas that minimize contact with the defendant.

**Continuances** Repeated continuances can cost the victim unnecessary expenses such as hiring a babysitter, leaving work, and parking. Some states require judges to consider the impact of continuances on a victim.

**Testimony** Prior to 1982, refusing to disclose your home and work address could result in being held in contempt of court. In order to maintain the privacy of the victim, some states prohibit compelling a victim to testify as to his or her address and other identifying information unless there is a valid legal reason. Testifying can be a frightening experience, especially for a child. Today, victims may be entitled to have a support person present in court; child victims may be entitled to specialized consideration.

**Prosecutors** Prosecutors could be repeatedly reassigned before the trial even began. Victims would have to tell each new prosecutor the same detailed story and would not receive notification of continuances. As a result of new laws, some prosecutor's offices have a single prosecutor stay with the case from start to finish in certain kinds of cases. Victims are also entitled to receive information on continuances. These are just some of the improvements that have evolved since the 1982 task force report.