

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

BUREAU OF VICTIM SERVICES

"Helping Victims Become Survivors"



**NATHAN HOCHMAN
DISTRICT ATTORNEY**

BUREAU OF VICTIM SERVICES

THREE DIVISIONS TO ASSIST VICTIMS

1. Direct Services

Advocates provide assistance to crime victims in courthouses and law enforcement stations throughout Los Angeles County

2. Claims Verification Unit

Victim Compensation Assistance

3. Restitution Enhancement Program

Victim Restitution Assistance



Los Angeles District Attorney Victim Sites 2023-24

- 1) **Criminal Justice Center/HOJ**
 - a) Central
 - b) Elder Abuse
 - c) Family Violence
 - d) Human Trafficking
 - e) Realignment Victim Services Program / Post-Conviction Proceedings
 - f) Sex Crimes
 - g) Gang Homicide Division (formerly CVR)
 - h) Victim Services K-9 Unit
 - i) Victims' Rights Assistance
- 2) **Airport**
- 3) **Alhambra**
- 4) **Antelope Valley**
- 5) **Compton**
 - a) Gang Homicide Division
- 6) **Downey - Victims' Rights Assistance**
- 7) **East Los Angeles Juvenile**
- 8) **El Monte**
- 9) **Inglewood**
- 10) **Long Beach**
 - a) Elder Abuse
 - b) Juvenile Advocacy Services
- 11) **Norwalk**
- 12) **Pasadena**
- 13) **Pomona**
- 14) **San Fernando**
- 15) **Torrance**
- 16) **Van Nuys**
- 17) **West Covina**
 - a) Victims' Rights Assistance
- 18) **LAPD Central**
- 19) **LAPD Hollywood**
- 20) **LAPD Rampart**

- 21) **LAPD South Bureau Homicide**
- 22) **LAPD Southeast**
- 23) **LAPD Southwest**
- 24) **LASD Antelope Valley – Special Victims Bureau**
- 25) **LASD Homicide Bureau**
- 26) **LASD Santa Clarita**
- 27) **LASD South Los Angeles**
- 28) **LASD Special Victims Bureau**
- 29) **LASD West Hollywood**



Bureau of Victim Services

Administrative Headquarters

(626) 514-1300

1(800) 380-3811

Branch and Area Offices

- Airport (310) 727-6516
- Alhambra (626) 308-5417
- Antelope Valley (661) 974-7717
- Criminal Justice Center (213) 974-7490
- Compton (310) 603-7538
- El Monte (626) 575-5565
- Inglewood (310) 419-6764
- Long Beach (562) 247-2068
- Norwalk (562) 807-7230
- Pasadena (626) 356-5783
- Pomona (909) 716-4140
- San Fernando (818) 898-2406
- Torrance (310) 222-3599
- Van Nuys (818) 464-5234
- West Covina (626) 813-3220

Los Angeles County Sheriff's Department

- Antelope Valley (SVB) (661) 471-1515
- Homicide Bureau (323) 890-5656
- Santa Clarita (661) 287-5633
- South L.A. (323) 820-6860
- Special Victims Bureau (562) 946-8233
- West Hollywood (310) 358-4057

Los Angeles Police Department Stations

- Central (213) 974-7499
- Hollywood (323) 871-1184
- Rampart (213) 974-7499
- Southeast (323) 754-8064
- Southwest (626) 514-1254
- South Bureau Homicide (323) 786-5151

Special Advocacy Programs

- Elder Abuse Division (213) 257-2304
- Family Violence Division (213) 257-2172
- Human Trafficking Division (213) 257-2076
- Juvenile Advocacy Services
LB (562) 247-2034 East L.A. (323) 780-2045
- Realignment Victims Svc. /
Post-Conviction Proceedings (213) 974-4110
- Sex Crimes Division (213) 257-2054
- Gang Homicide Division
Central (213) 257-2034 Compton (310) 603-7127
- Victims' Rights Assistance
Cen (213) 257-2102 So. (562) 803-7107 No. (626) 813-3169
- Victim Services K-9 Unit (213) 257-2045

