



# Promising Victim-Related Practices and Strategies in Probation and Parole



Office for Victims of Crime  
**OVC**  
*Advocating for the Fair  
Treatment of Crime Victims*



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*Message from*

## **The Director**

During the past two decades, the victim rights movement has made tremendous progress toward securing fundamental justice and comprehensive services for all crime victims. Despite its progress, victim rights and services have still not become fully commonplace and routine practices. Many crime victims not only have to cope with the trauma of the crime but also must cope with the treatment they receive from the criminal justice system (*i.e.*, law enforcement, prosecution, courts, corrections, probation, and parole). *Promising Victim-Related Practices and Strategies in Probation and Parole* focuses on the function of probation and parole agencies and how they can effectively serve crime victims.

Historically, probation and parole practices have been offender-directed and have ignored or passively responded to the concerns of crime victims. While offender supervision strategies are aimed at protecting the public as a whole from further victimization, the interests of individual victims often are lost under the mass of paperwork and growing caseloads of offenders. This document addresses ways probation and parole can change from simply offender-directed to a balanced approach, addressing the unique needs of each of the key players, including victims. There is a need for probation and parole to look at victims as their clients whose needs should be served. For example, probation and parole can inform victims of the offender's custody status and inform them that offenders will be held accountable for their actions. These actions validate the trauma victims have suffered and contribute greatly to the healing process.

This document also acknowledges that in order for probation and parole to be more effective in its role to serve the crime victim and the public, an education process needs to take place within the community. Often the public is only aware of probation and parole after an offender has committed a heinous crime while on probation or parole. It is important for the public to hear about probation and parole programs that are committed to protecting public interests. In addition, as demonstrated throughout this document, probation and parole agencies can, and often do, provide valuable services to victims of crime. This document has collected many of the "promising practices" that contain elements all agencies should strive to implement in their own programs in order to provide more victim-related services. OVC also hopes that when probation and parole agencies provide victim-centered services, the agencies will in turn develop partnerships with other criminal justice entities thus forging a collaborative approach to serving victims and communities.

As a result of OVC's commitment to improve the policies and procedures that serve crime victims, OVC provided funding for the project that identifies *Promising Victim-Related Practices and Strategies in Probation and Parole*. This publication draws on the ideas and experiences of many community corrections and victim services professionals who provide services to victims of crime across the nation. OVC commends the staff and consultants from the American Probation and Parole Association (APPA), in cooperation with the Council of State Governments for their contributions in the writing of this document.

*Kathryn M. Turman*  
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This publication draws on the ideas and experiences of many community corrections and victim services professionals who provide services to victims of crime across the nation. It would be impossible to acknowledge individually all who contributed; however, we would like to express our appreciation to all of those who sent in program materials, responded to APPA's Promising Victim-Related Practices in Probation and Parole application, and took the time to discuss their programs and answer numerous questions.

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# Executive Summary

Historically, probation and parole practices have been offender-directed and have ignored or passively responded to the concerns of crime victims. While offender supervision strategies are aimed at protecting the public as a whole from further victimization, the interests of individual victims often are lost under the mass of paperwork and growing caseloads of offenders. *Promising Victim-Related Practices and Strategies in Probation and Parole* addresses ways probation and parole can change from simply offender-directed to a balanced approach, addressing the specific needs of each of the key players, including victims.

Probation and parole agencies are in a unique position to provide services to victims. First, probation and parole agencies have access to both general and offender-specific information that could address victims' need for information and concerns. A victim would profit from understanding how probation and parole works; knowing an offender's custody status, and understanding that offenders will be held accountable for their actions either through payment of restitution or other supervisory conditions. The payment of restitution is therapeutic; it holds offenders accountable for the harm they caused and assists in helping the victim reconstruct his/her life through monetary compensation. Second, victim-offender mediation programs may be a helpful therapeutic agent in individual cases. Involvement in mediation programs may help both the victim and the offender realize things about each other that can change their perspectives and assumptions (*i.e.*, the offender's perception that no harm was caused, and the victims' misconception of "offenders as demons"). Probation and parole agencies can provide the information that would lead victims and offenders to participate in restorative justice practices. These actions validate the trauma victims have suffered and contribute greatly to the healing process.

