

**CH-100****Request for Civil Harassment Restraining Orders**

Clerk stamps date here when form is filed

Read *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

**FILED**  
Superior Court of California  
County of Los Angeles

JUL 28 2022

Sherril R. Carter, Executive Officer/Clerk  
By A. Kidder Deputy

**1 Person Seeking Protection**

a. Your Full Name: Daniel James Savary Age: 23

Your Lawyer (if you have one for this case)

Name: Alan Gutman State Bar No.: 128514

Firm Name: Gutman Law

Fill in court name and street address

Superior Court of California, County of

Los Angeles Superior Court  
Northwest District - East Courthouse  
6230 Sylmar Avenue  
Van Nuys, CA 91401

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: ~~433 N Camden Dr Ste 960~~

City: Beverly Hills State: CA Zip: 90210

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Court fills in case number when form is filed

Case Number: 22VER001412

**2 Person From Whom Protection Is Sought**

Full Name: [REDACTED] Age: [REDACTED]

Address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3 Additional Protected Persons**

a. Are you asking for protection for any other family or household members? ☐ Yes ☐ No If yes, list them:

Full Name	Sex	Age	Lives with you?	How are they related to you?
<u>Tyler Savary</u>	<u>M</u>	<u>27</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>Brother</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use form MC-025, Attachment.

b. Why do these people need protection? (Explain below):

☒ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.

Tyler called the police when the girl broke into my house and she saw him and she was being detained.

**This is not a Court Order.**



**④ Relationship of Parties**

How do you know the person in ②? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 4—Relationship of Parties" for a title.

I am a music artist and she is an obsessed fan.

**⑤ Venue**

Why are you filing in this county? (Check all that apply):

a. ☒ The person in ② lives in this county.

b. ☒ I was harassed by the person in ② in this county.

c. ☒ Other (specify): I live in this county.

**⑥ Other Court Cases**

a. Have you or any of the persons named in ③ been involved in another court case with the person in ②?

☐ Yes ☒ No (If yes, check each kind of case and indicate where and when each was filed.)

Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1) <input type="checkbox"/> Civil Harassment			
(2) <input type="checkbox"/> Domestic Violence			
(3) <input type="checkbox"/> Divorce, Nullity, Legal Separation			
(4) <input type="checkbox"/> Paternity, Parentage, Child Custody			
(5) <input type="checkbox"/> Elder or Dependent Adult Abuse			
(6) <input type="checkbox"/> Eviction			
(7) <input type="checkbox"/> Guardianship			
(8) <input type="checkbox"/> Workplace Violence			
(9) <input type="checkbox"/> Small Claims			
(10) <input type="checkbox"/> Criminal			
(11) <input type="checkbox"/> Other (specify):			

b. Are there now any protective or restraining orders in effect relating to you or any of the persons in ③ and the person in ②? ☒ No ☐ Yes (If yes, attach a copy if you have one.)

**⑦ Description of Harassment**

Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act.

a. Tell the court about the last time the person in ② harassed you.

(1) When did it happen? (provide date or estimated date): 7/28/22

(2) Who else was there?

- Tyler Sancey -  
- Officer Ramirez -  
- Officer Schulze - + 4 other LAPD officers

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(7) a. (3) How did the person in (2) harass you? (Explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.

The person broke into my house while I was out of town. She stayed the night in my bed, put on my clothes, playing my instruments. She told LAPD we should be together ~~and~~ when she was arrested and questioned. Incident/DR# 1246. Officer J. Schulze (#36653) was main officer and can be reached at [REDACTED] I am in fear of what she may do upon release.

Did the person in (2) use or threaten to use a gun or any other weapon?

(4) Did the person in (2) use or threaten to use a gun or any other weapon?

☐ Yes ☒ No (If yes, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.

No weapon.

(5) Were you harmed or injured because of the harassment?

☐ Yes ☒ No (If yes, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.

