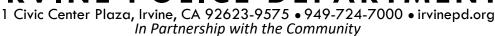
IRVINE POLICE DEPARTMENT

VICTIMS RESOURCE GUIDE









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A Message from the Chief



A member of the Irvine Police Department (IPD) has provided you with this valuable resource guide because you have recently been impacted by criminal activity. As a crime victim, you are afforded specific rights. In addition, there are many resources and support services available to assist you during what may be a difficult time. This booklet contains a description of your rights and information on how to access resources and services.

This booklet also contains local community resource information that you will find helpful. Please take a moment to read through this material and feel free to call, email, or visit IPD in the event you have any questions regarding either your rights or the services available to you.

Our goal is to assign most crime reports to a detective as soon as possible; this happens sooner for more serious crimes. This detective is the person who may contact you with additional questions or information and will be your point of contact for any questions you may have regarding the investigation. To determine the detective assigned to your case, please contact the IPD front desk at 949-724-7000 during business hours.

IPD is a victim-centered agency that works with a broad spectrum of victim service providers designed to assist you. Please know we are committed to addressing your needs in conjunction with our community partners.

M. Kent Michael Kent

Chief of Police - Irvine Police Department

Victims' Bill of Rights Act of 2008

"To provide victims with rights to justice and due process"

On Nov. 4, 2008, the People of the State of California approved Proposition 9, the Victims' Bill of Rights Act of 2008, also known as Marsy's Law. This measure amended the California Constitution to provide additional rights to victims. This booklet contains specific sections of the Victims' Bill of Rights and other resources. Crime victims may obtain additional information regarding Marsy's Law and other available victim services by calling:

Irvine Police Department Victim Advocate's Office 949-724-7274

A "victim" is defined under the California Constitution as "a person who suffers direct or threatened physical, psychological, or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term 'victim' also includes the person's spouse, parents, children, siblings, or guardian, and includes a lawful representative of a crime victim who is a minor, or who is deceased or physically/psychologically incapacitated. The term 'victim' does not include a person in custody for an offense, the accused, or a person whom the court finds would not act in the best interests of a minor victim." [California Constitution, Article I, § 28(e)]

Victims' Bill of Rights: "Marsy's Law"

In order to preserve and protect a victim's right to justice and due process, a victim shall be entitled to the following rights:

- 1. 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
- 2. To be reasonably protected from the defendant and persons acting on behalf of the defendant
- 3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant
- 4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law
- 5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents
- 6. To reasonable notice of and to reasonably confer with the prosecuting agency, **upon request**, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, **upon request**, to be notified of and informed before any pretrial disposition of the case
- 7. To reasonable notice of all public proceedings, including delinquency proceedings, **upon request**, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings
- 8. To be heard, **upon request**, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue
- 9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings
- 10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant
- 11. To receive, **upon request**, the pre-sentence report when available to the defendant, except for those portions made confidential by law
- 12. To be informed, **upon request**, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody
- 13. To receive restitution
 - A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer
 - B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss
 - C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim
- 14. To the prompt return of property when no longer needed as evidence
- 15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender
- 16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made
- 17. To be informed of the rights enumerated in paragraphs (1) through (16)

A victim, the retained attorney of the victim, a lawful representative of the victim, or the prosecuting attorney upon request of the victim, may enforce the above rights in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request. [California Constitution, Article I, § 28 (c)(1)]

Waymakers Victim Witness Assistance Program

Waymakers Victim Witness Assistance Program provides comprehensive services for individuals who are victims of crime, with specialized services for those who are impacted by violent crime. The primary goals of the program are to advocate for victims' rights, provide emergency assistance in the immediate aftermath of crime, provide on-going support to alleviate the trauma associated with crime, and ease the process of participation in the criminal justice system.



The Waymakers Victim Assistance Program is located at Harbor Justice Center and is available to provide crisis intervention services, emergency financial and resource assistance, support counseling, referral to and help in accessing community resources, support during criminal justice proceedings, assistance with Victim of Crime Compensation Claims processing, and other services as required by individual circumstances. Bi-lingual/bicultural advocates are available to work with Spanish and Vietnamese speaking clients and translation services are available for those individuals who speak other languages.

Specialized services are available to victims of child abuse, domestic or family violence, elder or dependent adult abuse, gang violence, hate crimes, human trafficking, sexual assault, and surviving family members of homicide victims. Detailed information regarding these specialized program services and other components of Victim Assistance Programs is available on the website: **waymakersoc.org.**

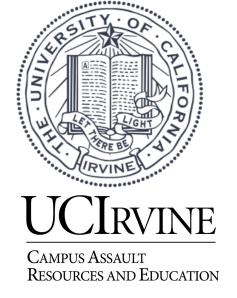
Waymakers Victim Witness Assistance Program

Harbor Justice Center 4601 Jamboree Road #103, Newport Beach, CA 92660 949-476-4855 ● dchavez@waymakersoc.org

University of California, Irvine Campus Assault Resources and Education

The University of California, Irvine (UCI) Campus Assault Resources and Education (CARE) supports the goal of providing an educational environment free from violence and discrimination. CARE offers counseling, advocacy, prevention education, leadership and training opportunities, and works closely with the community on collaborative response and policy development.

CARE provides direct victim services, campus education, and workshops on the topics of sexual violence, intimate partner abuse, relationship health, healthy communication and personal safety. The office provides consultation, counseling services, and advocacy services. CARE also provides awareness and prevention education



through peer education programs, web-based trainings, campus-wide events and educational campaigns. Annual events include Take Back the Night, Denim Day, and the Clothesline Project.

CARE offers confidential services that are free of charge to all currently enrolled students. The office is located on the 3rd Floor of the Student Center in Suite G320. **949-824-7273**

City of Irvine's FOR Families Program Family Assistance and Support

The City of Irvine FOR Families program provides information and short-term support to individuals, couples and families living or working in Irvine who need assistance identifying and accessing needed services and resources. Our focus is on supporting the well-being of our community members.

Staff members offer free, confidential consultations by appointment to community members to help assess needs and develop actions through creative problem solving, goal setting, and resource and referral linkage.

