

# VICTIM ASSISTANCE PROGRAM



**Lemuel L. Martinez**

13th Judicial District Attorney

Serving: Cibola, Sandoval and Valencia Counties

*A Message From: Lemuel Martinez District Attorney:*

The Victims of Crime Act provides for certain rights to victims of violent crimes. My office is here to help you understand those rights and to provide information regarding victim assistance programs available to you. We will provide guidelines for possible financial assistance available for expenses incurred as a result of the crime. We are committed to working with you as your case proceeds through the criminal justice system.

Our regular business hours are between 8:00 am and 5:00 pm, Monday through Friday. Please contact our offices with any questions or concerns.

### ***When do the rights of the Victims of Crime Act take effect?***

The rights and duties established pursuant to the provisions of the Victims of Crime Act take effect when an individual is formally charged by a district attorney for allegedly committing a criminal offense against a victim. A formal charge is an indictment or preliminary hearing, or the filing of a criminal complaint and delivery of that complaint to the DA's office. These rights and duties remain in effect until the final disposition of the court proceedings. The final disposition includes the sentencing appeal (if filed). After conviction, victims will be notified of parole board hearings and release dates.

### **What are your rights? \***

- A. To be treated with fairness and respect
- B. Timely disposition of the case
- C. To be reasonably protected from the accused throughout the criminal justice process
- D. Notification of court proceedings
- E. To attend any public court proceeding that the accused has the right to attend
- F. To confer with the prosecution
- G. To make a statement at any sentencing or post-sentencing hearing for the accused
- H. To receive restitution from the offender
- I. Information about the conviction, sentencing, imprisonment, escape or release of the accused

J. To have the prosecuting attorney notify the victim's employer, if requested, of the necessity of the victim's cooperation and testimony in a court proceeding that may necessitate the absence of the victim from work for good cause

K. Return of evidence belonging to victim

L. To be informed at a sentencing proceeding that the offender is eligible to earn meritorious deductions from the offender's sentence, and the amounts that may be earned by the offender.

**\* Victims must keep the District Attorney's office informed of their current address and phone**

### ***Can I be reimbursed for expenses incurred as a result of the crime?***

The New Mexico Crime Victims Reparation Commission was established to help with the financial hardships suffered by innocent victims of violent crime. Compensation, of up to \$20,000, can be awarded to eligible victims for: medical, hospital, eye and dental expenses; loss of wages; counseling and funeral expenses. A claim must be filed with the Crime Victims Reparation Commission (CVRC) within two (2) years of the date of the crime. The Victim/Witness Assistance Program will help determine if you are eligible and will also help you fill out the application.

### ***What are the steps of a criminal case in the judicial system?***

The District Attorney's Office makes every effort to complete cases within six (6) months.

However, some cases may take longer depending on the type and complexity of the case.

Generally a case contains the following steps:

1. Crime is reported to law enforcement
2. Investigation and arrest
3. Criminal complaint filed if probable cause was determined
4. Grand Jury or Preliminary Hearing for felonies; Court sends criminal complaint to DA for misdemeanors
5. First Appearance (felony) or Arraignment (misdemeanors). Formal charges in court and review of bond conditions
6. Formal pretrial motions and hearings
7. Pre-Trial Conference
8. Plea Agreement or Jury Trial
9. Sentencing Hearing
10. Appeals (if filed)

### **What violent crimes are listed in the Victims of Crime Act?**

**Your rights as a victim of a violent crime take effect for the following criminal offenses contained in the criminal code of the State of New Mexico: (31-26-1 NMSA 1978)**

1. Negligent arson resulting in death or bodily injury
2. Aggravated arson
3. Aggravated assault
4. Aggravated battery
5. Dangerous use of explosives
6. Negligent use of a deadly weapon
7. Murder

8. Voluntary manslaughter
9. Involuntary manslaughter
10. Kidnapping
11. Criminal sexual penetration
12. Criminal sexual contact of a minor
13. Armed robbery
14. Homicide by vehicle
15. Great bodily injury by vehicle
16. Abandonment or abuse of a child
17. Stalking or aggravated stalking
18. Aggravated assault against a household member
19. Assault against a household member with intent to commit a violent felony
20. Battery against a household member
21. Aggravated battery against a household member

## **Resources:**

### **Cibola County Law Enforcement:**

Cibola County Sheriff Office (505)876-2040  
Acoma Pueblo Police Department (505)552-6601  
Grants Police Department (505)287-5144  
Laguna Pueblo Police Department (505)552-6685  
Milan Police Department (505)287-4491  
Pine Hill – Ramah Navajo Police Department (505)775-3226  
New Mexico State Police (505)287-4377

### **Sandoval County Law Enforcement:**

Sandoval County Sheriff Office (505)867-7526  
Bernalillo Police Department (505)867-2304  
Cochiti Pueblo Police Department (505)465-3136  
Corrales Police Department (505)898-7585  
Cuba Police Department (505)289-9157  
Jemez Pueblo Police Department (575)834-0468  
Jemez Springs Police Department (575)829-3345  
Kewa Pueblo - B.I.A. Police (505)346-2868/2869  
Rio Rancho Police Department (505)891-5900  
Sandia Pueblo Police Department (505)890-1428  
San Felipe Pueblo – B.I.A. Police (505)346-2868/2869  
Santa Ana Pueblo Police Department (505)891-7226  
San Ysidro Police Department (575)834-7581  
New Mexico State Police (505)841-9256

**Valencia County Law Enforcement:**

Valencia County Sheriff Department (505)865-9603  
Belen Police Department (505)864-6288  
Bosque Farms Police Department (505)869-2358  
Isleta Pueblo Police Department (505)869-6511  
Los Lunas Police Department (505)865-9130  
New Mexico State Police (505)841-9256

**New Mexico State Law Enforcement**

New Mexico State Police: (505)-827-9300

**Lemuel L. Martinez**  
**13th Judicial District Attorney**

**Cibola County:**

700 E. Roosevelt Ave. # 30  
Grants, New Mexico 87020  
(505) 285-4627

**Sandoval County:**

711 Camino del Pueblo Sur  
Bernalillo, New Mexico 87004  
(505) 867-2386

**Valencia County:**

101 S. Main Street #201  
Belen, New Mexico 87002  
(505) 861-0311