**“How can we assist a crime victim
and their family?”**



MANDATORY VICTIM SERVICES

Penal Code § 13835.5



- Crisis Intervention
- Emergency Assistance
- Resource & Referral Counseling
- Victim Compensation Assistance
- Return of Property
- Orientation to the Criminal Justice System
- Court Escort/Support
- Case Status/Disposition Information
- Restitution Assistance

Crisis Intervention

- Personal or telephone response to the immediate emotional and physical needs of the crime victim
- Provide victim immediate referral to appropriate local service agencies



Emergency Assistance

Assist victim with immediate material needs such as:

- Temporary Shelter
- Food
- Transportation
- Clothing
- Medical Care
- Prescription Medicine
- Eyeglasses
- Dentures



Resource and Referral Counseling

Referral to the appropriate individual or agency for services not provided directly by the program



Victim Compensation Assistance

Assist victims and/or their families with filing an application for financial losses such as compensation for **medical expenses, mental health counseling, loss of income, loss of support, funeral/burial costs, crime scene clean up, and job rehabilitation** – More later under “State Restitution Fund”



Orientation to the Criminal Justice System



- Provide victims/witnesses with verbal information on the location, procedures and functioning of the criminal justice system
- Inform victims/witnesses what they should expect in terms of testifying (direct and cross-examination) and possible court delays

Court Escort/Support



- Provide information and/or support to the victim or witness during court appearances
- Accompany the victim or witness to the courtroom and remain during their court appearance

Case Status/Disposition Information

- Keep victims and witnesses apprised of significant developments and the disposition of the case in which they are involved
- Assist victims with the preparation of a written victim impact statement to the probation department, court and parole board and/or present the impact statement at the time of sentencing or parole hearing

Return of Property and Restitution

- Assist victims with contacting law enforcement agency when property is no longer needed in the prosecution
- Assist victims in determining what restitution is owed to them
- DA's office also has a Restitution Enhancement Program (REP) that also assists victims in obtaining restitution

DA's Restitution Enhancement Program Assistance

- Assist in obtaining restitution for the victim
- Ascertain the victim's economic loss
- Providing the probation department, district attorney, and court with information relevant to the victim's losses prior to the imposition of sentence

CDCR Form 1707

PC 679.03

- Victim can request special conditions of parole (stay away)
- Victim can request to be notified of inmate's release, escape, death or parole hearing
- Restitution Order – money will be withheld from inmate's wages or money put on books
- VSR will assist victim or family with completing and submitting the form

OPTIONAL VICTIM SERVICES

Penal Code § 13835.5

- **Creditor/Employer Intervention**
- **Restitution Information & Referral**
- **Notification Court Calendar Changes**
- **Funeral Arrangement Assistance**
- **Temporary Restraining Order Information**
- **Witness Protection Assistance/Relocation**

Legal Authority for Victims' Rights

- Constitution – California Article 1, Section 28 (b)(1)-(17) (Marsy's Law)
- Statutory - Penal Code §679 and 679.02
- Case Law – almost nothing on Marsy's law yet. Most CA case law on victims' rights are on restitution issues.

Victims' Constitutional Rights - Marsy's Law

- Victims' rights now included in the California Constitution. Many rights were previously in statutes.
- Some rights automatic, others must be requested.
- Included in this presentation are those rights relating to law enforcement.

***Most of Marsy's Law deals with rights that come into play once a criminal case is filed.

Right to Respect

Right of victim to be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse throughout the criminal or juvenile justice process.

