

South Substation : 210.207.2201  
711 W. Mayfield, San Antonio, TX 78211

**OTHER RESOURCES**

**Bexar County District Attorney's Office**

101 W. Nueva, Paul Elizondo Tower 4th Floor, San Antonio, TX 78205  
General: 210.335.2311 Victim Services: 210.335.2105  
Victim Coordinator: 210.335.2733

**VINE (Victim Information and Notification Everyday)**

Bexar County Sherriff's Office: 210.226.6010  
<https://www.bexar.org/659/VINE>  
VINELink at <https://vinelink.com/classic/#/home/state/TX>

**San Antonio Rape Crisis Center**

24 Hour Hotline: 210.349.7273

**Family Violence Prevention Services**

24 Hour Hotline: 210.733.8810

**Domestic Violence/Protective Orders**

Bexar County Family Justice Center 210.631.0100

**Texas Office of the Attorney General**

Public Information 800.252.8011  
Open Records 512.478.6736  
Crime Victim's Compensation Fund 800.983.9933

**Sexual Assault Legal Services (free)**

SALSA (Sexual Assault Legal Services & Assistance)  
<http://www.hopelaws.org> 888.343.4414

**Case Information**

A&M-SA PD Case Number \_\_\_\_\_

Date of Offense \_\_\_\_\_

A&M-SA PD Police Officer \_\_\_\_\_

A&M-SA PD Detective \_\_\_\_\_

A&M-SA Crime Victim Advocate \_\_\_\_\_

**TEXAS A & M UNIVERSITY - SAN ANTONIO**

**POLICE DEPARTMENT**



**Crime Victim Assistance Information**

*“What Happens Next?”*

- Information on Victim Services
- Rights of Crime Victims
- Crime Victims' Compensation

**Why This Information?**

This information has been developed to inform crime victims of their rights under the Texas Crime Victims Act (Code of Criminal Procedure, Chapter 56). If you are a victim, guardian of a victim, or close relative of a deceased victim of the following crimes you are entitled to receive the information contained in this brochure: sexual assault, family violence, kidnapping, aggravated robbery, assaultive offenses, arson, homicide and other violent crimes in which the victim suffers physical or emotional harm or death. The following motor-vehicle-related crimes are also covered: Failure to Stop and Render Aid, DWI, Manslaughter, Criminally Negligent Homicide, Aggravated Assault, Intoxication Manslaughter and Intoxication Assault.

**RIGHTS OF CRIME VICTIMS:**

Victims of crime are guaranteed certain rights and participation in the criminal justice system under Texas law. The Crime Victims' Rights are within the Texas Code of Criminal Procedure arts. 56.01 – 56.021.

In order to exercise your rights as a crime victim it is necessary to contact crime victim service providers to discuss and request, if applicable, your rights and available services. Your local district or county attorney's office, law enforcement agency, or supervising agency (probation or prison) have crime victim service providers and staff available to assist you.

If you have any questions regarding these rights and how to exercise them, please contact Office of Victim Services at A&M-SA 210.784.1906 or victim services at your local law enforcement and the prosecutor's office for more information about victim services in your community.

## Texas Code of Criminal Procedure

### Article 56.01 - Definitions

(1) "Close relative of a deceased victim" means a person who was the spouse of a deceased victim at the time of the victim's death or who is a parent or adult brother, sister, or child of the deceased victim.

(2) "Guardian of victim" means a person who is the legal guardian of the victim, whether or not the legal relationship between the guardian and victim exists because of the age of the victim or the physical or mental incompetency of the victim.

(2-a) "Sexual assault" means an offense under Section 21.02, 21.11(a)(1), 22.011, or 22.021, Penal Code.

(2-b) "Sexual assault examiner" and "sexual assault nurse examiner" have the meanings assigned by Section 420.003, Government Code.

(3) "Victim" means a person who is the victim of the offense of sexual assault, kidnapping, aggravated robbery, trafficking of persons, or injury to a child, elderly individual, or disabled individual or who has suffered personal injury or death as a result of the criminal conduct of another.

