

**SUMMARY OF STATUTORY VICTIM RIGHTS  
UNDER VERMONT STATE LAW**

<p align="center"><b>Information</b></p>	<ul style="list-style-type: none"> <li>• Right to information as to the level of protection available, witness fee procedures, right to restitution, and right to appear at sentencing, right to request release/escape notification (Victim Advocate)</li> <li>• Right to an explanation of victim’s rights, available services, compensation, protection, and access to public records (Law Enforcement)</li> <li>• Listed Crime: where sentence includes incarceration, right to information about how and why defendant may serve less time (State’s Attorney)</li> <li>• Listed Crime: Right to information about accused’s identity, whether accused in custody, file number and officer assigned, prosecutor information, right to not respond to questions outside of the courtroom or deposition (Law Enforcement)</li> </ul>
<p align="center"><b>Notification</b></p>	<ul style="list-style-type: none"> <li>• Scheduled court proceedings (non-delinquency) (Victim Advocate)</li> <li>• Advance notice of the date of sentencing (State’s Attorney)</li> <li>• Final disposition (Victim Advocate)</li> <li>• Release from custody (DOC or DMH)</li> <li>• Post-conviction relief petitions: Right to request notification regarding petition, time/place of any hearing, disposition and outcome (State’s Attorney)</li> <li>• Petitions for criminal record sealing or expungement (responding party)</li> <li>• Petitions for Limited Relief from Collateral Consequences of Conviction (responding party)</li> <li>• Sex Offender Registry changes (DOC)</li> <li>• Listed Crime: Pre-trial release conditions (State’s Attorney)</li> <li>• Listed Crime: Arraignment (Law Enforcement)</li> <li>• Listed Crime: Bail issues and right to have bail position presented to the Court (State’s Attorney)</li> <li>• Listed Crime: Appeals and Post-Conviction petition filing, explanation of significance, date/time/place of any hearing, final decision (State’s Attorney)</li> <li>• Listed Crime: Time and location of parole board hearings</li> </ul>
<p align="center"><b>Right to be Present</b></p>	<ul style="list-style-type: none"> <li>• Listed Crime: Right to be present at arraignment and all court proceedings</li> </ul>
<p align="center"><b>Counseling/Support</b></p>	<ul style="list-style-type: none"> <li>• Right to receive short-term counseling, support, and referrals for further service (Victim Advocate)</li> <li>• Right to assistance and support dealing with law enforcement agencies (Victim Advocate)</li> </ul>
<p align="center"><b>Compensation/Financial Assistance</b></p>	<ul style="list-style-type: none"> <li>• Right to assistance obtaining financial assistance, minimizing loss of pay or other benefits resulting from involvement in the process (Victim Advocate)</li> </ul>
<p align="center"><b>Restitution</b></p>	<ul style="list-style-type: none"> <li>• Right to assistance in documenting and preparing requests for restitution and insurance reimbursement (Victim Advocate)</li> <li>• Right to express views concerning need for restitution</li> </ul>

