

# **YOUR RIGHTS AS A VICTIM**

**ATTORNEY GENERAL LIZ MURRILL**

**LOUISIANA DEPARTMENT OF JUSTICE**



# A MESSAGE FROM



**Attorney General  
Liz Murrill**

*Liz Murrill*

## **It's not your fault.**

Victims of abuse, sexual assault, and human trafficking have certain rights meant to protect them from their abuser.

This pamphlet is designed to help you better understand those rights, as well as the legal definitions of your situation or experience.

Abuse can take many forms, ranging from emotional abuse to physical violence; however, one common thread unites them all: no one deserves it.

That is why we hope this document can help you better protect yourself, your family, and your loved ones from becoming a victim to sexual or domestic abuse.

# YOUR RIGHTS

## YOU HAVE THE RIGHT:

- To refuse to be interviewed by the accused or a representative of the accused
- To review and comment upon the pre-sentence report prior to imposition of sentence
- To seek restitution
- To reasonably prompt conclusion to the case
- To be present and heard during all critical stages of pre-conviction and post-conviction proceedings
- To be informed upon the release from custody or the escape of the accused or the offender
- To confer with prosecution prior to the final disposition of the case

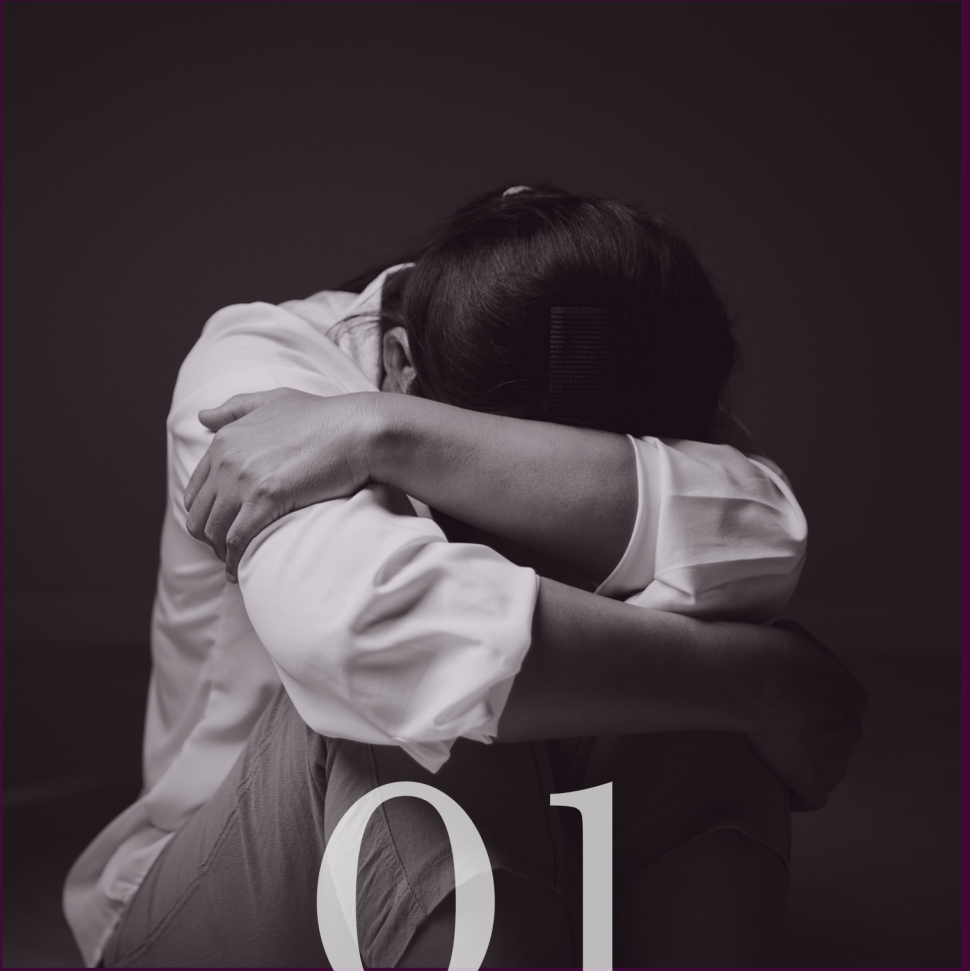
For additional information, please reference RS 46:1844-1846.