21A

(6) Did the police come? ☒ Yes ☐ No

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☒ No

If yes, the order protects (*check all that apply*):

☐ Me      ☐ The person in ②      ☐ The persons in ③.

*(Attach a copy of the order if you have one.)*

**b. Has the person in (2) harassed you at other times?**

☒ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7b Previous Harassment" for a title.

She showed up outside my gym. - ~~She had called me~~  
~~many times before and I had never~~  
~~seen her before.~~ - On multiple  
occasions.

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Check the orders you want. ☒

**8** ☒ **Personal Conduct Orders**

I ask the court to order the person in **(2)** not to do any of the following things to me or to any person to be protected listed in **(3)**:

- a. ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☒ Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.

c. ☐ Other (specify):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.

The person in **(2)** will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

**9** ☒ **Stay-Away Orders**

a. I ask the court to order the person in **(2)** to stay at least 100 yards away from (check all that apply):

- |  |   |
|--|---|
| (1) <input checked="" type="checkbox"/> Me.                                      | (8) <input checked="" type="checkbox"/> My vehicle. |
| (2) <input checked="" type="checkbox"/> The other persons listed in <b>(3)</b> . | (9) <input type="checkbox"/> Other (specify):       |
| (3) <input checked="" type="checkbox"/> My home.                                 | _____   |
| (4) <input checked="" type="checkbox"/> My job or workplace.                     | _____   |
| (5) <input type="checkbox"/> My school.  | _____   |
| (6) <input type="checkbox"/> My children's school.                               | _____   |
| (7) <input type="checkbox"/> My children's place of child care.                  | _____   |

b. If the court orders the person in **(2)** to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☒ Yes ☐ No (If no, explain below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.

**10** **Guns or Other Firearms and Ammunition**

Does the person in **(2)** own or possess any guns or other firearms? ☐ Yes ☐ No ☒ I don't know

If the judge grants a protective order, the person in **(2)** will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in **(2)** will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.

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11 ☒ **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the person in (2) to last until the hearing. I am presenting form CH-110, *Temporary Restraining Order*, for the court's signature together with this Request.

Has the person in (2) been told that you were going to go to court to seek a TRO against him/her?

☐ Yes ☒ No (If you answered no, explain why below):

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 11—Temporary Restraining Order" for a title.

She is currently in a psych hold by LAPD.

12 ☐ **Request to Give Less Than Five Days' Notice of Hearing**

You must have your papers personally served on the person in (2) at least five days before the hearing, unless the court orders a shorter time for service. (Form CH-200-INFO explains What Is "Proof of Personal Service"? Form CH-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why below:

☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 12—Request to Give Less Than Five Days' Notice" for a title.

13 ☐ **No Fee for Filing or Service**

a. ☒ There should be no filing fee because the person in (2) has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.

b. ☒ The sheriff or marshal should serve (notify) the person in (2) about the orders for free because my request for orders is based on unlawful violence, a credible threat of violence, or stalking.

c. ☐ There should be no filing fee and the sheriff or marshal should serve the person in (2) for free because I am entitled to a fee waiver. (You must complete and file form FW-001, Application for Waiver of Court Fees and Costs.)

14 ☒ **Lawyer's Fees and Costs**

I ask the court to order payment of my ☒ lawyer's fees ☒ Court costs.

The amounts requested are:

Item	Amount	Item	Amount
	\$		\$
	\$		\$
	\$		\$

☐ Check here if there are more items. Put the items and amounts on the attached sheet of paper or form MC-025 and write "Attachment 14—Lawyer's Fees and Costs" for a title.

**This is not a Court Order.**



**15** ☐ **Possession and Protection of Animals**

I ask the court to order the following:

- a. ☐ That I be given the sole possession, care, and control of the animals listed below, which I own, possess, lease, keep, or hold, or which reside in my household.

(Identify animals by, e.g., type, breed, name, color, sex.)

I request sole possession of the animals because (specify good cause for granting order):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 15a—Possession of Animals" for a title.