<p><b>Protection and Confidentiality</b></p>	<ul style="list-style-type: none"> <li>• Right to assistance obtaining protection through local law enforcement (Victim Advocate)</li> <li>• Right to not disclose Victim residential address or place of employment on the record absent court order</li> <li>• Sexual Assault Community Re-Entry: Right to participate in victim safety planning</li> <li>• Right to have prosecutor receive written notice of any subpoena requests for school or other confidential records prior to service of subpoena</li> <li>• Right to privacy in public records requests</li> </ul>
<p><b>Return of Property</b></p>	<ul style="list-style-type: none"> <li>• Right to assistance and support working with law enforcement to obtain property (Victim Advocate)</li> <li>• Right to have property cared for (Law Enforcement)</li> <li>• Right to prompt return of property where no longer needed for evidentiary purposes and not contraband or subject to forfeiture (Law Enforcement)</li> </ul>
<p><b>Transportation</b></p>	<ul style="list-style-type: none"> <li>• Right to assistance obtaining transportation to court proceedings (Victim Advocate)</li> </ul>
<p><b>Speedy Prosecution</b></p>	<ul style="list-style-type: none"> <li>• Listed Crime: Right to receive Information about any motion that could substantially delay deposition, change of plea, trial, sentencing, or restitution hearing and an opportunity to convey through prosecutor victim’s position on delay (State’s Attorney)</li> <li>• Listed Crime: Court must consider victim’s objection to any delay</li> </ul>
<p><b>Plea Negotiation, Sentencing, and Post-Conviction</b></p>	<ul style="list-style-type: none"> <li>• Right to appear personally and express views concerning the crime, the person convicted, and the need for restitution</li> <li>• Court must ask whether victim is present at sentencing hearing and whether he or she would like to be heard.</li> <li>• Where victim not present at sentencing hearing, Court must ask whether victim has expressed views orally or in writing</li> <li>• Right to have views considered in imposing sentence</li> <li>• Deferred Sentence: May only be ordered absent stipulation where Court permits victim to submit written or oral statement and reviews the victim impact statement</li> <li>• Plea Negotiations for Listed Crime: State’s Attorney must make reasonable efforts to keep victim information and consult with victim throughout plea negotiations</li> <li>• Petitions for Criminal Record Sealing or Expungement: Right to offer Court or responding party a victim statement in response to petition</li> <li>• Petitions for Limited Relief from Collateral Consequences of Conviction: Right to participate in the same manner as in sentencing</li> <li>• Petitions for Removal of Firearms Disability Due to Mental Illness: Right to offer Court or responding party a victim statement in response to petition</li> </ul>

<b>Fair Identification</b>	<ul style="list-style-type: none"> <li>Listed Crime: Right to have attorneys, investigators, or experts for prosecution or defense who come into contact with victim or victim's family properly identify him or herself and by whom he or she is employed</li> </ul>
<b>Testing</b>	<ul style="list-style-type: none"> <li>Right to information concerning defendant's infectious disease status, under certain circumstances</li> </ul>
<b>Diversion</b>	<ul style="list-style-type: none"> <li>Right to release of information regarding case referred to diversion where legitimate need shown and agreement made to protect information (State's Attorney)</li> <li>Right to restitution</li> </ul>
<b>Community Justice</b>	<ul style="list-style-type: none"> <li>Right to confidentiality of victim information</li> <li>Right to have no case involving domestic violence, sexual violence, sexual assault, or stalking be referred to a community justice center except in Department of Corrections offender reentry programs pursuant to protocols protecting victims (State's Attorney)</li> </ul>
<b>Restorative Justice</b>	<ul style="list-style-type: none"> <li>Right to have offenders acknowledge wrongdoing and apologize to victims</li> <li>Right to restitution</li> </ul>
<b>Delinquency Proceedings</b>	<ul style="list-style-type: none"> <li>Right to receive notice of rights as well as responsibilities concerning confidential nature of proceedings (Court)</li> <li>Right to file written or recorded victim impact statement</li> <li>Right to have views considered in formulating disposition order (Court)</li> <li>Listed Crime: Right to be present at disposition hearing to offer testimony on impact on victim and need for restitution, where found to be in best interests of victim and child</li> <li>Listed Crime: Right to information regarding disposition (State's Attorney)</li> <li>Not Listed Crime: Right to information regarding disposition of the case (Court)</li> <li>Listed Crime: Right to request identity of the child (State's Attorney)</li> <li>Not Listed Crime: Right to request information concerning identify of child, where found to be in best interests of victim and child (Court)</li> </ul>
<b>Abuse of Vulnerable Adult</b>	<ul style="list-style-type: none"> <li>Right to information regarding all stages of investigation (AHS Commissioner)</li> <li>Right to written decision not to investigate within five days of determination (APS or DLP)</li> <li>Right to seek review of decision not to investigate (AHS Commissioner)</li> <li>Right to written notice of decision to refer report to another agency within five days after referral is made (APS or DLP)</li> <li>Right to written notice as to the outcome of the investigation within five days after outcome determined (APS or DLP)</li> <li>Right to seek review of outcome of investigation decision (Commissioner)</li> </ul>