# YOUR RIGHTS

## AS A VICTIM...

Or designated family member of a victim, you may have the right of notification of certain proceedings in the criminal justice system that may affect you. For this notification, you must file a Victim Notice and Registration Form with the arresting law enforcement agency, the clerk of court, or the prosecuting agency that has jurisdiction over the case. By registering as a crime victim, you are also entitled to give a Victim Impact Statement.

For you to have these statutory rights, the defendant must be charged with any homicide, any felony crime of violence, any sex offense, any attempted sex offense, any human-trafficking-related offense, any attempted human-trafficking-related offense, vehicular negligent injuring, first degree vehicular negligent injuring, or any offense committed against a family member, household member, or dating partner.



01

# SEXUAL ASSAULT

IT'S NOT YOUR FAULT.  
Sex or sexual acts without  
your consent is a **crime**.

# DEFINITIONS

## RAPE

This is a crime defined in Louisiana as any non-consensual anal, oral, or vaginal sexual intercourse.

## SEXUAL ASSAULT

This is any form of sexual violence, including rape, groping, forced kissing, or any other sexual act. It is any involuntary sexual act in which a person is coerced or forced to engage, or any non-consensual sexual interaction. This includes physical, verbal, oral or digital (computer/phone) interaction.

## SEXUAL VIOLENCE

Can happen to anyone.

## THERE IS NO RIGHT OR WRONG WAY TO FEEL AFTER BEING SEXUALLY ASSAULTED.

People are different, and they deal with trauma in many ways. Remember your reactions are normal and can diminish with time. If you or a loved one needs help, please contact your local sexual assault center or call the **Louisiana Foundation Against Sexual Assault Helpline** at **888-995-7273**.



02

# DOMESTIC VIOLENCE

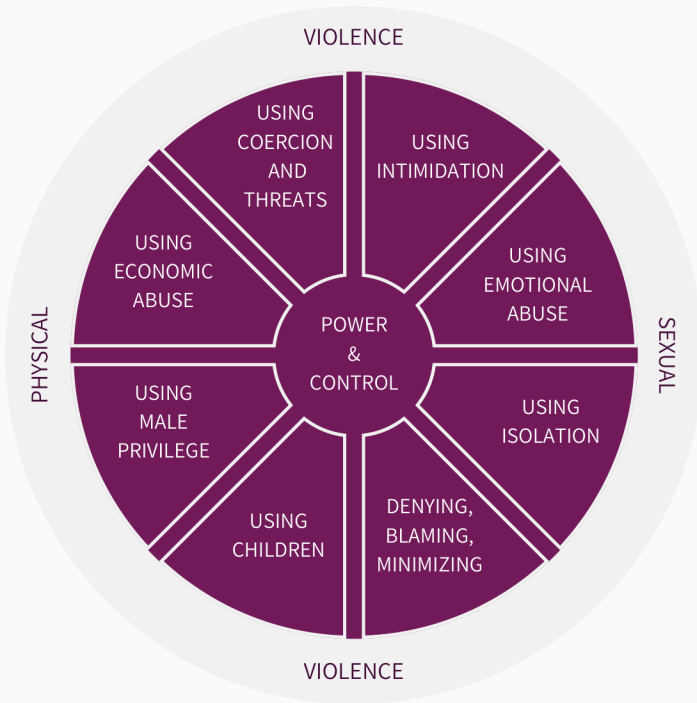
IT SHOULD NOT HURT TO GO HOME.



# DEFINITIONS

## DOMESTIC VIOLENCE

Is a pattern of behaviors used by one partner to maintain power and control over another partner in an intimate relationship. It includes physical violence, sexual violence, psychological violence, and emotional abuse. Anyone can be a victim of domestic violence.



# WARNING SIGNS

## SIGNS OF AN ABUSIVE RELATIONSHIP CAN INCLUDE:

- Jealousy
- Isolation
- Quick involvement
- Controlling behavior
- Unrealistic expectations
- Blames others for problems
- Past battering
- Hypersensitivity
- Threats of violence
- Blames others for feelings
- Any force during argument
- Cruelty to animals or children

## REMEMBER:

Not all abuse involves physical violence or threat; emotional abuse can also leave deep and lasting scars.