While the primary goal for achieving justice may be through the provision of supervision and services to offenders, probation and parole agencies also can provide valuable services to victims of crime. Some of the more common victim services include the following:

- Assessment of victim impact.
- Victim notification.
- Restitution collection.
- Referrals to services.
- Victim protection.
- Education about probation and parole.

More innovative services now include victim/offender mediation, circle sentencing, and victim impact panels. The need for training staff on the impact of crime on victims, related issues, and the need to identify ways to respond to probation and parole professionals who are victimized on- or off-the-job, are other areas that probation and parole agencies are beginning to address.

The purpose of this compendium is to identify elements of exemplary victim-related probation and parole practices and provide agencies with specific direction for the development and

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implementation of promising victim-related services and programs. Topics to be discussed in the following chapters are —

- Victim impact and victim notification.
- Restitution management.
- Victim–offender programs.
- Family violence.
- Workplace violence.
- Staff training on victim issues.
- Community relations and outreach strategies.

It would be impossible to highlight the many different promising victim-related practices and programs that have been implemented in probation and parole agencies nationally. A contact list for each chapter is provided in Appendix I. Community corrections professionals are encouraged to share information and promote the promising strategies and programs they have implemented for crime victims and to obtain more specific and indepth information from other agencies in the field.

More and more, probation and parole professionals are recognizing the importance of placing the needs of crime victims on a level with the needs of offenders. The victims' rights movement continues to be a powerful force, and community corrections must respond to those needs by providing the important services victims require to further the healing process.

As a result of its commitment to improve the policies and procedures that serve crime victims, the Office for Victims of Crime (OVC), within the Office of Justice Programs, Department of Justice provided funding for the project that identifies *Promising Victim-Related Practices and Strategies in Probation and Parole*. The staff and consultants from the American Probation and Parole Association (APPA), in cooperation with the Council of State Governments (CSG) designed and developed this document. This document, however, also draws on the ideas and experiences of many community corrections and victims services professionals who provide services to victims of crime across the nation.

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# Introduction

Annually, about 2 million people are injured as a result of violent crime (Bureau of Justice Statistics, 1993). In 1992, 23 percent of households in the United States were victimized by a crime of violence or theft (Rand, 1993). In 1992, crime victims lost 17.6 billion in direct costs including losses from property theft or damage, cash losses, medical expenses, and amount of pay lost because of injury or activities related to the crime (Klaus, 1994).

While these statistics are alarming, mere numbers alone cannot fully capture the devastating effects of crime and violence on its victims. Crime is intrusive. It creates a pervasive fear and mistrust. It holds people captive in their homes and negatively affects their overall quality of life — physically, psychologically, and economically. Then, to compound the trauma many victims experience, they often are further victimized by a criminal justice system that continues to be ill equipped to meet or is indifferent to their needs.

Significant strides have been made over the last two decades in addressing victims' rights and needs; however, the quest to instill victim rights and services as commonplace and routine practices — in *all* components of the criminal justice system in *all* jurisdictions — is a goal that has not yet been realized. The challenge is daunting. Yet, there is hope. More and more community corrections agencies are stepping up to the plate and are responding to crime victims in their communities and across the nation by implementing

promising victim-related practices within their jurisdictions. Many of these groundbreaking agencies and their victim-related practices will be highlighted, in varying degrees, throughout this compendium. Appendix I lists agency contact and resource lists according to chapter topics.

The importance of establishing a continuum of victims' services will be discussed in this chapter, and the role of probation and parole in serving crime victims will be briefly examined. Specifically, this chapter informs the reader about the following:

- Differences in the way offenders and victims are treated in the criminal justice system.
- Ten core elements that should form the foundation of a comprehensive corrections-based victim services program.
- The primary purpose of this document.

## A Continuum of Services

To effectively implement the rights of and provide effective services to crime victims, policies, procedures, and programs cannot be created or implemented in a vacuum. It requires a coordinated effort among all components along the criminal justice continuum (*i.e.*, law enforcement, prosecution, courts, probation, corrections, parole). The following fictional scenario illustrates the value and rewards that could be gained for victims and the criminal justice system if effective and efficient services to victims of crime were provided consistently throughout the criminal justice process.