Services Include:

- Personal interviews
- Creative problem-solving
- Community Education classes
- Information sharing
- Resource referral
- Goal-setting
- Workshops

Resources are Available For:

- Stress
- Substance abuse
- Depression
- Family violence
- New resident assistance
- Aging parent issues
- Positive parenting
- Relationship problems
- Women in transition issues
- Legal and financial issues
- Teen/adolescent behavior difficulties



Monday - Thursday, and alternate Fridays (8 a.m. - 5 p.m.) 1 Civic Center Plaza, Irvine, CA 92606 | 949-724-6650

FOR Families services offered by the City of Irvine Community Services Department

Crisis Prevention Hotline

The Crisis Prevention Hotline is a 24-hour, toll-free suicide prevention service available to any Orange County resident who is or knows of someone experiencing a crisis or suicidal thoughts and would like to receive immediate, confidential, and culturally and linguistically appropriate over-the -phone assistance.

Call **877-7CRISIS or 877-727-4747**

- English- and Spanish-speaking crisis counselors available 24/7
- Korean-speaking counselors available 4:30 p.m. 12:30 a.m.
- You also can access chat services by visiting crisischat.org/chat
- Deaf and hard-of-hearing can text HEARME to 839863



Victims of Domestic Violence

Domestic violence doesn't look the same in every relationship because every relationship is different. One factor most abusive relationships have in common is that the abusive partner does many different things to have more power and control over their partners. Below are examples:

- Telling you that you can never do anything right
- Showing jealousy of your friends and time spent away
- Keeping you or discouraging you from seeing friends or family members
- Embarrassing or shaming you with put-downs
- Controlling every penny spent in the household
- Taking your money or refusing to give you money for expenses
- Looking at you or acting in ways that scare you
- Controlling who you see, where you go, or what you do
- Preventing you from making your own decisions
- Telling you that you are a bad parent or threatening to harm or take away your children
- Preventing you from working or attending school
- Destroying your property or threatening to hurt or kill your pets
- Intimidating you with guns, knives or other weapons
- Pressuring you to have sex when you don't want to or do things sexually you're not comfortable with
- Pressuring you to use drugs or alcohol

Victims of domestic violence are often at risk of additional violence for a period of time after the initial criminal act. As a victim of domestic violence, you should consider the information outlined below:

- As a victim of domestic violence, you may request a Temporary Restraining Order that:
 - Restrains the perpetrator from hurting you, your children, pets or other involved family members.
 - ☑ Directs the perpetrator to leave the home.
 - ☑ Prevents the perpetrator from going to the victims' home, school, business or place of employment.
 - Awards custody of, or visitation with, a minor child to the victim and protects the child from the restrained party.
 - ☑ Directs child support of minor children and other financial responsibilities.
 - **☑** Directs that either or both parties participate in counseling.
- For assistance in obtaining a restraining order, please call 657-221-5416 or email dvap@waymakersoc.org.
- As a victim of domestic violence, you have the right to have an advocate and/or support person of your choice to be present with you during any further interviews as it relates to this crime. You can contact a victim advocate at 949-724-7274.
- A victim advocate can assist you with the process of filing a restraining order, regardless of whether formal charges are filed against the perpetrator.
- If your partner physically harms you (including strangulation), threatens you, calls you names, demonstrates jealousy or possessiveness, demeans you in public, keeps you from contacting family or friends, destroys property, or forces you to have sex, then you are in an abusive relationship. Strangulation or suffocation may cause internal injuries; victims are encouraged to seek medical attention if their abuse included strangulation or suffocation.

Victims of Domestic Violence

- A physical assault committed by a person with whom you have an existing or previous dating or marital relationship is a crime.
- As a victim of domestic violence, your name, address and personal identifying information may be kept confidential from the public and offender.
- If the perpetrator went to jail, he or she may be released at any time. As one precaution, use the VINE program (explained on page 24 of this booklet) as one way to learn when an offender is about to be released or his/her custody status has changed in other ways. The Board of Parole Hearings, California Department of Corrections and Rehabilitation, or the sheriff will notify victims of crime of the release of those defendants convicted of domestic violence. This notice will occur between 60 days prior to the defendant's release and never later than the day the defendant is actually released.



- The California Victim Compensation Program (CalVCP) can help pay bills and expenses that result from certain violent crimes. Victims of crime who have been injured or threatened with injury my be eligible for help. Please call the CalVCP helpline at 800-777-9229 or e-mail info@vcgcb.ca.gov
- You may request the detective assigned to your case to file a formal complaint with the District Attorney's Office. Please note that, in the State of California, victims are not responsible for "pressing charges" and the decision to file formal charges will be made by a deputy district attorney.
- At sentencing, the court may order restitution to domestic violence victims for all losses and outof-pocket expenses. These expenses include loss of earnings, medical expenses and the cost of temporary housing. The court can also order the defendant to reimburse private and public agencies for the cost of providing services to the victim as a result of the abuse.
- Human Options provides emergency shelter and counseling for victims of domestic violence. The 24-hour hotline number is 877-854-3594 / 949-854-0180. You can also contact the national domestic violence hotline at 800-799-SAFE The hotline counselor can guide you to the service you need.



Protective Orders

Victims of crime have the right to obtain a protective order. There are four different types of protective orders that are available to victims of crime and witnesses. Protective orders are given to victims of crime when there is a good cause to have concern for their safety. These orders enable a victim to call police if a defendant, also known as the restrained party, gets within a certain distance, usually 100 yards, or tries to contact him or her by phone, e-mail, or mail either personally or through another person. If a defendant violates a protective order he or she may be charged with an additional crime.

Emergency Protective Order (EPO)

An Emergency Protective Order (EPO) is made at the scene by the police officer who telephones a judge to get consent to issue the EPO. This applies to potential domestic violence, stalking, child abuse, child abduction, and elder abuse crimes. If there is a child victim, a parent or guardian may seek the order on their behalf.

Upon permission from the court, the police officer will prepare a written order and provide the victim and the suspect with a copy. The officer will also file the order with the court. Once the EPO is in place, law enforcement must take all reasonable steps to enforce this order.

