



Client's Rights & Informed Consent

Our goal is to provide caring and sensitive services to victims of personal violence.

Client's Rights: As a consumer of services at The Rape and Abuse Crisis Center (RACC), you have the right to:

- be treated with respect and dignity, and in a culturally sensitive manner;
- be informed of eligibility criteria for the services in which you participate;
- experience a safe setting, free from physical, sexual, and/or emotional abuse;
- choose your own lifestyle and to have that choice respected by staff/advocates at the Rape and Abuse Crisis Center;
- disclose only the personal information you feel comfortable with and to refuse to answer any questions, if you choose;
- have full information regarding the limits of confidentiality and with whom and under what circumstances the counselor/advocate may discuss your case. The Rape and Abuse Crisis Center maintains a strict policy on confidentiality of information. There are some circumstances in which this policy becomes void and we are required by law to release information:
 - If we become aware of or suspect abuse or neglect of a child or vulnerable adult;
 - If we become aware that you are in danger of harming yourself or someone else;
 - If we are court ordered to testify or to submit our records to the court;
- terminate services at any time;
- have access to your records according to RACC policy;
- report complaints or grievances if you feel dissatisfied in any way. There is a process available for you to make your concerns known. You can find out about this process by asking to speak to the Director of Program Services or the Executive Director.

The Rape and Abuse Crisis Center's Expectations: As services are provided, it is expected that:

- clients will be present and on time for appointments, or will call in advance to cancel or reschedule;
- clients will not show for services when sick or with a contagious condition, and will call to cancel or reschedule;
- clients will not exhibit abusive, threatening, or assaultive behavior;
- clients will not be under the influence of chemicals during services;
- clients will participate in service planning.
- clients will participate in evaluating RACC environment and services.

Informed Consent: The Rape and Abuse Crisis Center believes it is a client's right to have freedom of choice in setting personal goals, being informed of service options, and making all possible decisions in regard to services. An informed consent discussion with a RACC service provider will include information about:

- staff qualifications, training, experience, and credentials, if applicable;
- type of service provided, and expected length of service;
- risks, benefits, and alternatives to service;
- participation in the service plan with the freedom to revise goals;
- possible outcomes of service;
- termination of services.

I have read (or have had read to me) and understand the above information.

Client Signature _____ Date _____

Parent/Guardian Signature _____ Date _____

RACC Representative _____ Date _____

DATA PRIVACY RIGHTS (TENNESSEN WARNING)

The information on this data collection record form is being collected to comply with state, federal, and other grantors' summary statistical requirements and to maintain records for counseling purposes and for your use.

You are not legally required to provide this data and may refuse to do so with no consequences.

State and Federal grantors have a legal right to receive summaries of statistical information, which is collected only in such a way that no individual is identified.

This information is classified as private and confidential by state and federal data privacy laws.

You have the right to review your record at no cost and to receive a copy of it at a reasonable cost.

You also have the right to object to the accuracy or completeness of the data in the record and to include your own explanation of anything to which you object.

You have the right to authorize other agencies or persons to see or use your record and to receive a copy of it at a reasonable cost.

Parents of minors are presumed to exercise the rights of access to and authorization of release of private data about a minor child unless there is a state law or court order governing such matters as a divorce, separation, or custody, or a legally binding instrument which provides to the contrary.

Minors have the right to request that data about them be withheld from their parents as allowed under state law. The agency will determine to comply with these requests based on the best interest of the minor.

Your private record will only be shared with other agencies or persons when authorized by you, with the following exceptions:

If you tell us something which gives us reason to suspect that a minor has been abused, the law requires us to inform the appropriate county social service child protection department or law enforcement agency.

If you tell us something which gives us reason to believe that you are a danger to yourself or to someone else, we are required to notify the proper authorities, and (if applicable) the person to whom you are a danger.

If you are court ordered to attend the Center, we must provide information to the court or its appointee concerning the issues for which you were ordered to see us.

If you are court ordered and fail to attend the prescribed services, we must notify the court or its appointee.

