

Help for American Victims of Crime in Israel, the West Bank, and Gaza

Overview

Being the victim of a crime in a foreign country can be a devastating and traumatic experience. While no one can undo the emotional trauma, physical injury, or financial loss you may have experienced, the U.S. Embassy in Tel Aviv and the U.S. Consulate General in Jerusalem are ready to help. We are here to assist you in managing the practical consequences of being a crime victim and provide you with information about accessing the local criminal justice system, as well as other resources for crime victims abroad and in the United States. This office can assist you to find appropriate medical care, contact family or friends on your behalf, and explain how funds can be transferred. We can also help you to better understand the criminal justice system in Israel, which differs from the U.S. system.

The information included in this guide is provided for general information purposes only. The information may not be relevant to your particular case. You should address specific questions involving the interpretation of Israeli laws to legal counsel, licensed to practice law in Israel (Access the U.S. Embassy's list of [attorneys](#).)

The investigation and prosecution of a crime is solely the responsibility of local authorities. The Federal Bureau of Investigation (FBI) may assist local authorities in certain cases of kidnapping, hostage-taking and terrorism.

Reporting Crimes:

Reporting a crime at the local police station or to a local patrol or community police officer (who should take the report at the scene of the crime):

Some police stations will have officers designated to assist foreigners, but in almost all cases there will be someone who speaks English. Tourists can also call the tourist police at 03-5165382 if an emergency arises. The tourist police office is located on the beachfront at the corner of Geula and Herbert Samuel Streets in Tel Aviv.

File a police report as soon as possible. Various crimes have different statutes of limitation, so you should report a crime as soon as possible, in order to preserve evidence and start the process while memories are fresh. **Request a copy of the report from the authorities.**

Technically, a third party can file a crime report on the victim's behalf, without a power of attorney. However, the authorities will require an explanation as to why that person is explaining your situation, because the crime victim is almost always the prime witness and provider of evidence.

While crimes may theoretically be reported to Israel's Embassy in the United States, this is not a realistic or effective approach. The best approach is to file a police report in Israel, as soon after the crime as possible. You may need a police report to file for crime victim

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compensation or insurance reimbursement. Send a copy of the crime report to us, along with your address and phone number in the event we need to communicate with you. If you have difficulties filing your police report with an official, contact the Embassy immediately. While we are not authorized to act as your legal representative, prosecutor or investigator, our office can help you track the progress of your case and advise you of any developments.

If you have been a victim of terrorism, you may also consider contacting the Department of Justice's [Office of Justice for Victims of Overseas Terrorism](#). The mission of the National Security Division is to carry out the Department's highest priority: to combat terrorism and other threats to national security. The NSD's organizational structure is designed to ensure greater coordination and unity of purpose between prosecutors and law enforcement agencies, on the one hand, and intelligence attorneys and the Intelligence Community, on the other, thus strengthening the effectiveness of the federal government's national security efforts.

Investigations:

Some crime investigations never result in the arrest of a suspect. Following the initial report, the Israeli police open a file and investigate to determine if the case will be pursued, temporarily shelved, or closed. If the offense is not a felony, the police may refrain from investigation on the grounds of "lack of public interest." In this case, the complainant has the right to appeal the decision to the Attorney General's office.

A Victim Support Unit at Police Headquarters comments on policy and its implementation in relation to the support given to victims of crime by the investigators. These units are especially focused on helping victims of sexual and/or domestic abuse, mentally or physically disabled victims, children, and the elderly.

Each regional sub-division and many large police stations have forensic science technicians who are sent to gather evidence from crime scenes and from suspects. The technicians send the evidence to centralized laboratories for further examination and for presentation as evidence in court. In addition, special testing and evidence-gathering kits have been developed to allow some preliminary tests to be made by these technicians, locally. The Identification and Forensic Sciences Division at Police Headquarters, under the command of the Investigation Department, houses the main laboratories and analyzes evidence that is gathered by the local units with a range of tests and analyses (the labs include DNA, chemistry, fingerprints, drugs, explosives and flammable materials, and ballistics).

