

**OSCEOLA COUNTY SHERIFF'S OFFICE**

**RUSS GIBSON**  
**Sheriff**

**Victim's Bill of Rights**  
**"Marsy's Rights"**

*Florida Constitution, Article 1, Section 16*

The Florida Constitution defines a victim as a person who suffers direct or threatened physical, psychological, or financial harm because of the commission or attempted commission of a crime. The term victim includes the victim's lawful representative, the parent or guardian of a minor, or the next of kin of a homicide victim.

Every victim is entitled to these rights, beginning at the time of his or her victimization.

**PLEASE INFORM THE OFFICER WHETHER OR NOT YOU WOULD LIKE YOUR INFORMATION BE KEPT CONFIDENTIAL.**

**1. Fairness and Respect**

To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

**2. Protection from the Defendant**

To be reasonably protected from the defendant and persons acting on behalf of the defendant.

**3. Victim Safety Consideration in Setting Bail and Release Conditions**

To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

**4. The Prevention of the Disclosure of Confidential Information**

To prevent the disclosure of confidential information or records which could be used to locate or harass the victim or the victim's family, or which could disclose confidential or privileged information of the victim.

**5. Conference with the Prosecution and Notice of Pretrial Disposition**

To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

**6. Notice of and Presence at Public Proceedings**

To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

**7. Appearance at Court Proceedings and Expression of Views**

To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

**8. Speedy Trial and Prompt Conclusion of the Case**

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

**9. Provision of Information to the Probation Department**

To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

**10. Receipt of Pre-Sentence Report**

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

**11. Information About Conviction, Sentence, Incarceration, Release, and Escape**

To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

**12. Restitution**

The right to full and timely restitution in every case and from each convicted offender for all losses suffered, both directly and indirectly, by the victim as a result of the criminal conduct.

**13. The Prompt Return of Property**

To the prompt return of property when no longer needed as evidence

**14. Notice of Parole Procedures and Release on Parole**

To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

**15. Clemency and Expungement**

The right to be informed of clemency and expungement procedures, 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 notified of such decision in advance of any release of the offender.

**16. Information About These Rights**

To be informed of the rights. A victim, the retained attorney of a victim, a lawful representative of the victim, or the prosecuting attorney upon request of the victim, may enforce the above rights in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.