## A Victim's Story

*Seventy-nine-year-old Marie Harris had looked forward to a day of shopping for a long time. She was recuperating from cataract surgery and now had been pronounced fit to drive her car again. Marie had saved some money from the last few pension checks and planned to do Christmas shopping for her grandchildren early to avoid the crowds.*

*She headed out after lunch that day to the new mall where she hoped some advertised bargains would still be available. Marie found upon arriving that a lot of others had the same plan; the mall parking lots were jammed with cars. But being in good health, Marie felt it okay to park in a distant lot and take the walk to the store's entrance.*

*Marie knew something was wrong as soon as she pushed the door lock button. Out of the corner of her eye she caught sight of a man running up fast behind her between the rows of cars. Before she could turn around and assess the situation, this man had lunged, grabbed her, and with a powerful pull jerked her purse away. Knocked off balance by the pull, Marie stumbled and fell hard to the pavement. She heard the man's running steps diminish as he vanished with her purse and the shopping money within. Trying to regain her feet, Marie felt a knifelike pain in her side and realized she had been seriously hurt. She began to cry.*

*Marie's cries alerted another shopper who was returning to her car, and she summoned mall security to rush to Marie's assistance. The city police and EMS soon followed. Marie was*

*transported to the hospital while the officers began the process of investigation. At the emergency room, it was discovered that Marie had suffered two broken ribs and severe contusions in the fall, but she was expected to recover without complications following a few days of hospitalization.*

*Shortly after being treated in the ER and admitted to a room, Marie was visited by a field worker from the County's Victim Assistance Team (VAT). Team members, deployed in three shifts, make contact with crime victims at hospitals, homes, and offices as soon as possible after an offense. They explain to victims, in general terms, what can be expected in the progression of a criminal case: investigation, witness protocol, protection from retaliation, restitution and crime victim compensation to cover hospital bills. Easy-to-read guidebooks and pamphlets are also left for victims to use as references. The VAT workers remain with the crime victim as long as it takes to answer all questions and to hear what the victim has to say.*

*Marie felt somewhat assured after the VAT worker left her bedside, but she was still afraid of what might be in store as her assailant had not yet been caught. Later, she thought of more questions and called the VAT's 24-hour help line to get a response. Meanwhile, the VAT field worker who had visited Marie entered information on a laptop computer setting up a file in this case. This data record was then transmitted to the VAT office, police department, district attorney, and presentence unit of the probation office.*

To Marie's relief, detectives soon arrested a young man in connection with her robbery and assault. Marie was immediately notified of the arrest and assured that if the defendant posted a bail bond, the magistrate would order him not to contact the victim in any manner as a condition of the bond. Marie was given the phone number of the Crime Victim Protection Unit (CVPU) at the police department and was advised to call immediately should the defendant or anyone else threaten, harass, or attempt to harm her in connection with the case. She also was given information about the State's automated notification calling system and how she could register to be called in the event of the defendant's release or escape from custody.

A few days later, Marie was called by a Victim Services Specialist from the prosecutor's office. The Specialist made an appointment to visit Marie, who was now at home recovering from her injuries. Later that week, the Victim Services Specialist accompanied by a Presentence Investigator from the probation department arrived at Marie's house. They spent several hours talking to Marie, briefing her again on the court process and gathering information to be used in the probation department's presentence report. She was given a list of phone numbers and brief descriptions of agencies in the county which provided an array of services to crime victims such as counseling, transportation, short-term financial assistance, and emergency protective housing. Marie was encouraged to call the prosecutor's office as often as she wished to obtain updated case information. The Victim Services Specialist told Marie that if she wished,

a case conference could be held with her by the assistant district attorney handling the case. Marie said she would think about it. Marie was also told that she would be contacted, informed, and given the opportunity to comment on any proposed plea bargain in the case. Finally, she was advised that the county's VAT would provide her transportation to the courthouse should she desire to attend her attacker's trial.

Ultimately, Marie decided not to be present at sentencing; she had not objected to a proposed plea-bargain wherein the offender, who had one previous arrest for shoplifting, would receive an 8-year probated sentence. Marie learned from the prosecutor that the offender would be ordered to pay her monetary restitution for all medical expenses and the stolen property. This restitution would also be entered as a civil judgment against the man. He also would be required to spend the first 6 months of his probation in a community correctional facility where an apparent drug abuse problem would be confronted. The offender, Dan Johnson, was ordered not to have any contact with Marie whatsoever. A further condition stipulated that he attend a Victim Impact Panel presentation through the probation department. Marie was told that the probation department's Victim Services Coordinator would soon be in touch with her.