### Article 56.02 - Crime Victims' Rights

(a) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

1. the right to receive from law enforcement agencies adequate protection from harm and threats of harm arising from cooperation with prosecution efforts;
2. the right to have the magistrate take the safety of the victim or his family into consideration as an element in fixing the amount of bail for the accused;
3. the right, if requested, to be informed:
  - A. by the attorney representing the state of relevant court proceedings, including appellate proceedings, and to be informed if those proceedings have been canceled or rescheduled prior to the event; and
  - B. by an appellate court of decisions of the court, after the decisions are entered but before the decisions are made public;
4. the right to be informed, when requested, by a peace officer concerning the defendant's right to bail and the procedures in criminal investigations and by the district attorney's office concerning the general procedures in the criminal justice system, including general procedures in guilty plea negotiations and arrangements, restitution, and the appeals and parole process;
5. the right to provide pertinent information to a probation department conducting a presentencing investigation concerning the impact of the offense on the victim and his family by testimony, written statement, or any other manner prior to any sentencing of the offender;
6. the right to receive information regarding compensation to victims of crime as provided by Subchapter B, including information related to the costs that may be compensated under that subchapter and the amount of compensation, eligibility for compensation, and procedures for application for compensation under that subchapter, the payment for a medical examination under Article 56.06 for a victim of a sexual assault, and when requested, to referral to available social service agencies that may offer additional assistance;
7. the right to be informed, upon request, of parole procedures, to participate in the parole process, to be notified, if requested, of parole proceedings concerning a defendant in the victim's case, to provide to the Board of Pardons and Paroles for inclusion in the defendant's file information to be considered by the board prior to the parole of any defendant convicted of any crime subject to this subchapter, and to be notified, if requested, of the defendant's release;
8. the right to be provided with a waiting area, separate or secure from other witnesses, including the offender and relatives of the offender, before testifying in any proceeding concerning the offender; if a separate waiting area is not available, other safeguards should

enter an order that: (1) the abuser not commit further acts of violence; (2) the abuser not threaten, harass, or contact you at home; (3) directs the abuser to leave your household; and (4) establishes temporary custody of the children and directs the abuser not to interfere with the children or any property. A VIOLATION OF CERTAIN PROVISIONS OF COURT-ORDERED PROTECTION (such as (1) and (2) above) MAY BE A FELONY. Some available resources: Family Violence Prevention Services 24 Hour Hotline: 210.733.8810, Bexar Co. Family Justice Center: 210.631.0100, A&M-SA Office of Victim Services 210.784.1906, and Student Counseling Center 210.784-1331. For legal assistance: Family Violence Legal Line 800.374.4673/Texas Legal Services 844.303.7233.

### TITLE IX

If you have been a victim of a sexual assault, stalking, domestic violence or dating violence you have additional Rights and Options found at <https://www.tamusa.edu/documents/upd/victim-rights-and-options-brochure-fullsize.pdf>. For more information you may go to the Title IX website <https://www.tamusa.edu/businessaffairs/titleix/>

### HELPFUL PHONE NUMBERS:

If you require Immediate Medical Treatment, Call 911 or Report to a Hospital

### ON CAMPUS

Texas A&M University-San Antonio Police Department  
One University Way, suite 120 San Antonio, Texas 78224  
Non Emergency/24-Hour Dispatch: 210.784.1900  
Emergency Cell: 210.784.1911

Office of Victim Services/Crime Prevention  
210.784.1906 Modular 112A, room 112D

Texas A&M Student Counseling & Wellness Services  
Office: 210.784.1331 Modular C, Suite 166

Texas A&M –SA Title IX Coordinator  
210.784.2061 Modular 109A

### EMERGENCY SERVICES

Southwest General Hospital  
7400 Barlite Boulevard  
San Antonio, TX 78224  
210.921.2000