Under Israeli law, all crime victims have the right to protection, to information on the progress of their case, the right to see the indictment, the right to submit a declaration as to the harm inflicted, and the right to information regarding victim assistance. Many additional rights are reserved for the victims of sexual and/or violent crimes. These include the right to information on the defendant's detention in custody or imprisonment, the right to speedy proceedings, the right to be accompanied by another person during questioning, and the right to express their

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views regarding a (proposed) stay of proceedings, plea-bargain, early release from prison, or presidential pardon.

Arrests:

If someone is arrested for a serious crime, he or she will usually be detained until the trial.

By law, the police must bring the suspect before a judge no more than 24 hours after the initial arrest if the suspect is an adult, and no more than 12 hours afterward if the suspect is a minor under 14 years of age. This period may be extended if evidence shows that the suspect will be a danger to the public, to the State, or to an individual if at large, or if the judge believes the suspect will try to tamper with evidence or with witnesses, attempt to leave the country, or otherwise attempt to escape justice.

The court may extend the period of detention for up to a maximum of 15 days at a time. After 75 days the prosecution must either present an indictment sheet to the court or release the suspect. In rare cases, the law provides for further 90-day extensions of the detention on the order of a Supreme Court Judge.

There are police lock-ups in the various stations and in some police districts, in which those undergoing investigation or those awaiting trial are kept under detention. By law, juveniles are kept in separate cells from adults and women are kept separately from men.

The victim will be notified of the arrest, and may be asked to identify the perpetrator in person or in a police line-up. In this case, the investigator will take steps to protect the victim's confidentiality and safety.

Pre-Trial Period:

Upon completion of the investigation, the files are handed over to the relevant prosecutorial body — either to the police prosecutor or to the relevant district attorney's bureau. The prosecutor invokes the process of indictment and decides which criminal charges the suspect is going to face.

Israeli law recognizes three categories of criminal offense: felonies, which are punishable by imprisonment of over three years; **misdemeanors**, or crimes punishable by imprisonment of between three months and three years (or by a large fine); and **contraventions**, or crimes punishable by imprisonment of up to and including three months (or a smaller fine than that incurred in misdemeanors).

During the entire prosecutorial process, the prosecutor has the right to offer a plea bargain to the accused or to his/her attorneys.

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Trial:

Unless the judge declares that the trial is not open to the public, there are no restrictions keeping the public, the media, Embassy representatives, etc. from observing. Cameras are not allowed in the courtroom. Cases involving juveniles are always closed to the media and public.

As in the United States, you should stand when the judge enters the courtroom. You should not wear shorts, jeans, or other very casual clothing. Attorneys generally wear dark suits with white shirts and black ties; in the district courts, they wear robes.

Israel does not have a jury system; trials are heard by one judge (or three judges, in special cases). During the first stage of the trial, the evidence is brought before the judge by the two parties (prosecution and defense) through the examination of witnesses and cross-examination. In criminal hearings in the district courts, District Attorneys represent the State and serve as representatives of the Attorney General. In magistrates' courts, police prosecutors generally represent the State.

The trial is divided into two parts: the prosecution presents its witnesses and evidence, then the defense does likewise. The defendant has the right not to testify if he or she so wishes. Witnesses who are considered likely to alter their testimony, or who wish to leave the country, may be brought before the court to give testimony before the trial takes place. If the testimony takes more than a day, another appearance will be scheduled days, weeks, or even months later, and so on until the case is decided. Thus, trials usually take several months from start to finish, although only a few days are actually spent in court.

The crime victim is not required to attend every court appearance. However, if the victim does not testify, the chances of winning the case are greatly reduced. Rarely, the crime victim may testify through deposition at an Embassy of Israel in the United States.

After both sides have completed their presentations to the court, the court adjourns, weighs the evidence, and decides whether the prosecution has proven its case beyond a reasonable doubt. The court then delivers its verdict.