Within a week of the trial, Marie received a letter from the probation department advising her that Dan Johnson had indeed received an 8-year probated sentence. Along with this letter, Marie got a copy of the conditions of probation and a crime victims' handbook from the probation

department which explained in clear and simple terms how the probation process and supervision of offenders worked. These written materials were followed by a phone call from the department's Victim Services Coordinator, who encouraged Marie to phone as often as she wished regarding the status of Dan Johnson's probation. She was also given again the names and phone numbers of victims' support groups in the area. Marie was told that if Dan Johnson did not pay restitution as ordered, she would receive her payments from the State's Victim Restitution Reserve Fund, which guaranteed full restitution to crime victims if the offender failed to pay restitution as ordered.

The Victim Services Coordinator also advised Marie that she would be contacted whenever a change occurred in Dan Johnson's supervision such as a new probation officer assigned, planned modification of the probation order, violation of probation proceeding to the court, possible revocation, petition for early release, or discharge from probation. The Victim Services Coordinator also explained to Marie that if Dan Johnson's probation was ever revoked, a Victim Specialist from the State prison would be assigned to her case and would keep her updated on Johnson's prison term. Later, if he was deemed eligible for parole, Marie would have the opportunity to oppose that parole and to personally appear before the Parole Board. Should Dan Johnson be paroled, the State Parole Office Victim Services Section would provide a full array of victim services to Marie, similar to those now being offered by the probation department. No matter where he was in the system, Dan

Johnson would still be responsible for restitution to Marie and would always be forbidden to contact her. Finally, Marie learned that if at some time in the future she wished to participate in victim-offender mediation, that opportunity would be extended to her.

Marie recovered from her injuries in time to buy Christmas presents for her grandchildren. Living alone as a widow, the crime has left her more afraid and nervous than before. She feels that a lot of the peace of mind and security she had previously taken for granted has been stolen from her. She knows now how vulnerable she can be to criminal victimization. Her life has changed. Yet, amidst the physical pain and lasting emotional hurt occasioned by the crime, Marie feels that her dignity as a person remained intact through obvious care and concern demonstrated by those professionals who guided her journey across the criminal justice system.

From that first visit at the hospital by the Victim Assistance Team worker through her ongoing contact with the probation department's Victim Services Coordinator, Marie has concluded that a lot of people wanted to see good things happen to her in the wake of victimization. Marie does not feel that her rights were trampled while Dan Johnson's were championed. While the hurt and horror of the attack will remain, Marie thinks fondly of those who have helped her. She does not think they were just doing a job! It is nothing more really than humans extending care and comfort to others in need. Marie tells her friends, "The system works."

## The Current Status of Victims' Rights

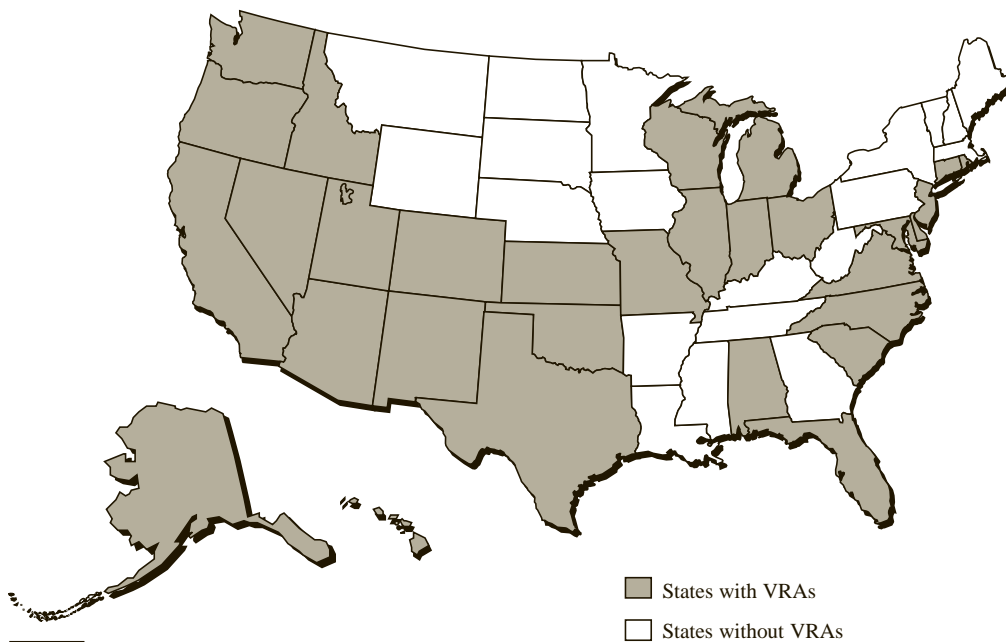
“The system works.” This is not a common phrase heard by criminal justice professionals when listening to crime victims talk about their experiences in today’s criminal justice system. While the movement toward ensuring justice and healing for our nation’s crime victims has made significant progress, much more still needs to be done.

