

INFORMATION FOR VICTIMS OF PROPERTY CRIMES

The criminal justice system works in two ways to help crime victims whose loss includes the taking or destruction of personal property. First, the police try to recover stolen property so that it may be used in trial as evidence to obtain a conviction and then be returned to its legal owner. Second, the Hancock County Prosecuting Attorney's Office requests that the sentencing judge order convicted offenders to pay restitution when the property has not been located or the loss is due to the destruction of property.

RETURN OF PROPERTY

When stolen property is recovered by a police department, it is kept in the police property room until it is known whether it will be needed as evidence at trial. If the defendant pleads guilty, the property is not needed as evidence and efforts are made to release the property to its legal owner. Even in contested cases in which there will be a trial, property which has been recovered often does not have to be physically present at trial. In those cases the police will release your possessions to you as soon as possible. However, the police agency will first be required to photograph the item and identify it on a printed form prepared by the Prosecuting Attorney's Office. You will be required as the true owner of the possessions to sign a statement indicating that you are owner of the items recovered. The photograph of the property recovered and the statement may then be used as evidence at trial. Of course, your testimony at trial may also be required.

In those instances in which the property is needed as evidence at trial, it cannot be released until completion of the trial and appeal process, which may take years.

RESTITUTION

Restitution is the money which the court may order a guilty person to pay to compensate victims of his or her crimes for financial loss and lost time from work resulting from theft or destruction of property. The Prosecuting Attorney's Office will ask the judge to order restitution if we have accurate information about the amount of loss a victim suffered. We cannot successfully request restitution without that information. Be sure to inform our office about any such loss. Unfortunately, the success of restitution is directly related to the defendant's ability to pay the amount ordered. If the defendant is truly unable to pay, then the court may not order restitution.

If your insurance company has already paid you for your loss, restitution may be ordered paid to the insurance company. Please send the name of your insurance company, the name of your agent, and your policy number. If your policy had a deductible, that amount may be paid to you if you include that information.

While on probation the Probation Officer is responsible for supervising the payment of restitution, if it is a condition of probation. However, if you know that payment was ordered in your case and several months have passed and you still haven't received anything, contact the Prosecuting Attorney's Office and we will check on it for you. (Phone: 317-477-1139)

Restitution money is usually paid to the victim directly from the defendant. However, in some cases the record of payment may be made through the Clerk's Office or through the Probation Department. The Probation Department nor the Clerk's Office can send you the money, if they do not have your correct address. It is your responsibility to notify the Probation Department or the Clerk's Office if you move before you have received the entire amount ordered. Do so by writing the Clerk's Office at:

**Hancock County Clerk's Office
9 East Main Street, Room 213
Greenfield, IN 46140**

In addition to your name and address, it is absolutely necessary that you give the Prosecuting Attorney's Office the name of the defendant, the approximate date of the crime, and the case number if you have it. The court records and payment records are filed under the defendant's name and case number.



Prosecuting Attorney Brent Eaton
27 American Legion Place
Greenfield, IN 46140

{Office} (317) 477-1139
{Fax} (317) 477-1180