If you or someone you know is experiencing domestic violence, you can get help. No one deserves to be abused.

## DEVISE A SAFETY PLAN

Safety plans are intended to optimize victim/survivor safety at every stage of an abusive relationship.

Safety plans should start from the assumption that an abuser is dangerous.

The goal of a safety plan is to help the survivor identify the circumstances under which their abuser typically becomes violent. By predicting and understanding how their abuser may react to help-seeking interventions (such as law enforcement, temporary restraining orders, etc), a survivor will be better able to ensure their personal safety -- as well as the safety of those who try to help.

Remember, victims are at an increased risk of injury and fatality when fleeing an abusive relationship. That is why victims should contact their local domestic violence programs or the Louisiana Coalition Against Domestic Violence (888-411-1333) for assistance in developing a Safety Plan prior to leaving their abuser.

# SAFETY PLAN



03

# BREAK THE CYCLE

AND END GENERATIONAL TRAUMA

# BREAK THE CYCLE

## TEACH YOUR CHILDREN THAT DOMESTIC VIOLENCE IS WRONG

A number of studies have proven that young males in their pre-teen and teenage years are heavily influenced by the male role models in their lives. They learn how to treat others by what they see and what they experience. Being a positive role model has a tremendous influence on the next generation of young adults. What our young males see today is how they will treat women tomorrow.

## LONG -TERM EFFECTS OF EXPOSURE TO DOMESTIC VIOLENCE INCLUDE:

- Physical health problems
- Behavior problems in adolescence (e.g., juvenile delinquency, alcohol, substance abuse)
- Emotional difficulties in adulthood (e.g., depression, anxiety disorders, PTSD)

*Teach your child that violence in the home is not acceptable and that no one deserves to be abused.*

# BREAK THE CYCLE

## THE PATTERN:

Children from violent homes may learn that it is acceptable behavior to exert control or relieve stress by using violence.

*Teach your child that using positive words and not fists is a more powerful way to express their emotions.*

## EXPOSURE:

As many as 275 million children worldwide are exposed to violence in the home. Children who live with and are aware of violence in the home face many challenges and risks that can last throughout their lives.

*Teach your child to talk about what they see and hear. Encourage them to discuss their worries and fears.*

# BREAK THE CYCLE

## THE RISKS:

Children from violent homes have higher risks of alcohol/drug abuse, post traumatic stress disorder, and juvenile delinquency. Witnessing domestic violence is the single best predictor of juvenile delinquency and adult criminality.

Children who live with domestic violence are also at increased risk to become direct victims of child abuse. Domestic violence poses a serious threat to children's emotional, psychological, and physical well-being -- particularly if the violence is chronic.

Witnessing or directly experiencing violence can impair a child's ability to concentrate, make it difficult to complete school work, and lower scores on measures of verbal, motor, and social skills.

*Teach your child that violence is not a normal way of reacting to stressful situations at home, at school, or in the community.*

# BREAK THE CYCLE

## THE STATS:

One in five teen girls are victims of dating violence.

*Teach your child that healthy relationships consist of trust, honesty, respect, equality, and compromise.*

The use of a firearm can turn domestic violence into domestic homicide. In nearly three-fourths of all murder-suicides, an intimate partner of the shooter is among the victims.

*Teach your child to tell someone if they see or experience violence, and that they should always report abuse.*

Victims and children of domestic violence carry a higher lifetime risk of suicide than the general population. Research indicates there is a two to fivefold increase in suicidal behavior for children exposed to domestic violence.

*Teach your child to tell someone when they are afraid and confused. They do not need to feel alone.*



# BREAK THE CYCLE

## REMEMBER:

Teenage years are a critical time when boys make choices that affect the rest of their lives. Teach your children that domestic violence is wrong.

A strong relationship with a caring nonviolent parent is one of the most important factors in helping children grow in a positive way despite their experiences. Supporting your child can provide a foundation for a healthy future.

## RESOURCES:

**The National Child Traumatic Stress Network**

[www.nctsn.org](http://www.nctsn.org)

**Domestic Violence Round Table**

[www.domesticviolenceroundtable.org](http://www.domesticviolenceroundtable.org)

**Violence Policy Center**

[www.vpc.org](http://www.vpc.org)

**Overcoming the Darkness**

[www.OvercomingtheDarkness.com](http://www.OvercomingtheDarkness.com)



04

# HUMAN TRAFFICKING

FORCE, FRAUD, AND COERCION

Look beneath the surface.