Crime victims are speaking out, and they are being heard by legislators and the public. According to Susan Howley, Assistant Director of Legislative Services of the National Center for Victims of Crime (formerly known as the National Victim Center), all 50 States now have a wide variety of statutory rights for victims and, as of 1998, 32 States passed amendments to their constitution to protect the rights of victims of crime.

A map indicating States that have passed constitutional amendments relating to victims’ rights may be found in Figure 1-1. There is a strong movement on the Federal level as well. An amendment to the U.S. Constitution has been introduced that, if passed, would guarantee victims’ participatory rights, rights to notice about significant case events, and restitution throughout the criminal justice process. As of December 1998, the amendment had not been voted on by Congress.

Given these developments, it is clear to see that the victims’ movement is strong and active and will continue to affect and shape the way the criminal justice system, including probation and parole, conducts its business. Therefore, if community corrections is going to flourish and, indeed, survive in the new age of guaranteed rights for victims of crime, it is imperative that concerted efforts be made to respond proactively to the needs of crime victim clients.

**Figure 1-1: States with Constitutional Amendments Relating to Victims’ Rights**



Source: National Victims Center.

## Why Serve Crime Victims?

Crime victims deserve rights and services throughout their involvement in the criminal justice system — from the time the crime is reported to the police through the criminal proceedings and the corrections process. To achieve this goal, all agencies on the criminal justice continuum (*i.e.*, law enforcement, prosecution, defense counsel, judiciary, probation, institutional corrections, parole) need to develop a comprehensive system of services that are “victim-centered.” In 1997, the Association of State Correctional Administrators (ASCA) Victims Committee — with support from the National Center for Victims of Crime’s Promising Practices and Strategies in Corrections Project — developed 10 core elements that should form the foundation of a corrections-based (including probation and parole) victim services program (National Center for Victims of Crime, 1997a, pp. 3–4):

1. Incorporate victims’ rights and needs into the overall agency mission statement and develop a mission/vision statement specifically for victim services.
2. Designate a full-time staff person to plan and implement a comprehensive victim services program, and victim service representatives at institutions and regional offices to augment the agency’s centralized victim services.
3. Provide core services to victims of crime that include notification of offender status; protection from intimidation, harassment and harm; victim input into parole proceedings; victim restitution; and information and referral to supportive services in the community.
4. Create a Victim Advisory Council (comprised of victims and practitioners from corrections, victim services, and allied professionals) to guide program and policy implementation.
5. Establish written policies and procedures for victims’ rights and services.
6. Develop a public information plan and outreach program that describes the services and assistance provided to victims by the agency, including an informational brochure and training curriculum for victim service and allied justice professionals.
7. Develop and utilize a training curriculum for orientation and continuing education for all agency staff on victims’ rights and needs, agency services and related policies, legislative mandates, and national/ State/community-based services for information and referral.
8. Develop and implement policies, procedures, and protocols on how to respond to incidents when correctional staff are victimized on- or off-the-job.
9. Implement the “Impact of Crime on Victims” program to help offenders understand the impact their crimes have on their victims, communities, and families utilizing the curricula and related resources available from the California Youth Authority.
10. Designate an agency representative to participate in local, State, and regional victim service coalitions and serve as the agency’s liaison to the victim services community.

