

In an ongoing effort to better protect victims and their rights in criminal proceedings we are providing this language for any Tribe, Nation, or Pueblo to use as they deem fit for their own Tribal Court proceedings. Not only does it provide codified rights to victims of crime, but it also is a helpful tool for victim advocates and prosecutors to use in assisting Jane or John Doe in the criminal process. If your court is in need of codifying these rights – please feel free to use the language below as you deem fit.

The language below is from the federal Victims of Crime Act of 1984 – 18 U.S.C. § 3771 as well as other tribal related codes.

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of all hearing dates.
3. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding in the court involving release, plea, sentencing, or any early release proceeding.
5. The reasonable right to confer with the attorney or advocate for the Government in the case. This includes the right to be informed of any plea, withdraw of charges, or declination in prosecuting the case.
6. The right to full and timely restitution as provided in law.
7. The right to proceedings free from unreasonable delay.
8. The right to be treated with fairness and with respect for the victim's dignity and privacy.
9. The right to be informed of financial assistance and services available as a result of being a victim.