EPOs **only last for five days**. If a criminal case is filed at the end of the five-day period covered by the EPO, a Criminal Protective Order (CPO) can be sought from the judge who arraigns the defendant. If a criminal case has not been filed, papers can be filed with the court to obtain a Civil Protective Order.

Criminal Protective Order (CPO)

A criminal court has the power to issue a protective order to protect victims of crime, witnesses, and their immediate family. The court can make this order to prevent a criminal defendant from contacting or intimidating witnesses and victims of crime through e-mail, telephone calls, or other people. The court may also use this power to modify existing protective orders, such as an EPO, issued by the investigating officer. If the defendant is arrested for and charged with a crime involving domestic violence, a special domestic violence prevention order may be issued instead of a CPO.

Domestic Violence Prevention Order (DVPO)

If a victim of domestic violence needs a protective order because a criminal case has not yet been filed or is not going to be filed, the victim can get a Domestic Violence Prevention Order (DVPO) from the family law court. A DVPO is used to help prevent domestic violence. To get a DVPO, a victim of domestic violence must fill out an application at the family law court. These applications are available in multiple languages. Once the application for a DVPO is filed, it will be reviewed by a judge within one to two days.

The DVPO can prohibit abuse, exclude a person from a house or apartment, prevent specific types of behavior, and prohibits the abuser from owning, possessing or purchasing a firearm. Additionally, the order may make an initial decision about child custody and visitation. It is also important to remember that a victim of domestic violence may have a support person attend all family law and criminal proceedings, including the hearings for a DVPO, where the victim will be in close proximity to the alleged abuser.

Civil Protective Orders

A victim may wish to obtain a Civil Protective Order if a criminal case has not yet been filed, will not be filed, or if the defendant failed to appear in court and a warrant was issued for his or her arrest. A Civil Protective Order may be obtained by a victim through civil court (Code of Civil Procedure § 527.6). If a criminal case has been filed and a Civil Protective Order is required, the District Attorney's Office victim services advocate can help the victim fill out the required paperwork for a Civil Protective Order.

Temporary Restraining Orders

Protective orders obtained through civil court have two parts. First, the court issues a Temporary Restraining Order (TRO). This is done without a court appearance by the defendant, also known as the restrained party. After issuing a TRO, the court will set a date for a hearing. At the hearing, both sides can present evidence or information for or against a protective order. If the court grants an order at the hearing, it is called an Order After Hearing (OAH). The OAH is a protective order that lasts for up to three years. Once a protective order is issued, the court clerk will provide the victim, also known as the protected party, with five certified copies of the order. The protected party should keep the copies of these orders for their records.

Protective Orders

Gun Violence Restraining Orders

California's Gun Violence Restraining Order (GVRO) offers family members, household members, and law enforcement a tool to temporarily remove firearms, ammunition, and magazines from an individual who is a danger to themselves or others.

A GVRO is a court order that:

- Prohibits the restrained person from purchasing and/or possessing a gun, ammunition, or magazines
- Requires the restrained person to turn in guns, ammunition, and magazines to police or sell/store them with a licensed gun dealer

Only an immediate family member or a law enforcement officer can ask the court for a GVRO. Immediate family members include:

- Spouse or domestic partner
- Parents, children, sibilings, grandparents, grandchildren, and their spouses, including any stepparent or step grandparent
- Spouse's parents, and any stepfamily member not listed above
- Any person who lives, or has lived, in the home within the last six months

A GVRO only applies to the prohibition of the restrained subject from purchasing and/or possessing of a firearm, ammunition or magazines. It will not:

- Restrain the subject from contact with other persons
- Order the subject to stay away from any locations
- Order the subject to move out of their home

The GVRO Legal Processes is as follows:

- **Step 1** Request a petition from your local Superior Court or download it from the following website: courts.ca.gov/documents/gv100pdf
- Step 2 Complete and submit the petition and other necessary paperwork to the court
- **Step 3** The judge will review the petition and may issue a temporary GVRO that will remain in effect until a scheduled hearing. Once a temporary GVRO is issued, you may ask a law enforcement officer, process server, or any adult who is not party to the action to serve the order
- **Step 4** Attend the hearing scheduled by the court. The hearing will be scheduled 21 days after the GVRO is issued. At the hearing, the court may grant a GVRO that is in effect for up to one year.

ORANGE COUNTY COURTS

Central Justice Center

700 Civic Center Dr. West, Room 292 Santa Ana, CA 92701

Main Phone: **714-834-4350**

North Justice Center

1275 N. Berkeley Ave. 4th Floor, Room 490 Fullerton, CA 92832

Main Phone: **714-773-4575**Restitution: **714-773-4689**

West Justice Center

8141 13th Street Westminster, CA 92683

Main Phone: **714-896-7188** Witness Services: **714-934-4634**

Harbor Justice Center

4601 Jamboree Rd., Ste. 103 Newport Beach, CA 92660

Main Phone: 949-476-4855

Lamoreaux Justice Center

341 The City Drive 4th Floor, Room 408 Orange, CA 92868

Main Phone: **714-935-7074** Children's Chambers: **657-622-7490**

Victims of Sexual Assault

Patrol officers, detectives, and other police personnel are trained to respond to sexual assault crimes. We are prepared to conduct a thorough investigation while respecting the dignity and promoting the safety of those who have been impacted by this traumatic event. You can help by considering the following:

- A sexual assault is any forced or non-consensual sexual act against a person. It may also occur against an incapacitated person where alcohol, drugs, or a disability may be involved.
- A sexual assault committed by someone you have an existing or previous dating or marital relationship is a crime.
- In addition to notifying the police, you may choose to call:



Waymakers Sexual Assault Victim Services Orange County's Rape Crisis Center 24-hr. Hotline 949-831-9110 / 714-957-2737

If you wish, one of the responding police officers will make the telephone call for you.

