

Civil Protection Orders

A **Civil Protection Order** is a court order requested by the victim to give the offender specific instructions not to come near the victim's home, employment, school, or daycare. A Civil Protection Order requires the victim to go to court at least twice and attend a class. Protection Orders can be placed into effect for 10-14 days, 90 days and up to one year. In order to qualify, you must be a family or household member, meaning spouse, former spouses, persons related by blood or marriage, persons who reside or have resided together and persons who have a child in common, regardless of whether they have been married.

Domestic violence means physical injury, sexual abuse of forced imprisonment or the threat thereof of a family or household member.

Civil Protection Orders are free to file. Applications are available at your local Court Clerk's office or online at <https://courtsselfhelp.idaho.gov/Forms/Protections>



No Contact Orders

A **No Contact Order** is ordered by a judge at arraignment in a criminal case, after a suspect has been arrested for a crime involving a victim. The order is in place until further order by the judge and can be modified at sentencing.



Victims can receive emails and texts regarding custody status and court dates.

VINE stands for Victim Information and Notification Everyday. VINE is a resource for victims to be notified if a defendant is released or escapes from custody. You can register for VINE by going to www.vinelink.com. Follow the prompts to go to Idaho and register your phone or email to the defendant's name. You can also call VINE at 1-866-9VINE-ID (1-866-984-6343.)

Idaho Crime Victims Compensation Program

The Idaho CVCP was established in 1986 to provide assistance to victims of crime for costs related to treatment for injuries sustained as a result of a crime and for sexual assault forensic examinations.
<https://crimevictimcomp.idaho.gov/>

Assisting Victims

A **Victim Witness Coordinator** is a trained professional who assists victims of crime through law enforcement and prosecuting attorneys' offices. They can also assist with local resources, Crime Victims Compensation, and safety issues.

Aleshea Boals | Victim Witness Coordinator

Office of the Attorney General | State of Idaho

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[Victim Notification Questionnaire - Idaho Office of Attorney General](#)

Victims' Rights and Services in Idaho



OFFICE OF THE ATTORNEY GENERAL

Attorney General Raúl Labrador is committed to protecting crime victims' rights. Assistance is provided to victims whose cases are being handled by the Attorney General's Office, either in the Appellate Unit or through our Special Prosecutions Unit. General victim assistance information and referral services are available to all victims of crime in Idaho.

If you are a victim in a case that is currently being handled by the Office of the Attorney General and would like to be kept informed of the proceedings in the case, please complete the Victim Notification Form to provide us with your contact information, located on our webpage under Victim Assistance.

If you feel a crime has been committed or you are in danger, contact your local police immediately.

Victims' Rights in Idaho

In November 1994, Idaho voters overwhelmingly ratified the Victims' Rights Amendment to the Idaho Constitution. This created statutory provisions for crime victims in Idaho.

- The right to be treated with fairness, respect, dignity, and privacy throughout the criminal justice process.
- The right to a timely disposition of their case.
- The right to prior notification of trial court, appellate court, and parole proceedings and, upon request, to information about the sentence, incarceration, and release of the defendant.
- The right to be present at all criminal justice proceedings.
- The right to communicate with the prosecution.
- The right to be heard at all criminal justice proceedings considering a plea of guilty, sentencing, incarceration, or release unless manifest of injustice would result.
- The right to restitution as provided by law.
- The right to refuse contact with the defendant or anyone representing the defendant.
- The right to read the pre-sentence report relating to the crime.
- This right is extended to adult offenses and offenses committed by juveniles that would be considered a felony if committed by an adult.

How a Felony Case Proceeds Through the Court System

- **Offense Occurs:** If law enforcement finds sufficient evidence to prove a felony offense, the defendant is arrested. If not, the case will be investigated.
- **Report Prepared:** The law enforcement agency that investigates the crime prepares a report and sends it to the prosecuting attorney.
- **Complaint Filed:** The prosecuting attorney reviews the case and if sufficient evidence exists to file charges, they go before a magistrate judge to file the "Complaint."
- **Arraignment:** An initial appearance is called an "arraignment." The magistrate judge advises the defendant of the charges, informs them of their rights, and finds out if the defendant qualifies for a public defender and appoints one if needed. Bond is usually set at arraignment.
- **Preliminary Hearing/Grand Jury:** At the preliminary hearing, the prosecution must show "probable cause" that this defendant committed the alleged crime. Prosecutors can also utilize a Grand Jury to protect victims and witnesses from testifying in an open courtroom.
- **District Court Arraignment:** The Prosecutor files an "Information" which tells the defendant what charges were proven at the preliminary hearing. If the defendant pleads not guilty, the case is scheduled for trial. If the defendant pleads guilty, the trial is bypassed, and sentencing is scheduled.
- **Trial:** Trial is required by jury unless both parties agree with the judge deciding the case.
- **Pre-Sentence Investigation:** When a person is convicted of a felony, the court orders a "PSI." The investigation is a biography of the defendant's life. This includes how the crime affected the victim. Victims have the right to read the PSI prior to sentencing.
- **Sentencing:** Victims have the right to testify at the sentencing hearing. You may submit a letter in the Presentence Investigation, remain silent, or testify in person. Notify the Victim Witness Coordinator and/or prosecutor.

How a Misdemeanor Case Proceeds Through the Court System

- **Offense Occurs:** If law enforcement finds sufficient evidence to prove a misdemeanor offense, the defendant is arrested. If not, the case will be investigated.
- **Report Prepared:** The law enforcement agency that investigates the crime prepares a report and sends it to the prosecuting attorney.
- **Complaint Filed:** The prosecuting attorney reviews the case and if sufficient evidence exists to file charges, he/she goes before a magistrate judge to file the "Complaint."
- **Arraignment:** An initial appearance is called an "arraignment." The magistrate judge advises the defendant of the charges, informs him of his rights, and finds out if the defendant qualifies for a public defender and appoints one if needed. Bond is usually set at arraignment.
- **Pre-Trial Conference:** a pre-trial conference is a court hearing where a prosecutor and a defense attorney get together and discuss whether a case is going to go to trial or whether it can be resolved through a plea agreement.
- **Trial:** Trial is required by jury unless both parties agree with the judge deciding the case.
- **Sentencing:** If you desire, you have the right to testify at the sentencing hearing. You may submit a letter in the Presentence Investigation, remain silent or testify.