Methodist Hospital Specialty and Transplant (SANE Exams)  
8026 Floyd Curl Dr  
San Antonio, TX 78229  
210.575.8110

### LOCAL LAW ENFORCEMENT

Bexar County Sheriff's Office  
200 North Comal, San Antonio, Texas 78207  
General: 210.335.6200  
24 Hour Dispatcher: 210.335.6000

San Antonio Police Dept.  
315 South Santa Rosa, San Antonio, Texas 78207  
General: 210.207.7484  
Victim Advocacy Section: 210.207.2141

### What type of financial assistance is available?

Claims may be approved for benefits up to a total of \$50,000. In the case of catastrophic injuries resulting in a total and permanent disability, victims may be eligible for an additional \$75,000 in benefits. Upon approval, benefits may be awarded for the following:

- medical, hospital, physical therapy or nursing care
- psychiatric care or counseling
- one-time relocation assistance for victims of family violence or a victim of sexual assault who is assaulted in the victim's place of residence
- loss of earnings or support
- loss of wages and travel reimbursement due to participation in, or attendance at, the investigation, prosecutorial and judicial processes
- care of a child or dependent
- funeral and burial expenses
- crime scene clean-up
- replacement costs for clothing, bedding or other property seized as evidence or rendered unusable as the result of the investigation
- attorney fees for assistance in filing the Crime Victims' Compensation application and in obtaining benefits, if the claim is approved

Additional benefits for victims who have suffered a catastrophic injury include:

- making a home or car accessible
- job training and vocational rehabilitation
- training in the use of special appliances
- home health care
- reimbursement of lost wages
- Rehabilitation technology, long term medical expenses and durable medical equipment

Reimbursement for property damage or theft is not an eligible expense. Please note that financial assistance may be limited or unavailable depending on laws in effect when the crime occurred.

### How Do I apply?

Every law enforcement agency and prosecutor's office in Texas is mandated to provide victims of crime with information about the Crime Victims' Compensation Program applications for benefits. When contacting these agencies, please ask for the victim assistance coordinator or liaison, who can provide assistance in completing the application. Hospitals and medical centers may also have applications and materials. The Office of Victim Services is charged with helping crime victims with the program. Call them at 210.784.1906. Applications for benefits can be obtained directly from the Crime Victims' Compensation Program in the Office of the Attorney General by calling (800) 983.9933. Professional staff at the division is also available to answer any questions and provide assistance in completing the application. Applications may also be downloaded from [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov). For more information <https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensation-program>.

### NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE Code of Criminal Procedure Article 5.04(c)

It is a crime for any person to cause you any physical injury or harm EVEN IF THAT PERSON IS A MEMBER OR FORMER MEMBER OF YOUR FAMILY OR HOUSEHOLD. Please tell the investigating peace officer: If you, your child, or any other household resident has been injured, or if you feel you are going to be in danger when the officer leaves or later. You have the right: to ASK the local prosecutor to file a criminal complaint against the person committing family violence; and APPLY to a court for an order to protect you (you should consult a legal aid office, a prosecuting attorney, or a private attorney). If a family or household member assaults you and is arrested, you may request that a magistrate's order for emergency protection be issued. Please inform the investigating officer if you want an order for emergency protection. You need not be present when the order is issued. You cannot be charged a fee by a court in connection with filing, serving, or entering a protective order. For example, the court can

be taken to minimize the victim's contact with the offender and the offender's relatives and witnesses, before and during court proceedings;