“ Legislature declares its intent to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity.” **These rights are to be honored and protected by law enforcement, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants.**

Article 1, Section 28 (b)(1)

Penal Code 679

Right to Safety

- ✓ To be reasonably protected from the defendant and persons acting on behalf of the defendant
- ✓ To have the safety of the victim and the victim's family considered in fixing the amount of bail or release conditions for the defendant

*Consider Bail Deviations

- ✓ To prevent the disclosure of confidential information or records to the defendant

Right to Know What's Going On

- ✓ To refuse an interview or discovery request by the defense and to set reasonable conditions on the conduct of any interview to which the victim consents
- ✓ To reasonable notice and to reasonably confer with the prosecutor regarding the arrest, charges, extradition, and plea bargain (pretrial disposition). There is no **right** to reasonably confer with law enforcement
- ✓ To reasonable notice of all public proceedings – court and parole

Right to Be Informed

- ✓ To be informed of all Marsy's Law rights
- ✓ Right to be provided information regarding civil recovery and opportunity to be compensated from the California Victim Compensation Board (CalVCB)
- ✓ Law Enforcement must provide victims with information on Marsy's Law and CalVCB

Article I Section 28(b) (17)

Penal Code 679.02 (8) 679.026, Govt Code 13962(b)

Right to Restitution and Property Returned

- ✓ Restitution – Every **convicted** defendant must be ordered to pay restitution to the victim when they are sentenced

Restitution can include:

- Medical bills (physical and mental health)
 - Lost wages – includes court days
 - Relocation expenses
 - Retrofit vehicle
 - Home security installation or upgrade
 - Job retraining
 - Child support for 187 victim's children
 - Lost, stolen, damaged property
 - Funeral/Burial and Crime Scene Cleanup
 - Non-economic loss for 288 victims (basically pain and suffering)
- ✓ Prompt return of property - If case isn't solved, it is likely that some property can't be returned due to it's significance of evidence

VICTIMS' STATUTORY RIGHTS

- ✓ Notification of
 - Cancellation of court proceeding
 - Pretrial disposition – plea bargain
 - All sentencing proceedings, appear and give statement
- ✓ Expeditious disposition criminal action
- ✓ Return of property
- ✓ Civil recovery restitution
- ✓ Witness fees

Penal Code § 679.02

Victim's Right to Support Person

- ✓ Victims of sexual assault and domestic violence are entitled to have a support person with them during law enforcement interview. However:
 - **Support person can be excluded if it would jeopardize purpose of interview.**
 - **Initial interview to determine whether a crime has been committed or the identity of the suspect is not included.** Penal Code Sections 679.04 and 679.05.
- ✓ Victims of violent crimes are entitled to a support person when they testify in court. Penal Code Section 868.5, 939.21, and Welfare and Institutions Code Section 676.5.

Contempt of Court

- ✓ Any witness can be held in contempt for refusing to obey a subpoena and come to court.
- ✓ Court cannot put a victim of sexual assault or domestic violence in jail for refusing to testify.

Penal Code Section 1219

Child Victims - Special Procedures

- ✓ Can get extra breaks during testimony
- ✓ Judge may remove robe to help make the child feel less intimidated, rearrange the courtroom to make a more comfortable and personal environment
- ✓ Testimony may be limited to school hours
- ✓ Judge can remove intimidating witnesses
- ✓ Judge can close the courtroom or allow close-circuit TV in very limited situations
- ✓ Judge can modify oath to tell the truth

Penal Code Sections 686.2, 868.8, 1346, 1347
Evidence Code Section 710

Child Interview Centers

Within Los Angeles County there are several multi-disciplinary centers that conduct forensic interviews of children and adults with disabilities. Many of these centers have interviewers who speak Spanish. Some centers audio and videotape the interview. A multi-disciplinary team response to child abuse allegations includes representation from law enforcement, child protective services (DCFS), prosecution, medical, mental health, and victim advocacy. The purpose of interagency collaboration is to coordinate intervention, share information and reduce potential trauma to children by **reducing the number of interviews that children must give. In cases where a child or a person with a disability is either the victim of a crime or has witnessed a crime, you may want to consider having a forensic interviewer conduct the interview of the victim or witness.** These centers do not charge for conducting interviews.