- Do not change or wash your clothes, take a shower, bathe, wash your hands, douche, comb your hair, or eat or drink anything. Do not touch, move, destroy, or discard anything where the crime occurred.
- If you can recall any details about your assault, write them down right away. Include details such as time, date, the name of perpetrator, race, age, weight, height and what the person was wearing. If a car was involved, write down the make, model, color, and any other information you can remember.
- You have the right to have an advocate and/or support person of your choice accompany you
 during the interview and medical examination. You can contact an advocate by calling 949-8319110.
- As a victim of sexual assault, you have the following rights:
 - You are not required to participate in the criminal justice system or undergo a medical evidentiary or physical exam in order to keep your rights.
 - You should be provided the telephone or internet website contact information for a
 nearby rape crisis center and sexual assault counselor that is available 24 hours a day. You
 can request a confidential sexual assault counselor/victim advocate and at least one other
 person of your choosing present during any exam or investigative interview while sharing
 your story. You can request to have a person of the same gender or opposite gender
 present in the room during any interview;
 - You should be provided information about the types of law enforcement protection available to sexual assault victims, including a temporary protection order and the process to obtain that protection.

Irvine Police Victim Advocate's Office 949-724-7274

- You can request for the status and results of the analysis of all evidence related to your assault; You should know that evidence related to your assault will be tested, it should be transported to the lab and analyzed within 18 months. You have the right to be informed of the following:
 - Whether or not a DNA profile of your assailant was developed from the evidence;
 - Whether or not the DNA profile of your assailant was entered into law enforcement databases;
 - Whether or not the DNA profile of your assailant matches a DNA profile contained in law enforcement databases;
- You can request the law enforcement officer for a tracking or report number and steps to get follow up information; you have the right to request in writing and receive a free copy of the initial crime report related to your assault.
- You should know that DNA and other types of evidence can degrade/break down overtime due to exposure to heat, water and other materials. In general, DNA evidence on the body lasts from 12 hours to 7 days; the evidence to your assault must be kept for 20 years, or for victims under age 18 at the time of the offense, until your 40th birthday.
- If your assailant is convicted and required to register as a sex offender, you have the right to request their sex offender registry information from the prosecutor.
- You can request information about the state and federal compensation funds for medical and other costs associated with the sexual assault and any information on any municipal, state or federal right to restitution for sexual assault victims if a criminal trial occurs.
- As a victim of a sexual assault, your name, address and other personal identifying information can be kept confidential from the public and offender.
- Students, faculty and staff associated with the University of California, Irvine may contact the Campus Assault Resources and Education Office for additional support and services at 949-824-7273.
- The Rape, Abuse and Incest National Network (RAINN) Hotline provides free, confidential services to victims of sexual assault. Call **800-656-HOPE** or for more information visit *rainn.org*.

Victims of Hate Crimes

Reporting Hate Crimes and Incidents

The Irvine Police Department (IPD) vigorously investigates all forms of hate crimes, including violent acts, vandalism, graffiti, intimidation, criminal threats and other crimes motivated by a person's gender, nationality, race, ethnicity, religion, sexual orientation, or physical disability.

What can I do?

- Report incidents of suspected hate crime to IPD at 949-724-7000.
- In addition to the police, hate-related crimes and incidents can be reported to the Orange County Victim Assistance Partnership 714-480-6570. Visit their website at OCHumanRelations.org for more information.



Victims of Burglaries and Other Property Crimes

Although you may not have suffered any physical injury as a result of your experience, we realize that property crime, and in particular residential burglary, may have an emotional and stressful impact. Please know that our Victim Assistance Coordinator can assist you with trauma resulting from your victimization.

In addition, the Irvine Police Department is dedicated to providing crime prevention awareness to our community. There are many opportunities for you to engage in our collective effort to reduce the likelihood of victimization. Our trained staff offer many services to the community, free of charge, including: home or business security inspections, options for neighborhood watch programs and information concerning personal and child safety. If you are interested in learning more about these programs, please call **949-724-7333** or visit our website with a great deal of safety tips at CrimePrevention.IrvinePD.org

Victims of Elder Abuse

Domestic elder abuse generally refers to any of the following types of mistreatment that are committed by someone with whom the elder (age 65 or above) or a dependent, disabled adult (over age 18) has a special relationship (for example, a spouse, sibling, child, friend, or caregiver).

Institutional abuse generally refers to any of the following types of mistreatment occurring in residential facilities (such as a nursing home, assisted living facility, group home, board and care facility, foster home, etc.) and is usually perpetrated by someone with a legal or contractual obligation to provide some element of care or protection.



Elder abuse can affect people of all ethnic backgrounds and social status and can affect both men and women. The following types of abuse are commonly accepted as the major categories of elder mistreatment:

- Physical Abuse Inflicting, or threatening to inflict, physical pain or injury on a vulnerable elder, or depriving them of a basic need.
- **Emotional Abuse** Inflicting mental pain, anguish, or distress on an elder person through verbal or nonverbal acts.
- **Sexual Abuse** Non-consensual sexual contact of any kind, or coercing an elder to witness sexual behaviors.
- **Exploitation** Illegal taking, misuse, or concealment of funds, property, or assets of a vulnerable elder.
- **Neglect** Refusal or failure by those responsible to provide food, shelter, health care or protection for a vulnerable elder.
- **Abandonment** The desertion of a vulnerable elder by anyone who has assumed the responsibility for care or custody of that person.

Although there are distinct types of abuse defined, it is not uncommon for an elder to experience more than one type of mistreatment at the same or different times. For example, a person financially exploiting an elder may also be neglecting to provide appropriate care, food, medication, etc.

For more information and resources regarding elder abuse, please visit the National Center on Elder Abuse website at:

ncea.acl.gov

or call

855-500-3537

Victims of Human Trafficking

Human trafficking is a form of modern slavery where people profit from the control and exploitation of others.

Although slavery is commonly thought to be a thing of the past, human trafficking still exists today throughout the United States and globally when traffickers use force, fraud, or coercion to control other people for the purpose of engaging in commercial sex or forcing them to provide labor services against their will. Traffickers use violence, threats, deception, debt bondage, and other manipulative tactics to trap victims in horrific situations every day in America. All trafficking victims share one essential experience – the loss of freedom.