- b. ☐ That the person in (2) must stay at least \_\_\_\_\_ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of, the animals listed above.

**16** ☐ **Additional Orders Requested**

I ask the court to make the following additional orders (specify):

- ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 16—Additional Orders Requested," for a title.

**17** Number of pages attached to this form, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Lawyer's name (if any)\_\_\_\_\_  
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 7/28/22Daniel Seavey  
Type or print your name  
Sign your name**This is not a Court Order.**



<b>CASE SCREENING FACTOR(S)</b>		REPORT OF: <b>TRESPASS</b>		INVEST DIV: <b>NHWO</b>	INC #	DR #
<input type="checkbox"/> SUSPECT/VEHICLE NOT SEEN <input checked="" type="checkbox"/> PRINTS OR OTHER EVIDENCE NOT PRESENT <input checked="" type="checkbox"/> MO NOT DISTINCT <input checked="" type="checkbox"/> PROPERTY LOSS LESS THAN \$5,000 <input checked="" type="checkbox"/> NO SERIOUS INJURY TO VICTIM <input checked="" type="checkbox"/> ONLY ONE VICTIM INVOLVED		LAST NAME, FIRST, MIDDLE (OR NAME OF BUSINESS): <b>SEAMY, TYLER</b>		SEX: <b>M</b>	DESC: <b>WHT</b>	HT: <b>511</b>
		AGE: <b>23</b>		WT: <b>155</b>	DOB: <b>04/02/99</b>	
		ZIP: [REDACTED]		PHONE: [REDACTED]		<input checked="" type="checkbox"/> X
		E-MAIL: [REDACTED]		CELL PHONE: <b>SAME</b>		<input type="checkbox"/>
PREMISES (SPECIFIC TYPE) <input type="checkbox"/> ATM		DR. LIC. NO. (IF NONE, OTHER ID & NO.): <b>unk.</b>		FOREIGN LANGUAGE SPOKEN: <b>-</b>		OCCUPATION: <b>SINGER</b>
RESIDENCE						
ENTRY 459/BFV POINT OF ENTRY		POINT OF EXIT		LOCATION OF OCCURRENCE		SAME AS V'S <input checked="" type="checkbox"/> RES. <input type="checkbox"/> BUS. <input type="checkbox"/> R.D. <input type="checkbox"/>
<input type="checkbox"/> FRONT <input type="checkbox"/> REAR <input type="checkbox"/> SIDE <input checked="" type="checkbox"/> ROOF <input type="checkbox"/> FLOOR <input type="checkbox"/> OTHER		METHOD: <b>/</b>		DATE & TIME OF OCCURRENCE: <b>7/28/22 1110 - 07/28/22 0930</b>		DATE & TIME REPORTED TO PD: <b>7/28/22 10500</b>
		INSTRUMENT/TOOL USED		TYPE PROPERTY STOLEN/LOST/DAMAGED: <input type="checkbox"/> 03.04.00 GIVEN		STOLEN/LOST: <b>\$ -</b>
				RECOVERED: <b>\$ -</b>		EST. DAMAGED ARSON/VAND.: <b>\$ -</b>
VICT'S VEH. (IF INVOLVED) YEAR, MAKE, TYPE, COLOR, LIC. NO.		NOTIFICATION(S) (PERSON & DIVISION): <b>THREAT DET GRUNLAND 35559 UNIT</b>		CONNECTED REPORT(S) (TYPE & DR #)		
MO IF LONG FORM, LIST UNIQUE ACTIONS. IF SHORT FORM, DESCRIBE SUSPECT'S ACTIONS IN BRIEF PHRASES, INCLUDING WEAPON USED. DO NOT REPEAT ABOVE INFO BUT CLARIFY REPORT AS NECESSARY. IF ANY OF THE MISSING ITEMS ARE POTENTIALLY IDENTIFIABLE, ITEMIZE AND DESCRIBE ALL ITEMS MISSING IN THIS INCIDENT IN THE NARRATIVE.						
<b>SUSP ENTERED VICTS RESIDENCE THROUGH UNLOCKED WINDOW. SUSP SLEPT IN VICTS BED. SUSP REMAINED AT VICTS HOUSE. SUSP IS OBSESSED FAN OF VICT.</b>						
TRANSIT-RELATED INCIDENT <input type="checkbox"/>		MANDATORY MARSY'S RIGHTS CARD PROVIDED TO THE VICTIM <input checked="" type="checkbox"/>		MOTIVATED BY HATRED/PREJUDICE <input type="checkbox"/>		DOMESTIC VIOLENCE <input type="checkbox"/>
REPORTING EMPLOYEE(S)	INITIALS, LAST NAME	SERIAL NO.	DIV/DETAIL	PERSON REPORTING	SIGNATURE	OR RECEIVED BY PHONE <input type="checkbox"/>
	<b>SCHULZE</b>	<b>36653</b>	<b>NHWO</b>	<b>(X)</b>	<b>[Signature]</b>	
	<b>RAMIREZ</b>	<b>39173</b>	<b>A33</b>			
NOTE: IF SHORT FORM AND VICTIM/PR ARE NOT THE SAME, ENTER PR INFORMATION IN INVOLVED PERSONS SECTION.						

