



NOTIFICATION PREFERENCE

You may have been a victim of a federal crime or you may become a victim of a federal crime in the future. Federal investigative and prosecutorial agencies must provide certain information, rights, and assistance to federal crime victims.

Under the Victims' Rights and Restitution Act (42 U.S.C. §10607), a victim of a federal crime as well as a parent, guardian, or other appropriate alternate contact while a victim is a minor, is entitled to the following information and services during the course of the investigation:

- 1. To be notified that you have been the victim of a federal crime;*
- 2. To be informed of the place where you may receive medical and social services;*
- 3. To be informed of public and private programs that are available for counseling, treatment, and other support services;*
- 4. To receive reasonable protection from a suspected offender and persons acting in concert with or at the behest of the suspected offender;*
- 5. To know the status of the investigation of the crime, as long as it will not interfere with the investigation;*
- 6. To have personal property that is being held for evidentiary purposes maintained in good condition and returned as soon as it is no longer needed for evidentiary purposes.*

Under the Crime Victims' Rights Act of 2004 (18 U.S.C. §3771), if charges are filed in federal court involving images or material depicting the victim, the victim as well as a parent, guardian or other appropriate alternate contact while a victim is a minor, may have the following additional rights:

- 1. The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused;*
- 2. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that your testimony would be materially altered if you heard other testimony at that proceeding;*
- 3. The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding;*
- 4. The reasonable right to confer with the attorney for the Government in the case;*
- 5. The right to full and timely restitution as provided in law;*
- 6. The right to proceedings free from unreasonable delay;*
- 7. The right to be treated with fairness and with respect for your dignity and privacy.*

Images of a victim can be possessed and distributed many times by many individuals. As a result, the same images can be involved in more than one federal investigation or prosecution. Victims have a right to be notified when their images are part of federal investigations and prosecutions. Notification is a voluntary process for victims. A victim or representative of a minor victim may choose to be notified every time that his or her image is involved in a case, which may result in many and frequent notifications. If a victim chooses not to be notified, the FBI and Justice Department will **not** notify that victim when his or her images are involved in a future federal investigation or prosecution. Victims can choose at any time to discontinue notification or to restart the notification process. To change notification preference, victims should contact the FBI Office for Victim Assistance at 1-877-236-8947 or CPVA@ic.fbi.gov. The FBI and Justice Department will respect the wishes of the victim or victim's representative with regard to notification but other parties may attempt to provide notification. These parties may include state and local criminal justice officials involved in the prosecution of state law violations involving the child's images, a defense attorney representing an offender, or a Probation Service official preparing a report for the judge prior to sentencing an offender who has plead guilty or been found guilty of a crime involving the victim's images.

The FBI will take reasonable steps to contact the victim once he or she reaches the age of 18 to provide him or her with notice of these rights and determine the victim's notification preference.

Privacy Act Notice

Collection of the information on this form is authorized by the Victims' Rights and Restitution Act of 1990 (42 U.S.C. §10607) and the Crime Victims' Rights Act of 2004 (18 U.S.C. §3771). The primary purpose of the information requested is to notify you, as a victim of child pornography, or your guardian if you are still a minor, of your rights under Federal law and to document your right to be notified every time the use of your image is the basis of a future federal investigation and/or court proceeding. The information collected will be used for notification purposes only by personnel who have a need for the information in the performance of their official duties. The information may also be disclosed to other federal agencies involved in the investigation and/or prosecution of child pornography cases involving your images. The information collected may also be used to document whether you wish to provide a Victim Impact Statement to be used in sentencing or parole proceedings where the defendant's offenses involved the use of your image. You are not required to provide the requested information; however, your failure to do so may result in you being notified every time your image is the basis of a federal investigation and/or court proceeding.

TO BE COMPLETED BY FBI AGENT OR VICTIM SPECIALIST

Agent and/or Victim Specialist (VS): _____

Case Number: _____ SN: _____

TO BE COMPLETED BY VICTIM OR VICTIM'S GUARDIAN/ALTERNATE CONTACT

Please indicate your choices by checking the appropriate blocks:

Notification

Yes, I do wish to be notified of all future federal investigations or court proceedings where images of my victimization are the basis for the investigation and/or charges. I understand that I will receive reasonable and timely notice of new investigations and public court or parole proceedings and of any release or escape of the accused in such cases. I can change my mind regarding notification at anytime by contacting the FBI's Office for Victim Assistance at 1-877-236-8947 or CPVA@ic.fbi.gov.

Yes, I do wish to be notified, but prefer notifications go to an alternate contact.

I provide consent for _____ to be notified of all future federal investigations or court proceedings where images of my victimization are the basis for the investigation and/or charges. I understand that I may revoke this consent at any time by contacting the FBI's Office for Victim Assistance at 1-877-236-8947 or CPVA@ic.fbi.gov.

No, I do not wish to be notified of any future federal investigations or court proceedings where images of my victimization are the basis for the investigation or charges. I understand that waiving this right to notification means I will not receive any information regarding new investigations and court or parole proceedings or any information concerning the release or escape of the accused in such cases. I further understand that, I may not be provided the opportunity to exercise my rights as a victim pursuant to the Crime Victims' Rights Act, including the right to full and timely restitution and the right to be reasonably heard at public court proceedings in the federal district courts involving release, plea, sentencing or any parole proceeding. I can change my mind regarding notification at anytime by contacting the FBI's Office for Victim Assistance at 1-877-236-8947 or CPVA@ic.fbi.gov.

If you are requesting future notifications, how would you prefer to be notified?

- [] Letter
- [] Email (you may still receive mail from certain agencies according to their notification policies)
- [] Both Letter and Email

Victim Impact Statement

Yes, I do wish to provide a Victim Impact Statement that may be used in federal, state, and/or local sentencings or parole proceedings where the defendant's offenses involved images of my victimization, regardless of whether I have chosen to be notified of those proceedings. If I do wish to provide a Victim Impact Statement I will be contacted in the future by the Victim/Witness Coordinator from the U.S. Attorney's Office. I understand my Victim Impact Statement will be kept on file for this purpose.

No, I do not wish to provide a victim impact statement that may be used in federal, state, and/or local sentencings or parole proceedings where the defendant's offenses involved images of my victimization.

Victim's Name: _____ DOB: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Country: _____

Phone (home): _____ Phone (other): _____

Email Address: _____

Race: African American / Caucasian / Hispanic / Other Sex: Female / Male

Victim's Signature: _____ Date: _____

PLEASE COMPLETE IF VICTIM IS CURRENTLY UNDER 18 YEARS OF AGE OR YOU ARE AN AUTHORIZED ALTERNATE CONTACT:

Is the victim aware of the abuse Yes No

Guardian/ Alternate contact Name: _____

Relationship: _____ Agency (if applicable): _____

Street Address: _____

City: _____ State: _____ Zip: _____

Country: _____

Phone (home): _____ Phone (other): _____

Email Address: _____

Guardian/ Alternate contact signature: _____ Date: _____

Please return this form to:
FBI Office for Victim Assistance
ATTN: Child Pornography Victim Assistance OR
Room 3329
935 Pennsylvania Avenue, NW
Washington, DC 20535



If there is a change in your preference, name and/or address, please contact the FBI Office for Victim Assistance at 1-877-236-8947 or CPVA@ic.fbi.gov.