

# WHAT ARE LAW ENFORCEMENT'S RESPONSIBILITIES TO ME AS A CRIME VICTIM?

## Responsibilities of Law Enforcement

As soon as possible BUT within 72 hours the law enforcement agency shall provide the victim/you with the following information in writing:

- ✦ The availability of medical attention if needed.
- ✦ The availability of crime victims' compensation funds to include the address and telephone number of NC Victims Compensation.
- ✦ The address and phone number of the District Attorney's office that will be responsible for prosecuting the case.
- ✦ The name and telephone number of a person who works for the investigating law enforcement agency whom you may contact if you have not been notified of an arrest in your case within 6 months after the crime was reported to law enforcement.
- ✦ Information about the accused's opportunity for pre-trial release (release from jail before the court trial or plea).
- ✦ The name and telephone number of a person who works for the investigating law enforcement agency whom you may contact to find out if the accused has been released from jail.
- ✦ The information sheet if there was a personal relationship with the accused.
- ✦ A list of your rights as outlined in the Crime Victims' Rights Act.
- ✦ Information about any other rights afforded to victims by law.

## *When someone is arrested for the crime:*

- ✦ Within 72 hours of receiving notification of the accused's arrest, the investigating law enforcement agency will notify the victim/you of the arrest.
- ✦ Within 72 hours of receiving notification of the arrest, the investigating law enforcement agency shall forward to the district attorney's office your name, address, phone number or other contact information unless you refuse to disclose this information and then law enforcement officers should inform the district attorney's office of this non-disclosure.
- ✦ Using a form provided by the investigating law enforcement agency, you should indicate whether or not you wish to receive further notification on the status of the accused's pre-trial process (before it goes to court).
- ✦ If you want to receive further notification, you shall give the form to the law enforcement agency within 10 days of receiving the form. You are responsible for letting law enforcement know if you have changed your name, address or phone number.
- ✦ Upon receiving the form, law enforcement should promptly give the form to the district attorney's office so that the district attorney's office is aware of your preferences.



**Pertaining specifically to victims of sexual assault:** A criminal or juvenile justice agency **shall not require** a person claiming to be a victim of sexual assault, or claiming to be a witness regarding the sexual assault of another person, to submit to a polygraph or similar examination. Such demands by an agency are not necessary for an investigation to be conducted.

If an agency wishes to perform a polygraph examination of a person claiming to be a victim or witness of sexual assault, the agency **shall** inform the person of the following:

- ✦ That taking the polygraph examination is voluntary.
- ✦ That the results of the examination are not admissible in court.
- ✦ That the victim/witness's decision to submit to or refuse a polygraph examination will not be the sole basis for a decision by the agency not to investigate the matter.
- ✦ If an agency declines to investigate an alleged case of sexual assault following a decision by a person (claiming to be a victim) **not** to submit to a polygraph examination, the agency **shall** provide to that person, **in writing**, the reasons why the agency did not pursue the investigation at the request of the person.