If you are involved in certain types of civil or criminal proceedings, it may be possible for the court to subpoena our records or require our staff to testify. In this situation, we would only be required to provide information with direct bearing on the case being tried.

There may be other exceptions to confidentiality dependent on state or federal laws.

Acknowledgment: I have read this notice and understand its contents.

Signature

Date

Explained By

Date

MINNESOTA CRIME VICTIM'S RIGHTS

Right to be Notified

By law, victims of crime are to be notified of:

- Their rights
- Prosecution process and the right to participate in it
- Contents of any plea agreement
- Changes in court proceeding schedule when a victim has been subpoenaed or requested to testify
- Final disposition of the case
- Appeals filed by the defendant, the right to attend the oral argument or hearing, and the right to be notified of the final disposition
- Proposed sentence modifications for the offender, including the date, time, and location of the review and the right to provide input
- Release or escape of the offender from prison or a custodial institution or transfer to a lower security facility
- Offender's petition for expungement
- Right to request restitution
- Right to apply for reparations
- Information on the nearest crime victim assistance program or resource
- Petition to civilly commit an offender, outcome of that petition, and notice of the offender's possible discharge/release from civil commitment

Right to Protection from Harm

Victims of crime have the right to:

- A secure waiting area during court proceedings
- Request that home and employment address, telephone number, and birth date be withheld in open court
- Request that law enforcement agency withhold their identity from the public
- Protection against employer retaliation for victims and witnesses called to testify and for victims of violent crimes and their family members who

take reasonable time off to attend court proceedings

Tampering with a witness is a crime and should be reported.

Right to Participate in Prosecution

Victims of crime have the right to:

- Request a speedy trial
- Provide input in a pretrial diversion decision
- Object orally or in writing to a plea agreement at the plea presentation hearing
- Object orally or in writing to a proposed disposition or sentence
- Inform the court of the impact of crime orally or in writing at the sentencing hearing
- Inform the court at the sentencing hearing of social and economic impact of crime on persons and businesses in the community
- Be present at the sentencing and plea presentation hearings
- Submit a statement regarding the decision to discharge/release the offender from civil commitment

Right to Apply for Financial Assistance

Victims of violent crime may:

- Apply for financial assistance (reparations) from the state if they have suffered economic loss as a result of the crime
- Request the court to order the defendant to pay restitution if the defendant is found guilty or pleads guilty
- Request that a probation violation hearing be scheduled 60 days prior to the expiration of probation if restitution has not been paid.

For information ,Call 1-888-622-8799

The Minnesota Ombusman offers assistance to crime victims who feel that their rights have been violated or who feel that they have been treated unfairly by the criminal justice system or by victim's assistance programs. Anyone wishing further information or those crime victims who feel that their rights have been violated should contact the Office of Crimes Victims Ombudsman at (651) 642-0550 or call toll free at 1-800-247-0390 during business hours.

NORTH DAKOTA CRIME VICTIMS' RIGHTS

- To be informed of the criminal charges filed.
- To be informed of the defendant's pre-trial status.
- To be notified of the defendant's pre-trial release on bail in cases involving a violent crime.
- To be informed of the Crime Victims Resparation Act
- To have personal property returned promptly unless necessary for court proceedings.
- To be notified of all relevant court proceedings.
- To be present throughout the trial unless excluded by court.
- To submit a written statement to the court concerning the impact of the crime on the victim. Victims may, at the judge's discretion make an oral impact statement at sentencing.
- To be consulted on any potential plea agreements and to be advised of any verdict.
- To receive prompt notice of the defendant's release from custody, including a work release program or transfer to a mental health facility.
- To be informed of the pardon and pardon process, including notice of any pending review.
- To submit a written statement to the parole and pardon board concerning the impact of the crime on the victim. Victims of violent crime may, at the board's discretion, personally appear to give a statement.
- To be notified of the parole or pardon board's decision, including the date of the prisoner's release.

For information call: (701) 328-6195 or toll free at 1-800-445-2322