In the United States, sex trafficking commonly occurs in online escort services, residential brothels, brothels disguised as massage businesses or spas, and in street prostitution. Labor trafficking has been found in domestic servitude situations, as well as sales crews, large farms, restaurants, carnivals, and more.

Learn more about human trafficking at:

ochumantrafficking.com

To report a tip or request services, call 888-3737-888

Victims of Child Abuse

Child abuse consists of any act of commission or omission that endangers or impairs a child's physical or emotional health and development. Child abuse includes any damage done to a child which cannot be reasonably explained and which is often represented by injuries appearing to be non-accidental in nature.

Forms of Child Abuse

Physical abuse - Any non-accidental injury to a child. This includes, but is not limited to, hitting, kicking, slapping, shaking, burning, pinching, hair pulling, biting, choking, throwing, shoving, whipping, and paddling.

Sexual abuse - Any sexual act between an adult and child. This includes, but is not limited to, fondling, penetration, intercourse, exploitation, pornography, exhibitionism, child prostitution, group sex, oral sex, or forced observation of sexual acts.

Neglect - Failure to provide for a child's physical needs, including, but not limited to, lack of supervision, inappropriate housing or shelter, inadequate food and water, inappropriate clothing for weather, abandonment, denial of medical care and inadequate hygiene.

Emotional abuse - Any attitude or behavior which interferes with a child's mental health or social development. This includes, but is not limited to, yelling, screaming, name-calling, shaming, negative comparisons to others, telling them they are "bad, no good, worthless" or "a mistake." It also includes the failure to provide the affection and support necessary for the development of a child's emotional, social, physical and intellectual well-being. This includes ignoring, lack of appropriate physical affection (hugs), not saying "I love you," withdrawal of attention, lack of praise and lack of positive reinforcement.

If you suspect abuse, but a child has not disclosed to you, contact the National Child Abuse Hotline at: **800-4-A-CHILD (800-422-4453)** for 24-hour assistance.

Victims of Identity Theft

The California Penal Code allows a victim of identity theft to file a crime report and initiate an investigation with the law enforcement agency having jurisdiction over the victim's residence. If other crimes occurred in Irvine's jurisdiction an investigator may be assigned the case. If the crime was committed in a different jurisdiction, the matter may be referred to the law enforcement agency with jurisdiction.

Experian TransUnion

If you are a victim of identity theft, you are the only person who can clear your credit report. This booklet provides you with resources you may need, including phone numbers and websites, to help you address identity theft. Use a ledger or a composition notebook to document <u>ALL</u>



forms of communication you have with company representatives, creditors, etc. This includes the date and time of phone calls, the names of company representatives with whom you speak, phone numbers, and dates and times you sent or received letters. Once you discover that you are the victim of identity theft, you should take the following immediate steps to prevent further damage:

1. <u>Place an Initial Fraud Alert</u>: Call one of the three credit reporting companies and ask for an "initial fraud alert" on your credit report. Once you have the alert on your report, businesses are required to verify your identity before it issues credit. Regardless of the company you decide to contact, they are required to contact the other two companies about your alert. The alert lasts for 90 days can be renewed for an additional 90 days if necessary. It also allows you to receive one free copy of your credit report from each of the three credit reporting companies.

As a follow-up measure, ask each of the credit reporting companies in writing to:

- Provide you with a free copy of your credit report on a monthly basis.
- Remove all inquiries that have been generated because of the fraudulent access.
- Provide you the names and phone numbers of businesses that have opened the fraudulent accounts.
- Notify those businesses that have received your credit report in the past six months.
- 2. Review Your Credit Reports: After receiving copies of your credit reports, review them <u>carefully</u>. If you know which of your accounts have been tampered with, contact the related businesses. Talk to a representative in the fraud department and follow up with them in writing. Any letters you send should be sent by certified mail with a return receipt request. This ensures a record of your communication.
- 3. <u>File a Police Report</u>: California Penal Code § 530.6(a) reads: "A person who has learned or reasonably suspects that his or her personal identifying information has been unlawfully used by another ... may initiate a law enforcement investigation by contacting the local law enforcement agency that has jurisdiction over his or her actual residence or place of business."
- 4. <u>Create an Identity Theft Report and Affidavit</u>: An Identity Theft Report gives you some important rights that can help you recover from the theft. It also helps you deal with credit reporting companies, debt collectors, and businesses that gave the identity thief credit or opened new accounts in your name.

File a complaint with the Federal Trade Commission (FTC) via:

Telephone: 877-IDTHEFT (877-438-4338)

Online at: ftccomplaintassistant.gov

By mail: ID Theft Clearinghouse - Federal Trade Commission

600 Pennsylvania Avenue NW

Washington DC, 20580

Victims of Identity Theft

<u>Contact all Creditors</u>: Contact each creditor by phone or in writing with whom your name has been used fraudulently. Obtain replacement credit cards with new account numbers to replace those accounts that have been fraudulently used. Ask each creditor to process the old account as a "closed account at the consumer's request. A "closed status" is better than processing the card as "lost or stolen," because the latter may be interpreted by the credit reporting companies as your liability. Carefully monitor your mail and credit card statements for evidence of new fraudulent activity and report all such activity immediately to your credit grantor.

<u>Creditor's Requirements to Verify Fraud</u>: You may be asked by banks and credit grantors to prepare and notarize fraud affidavits. It is usually not necessary, as a written statement and a copy of the police report should be sufficient.

<u>Stolen Checks</u>: If you have had checks stolen or bank accounts set up fraudulently, report it to the check verification companies. Cancel your checking and/or savings accounts and obtain new account numbers. Give the bank a secret password for your account (not your mother's maiden name).

<u>ATM/Debit/Credit Cards</u>: If your ATM/Debit/Credit card has been stolen or compromised, obtain a new card, account number and password or PIN (Personal Identification Number). Do not use your old password. When creating a password or PIN, don't use common numbers, like the last four digits of your social security number or your birth date.

<u>Fraudulent Change of Address</u>: Notify the local Postal Inspector if you suspect an identity thief has filed a change of your address with the post office or has used the mail to commit credit or bank fraud (Call the local Postmaster to obtain the phone number). If possible, determine where fraudulent credit cards were sent. Notify the local Postmaster of that address and forward all mail in your name to your own address. You may also need to talk with the mail carrier.

