

Rights of Victims of Crime:

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16-90-1103. Presence at court proceedings.

(a) The victim or a representative of the victim may be present whenever the defendant has a right to be present during a court proceeding concerning the crime charged, other than a grand jury proceeding, unless the court determines that exclusion of the victim or the victim's representative is necessary to protect the defendant's right to a fair trial or the confidentiality or fairness of a juvenile proceeding.

(b) If the victim is present, the court, at the victim's request, shall permit the presence of an individual to provide support to the victim, unless the court determines that exclusion of the individual is necessary to protect the defendant's right to a fair trial.

16-90-1104. Nondisclosure of information about victim.

(a) A court may not compel a victim or a member of the victim's family testifying in a criminal justice proceeding to disclose a residential address or place of employment on the record in open court unless the court finds that disclosure of the information is necessary.

(b) A law enforcement agency shall not disclose to the public information directly or indirectly identifying the victim of a sex crime except to the extent that disclosure is:

- (1) Of the site of the crime;
- (2) Required by law;
- (3) Necessary for law enforcement purposes; or
- (4) Permitted by the court for good cause.

16-90-1105. Limitations on employer.

An employer may not discharge or discipline a victim or a representative of the victim for:

(1) Participation at the prosecuting attorney's request in preparation for a criminal justice proceeding; or

(2) Attendance at a criminal justice proceeding if the attendance is reasonably necessary to protect the interests of the victim.

16-90-1107. Information from law enforcement agencies.

(a) After initial contact between a **victim** and a law enforcement agency responsible for investigating a crime, the agency shall promptly give in writing to the **victim**:

- (1) An explanation of the victim's **rights** under this subchapter; and
- (2) Information concerning the availability of:

(A) Assistance to victims, including medical, housing, counseling, financial, social, legal, and emergency services;

(B) Compensation for victims under the Arkansas Crime Victims Reparations Act, § [16-90-701](#) et seq., and the name, street address, and telephone number of the agency to contact;

(C) Protection of the **victim**, including protective court orders; and

(D) Access by the **victim** and the defendant to public records related to the case.

(b) As soon as practicable, the law enforcement agency shall give to the **victim**, as relevant, the following:

(1) Information as to the suspect's identity, unless inconsistent with law enforcement purposes;

(2) Information as to whether the suspect has been taken into custody, has escaped, or has been released, and any conditions imposed on the release when such information has been made known to the law enforcement agency;

(3) The file number of the case and the name, office address, and office telephone number of a law enforcement officer assigned to investigate the case; and

(4) The prosecuting attorney's name, office address, and office telephone number.

16-90-1112. Victim impact statement.

(a) (1) Before imposing sentence, the court shall permit the victim to present a victim impact statement concerning the effects of the crime on the victim, the circumstances surrounding the crime, and the manner in which the crime was perpetrated.

(2) The victim may present the statement in writing before the sentencing proceeding or orally under oath at the sentencing proceeding.

(b) The court shall give copies of all written victim impact statements to the prosecuting attorney and the defendant.

(c) The sentencing court shall consider the victim impact statement along with other factors, but if the victim impact statement includes new material factual information upon which the court intends to rely, the court shall adjourn the sentencing proceeding or take other appropriate action to allow the defendant adequate opportunity to respond.