

# Victim & Witness Information

## **Kansas law provides specific rights to Victims of crimes:**

Victims should be treated with courtesy, compassion and the respect for their dignity and privacy. They should suffer minimum of necessary inconvenience from their involvement with the criminal justice system.

Victims should receive, through formal and informal procedures, prompt and fair redress from the harm which they have suffered

Information regarding the availability of criminal restriction, recover of damages in a civil case action, the crime victims compensation fund and other remedies and the mechanisms to obtain such remedies should be made available to victims.

The views and concerns of victims should ascertained and the appropriate assistance provided throughout the criminal process.

When the personal interests of victims are affected, the views or concerns of the victim should, when appropriate and consistent with the criminal law and procedure, be brought to the attention of the court.

Measures may be taken when necessary to provide for the safety of victims and their families and to protect them from intimidation and retaliation.

Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of the victims and guidelines should be developed for this purpose.

Victims should be informed of the availability of health and social services and other relevant assistance that they might continue to receive the necessary medical, psychological and social assistance through existing programs and services.

Victims should report the crime and cooperate with law enforcement authorities.

Victims of violent crimes may be eligible for compensation for loss of earnings and other expenses, for more information, call/write

Crime Victim's Compensation Board  
700 S.W. Jackson  
Jayhawk Tower, Suite 400  
Topeka, Kansas 66603-2359

## Criminal Justice System

Once you have reported a crime to a police officer, the report will be investigated by an officer, if it is a misdemeanor, or a felony. You will be contacted and advised of the status of your case. If a suspect is identified and sufficient evidence exists, the case will proceed to the courts.

1. Arrest (or citation, for certain misdemeanors)
2. Arraignment
3. Preliminary Hearing (for felonies)
4. Trial
5. Sentencing

If there has been an arrest, the court, the offender must appear in, depends on the location of the offense and the specific charges. You can call the appropriate court for information regarding the case:

Harvey County Attorney (316-284-0803)

Sedgwick County Attorney (316-660-3600)

Harvey and Sedgwick Counties Attorneys handle all felony and juvenile criminal cases. Contact their Victim/Witness coordinator for assistance.

Sedgwick Municipal court (316-722-5151)

Sedgwick Municipal Court handles all misdemeanors and juvenile traffic cases committed inside the City of Sedgwick.

## Domestic Violence

Domestic Violence is a Crime. If a police officer has probable cause to believe a crime has been committed, the officer **SHALL make an arrest**. It's the law. As the victim, you do not sign the complaining witnesses and the prosecutor files the charges.

Your safety is more important- if an arrest has been made, and the department learns of the offender's release from jail, the police will make a reasonable effort to notify you. **If your being threatened by the offender or others, call 911 immediately.**

A family Life Center advocate is available to assist you to help you plan for safety and discuss options available to you. You may be eligible for a **Protection from abuse order**. A family life center advocate can assist you with this process.

# **The Family Life Center is available to Victims of Domestic Violence, Stalking and sexual assault.**

## **What Is Stalking?**

In Kansas, as in most other states, stalking is a crime. Criminal Stalking is engaging in “a course of conduct targeted at a specific person which could cause a reasonable person to fear for such person’s immediate family and the targeted person is actually placed in such fear.” K.S.A. 21-3438

“Stalking” I defined differently for purposes of the Kansas Protection from Stalking act. Under the Act, “stalking” is the “intentional harassment of another person that places the other person in reasonable fear for that person’s safety”, K.S.A. 60-31a01 et. Seq.

What to do if you are being Stalked:

First and Foremost, you should think about your safety. Keep in mind, different stalkers respond differently. Actions taken that increase safety for one victim can, in different circumstances, increase risk for another. An Advocate can assist you in developing a safety plan that takes into consideration your specific circumstances. You can contact your local domestic violence/sexual assault program in Kansas for service.

The following suggestions are recommended by experts to increase the safety of victims:

- **Report each incident of stalking to your local law enforcement agency.** While officers may not have enough evidence to arrest the stalker, it is important to develop the “official” record of stalking behavior. Keep in mind that if a law enforcement report is made, the information may become public.
- **Be clear and firm.** Some stalkers believe there are hidden messages within conversations they have with their victims that encourages them to continue the stalking. If your stalker is a former intimate partner or someone who believes you want to be in a relationship, it can be helpful to be clear and firm early on about wanting to end the relationship. The longer the relationship goes on, the harder it is for the stalker to get the message that you are not interested.
- **Cease communication.** Instead, let the “system” communicate with the stalker through a law enforcement officer, probation officer, or through a protection order. A formal letter from you, given to your stalker by law enforcement can document your fear and demand for no contact.
- **Avoid contact.** Try to avoid mediation, joint therapy, shared custody, face to face child exchanges, or other forms of contact (social media, texts).
- **Consider obtaining a protection from stalking order.** A protection from stalking order may or may not be effective in ending the stalking. These orders tend to be most effective if issued when the stalking behavior first begins, and where violations of the order

are taken very seriously by law enforcement, prosecutors, and judges. Keep in mind that the face-to-face hearing contact could be detrimental contact.

Keep a log of all stalking behaviors, including the following:

- Date of incident
- Times and places occurred
- Description of stalking behavior
- Witnesses to the incident
- Retain all records, all communications possible, including, but not limited to the following:
- Phone calls
- Phone and text messages
- e-mail messages
- social media messages (snapchat, facebook...)

Prepare for your safety, taking into consideration the following:

- Critical phone numbers, such as law enforcement, friends, domestic violence or sexual assault programs, and other important people are services you may need after reaching a safe location, such as a neighbor's, attorney, prosecutors, medic care, child care, or pet care.
- Keep a reserve of necessities in case you have to leave your home quickly, such as a suitcase in the trunk of your car or at a friend's house; include money, medications, toys or items important to children.
- Consider having important documents such as passports, immigration documents, birth certificates, and social security numbers readily available.
- Alert people who may be part of your safety plan, such as law enforcement, employers, coworkers, family, friends, neighbors or security personnel.
- A cell phone for 911 access (if you do not have one, it can be provided to you by your local domestic violence/sexual assault program.)

*Warning: if your cell phone was purchased by your stalker, or their name is on the account, your stalker might be able to use it's GPS features to locate you.*

*Other safety measures:*

- *Consider whether any of the following measures would help decrease or prevent some of your danger:*
- *Changing locks, securing all spare keys*
- *Installing outside lighting and trimming bushes and vegetation around your residence*
- *Identifying locations that may be safe for you, such as police stations, local churches, or other public places*

- *Getting an unlisted number, or if you have financial means, using a “dummy” answering machine connected to your published phone line. The private or unlisted number can be reserved for close friends and family and the stalker may not realize you have another line.*
- *Varying travel routes and other routines*
- *Limiting time walking or jogging alone; arrange for others to be with you when arriving and leaving from work*
- *Informing a trusted neighbor about the situation and, if possible, giving them a description or a photo of the stalker, asking them to call law enforcement if they see anything unusual*
- *Try not to be alone at places the stalker typically contacts you*

## **Resources**

- *Suicide Hotline: 316-660-7500*
- *Kansas social & Rehabilitative Services: 316-321-4200*
- *South Central Mental Health: 316-733-5047*
- *Prairie View: 800-362-0180*
- *Harvey County Attorney: 316-322-4254*
- *Sedgwick County Attorney: 316-660-3600*
- *Newton Medical Center: 316-300-4000*
- *Via Christi Hospital: 316-268-5000*
- *Wesley Medical Center: 316-962-2000*