# DEFINITIONS

## WHAT IS HUMAN TRAFFICKING?

A form of modern day slavery in which traffickers use force, fraud, or coercion to control victims for the purpose of engaging in commercial sex acts or labor services against their will. All trafficking victims share one essential experience: loss of freedom.

## SEX TRAFFICKING

Found not only online and on the streets, but also in legitimate businesses like restaurants, truck stops, and motels.

## LABOR TRAFFICKING

Found in diverse labor settings including domestic work, small businesses, large farms, and factories.

# WARNING SIGNS

## PHYSICAL SIGNS:

- Appears malnourished
- Signs of drug or alcohol abuse
- Bruising consistent with being restrained or beaten
- Frequent medical issues such as STDs or urinary tract infections

## MENTAL HEALTH SIGNS:

- Avoids eye contact
- Exhibits signs of depression, anxiousness, paranoia, or fear
- Shows signs of cutting or other forms of self harm

## OTHER SIGNS:

- Is not in control of their own identification documents or money
- Is unsure of their own address or moves frequently
- Is always in the company of someone who seems to have control

*This list represents only a selection of possible indicators. Not all indicators listed above are present in every human trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of human trafficking.*

LOUISIANA ATTORNEY GENERAL'S OFFICE  
[www.BreaktheSilenceLA.com](http://www.BreaktheSilenceLA.com)  
225-326-6079

LOUISIANA FOUNDATION AGAINST  
SEXUAL ASSAULT  
[www.lafasa.org](http://www.lafasa.org)  
888-995-7273

LOUISIANA COMMISSION ON LAW  
ENFORCEMENT & ADMINISTRATION  
OF CRIMINAL JUSTICE  
[www.lcle.state.la.us](http://www.lcle.state.la.us)  
225-342-1500

LOUISIANA COALITION  
AGAINST DOMESTIC VIOLENCE  
[www.lcadv.org](http://www.lcadv.org)  
888-411-1333

LOUISIANA AUTOMATED VICTIM  
NOTIFICATION SYSTEM  
[www.lcle.state.la.us/programs/lavns.asp](http://www.lcle.state.la.us/programs/lavns.asp)  
866-528-6748

LOUISIANA CRIME VICTIMS REPARATIONS  
[www.lcle.state.la.us/programs/cvr.asp](http://www.lcle.state.la.us/programs/cvr.asp)  
866-684-2846

LOUISIANA ADDRESS CONFIDENTIALITY  
PROGRAM  
[www.sos.la.gov/OurOffice/AddressConfidentialityProgram/Pages/default.aspx](http://www.sos.la.gov/OurOffice/AddressConfidentialityProgram/Pages/default.aspx)  
800-825-3805

CONTACT

## ABOUT THE LOUISIANA DEPARTMENT OF JUSTICE

If you are seeking justice for yourself in a personal, corporate, or family matter, you try to get the best legal representation. But if an entire State or its political subdivisions are injured or victimized by the federal government, a multi-national corporation, or even another State -- that requires an Attorney General.

The Office of the Attorney General *is* the Louisiana Department of Justice, and we work to protect the people of Louisiana as a whole. We fight for Louisiana's natural resources, investigate fraud, secure justice for our most vulnerable, and so much more.

We also provide educational content meant to help you make wise choices based on guidance you can trust. With that in mind, we hope this guide has been both enlightening and instructive; but should you need more information, please feel free to reach out to our office or your local parish representative.

ABOUT  
ATTORNEY GENERAL  
LIZ MURRILL



AG Liz Murrill is committed to defending the rule of law and protecting the people of our State. She has argued multiple cases before the U.S. Supreme Court and served as lead counsel in many cases challenging federal overreach, ranging from open border policies and attacks on religious liberty to COVID-19 mandates and First Amendment violations. With more than 30 years experience working in state and federal government, including eight as Louisiana's first Solicitor General, Liz Murrill has been a champion for women, children, and victims demanding justice. Now she is leading the fight to preserve our rights, our industries, and Louisiana's unique way of life. You can learn more at [www.AGLizMurrill.com](http://www.AGLizMurrill.com).



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