Child Interview Center Locations

Inner Circle Children's Advocacy Center

1216 W. Avenue J, Ste. 500
Lancaster, CA 93534
661-230-5059

1000 Corporate Center Dr., Ste. 308
Monterey Park, CA 91754
323-284-2585

Los Angeles County Harbor – UCLA Medical Center K.I.D.S. HUB Clinic

21840 Normandie Ave., Ste. 500
Torrance, CA 90502
424-306-7270

LAC Martin Luther King, Jr. Pediatric HUB CAC

1741 E. 120th St.
Los Angeles, CA 90059
424-758-9100

Strength United Family Justice Center Center for Assault Treatment Services (CATS)

Northridge Hospital Medical Center
14651 Oxnard St.
Van Nuys, CA 91411
818-886 -0453

Stuart House Rape Treatment Center

Santa Monica-UCLA Medical Center
1317 15th St.
Santa Monica, CA 90404
424-259 -7100

The Children's Advocacy Center for Child Abuse Assessment

1650 E. Old Badillo St., #C3
Covina, CA 91724
626-331-6700

Satellite Office:

10413 Los Alamitos Blvd.
Los Alamitos, CA 90270

USC Gould School of Law Child Interviewing Lab

Edmund D. Edelman Children's Court
201 Centre Plaza Dr.
Monterey Park, CA 91754
213-973 -3909



Victims' *Losses*



Payment for Victims' Losses from Two Sources



Compensation

State Restitution
Fund

Reimbursement

Restitution Order
from Convicted
Defendant

State Restitution Fund *Gov. Code 13953*

Administered by

**California Victim Compensation Board
(CalVCB)**

Victims Eligible for Compensation

- **Direct Victim**
- **Derivative Victims – family and household members, certain percipient witness to crime, primary caretaker of a victim**



Victim Eligibility Requirements for State Restitution Fund (CaIVCB)

- Victim must be a California resident at the time of the crime or the crime must have occurred in California.
- Victim must cooperate with law enforcement and prosecutors
- Victim cannot have been involved in the events leading to the qualifying crime
- Victim must apply within seven years of the date of the crime or seven years after the victim attains 21 years of age

Victim Eligibility Requirements for State Restitution Fund (CalVCB)

Felon Victims and Felon Derivative Victims

CalVCB cannot reimburse expenses while the victim or derivative victim is on a Restricted Status.

Restricted Status includes the following:

- On parole, probation, or post-release community supervision (PRCS) for a violent felony
- Incarcerated
- Required to register as a sex offender (PC 290)

The CalVCB may consider and pay crime related expenses if they are incurred before or after Restricted Status. If the claim is otherwise eligible, the claim may be allowed but expenses incurred during this period will not be paid.

Compensation Criteria

State Restitution Fund (CaIVCB)

- Crime caused physical injury or threat of injury
- Property loss not covered
- Restitution Fund is payer of last resort
(e.g. Victim must first use own medical insurance)
- For certain crimes, emotional injury alone is sufficient
- Certain family members or other loved ones who suffer economic loss resulting from an injury, or death of a victim of a crime may be eligible

Categories Generally Eligible for Compensation

- Person who is physically injured or threatened with physical injury as a result of a crime
- Eligible family member or other specified person who were legally dependent on the victim
- Parent, sibling, spouse, or child of the victim
- Family member of the victim who witnessed the crime



Categories Generally Eligible for Compensation

- Minors who witness a crime of domestic violence or who resides in a home where domestic violence occurs
- Minor witnesses who suffer emotional injury as a direct result of witnessing (seeing or hearing) a violent crime and the minor was in close physical proximity to the victim when witnessing the crime. They cannot be a direct or derivative victim of the violent crime.
- Anyone who pays or assumes legal liability for a deceased victim's medical, funeral, or burial expenses or anyone who pays for crime scene clean up