**THIS REPORT DOES NOT CONSTITUTE VALID IDENTIFICATION****KEEP THIS REPORT FOR REFERENCE. INSTRUCCIONES EN ESPAÑOL AL REVERSO.**

Your case will be assigned to a detective for follow up investigation based upon specific facts obtained during the initial investigation. Studies have shown that the presence of these facts can predict whether a detailed follow up investigation would likely result in the arrest and prosecution of the suspect(s) or the recovery of property, in a manner that is cost effective to you, the taxpayer. Significant decreases in personnel have made it impossible for detectives to personally discuss each and every case with all crime victims. A detective will not routinely contact you, unless the detective requires additional information.

**TO REPORT ADDITIONAL INFORMATION:** If you have specific facts to provide which might assist in the investigation of your case, please contact the detective Monday through Friday, between 8:00 A.M. and 9:30 A.M., or between 2:30 P.M. and 4:00 P.M. at telephone number [REDACTED].

If the detective is not available when you call, please leave a message and include the telephone number where you can be reached.

**COPY OF REPORT:** If you wish to purchase a copy of the complete report, phone (213) 486-8130 to obtain the purchase price. Send a check or money order payable to the Los Angeles Police Department to Records and Identification Division, Box 30158, Los Angeles, CA 90030. Include a copy of this report or the following information with your request: 1) Name and address of victims; 2) Type of report and DR number (if listed above); 3) Date and location of occurrence. NOTE: Requests not accompanied by proper payment will not be processed.

**DR NUMBER:** If not entered on this form, the DR number may be obtained by writing to Records and Identification Division and giving the information needed to obtain a copy of the report (see above paragraph). Specify that you only want the DR number. It will be forwarded without delay. There is no charge for this service.

**CREDIT CARDS/CHECKS:** Immediately notify concerned credit corporation or banks to avoid possibility of being liable for someone else using your stolen or lost credit card or check.

**HOW YOU CAN HELP THE INVESTIGATION OF YOUR CASE:**

- \* Keep this memo for reference.
- \* If stolen items have serial numbers not available at time of report, attempt to locate them and phone them to the detective at the listed number.
- \* If you discover additional losses, complete and mail in the Supplemental Property Loss form given to you by the reporting employee.
- \* Promptly report recovery of property.
- \* Promptly report additional information such as a neighbor informing you of suspicious activity at time crime occurred.