9. the right to prompt return of any property of the victim that is held by a law enforcement agency or the attorney for the state as evidence when the property is no longer required for that purpose;
10. the right to have the attorney for the state notify the employer of the victim, if requested, of the necessity of the victim's cooperation and testimony in a proceeding that may necessitate the absence of the victim from work for good cause;
11. the right to request victim-offender mediation coordinated by the victim services division of the Texas Department of Criminal Justice;
12. the right to be informed of the uses of a victim impact statement and the statement's purpose in the criminal justice system, to complete the victim impact statement, and to have the victim impact statement considered:
  - A. by the attorney representing the state and the judge before sentencing or before a plea bargain agreement is accepted; and
  - B. by the Board of Pardons and Paroles before an inmate is released on parole;
13. for a victim of an assault or sexual assault who is younger than 17 years of age or whose case involves family violence, as defined by Section 71.004, Family Code, the right to have the court consider the impact on the victim of a continuance requested by the defendant; if requested by the attorney representing the state or by counsel for the defendant, the court shall state on the record the reason for granting or denying the continuance; and
14. if the offense is a capital felony, the right to:
  - A. receive by mail from the court a written explanation of defense-initiated victim outreach if the court has authorized expenditures for a defense-initiated victim outreach specialist;
  - B. not be contacted by the victim outreach specialist unless the victim, guardian, or relative has consented to the contact by providing a written notice to the court; and
  - C. designate a victim service provider to receive all communications from a victim outreach specialist acting on behalf of any person.

(b) A victim, guardian of a victim, or close relative of a deceased victim is entitled to the right to be present at all public court proceedings related to the offense, subject to the approval of the judge in the case.

(c) The office of the attorney representing the state, and the sheriff, police, and other law enforcement agencies shall ensure to the extent practicable that a victim, guardian of a victim, or close relative of a deceased victim is afforded the rights granted by this article and Article 56.021 and, on request, an explanation of those rights.

(d) A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this article or Article 56.021. The failure or inability of any person to provide a right or service enumerated in this article or Article 56.021 may not be used by a defendant in a criminal case as a ground for appeal, a ground to set aside the conviction or sentence, or a ground in a habeas corpus petition. A victim, guardian of a victim, or close relative of a deceased victim does not have standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.

### Art.56.021. Rights of Victim of Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking

(a) In addition to the rights enumerated in Article 56.02, if the offense is a sexual assault, the victim, guardian of a victim, or close relative of a deceased victim is entitled to the following rights within the criminal justice system:

1. if requested, the right to a disclosure of information regarding any evidence that was collected during the investigation of the offense, unless disclosing the information would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which that information is expected to be disclosed;

2. if requested, the right to a disclosure of information regarding the status of any analysis being performed of any evidence that was collected during the investigation of the offense;
3. if requested, the right to be notified:
  - A. at the time a request is submitted to a crime laboratory to process and analyze any evidence that was collected during the investigation of the offense;
  - B. at the time of the submission of a request to compare any biological evidence collected during the investigation of the offense with DNA profiles maintained in a state or federal DNA database; and
  - C. of the results of the comparison described by Paragraph (B), unless disclosing the results would interfere with the investigation or prosecution of the offense, in which event the victim, guardian, or relative shall be informed of the estimated date on which those results are expected to be disclosed;
4. if requested, the right to counseling regarding acquired immune deficiency syndrome (AIDS) and human immunodeficiency virus (HIV) infection;
5. for the victim of the offense, testing for acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS; and
6. to the extent provided by Articles 56.06 and 56.065, for the victim of the offense, the right to a forensic medical examination if, within 120 hours of the offense, the offense is reported to a law enforcement agency or a forensic medical examination is otherwise conducted at a health care facility.

(b) A victim, guardian, or relative who requests to be notified under Subsection (a)(3) must provide a current address and phone number to the attorney representing the state and the law enforcement agency that is investigating the offense. The victim, guardian, or relative must inform the attorney representing the state and the law enforcement agency of any change in the address or phone number.

(c) A victim, guardian, or relative may designate a person, including an entity that provides services to victims of sexual assault, to receive any notice requested under Subsection (a)(3).