Sentencing:

Based on the material evidence, the judge pronounces the accused is guilty or innocent. After passing the verdict, the court considers arguments pertaining to the mode of punishment, and finally passes its sentence on the offender. Often, these three phases occur during three different sessions of the court. In proceedings pertaining to sexual offences, a social worker may be asked to provide a "victim impact statement" which may have a bearing on the sentence of the accused. In most cases, the sentence will be served immediately. The victim will be notified when the perpetrator is transferred or released.

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Appeals:

Under the Criminal Procedure Law, both parties have the right to appeal a court's verdict or sentence within 45 days of the date it is delivered. The appeal court may allow the appeal in whole or in part, dismiss it, or return the case to the trials court with instructions. There is no testimony at appeals.

Both parties have only one right of appeal. If the court has considered an appeal, and it feels that there was a conflict with a previous judgment or that the precedent was so novel and complex that the case should be considered by a wider composition of judges, a further hearing may be ordered.

Attorneys:

You may want to consider hiring a local attorney to secure appropriate legal guidance. Local legal procedures differ from those in the United States. Although the public prosecutor is responsible for prosecuting your case, an attorney you hire can promote your interests with the police and the court. While our office cannot recommend specific attorneys, you can access a list of attorneys who have expressed interest in representing U.S. citizens at this [link](#).

Victim Compensation in Israel: Israel operates a program to provide financial compensation for victims of terrorism, but does not currently have a program for compensating victims of violent or personal crime. Israel does not have a national crime victim assistance office. However, Ono Academic College operates the Noga Center for Victims of Crime, which was established in order to offer legal advice and representation to victims of serious crimes such as rape, sexual abuse, child abuse, and homicide. The center assists victims in their dealings with authorities during the entire process, from the police report to trial to disciplinary hearings. In partnership with the Schneider Children's Medical Center, the Noga Center also offers counseling to minors who have been the victims of sexual abuse. They can be reached at 03-5666618; danap@ono.ac.il and [this website](#).

Additionally, the Israeli police system includes a Victim Support Unit which monitors the support provided to crime victims by the investigators. They are especially concerned with the needs of victims of sexual and/or domestic abuse, mentally or physically disabled victims, children, and the elderly. If you are a victim of crime, the police officers assisting you can give you the contact information for the Victim Support Unit overseeing your case.

Embassy Location: Please note scheduled closures at [U.S. Embassy Tel Aviv](#)'s and [U.S. Consulate General Jerusalem](#)'s contact information pages. U.S. citizens living or traveling in Israel are encouraged to [register](#) their presence and review our [travel messages](#). Registering enables the Embassy to contact a U.S. citizen quickly in emergencies. U.S. citizens without Internet access may register directly with the Embassy.

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Special Information for Cases of Sexual Assault and Rape:

Physical evidence is very important in sexual assault cases. Physical evidence can deteriorate as time passes so victims should not change clothes, should avoid bathing if possible, and should have a physical exam at the first opportunity. You should take these steps even if you are unsure about whether to report the crime to police. If you decide to pursue a prosecution at a later time, these steps preserve evidence that will assist the prosecutor. A consular officer or after-hours duty officer from the U.S. Embassy may be able to accompany victims of sexual assault to the medical exam.

Israel has a broad legal definition of what constitutes sexual assault: Any non-consensual sexual contact may be considered assault. The Israeli legal system also recognizes and condemns sexual assault and rape within marriage. The government of Israel claims to make a conscious effort to treat those who press charges with dignity and respect.

Sexual assault against minors and sexual assault against male victims are also crimes under Israeli law. Date rape (acquaintance rape) is not specifically mentioned in Israeli law but meets the legal definition of sexual assault.

Get medical attention to determine if you have been injured in any way and to discuss treatment and prevention options for pregnancy and sexually transmitted diseases. Emergency contraception (the morning-after pill) and HIV prophylaxis (condoms) are available in Israel. The U.S. Embassy can provide you with a list of local doctors.

