

Upper Arlington Reference Guide to a Victim's Rights



A Quick Guide on a Victim's Rights and Available Resources

The City Attorney's Office prosecutes misdemeanor criminal and traffic offenses in Upper Arlington Mayor's Court and Franklin County Municipal Court.

The City Attorney's Office also provides a Victim Assistance Program. This brochure provides guidance for a victim's rights.

Marsy's Law

Article 1, Section 10a, Ohio Constitution was amended to provide rights for victims.

A victim includes a person against whom a criminal offense was committed or a person who is directly and proximately harmed by the commission of the criminal act.

A victim's rights include:

- A right to be treated with fairness and respect for the victim's safety, dignity and privacy
- A right to be heard at any public proceeding involving release, plea, sentencing, disposition, parole or in which a right of the victim is implicated
- A right to reasonable protection from the accused or anyone acting on accused's behalf
- A right to refuse an interview, deposition, or other discovery request made by the accused or any person acting on accused's behalf (subject to Article 1, Section 10 - Defendant's rights)
- A right to full and timely restitution
- A right to proceedings free from unreasonable delay and prompt conclusion of a case
- A right to be informed, in writing, of all rights enumerated in this section

Victims may request the following additional rights:

- To receive notice of all public proceedings involving the crime
- To receive notification of criminal case results
- The right to be present at all public proceedings
- To receive notice of any release or escape of the accused
- The right to confer with the prosecutor

Who may assert these rights?

- The victim
- The attorney for the government (upon request of the victim)
- The victim's other lawful representative

When can these rights be asserted?

- In any proceeding involving the criminal offense or delinquent act against the victim or in which the victim's rights are implicated
- The victim may assert the rights enumerated in the pamphlet and any other right afforded to the victim by law

Notification When a Suspect is Arrested or Released

Upon request, and within a reasonable period of time after the arrest of a defendant, the law enforcement agency that investigates the crime shall give the victim notice of all of the following information:

- The arrest
- The name of the defendant
- Whether the defendant is eligible for pretrial release
- The telephone number of the law enforcement agency
- The victim's right to telephone the agency to ascertain whether the defendant has been released from custody

Right to a Victim's Representative

If a victim is a minor or is incapacitated, incompetent, or deceased, or if the victim chooses to designate another person, a member of a victim's family or another person may exercise the rights of the victim as the victim's representative. If a victim's representative is chosen, the victim or the victim's representative shall notify the prosecutor that the victim's representative is to act on behalf of the victim.

Right to Protection while in Court

The court must make a reasonable effort to minimize contact between the victim, victim's family, victim's representatives, or witnesses for the prosecution and the defendant, defendant's family, or witnesses for the defense before, during, and immediately after court proceedings. The court shall provide a waiting area for the victim, members of the victim's family, the victim's representative, or witnesses for the prosecution that is separate from the waiting area provided for the defendant, members of the defendant's family, and defense witnesses if a separate waiting area is available and the use of the area is practicable.

Reasonable Notice of Any Release or Escape of an Accused

VINE | 1-800-770-0192

www.vinelink.com

Victims may want to receive a call, text or email alert when the defendant gets out of jail. This can be accomplished by registering for the VINE program. To enroll in VINE, call 1-800-770-0192 or go to the website, at www.vinelink.com.

If you would like to receive additional information or have questions about the rights of victims, contact the Victim's Assistance Unit of the Upper Arlington City Attorney's Office, at 614-583-5020..

Contact an Advocate Program

614-398-1540

uatext1@gmail.com

Contact an Advocate is an additional resource available for individuals that may need contact with an advocate to assist with concerns about domestic violence or similar crimes. This is an information/referral service designed to assist domestic violence victims and other victims of crime and provides an additional option for communicating with a victim advocate.

Text 614-398-1540 or send an email to uatext1@gmail.com to reach out to the City's victim advocate so that you may be guided to the appropriate resources. You should expect a response within 48 hours or the next business day.

IMPORTANT NOTICE: If a victim is experiencing an emergency situation, text or dial 911 for immediate assistance. The Contact an Advocate Program is not a substitute for emergency services and is not monitored 24 hours a day. This program is intended as an added resource for victims of domestic violence or other similar crimes but not a substitute for any necessary law enforcement action needed to protect victims of crime.

Text to 911

A Text to 911 feature is available in Upper Arlington, enabling residents to send a text for assistance:

- If you are in a threatening situation and a voice call would increase the threat
- If you are unable to speak due to an injury
- If you are deaf, hard of hearing or have a speech disability
- If mobile phone reception is poor

Type in the numbers 911 in the “to” field. Then type a brief but informative message (do not include images), with your location and the type of emergency. Then press “send.”

Some other useful information about this emergency option:

- The delivery of 911 text messages may be slightly delayed or could even fail.
- The text for emergency assistance cannot go to more than one recipient. Do not copy any other contacts on your text.
- Unless you have indicated that you are in a threatening situation and do not want a response, you will be notified that your text has been received from the 911 call center.
- If you are experiencing a threatening/domestic violence situation that could worsen if your text is found by your abuser, delete the text as soon as you have sent it.



Resources

- FRANKLIN COUNTY COMMON PLEAS COURT
345 S High St, Columbus, OH 43215
614-525-3621
www.fccourts.org
- FRANKLIN COUNTY MUNICIPAL COURT
375 S. High St, Columbus, OH 43215
614-645-8186
www.fcmcclerk.com
- UPPER ARLINGTON MAYORS COURT
upperarlingtonoh.gov
- FIRSTLINK/HANDS OF CENTRAL OHIO
614-221-6766
www.firstlink.org
- SOUTHEASTERN OHIO LEGAL SERVICES
123 S. Broad St. #234, Lancaster, OH 43130
740-653-7705
www.seols.org
- THE LEGAL AID SOCIETY OF COLUMBUS
1108 City Park Ave., Suite 101, Columbus, OH 43206
614-224-8374
www.columbuslegalaid
- COLUMBUS COALITION AGAINST FAMILY VIOLENCE
655 E Livingston Ave, Columbus, OH 43205
614-722-8200
www.familysafetyandhealing.org
- CHOICES
P.O. Box 06157, Columbus, OH 43206
Crisis Info. Line 614-224-4663
www.lssnetworkofhope.org/choices
- OHIO VICTIMS OF CRIME COMPENSATION PROGRAM
30 E. Broad St., 23rd Fl., Columbus, OH 43215
877-584-2846
www.OhioAttorneyGeneral.gov
- OHIO CRIME VICTIMS JUSTICE CENTER
www.ocvjc.org
- OHIO VICTIM WITNESS ASSOCIATION
www.ovwa.org
- VICTIM'S RIGHTS LAW - MARCY'S LAW
marsyslaw.us

City of 
Upper Arlington

CITY ATTORNEY'S OFFICE

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