

The office of the Park County and Prosecuting Attorney recognizes that being a victim of a criminal act can be one of the most traumatic events of a person's lifetime. Victims of property crimes often endure not only the loss of stolen property, but also feel anger, resentment and mistrust. These feelings are also characteristic of victims of personal assaults who not only must endure the physical pain, but must recover from traumatic emotional upheaval.

Regrettably, crime victims often must also endure time-consuming court proceedings and perhaps court appearances before the person who committed the criminal act is found guilty and sentenced. Under the jurisprudential system in the United States, a person accused of a crime is presumed innocent until proven guilty. Proof is usually established from in-court testimony of the victim and witnesses to better present themselves in the event court appearances are required. Some of the rights pertain only to crime victims. If you desire to avail yourself of any of the following rights, you should let us know as soon as practicable.

What is expected of you:

As a witness to a criminal act-whether you are the victim or an eye witness-you are an important part of the prosecution. Guilt of the accused must be proven (unanimously if before a jury) beyond a reasonable doubt. You may not think what you know about the case is important, but it may be very important. Testimony from each witness forms an integral part of the proof of the case. It is therefore important to remember as much about the case as possible and testify truthfully about all the details which you observed and remember. It is important to keep the Office of the Park County and Prosecuting Attorney advised of your current address and phone number at all times. It is also necessary to keep us informed of your travel plans. If you live out of town, you may qualify for repayment of certain travel costs.

COMPENSATION FOR INJURIES: If you suffered injuries as a result of a criminal act, you may be entitled to receive compensation through the Wyoming Crime Victims Compensation Fund.

**Crime Victim Compensation
Herschler Building, 1st Floor West
122 West 25th Street
Cheyenne, WY 82002
Phone: 307.777.7200**

Park County & Prosecuting Attorney
1002 Sheridan Avenue
Cody, WY 82414
Phone: 307.527.8660

Your Rights As A Crime Victim or Witness

**Compliments of
THE OFFICE OF
PARK COUNTY AND
PROSECUTING
ATTORNEY**



Criminal Justice Process:

Victims:

- Right to the name, position and official telephone number of the primary law enforcement officer who is investigating the case.
- Right to seek legal counsel and employ an attorney.
- Right to have an interpreter or translator.
- Right to request that the accused be brought to trial so long as such right does not derogate the Office of Park County and Prosecuting Attorney from entering into an agreement regarding criminal charges which may be brought against the accused.

Victims & Witnesses:

- Right to be informed of the status of a criminal case from the initial investigation and filing to the final appellate review.
- Right to be notified in advance, if reasonable, of a rescheduled or canceled court proceeding.
- Right to discuss the case with the attorney who is prosecuting the case. Cases in Park County, Wyoming are prosecuted through the Office of Park County and Prosecuting Attorney, Park County Courthouse, Cody, Wyoming and Park County Annex, Powell, Wyoming
- Right to know if the accused has obtained a pretrial or presentence release.
- Right to have a separate waiting area while waiting to testify.

Sentencing/Restitution:

Victims:

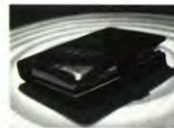
- Right to be informed regarding the sentencing phase of the case.
- Right to judicially ordered restitution (In some instances, restitution can not be ordered if the perpetrator is incarcerated.)
- Right to provide a victim impact statement to be used in preparation of presentence investigation report. Any statement made by a crime victim may be made available to the defendant and his or her attorney.
- Right to appear at sentencing and testify.
- Right to be notified of the time and place of sentencing.
- Right to return of property used as evidence upon conclusion of all criminal proceedings.

Sentencing/Restitution (continued): Victims and Witnesses:

- Right to be informed of the imprisonment or release of the accused or convicted defendant.
- Right to seek other remedies, including civil litigation against the accused together with the right to receive profits which the offender may receive as a result of publication or media coverage resulting from the criminal act.

Preservation of Employment:

A victim or a witness who responds to a subpoena from either the prosecution or defense in a criminal case during working hours shall not suffer any change in employment solely because of responding to the subpoena. A victim or witness, upon request, shall be assisted by law enforcement agencies, the prosecuting attorney or the defense attorney in assuring an employer that the need for victim or witness cooperation may require absence from work.



Threats of Intimidation:

Crime victims and key witnesses have the right to provide an affidavit asserting acts or threats of physical violence by the accused or at the direction of the accused against the victim or a relative to the victim or a designated key witness.

Attorneys/Investigators:

In most cases, a criminal defendant is represented by an attorney. As well, the Office of Park County and Prosecuting Attorney represents the State of Wyoming, and all criminal charges are brought on behalf of and in the name of the State of Wyoming. You may be notified by an attorney or investigator for either the accused or the State of Wyoming, who will be advocates for the side they represent. You have the right to refuse to talk to attorneys, private investigators, law enforcement or anyone else unless on the witness stand or under subpoena. You may or may not be contacted by the lawyer or investigator for the defendant. Whether or not you wish to speak with that person is up to you. You may or may not depending upon your state of mind. If you refuse to speak with the defense representative, it is possible that your refusal may be referred to at trial as evidence of your bias against the defendant. In the event you do talk to a representative of the defendant, you may request one or all of the following:

- ✓ Tape the interview.
- ✓ Ask for a copy of the report or the interview.
- ✓ Take notes.
- ✓ Request that another person, including the investigating officer and/or prosecuting attorney be present during the interview.

Post-Sentence Proceedings:

Crime victims have the right, if known to the prosecutor, of being notified of any post-sentence hearings which may affect probation.

Notification of Release From Incarceration:

If the perpetrator of a crime, in which you are a victim, is sentenced to a term in prison and you wish to be notified of his or her release, you should notify the Park County & Prosecuting Attorney's office who will assist you in completing a request for the Department of Corrections



If the perpetrator is sentenced to a term in the Park County Detention Center, and you wish to be notified of his or her release, you should notify the Park County Detention Center, 1402 Riverview Road, Cody, WY 82414.

The Office of Park County & Prosecuting Attorney
1002 Sheridan Avenue
Cody WY 82414
Phone: 307-527-8660

109 West 14th Street
Powell WY 82435
307-754-8860