You may request a forensic sexual assault examination (pelvic exam, vaginal/penile/anal swabs, head and pubic hair samples, fingernail scrapings, blood samples, saliva samples, etc.) without authorization from the police or any other officials, and the exam will be carried out at no cost to you. However, as of May 2008, only three emergency rooms in Israel provide forensic sexual assault exams. If possible, victims of sexual assault should go to the emergency room at Bnei Zion Medical Center (Rothschild) in Haifa, Poriya Hospital in Tiberias, or Wolfson Medical Center in Holon with a consular officer, a representative of a rape crisis center, or a police official. You may also bring a friend or family member for emotional support. The exam is designed to help police identify the assailant, and can be carried out whether or not you decide to press charges immediately. The evidence is stored for three months, during which time you can decide whether to file an official complaint. If you do not submit a police complaint within three months, the evidence will be destroyed. Hospitals do not divulge the identity of those who undergo these exams and do not give police the evidence unless the victim files a complaint.

If you decide not to have a medical exam, you may still decide to file charges later. However, it may be more difficult to win your case if you have not had the medical exam.

If you are not near one of the three hospitals that provide forensic sexual assault exams, you should seek medical help at the closest hospital or health center. If you choose to file charges,

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your treatment history may be entered as evidence, but only Bnei Zion Medical Center, Poriya Hospital, and Wolfson Medical Center are able to provide full forensic sexual assault exams.

If you decide to press charges, you will be interviewed by at least one police officer, who is trained to treat you with sensitivity and respect. You may be interviewed by more than one officer.

Under Israeli law, the identity of sexual assault survivors is protected, and you need not expect media attention. As mentioned earlier, under the law, all crime victims have the right to protection, to information as to the progress of their case, the right to see the indictment, the right to submit a declaration as to the harm inflicted, and the right to information regarding victim assistance. Many additional rights are reserved for the victims of sexual and/or violent crimes. These include the right to information on the defendant's detention in custody or imprisonment, the right to speedy proceedings, the right to be accompanied by another person during questioning, and the right to express their views regarding a (proposed) stay of proceedings, plea-bargain, early release from prison, or presidential pardon.

There are many rape crisis hotlines in Israel, with operators who speak English and other languages. Here are two such hotlines:

- **The Association of Rape Crisis Centers**

Visit [this website](#) or call 1202.

Israel's network of Sexual Assault Crisis Centers provides mental and emotional support, and volunteers will accompany you to the police station and hospital, if you wish. They operate a twenty-four hour emergency hotline. With centers all around the country, this network offers support groups, legal consultation, and general assistance. The center is sensitive to the needs of all sectors of society and has volunteers to match the needs of the clients (for example, religious women who might be uncomfortable with persons unfamiliar with their customs).

- **Male Assault Victim Hotline**

Call 03-5179179.

A telephone-based help center, operated by men, providing long-term support, assistance and guidance for men and boys who have faced sexual assault.

- **ERAN Emergency Emotional Support: 1201 (24 hours)**
- **BeerSheva Municipal Center for Personal Emergencies: 08-6463777 (24 hours)**
- **Herzliya Hotline for Women in Distress: 1-800-353-300/09-9505720 (24 hours)**

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Special Information for Cases of Domestic Violence:

Domestic violence is a crime in Israel, and there are hotlines and shelters for women and children throughout the country. Under the Prevention of Violence in the Family Law, courts have jurisdiction to issue protective orders and restraining orders that remove the abusive person from the family home. Local police will respond to requests to intervene if these orders are violated.

- **ERAN Emergency Emotional Support: 1201 (24 hours)**
- **BeerSheva Municipal Center for Personal Emergencies: 08-6463777 (24 hours)**
- **Herzliya Hotline for Women in Distress: 1-800-353-300/09-9505720 (24 hours)**
- **WIZO: National Hotline for Battered Women and at-risk children: 1-800-220-000 (24 hours)**

Stalking has been recognized as a crime under Israeli law since 2001.

Click [here](#) for a list of shelters and organizations that help victims of domestic violence in Israel. Most of the shelters are secure, and many take walk-in clients. Many also welcome children. None are known to accept pets.