<u>Stolen Mail</u>: If you believe your mail has been stolen, report it immediately to your local Postmaster or nearest Postal Inspector. You will be asked to complete PS Form 2016 (Mail Theft and Vandalism Complaint). Analysis of these forms helps the Postal Inspectors in determining if the theft of your mail is isolated or part of a larger mail theft problem in your neighborhood, and in locating and apprehending mail thieves.

<u>Social Security Number Misuse</u>: Contact the Social Security Administration to report fraudulent use of your Social Security Number and request a copy of your earnings and benefits statement to check it for accuracy.

<u>Passport Misuse</u>: If you have a passport lost or stolen, notify the passport office in writing to alert them for anyone ordering a new passport fraudulently.

<u>Drivers License Number Misuse</u>: You may need to change your driver license number if someone is using yours as identification on fraudulent checks. Contact the Department of Motor Vehicles (DMV) to see if another license was issued in your name. Place a fraud alert on your license. Contact any DMV to request a new number and complete the DMV's complaint form to begin the fraud investigation, and provide supporting documents with the complaint form to the nearest DMV investigation office.

<u>False Civil and Criminal Judgments</u>: Sometimes victims of identity theft are wrongfully accused of crimes committed by the imposter. If a civil judgment has been entered in your name for actions taken by your imposter, contact the court where the judgment was entered and report that you are a victim of identity theft. If you are wrongfully prosecuted in criminal court, contact the State Department of Justice and the Federal Bureau of Investigation.

Legal Help: You may want to consult an attorney to determine legal action to take against creditors and/ or credit bureaus. Call the local Bar Association to find an attorney who specializes in consumer law and the Fair Credit Reporting Act.

Victims of Identity Theft

Resources

Credit Report Companies:	
Equifax:	equifax.com
Report Fraud	800-525-6285
PO Box 105069, Atlanta, GA 30348	
Order a Credit Report	800-685-1111
PO Box 740241, Atlanta, GA 30374	
Experian:	experian.com
	888-397-3742
PO Box 949, Allen, TX 75013-0949	
TransUnion:	transunion.com
	800-680-7289
PO Box 6790, Fullerton, CA 92634	
•	800-916-8800
PO Box 390, Springfield, PA 19064-0390	
Annual Credit Report Request Service:	annualcreditreport.com
	877-322-8228
PO Box 105281, Atlanta, GA 30348-5281	
Social Security Administration	ssa.gov
	800-269-0271
	800-772-1213
Federal Trade Commission	ftccomplaintassistant.gov
I.D. Theft Hotline	877-438-4338
United States Postal Service	https://ehome.uspis.gov/mailtheft/idtheft.aspx
	877-876-2455
Mail theft/fraud or identity theft	800-275-8777
To Report the Fraudulent Use of Checks:	
Chex Systems	800-428-9623
	800-437-5120
	800-366-2425
National Check Fraud Service	843-571-2143
To Stop Receiving Pre-Approved Credit Card C	Offers888-5-OPTOUT

Victims of Traffic Collisions

California Vehicle Code § 20001 requires drivers involved in traffic collisions to stop at the scene to render aid to injured persons and to identify themselves to the injured party and to the local police. California Vehicle Code § 20002 requires drivers involved in traffic collisions to stop to identify themselves even if the traffic collision caused only property damage.

Auto Insurance

Uninsured motorist coverage is automobile coverage that provides protection in the event of a traffic collision in which the at-fault party does not have insurance or in the event that the at-fault party is never identified. California requires auto insurance companies to provide you with uninsured motorist coverage unless you decline it in writing when you purchase your auto insurance. One of the best ways to protect yourself from the devastation a hit-and-run offender or uninsured motorist can cause you and your family is through "Uninsured Motorist" or "PIP" coverage on your auto insurance policy.

You and passengers in your vehicle who suffer bodily harm may be covered for damages under this coverage of your policy. You may also be covered if you are injured while a pedestrian, cyclist or a passenger in another person's vehicle if the at fault motorist is uninsured or is never identified.

Hit-and-Run Collisions

The failure to stop and report an accident is a separate serious violation of law in addition to any violation involved in causing the collision. Not only do convicted hit-and-run drivers face criminal charges punishable by enhanced fines and jail time when a traffic collision involves injuries or death, they can also be held liable for civil damages. Monetary compensation may be awarded for things such as medical bills, loss of income, property damage, and pain and suffering. Compensation that exceeds a victim's actual monetary losses may also be awarded to punish hit-and-run offenders. Your own auto insurance may also be a source of compensation for your hit-and-run traffic collision damages.

Employers Can Be Liable for Hit-and-Run Damages

If a driver has been identified and charged with a hit-and-run offense while on the job, not only can the offender be held liable for damages, but also his employer. An employer is generally liable for the damages caused by an employee's wrongful conduct if the employee was acting within the "scope and course" of his or her job when the incident occurred.

Victim Compensation Programs Can Help

You may be entitled to obtain compensation for some of your damages through state victim assistance and compensation programs as a victim of a criminal offense.

One such program is Crime Victim Compensation, which can help victims of hit-and-run accidents pay for some of the costs of their recovery, including medical care, lost wages, funeral bills and other expenses. Visit the National Association of Crime Victim Compensation Boards website at:

NACVCB.org

or call 703-780-3200 to learn how to seek financial assistance

U.S. Department of Justice Office for Victims of Crime

Established by the Victims of Crime Act (VOCA) in 1984, the Office for Victims of Crime (OVC) supports a broad array of programs and services that focus on helping victims in the immediate aftermath of crime and supporting them as they rebuild their lives. Although the specific type of outreach provided varies by need and location, the common goal of OVC and VOCA is to reach out with a compassionate, skilled, and effective response to victims who have suffered physical, sexual, emotional, and financial harm as a result of crime.

If you are a victim of crime, OVC's site has resources to help you.