**VICTIM ASSISTANCE PROGRAM:** The Los Angeles City Attorney's Victim Assistance Program and Los Angeles District Attorney's Office Bureau of Victim Services can help determine if you qualify for victim compensation. If you are a victim of a qualifying crime, they will assist with filing your claim application. If you are a victim or a witness to a crime and will be going to court, they will explain the court procedures to you. To find the program location nearest you, call the Los Angeles City Attorney's Victim Assistance Program at (213) 978-4537, or the Los Angeles County District Attorney's Office, Bureau of Victim Services, at (800) 380-3811.

**CALIFORNIA VICTIM COMPENSATION BOARD:** Refer to paragraph at bottom of reverse side.



22VER001412



## Victims' Bill of Rights - Marsy's Law

The California Constitution, Article I, Section 28, confers certain rights to victims of crime as they are defined in the law. Those rights include:

**1. Fairness and Respect**

To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.

**2. Protection from the Defendant**

To be reasonably protected from the defendant and persons acting on behalf of the defendant.

**3. Victim Safety Considerations in Setting Bail and Release Conditions**

To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

**4. The Prevention of the Disclosure of Confidential Information**

To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

**5. Refusal to be Interviewed by the Defense**

To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

**6. Conference with the Prosecution and Notice of Pretrial Disposition**

To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.

**7. Notice of and Presence at Public Proceedings**

To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.

**8. Appearance at Court Proceedings and Expression of Views**

To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.

**9. Speedy Trial and Prompt Conclusion of the Case**

To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.

**10. Provision of Information to the Probation Department**

To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

**11. Receipt of Pre-Sentence Report**

To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.

**12. Information About Conviction, Sentence, Incarceration, Release, and Escape**

To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.

**13. Restitution**

A. It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

B. Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

C. All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

**14. The Prompt Return of Property**

To the prompt return of property when no longer needed as evidence.

**15. Notice of Parole Procedures and Release on Parole**

To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.

**16. Safety of Victim and Public are Factors in Parole Release**

To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.

**17. Information About These 16 Rights**

To be informed of the rights enumerated in paragraphs (1) through (16).

For more information on Marsy's Law, visit the Attorney General's Website at: [www.ag.ca.gov/victimservices/](http://www.ag.ca.gov/victimservices/)

To obtain information on the Victim Witness Assistance Center nearest to you contact:

Attorney General's Victim Services Unit  
1-877-433-9069

## Derechos Civiles de Víctimas Ley de Marsy

La Constitución de California, Artículo I, Sección 28, otorga ciertos derechos a víctimas de crímenes, tal como lo define la ley. Los derechos incluyen:

**1. Justicia y respeto**

De ser tratado con justicia y respeto en su intimidad y dignidad y de ser libre de intimidación, acoso y maltrato durante el proceso completo de justicia penal o del proceso de justicia penal a menores.

**2. Protección contra el acusado**

De ser razonablemente protegido contra el acusado y de personas actuando en nombre del acusado.

**3. Consideración a la seguridad (bien estar) de la víctima cuando fijando la fianza y las condiciones de libertad condicional**

De tomar en consideración la seguridad (bien estar) de la víctima y de su familia cuando fijando fianza y regalías asociadas a libertad condicional para el acusado.

**4. La prevención de divulgación de información confidencial**

De prevenir la revelación de información o registros confidenciales al acusado, su abogado, o cualquier otra persona actuando en nombre del acusado, que podrían ser empleados para localizar o acosar la víctima o su familia o revelación de comunicativos confidenciales efectuados en el transcurso de tratamientos médicos o tratamientos psicológicos, o los cuales se consideren privilegiados y confidenciales ante la ley.

**5. Denegación de ser entrevistado por el defensor**

De negar ser entrevistado, declaración bajo jurada, o por petición legal del acusado con su abogado o cualquier otra persona actuando en nombre del acusado y de afijar condiciones razonables sobre la manera y forma de realización de cualquier entrevista con el consentimiento de la víctima.