Additional Information for Cases of Sexual Harassment and Violence:

The following legal rights and resources are available to the female victims of sexual abuse:

1. The [Family Violence Law 5751-1991](#) (PDF – 33KB) allows an individual to apply for and obtain a court restraining order against any family member who behaves violently towards other family members. Violence can be physical, emotional, financial, or of a different kind. The restraining order can, for example, prohibit the violent individual from entering the family's residence, harassing the family.
2. The [Rights of Victims of Crimes Law](#) grants the victim of an offense the right to protection during a trial from the suspect/defendant and their relatives as well as other rights to information about aid services, to receive a copy of the indictment, and to voice an opinion.
3. The [Public Protection from Sex Offenders Law](#) obliges the authorities to conduct a risk appraisal of sex offenders to protect the public from repeat sex crimes.
4. The [Law for the Prevention of Sexual Harassment](#) outlines the following as courses of action: a disciplinary channel in the workplace/school, civil channels (law suit) or criminal channel (by filing a complaint with the police).
5. The [Law for the Prevention of Adverse Treatment](#) (PDF – 55KB) provides protection when the violence is not physical. Harassment, stalking, or threatening to harm a person or their friends and relatives is prohibited.
6. The [Employment of Women Law](#) prohibits firing a female employee who is currently staying in a battered women's shelter.

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Special Information for Cases of Child Abuse:

There is no single government authority in Israel that is solely responsible for the protection of children. Instead, Israel has an extensive system of laws designed to protect children's rights. One such law is the Prevention of Abuse of Minors and the Helpless Law, which makes it mandatory to report any suspected abuse by a parent or other responsible party to the authorities. Corporal punishment in schools and in families falls under the legal definition of abuse.

Suspected child abuse may be reported to the police or by calling the Israel Association for Child Protection (ELI) and asking for assistance. The Government of Israel recognizes the Israel Association for Child Protection as an organization which deals specifically and exclusively with all of the various aspects of child abuse. ELI runs a shelter to provide immediate protection to abused children who must be removed from the family home. They can also provide legal assistance and counseling. They have a hotline where you may seek help, report abuse, or ask for help in stopping abusive behavior: 1-800-22-3966 or hotline@eli.org.il.

Another organization, the National Council for the Child, is an organization in Jerusalem which addresses issues including education, health, children at risk, abuse, and delinquency. They are located at 38 Pierre Koenig Street, Jerusalem, telephone +972-2-678-0606. Their e-mail address is ncc@children.org.il.

If a child who is a U.S. citizen is removed from his or her family due to abuse or neglect and no other family members are available to assume responsibility for him or her, the child will be placed with a trained foster family or with an appropriate institution in Israel and will be visited by Embassy officials. If you know of a child who is a U.S. citizen and in foster care, in a group home, or in an at-risk situation in Israel, please notify the Embassy as soon as possible and give information about the child and his/her location.

If the abuser is charged with a crime, Israel's laws are designed to alleviate the trauma of undergoing police investigations and testifying in court. The law permits a child investigator (not a police officer) to testify in place of the child. Further, a child's competency to testify in court will be determined by the best interests of the child and not always by the best interest of the investigation.

Special Information for Cases of Homicide:

Among Jewish and Muslim communities, there is a strong cultural and religious reluctance to perform autopsies. However, autopsies cannot legally be objected to on religious grounds if they are required for forensic reasons. In Israel, autopsies must be carried out in the following cases:

- when homicide is suspected by police investigators or by family members of the deceased;
- when suicide is suspected;

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- for victims of terrorists attacks;
- when the death occurs in a psychiatric institution;
- when a patient has died en route to a hospital emergency department; and
- in relation to a police investigation.

Under Israeli law, the family of the victim will be kept advised of the progress of the criminal investigation at all times. They will be informed of the result of the trial and of any plea bargain. Through a family representative, they will be able to explain the suffering undergone by the victim and the victim's family, and will be invited to share their views regarding appropriate punishment. They will also be allowed to give input for parole hearings.