Find a Local Program

Use the Online Directory of Crime Victim Services to locate non-emergency crime victim services provided by not-for-profit programs and public agencies at *ovc.ncjrs.gov/findvictimservices/*.

Contact a Helpline

OVC offers a list of helplines of national organizations that provide services to crime victims, including the National Domestic Violence Hotline and Disaster Distress Helpline. Go to the OVC webpage at *ovc.ojp.gov/help-for-victims/toll-free-and-online-hotlines* to obtain the contact list of toll-free numbers and online hotlines to find additional information or to get help.

Find Your Compensation Program

You may be eligible for crime victim compensation benefits, including reimbursement for medical services, mental health counseling, lost wages, and other costs incurred as a result of the crime. Information about compensation in this state/territory can be obtained using the information listed below:

• OVC Victim Compensation for California

Phone: **800-777-9229**

• OVC Victim Assistance for California

Phone: **916-845-8301**

Learn About Additional Resources

OVC's "What You Can Do If You Are a Victim of Crime" brochure highlights victims' rights and compensation and assistance programs, and lists national organizations that help victims find information or obtain referrals. Go to **www.ovc.gov** to learn more.

State of California Victim Compensation Program

The California Victim Compensation Program (CalVCP) can help pay bills and expenses that result from certain violent crimes. Victims of crime who have been injured or have been threatened with injury may be eligible for help. **CalVCP Helpline: 800-777-9229**

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Expenses CalVCP Can Help Pay:

CalVCP can pay for any expense directly related to the crime. There are limits on how much can be paid for each loss. If there are other reimbursement or recovery sources, the must be used first. Examples of expenses CalVAP can cover include:

- Medical and dental treatment
- Mental health services
- Income loss
- Funeral and burial expenses
- Home or vehicle modifications
- Home security

- Relocation
- Medical and dental treatment
- Mental health services
- Loss of support for dependents when a victim is killed or disabled because of a crime
- Crime scene cleanup

Go to: *victims.ca.gov* for more details.

Who Qualifies for Victim Compensation:

CalVCP can help victims of crimes such as minors who suffer emotional injuries as a result of witnessing a violent crime may be eligible for up to \$5,000 for mental health counseling through CalVCP. CalVCP can help victims of crimes that occur in California as well as California residents who become victims while visiting other states or outside the country. Additionally, people who suffer a monetary loss because of death or injury to a crime victim may also be eligible for compensation.

• Domestic violence

Sexual assault

- Elder abuse
- Child abuse
- Homicide
- Assault
- Robbery

- Drunken driving
- Vehicular manslaughter
- Hate crimes

How to Apply for Compensation:

- Call CalVCP at 800-777-9229
- Download an application here: vcqcb.ca.qov/victims/howtoapply.aspx
- E-mail CalVCP at info@vcgcb.ca.gov

Homeland Security Investigations Victim Notification Program

U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), is committed to protecting the public and ensuring that the rights of victims are carefully observed. HSI administers the Victim Notification Program, which allows eligible victims and witnesses to obtain reliable and timely information regarding a criminal alien's release from custody. However, victims and witnesses are required to register in order to receive notification of a criminal alien's release.



- ICE is committed to protecting the public and ensuring that victim rights are carefully observed.
- ICE can initiate removal proceedings against criminal aliens who are convicted of certain crimes.
- ICE takes custody of the inmate after the criminal alien has completed their federal or state criminal sentence.
- The removal process can take several days to several months. Generally, the criminal alien remains in custody until ICE can remove the criminal alien to their country.
- On occasion, ICE may not be able remove a criminal alien. This can happen for several reasons the most common being the inability of ICE to secure travel authorization documents for the alien. Depending on the situation, ICE may have to release the criminal alien under an order of supervision or on bond.

Although ICE makes every attempt to control illegal entry into the United States, ICE cannot ensure that the offender will not reenter the United States illegally.

- Once the criminal alien is placed in ICE custody, the Victim Notification Program will provide information to eligible victims and witnesses who register to be notified of release related activities.
- Victims and witnesses must submit the "Victim Request for Notification of Criminal Alien Status" form
- ICE will make every effort to keep victims and witnesses advised of the release status of the
 offender. Registered victims and witnesses will be advised when the criminal alien is released
 from custody or removed.
- Occasionally, ICE transfers criminal aliens between custodial facilities. ICE will not routinely notify victims or witnesses of these internal transfers. However, any victim or witness may learn the location of an offender by calling the Victim Notification Program.
- If you have previously submitted a victim impact statement to the court or parole board, you may forward that statement to the Victim Notification Program and request that it be presented to the government's attorney for consideration by the immigration judge.

dhs.gov/victim-notification-program

Victim Information & Notification Everyday

Victims of crime can use the telephone, Internet, or mobile device to search for information regarding their offender's custody status or register to receive telephone and e-mail notification when their offender's custody status changes. Through Victim Information & Notification Everyday (VINE).

Web Registration
VINELink at vinelink.com

Telephone RegistrationCall **877-411-5588** and follow the directions.

- 1. When VINE asks, make up and enter a four-digit Personal Identification Number (PIN). Write it on the front cover of this booklet. VINE will ask for the PIN when it calls you.
- 2. When VINE calls, listen to the message, then enter your PIN when asked. Entering the PIN lets VINE know that you got the call, and will stop the service from calling you again.
 - The offender will not know you are registering with VINE.
 - If you are not home, VINE will leave a message on an answering machine, if there is no answer. VINE will call back until you enter your PIN or until 24 hours have passed.
 - Since VINE calls automatically when an offender's custody status changes, the service may call at any time of the day or night.
 - "OC" only applies to persons in Orange County Jails.
 - Do not depend only on the VINE service, or any other single program, for your protection. Make VINE a part of your overall safety plan.
 - California statute gives victims and/or witnesses of stalking or domestic violence the right to be notified by certified letter as well as by phone. You may also register to receive an advance notification letter, sent by regular mail, to alert you of an offender's upcoming release. All information provided by VINE will remain confidential.