Examples of Crimes Typically Covered



- **Assault with a deadly weapon or GBI**
- **Battery with injury**
- **Child abuse**
- **Domestic violence**
- **Driving under the influence with injury**
- **Hit and run with injury**
- **Vehicular manslaughter**
- **Murder (unlawful Homicides)**
- **Robbery**
- **Sexual assault**
- **Stalking**
- **Kidnapping**
- **Unlawful sexual intercourse**
- **Criminal Threats**
- **Human Trafficking**

CalVCB may help pay for crime-related expenses such as:

- **Medical/Dental**
- **Mental Health Services**
- **Income Loss**
- **Funeral/Burial Expenses**
- **Relocation**
- **Residential Security**
- **Crime Scene Clean Up**
- **Medical Equipment**

*There are limits on how much can be paid for each loss.



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF VICTIM SERVICES

40th Holiday Giving Drive

MAKE YOUR TAX-DEDUCTIBLE DONATIONS PAYABLE TO:

California Community Foundation
c/o Los Angeles County District Attorney's Office
Bureau of Victim Services
1000 South Fremont Avenue,
Unit 36, Bldg A9E, First Floor, Ste E9150
Alhambra, CA 91803

CONTACT:

Cynthia Leon • (626) 514-1246 • cleon@da.lacounty.gov

DONATE ONLINE:

<http://calfund.org/District-Attorneys-Victim-Assistance-Fund>

YOUR CONTRIBUTION HELPS PROVIDE GIFTS FOR CHILDREN AND OTHERS VICTIMIZED BY CRIME.



Kathleen Cady, Director
Administrative Office
1000 S. Fremont Avenue
Unit 36, Bldg. A9E, 1st Floor, Suite 9150
Alhambra, CA 91803
Toll Free 1 (800) 380-3811
Telephone (626) 514-1300
Fax (626) 281-1057
<https://da.lacounty.gov/victims>

Los Angeles Domestic Violence Legal Services Resources

LGBTQ Center Long Beach Legal Services

Intake by phone.

Phone: 562.433.8595.

Los Angeles Center for Law and Justice

E-mail services@lajl.org or call 323-980-3500 to apply for legal services related to restraining orders or urgent family law or immigration legal matters.

Neighborhood Legal Services of Los Angeles County

Hotline, callers can leave messages for a return call.

Phone: 800.433.6251

Peace Over Violence

Office contact information for legal services:

Pasadena Phone: 626.584.6191

Downtown LA Phone: 213.955.9090

Pepperdine Legal Clinic (serving DV victims only)

Available for intakes (information, brief advice and counsel only)

Fridays 10 am – 1 pm

New callers can leave messages at 310-506-6344

Asian Americans Advancing Justice

Helplines are open, live hours between 10am and 3pm. Limited staffing for representation.

Phone:

Chinese (Mandarin and Cantonese): 800.520.2356

Korean: 800.867.3640

Thai: 800.914.9583

Tagalog: 855.300.2552

English: 888.349.9695 (warmline, leave a message and an advocate will call back within 24 hours)

Community Legal Aid SoCal

Hotline is open 9 a.m. to 6 p.m. Monday - Thursday, 9 a.m. to 12 p.m. Friday

Phone: 800.834.5001

DV Clinics at Compton and Whittier Courthouses call hotline or send emails to:

Email: DVComptonMail@clsocal.org

Email: DVWhittierMail@clsocal.org

Harriett Buhai Center for Family Law

Call 213-388-7515 (new callers) for domestic violence and family law assistance. The number will be staffed Mondays - Thursdays from 10:30 a.m. - 2:30 p.m.

Jenesse Center

Hotline open 24/7

Phone: 800.479.7328

Legal Services: M-F 9:00 AM – 4:00 PM. After hours please leave a message at x157. Calls will be returned within 48 hours.

Phone: 323.299.9496 x157

LA LGBT Center

Walk-in hours cancelled until further notice. General telephonic intake at (323)993-7670. Legal Advocacy Project for Survivors' warm line: (323) 993-7649.

