



GLENN HESS, STATE ATTORNEY Fourteenth Judicial Circuit of Florida

Article I, Section 16 of the Florida Constitution gives crime victims the following rights.

You have the right:

- To receive due process from the courts and to be treated with fairness and respect for your dignity.
- To be free from intimidation, harassment and abuse.
- Within the judicial process, to be reasonably protected from the accused.
- To have the safety and welfare of you and your family considered when setting bail or pretrial release conditions that could affect you or your family.
- To be heard in any public proceeding involving bail or pretrial release.
- To prevent disclosure of information or records that could be used to locate or harass you or your family or which could disclose confidential or privileged information about you.
- To prompt return of your property when no longer needed as evidence.
- To full and timely restitution in every case and from each offender convicted of the crime for all losses suffered, both directly and indirectly, as a result of the criminal conduct.
- To proceedings free from unreasonable delay and to a prompt and final conclusion of the case and any related post-judgment proceedings. (In appropriate cases, the prosecutor may file a good faith demand for a speedy trial, allowing the case to be tried within sixty days, assuming the defendant's due process rights can be met by such, and advancement in the trial date. In non-capital cases, all state level appeals, and post-conviction proceedings must be completed within two years, and capital cases within five years, unless the court enters an order with specific findings concerning why the court was unable to do so and the circumstances causing the delay.)
- To be informed of these rights and to seek an attorney's advice regarding these rights.

Your Rights Under Marsy's Law

Also, upon your specific request, you have these additional rights:

- To reasonable, accurate, and timely notice of, and to be present at, all public proceedings involving the criminal conduct, including, but not limited to, trial, plea, sentencing, or adjudication, even if you are a witness at the proceeding.
- To reasonable, accurate, and timely notice of any release or escape of the defendant and of any proceeding during which a right of yours as the victim may be implicated.
- To confer with the prosecutor concerning any plea agreements, restitution issues, participation in pretrial diversion or release programs by the defendant and sentencing or any other disposition of the case.
- To provide information to anyone conducting or compiling a pretrial investigation regarding the crime's impact on you or your family, and to have such information considered by the court. Once the report is completed, you have a right to receive a copy of it, except for portions made confidential by law.
- To be informed of the conviction, sentence, adjudication, or other dispositions of a convicted offender, his or her release date, or the date of their escape from custody.
- To be informed of all post-conviction processes and procedures, to provide information to the release authority to be considered before any such release and to be notified of any release decision regarding the offender. This right is extended to every person harmed by the offender.
- To be informed of any clemency or expungement procedures regarding the offender, to provide information to the governor, the court, any clemency board, and other authority in these procedures, and to have that information considered before a clemency or expungement decision is made, and to be given notice of that authority's decision before the offender's release.

For informational purposes only.