(d) This subsection applies only to a victim of an offense under Section 20A.02, 20A.03, 21.02, 21.11, 22.011, 22.012, 22.021, 42.072, or 43.05, Penal Code. In addition to the rights enumerated in Article 56.02 and, if applicable, Subsection (a) of this article, a victim described by this subsection or a parent or guardian of the victim is entitled to the following rights within the criminal justice system:

1. the right to request that the attorney representing the state, subject to the Texas Disciplinary Rules of Professional Conduct, file an application for a protective order under Article 7A.01 on behalf of the victim;
2. the right to be informed:
  - A. that the victim or the victim's parent or guardian, as applicable, may file an application for a protective order under Article 7A.01;
  - B. of the court in which the application for a protective order may be filed; and
  - C. that, on request of the victim or the victim's parent or guardian, as applicable, and subject to the Texas Disciplinary Rules of Professional Conduct, the attorney representing the state may file the application for a protective order;
3. if the victim or the victim's parent or guardian, as applicable, is present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given by the court the information described by Subdivision (2) and, if the court has jurisdiction over applications for protective orders that are filed under Article 7A.01, the right to file an application for a protective order immediately following the defendant's conviction or placement on deferred adjudication community supervision; and
4. if the victim or the victim's parent or guardian, as applicable, is not present when the defendant is convicted or placed on deferred adjudication community supervision, the right to be given by the attorney representing the state the information described by Subdivision (2).

(e) A victim of an offense under Section 20A.02, 20A.03, or 43.05, Penal Code, is entitled to be informed that the victim may petition for an order of nondisclosure of criminal history record information under section 411.0728, Government Code, if the victim:

1. has been convicted of or placed on deferred adjudication community supervision for an offense described by Subsection (a)(1) of that section; and
2. committed that offense solely as a victim of an offense under Section 20A.02, 20A.03, or 43.05, Penal Code.

### **CRIME VICTIMS' COMPENSATION PROGRAM**

The Crime Victims' Compensation Program is administered by the Office of the Attorney General and is dedicated to ensuring that crime victims receive every possible form of assistance provided by law. The Crime Victims' Compensation Program is available after primary sources of payment - such as health insurance, Medicaid, Medicare, auto insurance or Texas Workers' Compensation - have been exhausted. If the court orders the offender to pay restitution to the victim for an expense that Crime Victims' Compensation has already paid, the victim may be required to reimburse the Fund. If the victim or claimant recovers money through the settlement of a civil suit against the offender or a third party, he or she may also have to reimburse the Fund.

#### **To be eligible a person must:**

- Be a resident of Texas or another state with the crime occurring in Texas or a Texas resident who becomes a victim in another state or in a country without a compensation program
- The crime must be reported to an appropriate law enforcement agency.
- The victim or claimant must cooperate with the law enforcement investigation.
- File the application within three years of the date of the crime.
- The victim or claimant must cooperate with the law enforcement investigation.
- You are either a victim or a claimant.

#### **Who may qualify?**

- An innocent victim of crime who suffers substantial threat of physical and/or emotional harm or death
- A dependent of a victim
- An authorized individual acting on behalf of a victim
- An intervener who goes to the aid of a victim or peace officer
- A person who legally assumes the obligations or voluntarily pays certain expenses related to the crime on behalf of the victim
- Immediate family or household members related by blood or marriage who require counseling as a result of the crime
- A peace officer, fire fighter or individual who has a duty to protect the public and who is injured in a crime

#### **Who is not eligible?**

Benefits may be reduced or denied if the victim:

- participated in the crime
- engaged in illegal activity
- contributed to the crime
- was an inmate at the time of the crime
- knowingly or intentionally submitted false or forged information to the Crime Victims' Compensation Program
- did not cooperate with the appropriate law enforcement agencies

#### **What crimes are covered?**

Crimes covered by Crime Victims' Compensation are those in which the victim suffers substantial threat of physical or emotional harm or death. These may include sexual assault, kidnapping, robbery, assault, homicide, family violence, stalking and other violent crimes. Vehicular crimes that are covered include failure to stop and render aid, DWI, manslaughter, criminally negligent homicide, aggravated assault, intoxication manslaughter and intoxication assault.