

# STATE OF NORTH CAROLINA

File No.

Incident/Arrest No. (for LEA use only)

\_\_\_\_\_ County

In The General Court Of Justice

**STATE VERSUS****CRIME VICTIMS' RIGHTS ACT  
VICTIM INFORMATION SHEET  
(LAW ENFORCEMENT)****(For Offenses Committed On Or After Aug. 31, 2019)**

G.S. 15A-831 and 15A-832

Defendant Name

**NOTE TO JUDICIAL OFFICIALS:** This form is for law enforcement use, only. To collect victim information required by G.S. 15A-832.1 when issuing a criminal pleading for a misdemeanor offense covered by the Crime Victims' Rights Act and committed on or after Aug. 31, 2019, based on evidence from a complaining witness other than a law enforcement officer, use form AOC-CR-181B.

**NOTE TO INVESTIGATING LAW ENFORCEMENT AGENCY:** G.S. 15A-831(c) provides that for any offense covered by the Crime Victims' Rights Act (see Side Two for a list), "Within 72 hours after receiving notification from the arresting law enforcement agency that the accused has been arrested, the investigating law enforcement agency shall also forward to the district attorney's office that will be responsible for prosecuting the case the defendant's name and the victim's name, address, and telephone number or other contact information, unless the victim refuses to disclose any or all of the information, in which case, the investigating law enforcement agency shall so inform the district attorney's office." **DO NOT send this form to the office of the clerk of superior court.** G.S. 15A-831(c) requires that it be delivered to the office of the district attorney.

**VICTIM INFORMATION**

Name	Telephone No.	<input type="checkbox"/> Refused to Disclose
Address <input type="checkbox"/> Refused to Disclose	Other Contact Information (email address, etc.)	<input type="checkbox"/> Refused to Disclose

The victim  does  does not wish to receive further notices on the status of the accused during the pretrial process.

Name Of Collecting Law Enforcement Personnel (type or print)	Signature	Date
Title	Agency	

**VICTIM NOTIFICATION REQUEST**

**NOTE TO LAW ENFORCEMENT AGENCY AND VICTIM:** Do not complete this section at the beginning of the case. This section will be completed when the victim meets with staff of the district attorney's office.

**NOTE TO VICTIM:** Indicate below whether or not you want to receive notice from the State about trial and post-trial proceedings involving the defendant. For trial proceedings, notice will come from the district attorney's office. For post-trial proceedings, any notice(s) will be provided by the Attorney General's office and/or correctional officials. If you elect to receive any notices, you must notify the relevant office of any change in your address or telephone number. You can change this request at any time by filing an updated copy of this form with your changed preference marked.

 I do wish to receive notice of the following (check all that apply):  trial proceedings.  post-trial proceedings. I do not wish to receive notice of further proceedings.**(NOTE: You still might be subpoenaed as a witness or otherwise required to appear when needed for certain proceedings.)**

Signature	Date
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**NOTE TO DISTRICT ATTORNEY:** If the defendant is convicted of an offense covered by the Crime Victims' Rights Act (CVRA), meaning any offense identified in G.S. 15A-830 (see Side Two for a list), provide this form to the court at the time of sentencing. G.S. 15A-832(g). If defendant appeals to the appellate division, forward a copy of this form to the Attorney General. G.S. 15A-835(b). **DO NOT file this form with the clerk for a defendant not convicted of an offense covered by the CVRA.**

**NOTE TO CLERK:** If defendant is convicted, forward this form along with the judgment of conviction to the agency that will have custody of the defendant. The custodial agency will maintain this information as a confidential file. G.S. 15A-832(g). If defendant is not sentenced to active imprisonment or supervised probation (i.e., the defendant gets unsupervised probation or only a fine), return this form to the district attorney. **DO NOT retain a copy in the case file.**

## CRIME VICTIMS' RIGHTS ACT OFFENSES

For offenses committed on or after Aug. 31, 2019, the provisions of G.S. 15A, Article 46 (the Crime Victims' Rights Act, or CVRA) apply only to victims of offenses listed in G.S. 15A-830. The list below identifies those offenses.