**6. Notificación de disposición a juicio y conferencia con el fiscal**

Ante petición de la víctima, de ser notificado razonablemente de y de consultar razonablemente con la fiscalía, sobre cuestiones de arresto del acusado, si es que son conocidos por el fiscal, los cargos, la determinación sobre la extraditara del acusado y ante petición de la víctima, de ser notificado de e informado de antemano sobre resoluciones y disposición del caso, anteriores al juicio.

**7. Notificación de y citación a procedimientos públicos**

De ser notificado razonablemente de todos los procedimientos públicos, incluyendo procedimientos de delincuencia, ante petición de la víctima a los cuales el acusado y el fiscal son autorizado a estar presente y de todos los procedimientos ante-convicción y libertad condicional y de estar presente a todos tales procedimientos.

**8. Presencia al tribunal y presentación de su declaración**

De tener el derecho a presentar su caso, con permiso de la fiscalía en todo procedimiento legal, incluyendo procedimientos de delincuencia relacionados a decisiones posteriores a el arresto, declaraciones, sentencia, decisiones posteriores de convicción o cualquier procedimiento en el cual se encuentran en balance los derechos de la víctima.

**9. Juicio rápido y conclusión del caso inmediato**

A un juicio rápido y conclusión final inmediata del caso y cualquier procedimiento posterior relacionado al fallo.

**10. Proveer información al departamento de libertad condicional**

De proveer información al departamento de libertad condicional que realiza la investigación previa a sentencia sobre el impacto que el delito tuvo sobre la víctima y la familia de la víctima y cualquier otras recomendaciones de sentencia antes de sentenciar el acusado.

**11. Acusar recibo de reporte pre-sentencia**

De recibir ante petición de la víctima, el reporte previo a la sentencia al momento que se le sea disponible al acusado, menos aquellas porciones del reporte que se consideren confidenciales ante la ley.

**12. Información sobre convicciones, sentencias, arrestos, libertad o intentos de fugas**

De ser informado ante petición de la víctima, de la convicción, sentencia, lugar y hora de encarcelamiento, o de cualquier otra disposición del acusado, la fecha prevista de emisión a libertad y el lugar de libertad o intentos de fuga.

**13. Restitución**

A. Es la inequívoca intención de la población del estado de California que toda persona que sufra pérdidas como resultado de actividades criminales, se les otorgue el derecho de buscar y obtener restitución de parte de las personas culpables de haber causado las sufridas pérdidas.

B. Restitución será ordenada en todo caso por parte del convicto malhechor, irrespectable a la disposición o sentencia impuesta, en la cual la víctima sufrió pérdidas.

C. Todos pagos monetarios, sueldos, y propiedad colectada de cualquier persona que se le ordeno hacer restitución será primeramente aplicadas a las sumas ordenadas como restitución a la víctima.

**14. Entrega inmediata de propiedad**

A la entrega inmediata de propiedad cuando ya no se necesita como evidencia.

**15. Notificación de procedimientos de libertad condicional y emisión a libertad condicional**

De ser informado de todos los procedimientos, de participar con el proceso de libertad condicional, de proveer información que las autoridades consideren antes de conceder libertad condicional al acusado y de ser notificado de la libertad condicional o cualquier otra forma de libertad del acusado.

**16. Seguridad (bien estar) de víctima y el público en general son factores de consideración para la emisión a libertad condicional del acusado**

De tomar en consideración antes de permitir libertad condicional o decisiones posteriores al fallo, la seguridad (bien estar) de la víctima, la familia de la víctima y el público en general.

**17. Información sobre estos 16 derechos**

De ser informado de los derechos enumerados en los párrafos (1) a (16).

Para mas información sobre Marsy's Law visite el website del Procurador General de California al:

<http://www.ag.ca.gov/victimservices/>

Para recibir mas información sobre el Centro de Asistencia para víctimas testigos mas cercano, comuníquese con la Oficina del Procurador General de California:

Oficina de Servicios a Víctimas  
1-877-433-9069