VINEmobile

VINEmobile is the mobile app version of VINE, which allows victims to register for timely and reliable information regarding the custody status of offenders 24-hours a day. Victims and concerned citizens can register to be notified by



phone, email, text message (where applicable) or TTY device when an offender's custody status changes. The app is available through Google Play and the Apple iStore. Visit www.VINElink.com for links to the app.

National VINE Hotline: 877-411-5588

NATIONWIDE RESOURCES

 National Association of Crime Victim Compensation Boards

703-780-3200 *nacvcb.org*

- National Center for Victims of Crime victimsofcrime.org
- Resource Center on Domestic Violence 800-799-SAFE (7233) thehotline.org
- National Criminal Justice Reference Center (NCJRS)

800-851-3420 ncjrs.gov

 National Human Trafficking Resource Center

888-3737-888 polarisproject.org

National Suicide Prevention Lifeline

800-273-TALK (8255) suicidepreventionlifeline.org

• National Teen Dating Abuse Helpline

866-331-9474 *loveisrespect.org*

 National Organization for Victim Assistance (NOVA)

800-879-6682 trynova.org National Center for Missing and Exploited Children (NCMEC)

800-843-5678 missingkids.com

 Childhelp USA - National Child Abuse Hotline

800-422-4453 childhelp.org

- Rape, Abuse, Incest, National Network 800-656-HOPE rainn.org
- Gay, Lesbian, Bisexual, Transgender, National Hotline

888-843-4564 glbtnationalhelpcenter.org

Veteran's Crisis Line

800-273-8255 (Press 1)

- Victim Connect Resource Center 855-484-2846
- National Clearinghouse for Alcohol and Drug Information 800-729-6686
- Safe Online Helpline (Sexual Assault support for the Department of Defense Community)

877-995-5247 safehelpline.org

STATEWIDE RESOURCES

 California Attorney General's Victim Services Unit 877- 433-9069
 oag.ca.gov/victimservices

 California Department of Corrections and Rehabilitation Office of Victim & Survivor Rights & Services

877-256-6877 cdcr.ca.gov/victim_services

California Victims' Compensation Programs

800-777-9229 *vcgcb.ca.gov/victims*

California Partnership to End Domestic Violence

916-444-7163 *cpedv.org*

LOCAL RESOURCES

- Adult Protective Services Elder Abuse Hotline 800-451-5155
- City of Irvine FOR Families
 1 Civic Center Plaza
 Irvine, CA 92606

949-724-6650

- Crime Survivors crimesurvivors.com
- Crisis Prevention Hotline (Suicide Prevention) 877-7CRISIS or 877-727-4747
- Didi Hirsch Suicide Prevention Crisis Line 877-727-4747
- Domestic Violence Assistance Program 714-935-7956
- Human Options
 949-737-5242 (press 2)
 humanoptions.org
- Orange County Child Abuse Registry Hotline 800-207-4464
- Orange County District Attorney's Office 714-834-3600 orangecountyda.org

- Orange County Human Trafficking Task Force 888-3737-888 www.ochumantrafficking.com/
- Orange County Veterans Resource Center 800-273-8255 santa-ana.org/library/veterans
- OC Links (Behavioral Health Services 855-OC-LINKS (855-625-4657)
- OC Crime Stoppers
 855-TIP-OCCS (confidential tipline)
- The Center of Orange County (LGBTQ) 714-953-5428 thecenteroc.org
- University of Irvine Campus Assault Resources and Education (CARE) 949-824-7273 G320A Student Center
- Waymakers 949-250-0488 waymakersoc.org

HOSPITALS

- Hoag Hospital Irvine 16200 Sand Canyon Irvine, CA 92618 949-764-4624
- Kaiser Permanente Hospital 6640 Alton Parkway Irvine, CA 92618 949-932-5000 kaiserpermanente.org
- Anaheim Regional Hospital 1111 West La Palma Avenue Anaheim, CA 92801 714-774-1450

ORANGE COUNTY COURTS

Central Justice Center

700 Civic Center Dr. West, Room 292 Santa Ana, CA 92701 Main Number: 714-834-4350

North Justice Center

1275 N. Berkeley Ave. 4th Floor, Room 490 Fullerton, CA 92832 Main Number: 714-773-4575 Restitution: 714-773-4689

West Justice Center

8141 13th Street Westminster, CA 92683 Main Number: 714-896-7188

Witness Coordination: 714-934-4634

• Harbor Justice Center

4601 Jamboree Rd., Ste. 103 Newport Beach, CA 92660 Main Number: 949-476-4855

Lamoreaux Justice Center

341 The City Drive 4th Floor, Room 408 Orange, CA 92868

Main Number: 714-935-7074

Children's Chambers: 657-622-7490

Waymakers Victim Witness Assistance Programs



If you or someone you know has been the victim of a crime, there is help available at:

949-476-4855

- Emergency assistance for food, clothing, shelter or medical care
- Assistance in obtaining a restraining order
- Orientation to the criminal justice system
- Filing for victim compensation through the State of California
- Other valuable victim services
- **Obtaining restitution**
- **Resource and referral information**
- **Crisis intervention**

Orange County Human Trafficking Task Force



humantrafficking.com

Know the Signs

- Fearful of police
- Physical injuries
- Limited freedom of movement
- Little or no money
- Limited medical care
- Regularly moved
- Anxiety
- Withdrawn, friendless

To report a tip or request services,



FOR Families

The link between the need and the solution

RESOURCES:

Available to assist with

- Relationship problems
- Marital difficulties
- Parenting concerns
- Stress and depression
- Family violence
- Concerns about alcohol and drugs
- Adolescent issues
- Financial assistance referrals

SERVICES:

Free confidential services include:

- Information and referral
- Personal interviews
- Creative problem-solving
- Resource linkage

call

888-3737-888

PROGRAM HOURS

9a.m. to 5p.m., Mon.-Fri. After hours appointments by request FORfamilies@cityofirvine.org

949-724-6650



Human Options Emergency Shelter and Counseling: 877-854-3594 | humanoptions.org



UCI CAMPUS ASSAULT RESOURCES AND **EDUCATION**

Campus Assault Resources and Education (CARE) 949-824-7273 | care.uci.edu

Resource for UCI Students who are victims of sexual assault

NOTES

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