For offenses committed before Aug. 31, 2019, see forms AOC-CR-180A and AOC-CR-181A.

### CVRA Offenses Committed On Or After Aug. 31, 2019

For offenses committed on or after Aug. 31, 2019, the CVRA applies to victims of offenses listed in G.S. 15A-830(a)(3b) (felony property crime) or 15A-830(a)(6a) (offense against the person).

- A **felony property crime** is any felony set out in:
  - Subchapter IV of Chapter 14 of the General Statutes (G.S. 14-51 through 14-69.3); or
  - Subchapter V of Chapter 14 of the General Statutes (G.S. 14-70 through 14-125).
  
- An **offense against the person** is an offense involving the person of the victim which constitutes a violation of:
  - Subchapter III of Chapter 14 of the General Statutes (G.S. 14-17 through 14-50.43);
  - Subchapter VII of Chapter 14 of the General Statutes (G.S. 14-177 through 14-208.45);
  - Article 39 of Chapter 14 of the General Statutes (G.S. 14-313 through 14-321.2);
  - Chapter 20 of the General Statutes, if an element of the offense involves impairment of the defendant, or injury or death to the victim;
  - A valid protective order under G.S. 50B-4.1, including, but not limited to, G.S. 14-134.3 and G.S. 14-269.8;
  - Article 35 of Chapter 14 of the General Statutes (G.S. 14-269 through 14-277.8), if the elements of the offense involve communicating a threat or stalking; or
  - An offense that triggers the enumerated victims' rights, as required by the North Carolina Constitution.\*

*\* This final category of offenses against the person, set out in G.S. 15A-830(a)(6a)g., appears to apply the CVRA to offenses that fit the constitutional criterion of Article I, § 37(a), a "crime ... against or involving the person of the victim," but are not otherwise enumerated in the list above. Which additional offenses satisfy that criterion would appear to be a case-by-case determination by the officials with assigned duties under the CVRA.*

## INFORMATION FOR VICTIMS

### CRIME VICTIM RIGHTS

As a victim of crime, you shall be treated with dignity and respect by the criminal justice system. The North Carolina Constitution guarantees the following rights:

- The right upon request to reasonable, accurate, and timely notice of court proceedings of the accused.
- The right upon request to be present at court proceedings of the accused.
- The right to be reasonably heard at court proceedings involving the plea, conviction, sentencing, or release of the accused.
- The right to receive restitution in a reasonably timely manner, when ordered by the court.
- The right to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.
- The right upon request to receive information about the conviction or final disposition and sentence of the accused.
- The right upon request to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.
- The right to present the victim's views and concerns in writing to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.
- The right to reasonably confer with the prosecution.

### PRETRIAL RELEASE

- Upon arrest, a defendant has the right to pretrial release through a bond or special conditions set by a magistrate or judge.
- To obtain information regarding custody status changes and criminal case information, visit [www.ncsavan.org](http://www.ncsavan.org) or call 1-877-627-2826.

### VICTIM'S COMPENSATION

Victims Compensation Services reimburses citizens who suffer medical expenses and lost wages as a result of being an innocent victim of a crime. A claim must be filed within two years to receive compensation. For more information, go to [www.ncdps.gov](http://www.ncdps.gov) (Crime Victim Compensation) or call 1-800-826-6200.

### LAW ENFORCEMENT SERVICES

- Should you need medical assistance resulting from this crime, law enforcement can provide the proper information.
- If you receive a threat, immediately call the law enforcement agency and prosecutor assigned to your case.
- Any stolen or other personal property that has been seized shall be expeditiously returned when it is no longer needed as evidence.
- If an arrest is made in your case, law enforcement will notify you. If you are not notified within six months of the reported crime, you may contact:

*Law Enforcement:*

*District Attorney:*