Legal Aid Foundation of Los Angeles

DV hotline: 1.800.399.4529 x8097 (MWF, 9am-3pm)

General hotline (including DV): 1.800.399.4529 (M-F)

Online intake: <https://lafla.org/get-help/>

Levitt & Quinn Family Law Center

Application can be found at www.levittquinn.org/services. Submit application via email or fax.

Staff will follow up via phone.

Email: intake@levittquinn.org

SAFETY PLANNING - COVID19

A GUIDE FOR SURVIVORS OF DOMESTIC VIOLENCE

1. BUDDY SYSTEM CODE WORD

Identify at least two people that you can contact with a "code word" to let them know if you are in trouble. Plan in advance what they should do if you send them the code word.

2. "SAFEST ROOM"

If there is an argument, identify an area of the home you can move to where there are no weapons and there are ways for you to leave the house, apartment, or building, such as a door or window to exit the house/apartment.

For some survivors, especially those quarantined at home with an abuser during coronavirus, no room may feel safe, so we call it the "safest rooms". If you can at least identify the lowest risk areas, you may be able to reduce harm.

3. PLANNING WITH CHILDREN

CODE WORDS: If you have children, decide how to communicate urgency with them. For example, one survivor would open her arms and her daughter knew that meant to come running to her for safety. Some survivors create a "code word" with their children that means they should go to the "safest room" in the home that you have already decided upon.

EMERGENCY NUMBERS: If for some reason you are not able to make emergency calls, give your children the safety number/s, if they are old enough.

4. NOTIFY THE POLICE BEFORE AN EMERGENCY

Ahead of time, you can notify your local police station of your concerns. Let them know the history and your concern of being in isolation due to coronavirus. It may be useful to speak with the Domestic Violence officer.

5. EXIT PLAN

In case you have to flee, create an exit plan ahead of time with someone who could support this need. Is there a trusted friend/relative who you can stay with, if needed?

6. SUPPLIES, FOOD & MEDICATION

Check your supplies and food. If you need food and do not have the money, check your local pantry, temple/church/mosque, etc., or other community organizations.

Remember to keep your medication in the safest, easily accessible location in case of emergency.

7. EMERGENCY BAG

Pack a bag with an extra set of keys, clothes for you and your children, a pay-as-you-go cellphone, medications, copies of important documents, etc.

8. IMPORTANT DOCUMENTS

Make copies or take pictures of your important documents for yourself and send them to a trusted friend or relative. (IDs, social security cards, immigration documents, birth certificates, health insurance information, and Orders of Protection) Be mindful of sending anything via phone or computer. Please use whatever method is safest for you.

9. SEEKING SOCIAL SUPPORT

With social distancing and quarantining, survivors can feel even more isolated, and abusers may use further isolation as a power and control tactic.

Identify trusted friends, relatives or online support groups where you can still connect virtually. If you have a friend who may be experiencing abuse, be sure to reach out to them even more during this time.

10. CREATE A "PEACEFUL SPACE"

If you cannot leave your home, try to create a "peaceful space" for yourself in your home (if that is safe for you). You can draw pictures of a more peaceful place and put them on a wall to help you take an emotional break to visualize a more peaceful place. This is also an activity you can do with your children. You can also write positive affirmations and put them up on the wall to remind yourself of your worth.

11. HOLDING ONTO YOUR PLAN

Consider keeping a list of your safety plan in your phone or wherever might be safe for you. Please consider what is safest for you.

If you choose to write your plan somewhere, consider listing only key words that help you remember the plan, but that would not be clear to your abuser. If this is not safe, try to memorize your plan, focusing on memorizing at least one key emergency number on your list of resources.

FOR MORE INFORMATION & RESOURCES, PLEASE VISIT

sanctuaryforfamilies.org/safety-planning-covid19



Sanctuary for Families