## The Role of Probation and Parole

Historically, probation and parole practices have been offender-directed and have ignored or passively responded to the concerns of crime victims. While offender supervision strategies are aimed at protecting the public as a whole from further victimization, the interests of individual victims often are lost among the



burgeoning caseloads of offenders and the accompanying paperwork. It is imperative for probation and parole agencies to transform these offender-directed practices into those that are also victim-centered. More importantly, perhaps, practices should be principle-centered and address issues common to all sides such as accountability, restoration, rationality, efficiency, and fairness.

In addition to being the “right thing to do,” there are several practical reasons for making the provision of services to victims a priority within probation and parole agencies. First, probation and parole have access to both general and offender-specific information that could address victims’ informational needs and concerns. Just knowing how probation and parole work, an offender’s custody status, and that offenders will be held accountable for their actions (*e.g.*, through the payment of restitution or other supervisory conditions) often is enough to ease the fears and frustrations of victims. Additionally, probation and parole professionals are familiar with the services available within the community to address offender needs. Victims have many of these same needs and could, therefore, benefit from this information.

Second, there is a continuing need for the profession to identify victims as consumers or clients of probation and parole services. Often victims are seen as being at odds with probation and parole. Agencies such as the Tarrant County Community Supervision and Corrections Department, the South Carolina Department of Probation, Parole, and Pardon Services, and the California Department of Corrections have implemented comprehensive victims’ services and have come to recognize that victims’ groups can be powerful allies of probation and parole if given the opportunity. Once invited into the folds of the system and educated on the mission of probation and parole, victims’ groups have,

in fact, provided support for probation and parole services and spoken on their behalf in front of legislative bodies.

Third, victims’ groups can be effective in educating the general public about the mission of probation and parole and, consequently, can enhance their public image. The nature of the services provided by probation and parole, and the nature of the persons directly served are generally viewed negatively; probation and parole are not in the business of serving “deserving” constituents. This often alienates probation and parole agencies, keeping them literally estranged from the majority of people to whom they provide the service of ensuring public safety. Typically, the public hears about probation and parole only after an offender under community supervision commits a heinous crime. Providing victim services increases awareness of probation and parole programs and demonstrates a true commitment to protecting public interests.

Fourth, in addition to being allies of probation and parole at a policy level, victim involvement may be a helpful therapeutic agent in individual cases. For example, victim–offender mediation programs bring an offender and the victim together for a face-to-face meeting to discuss possible resolutions for victims’ losses, such as a payment schedule for restitution, a letter of apology, or the performance of community service (Sinclair, 1994). Involvement in mediation programs may help both the victim and the offender realize things about each other that can reduce their respective rationalizations (*e.g.*, offenders’ perception that “no harm” was caused, and victims’ misconceptions of “offenders-as-demons”). The payment of restitution also is therapeutic; it holds offenders accountable for the harm they caused and assists in helping the victim reconstruct his/her life through monetary compensation.

Lastly, providing victim services will help probation and parole agencies develop partnerships with other criminal justice entities. These partnerships can lead to enhanced credibility for probation and parole and a collaborative approach to serving victims and communities.

As public service agencies, and a key component of the criminal justice system, probation and parole agencies should concern themselves with justice for all citizens. While the primary avenue for achieving this justice may be through the provision of supervision and services to offenders, it does not have to be at the exclusion of serving others impacted by crime.

### **Promising Victim-Related Probation and Parole Practices**

As demonstrated throughout this document, probation and parole agencies can, and often do, provide valuable services to victims of crime. Some of the more common victim services within probation and parole agencies include the following:

- Assessment of victim impact.
- Victim notification.
- Restitution collection.
- Referrals to services.
- Victim protection.
- Education about probation and parole.

The extent to which these services are present varies from jurisdiction to jurisdiction; however, they have become more prevalent over the past decade. More innovative services now include victim/offender mediation, circle sentencing, and victim impact panels. Some agencies have developed specialized units for addressing crime victims' needs, while other agencies incorporate victim-related programs and

responsibilities within the duties of generalized probation and parole officers. Several probation and parole agencies around the country have recognized the special needs of victims of family violence and have developed programs and services designed to ensure their safety and to empower them. An emerging trend is for agencies to make complete agency-wide paradigm shifts to a model of *restorative justice* with the primary concern being repairing the damage or harm done to victims and the community through victim involvement, mediation, and reparation (Bazemore, 1994). The need for training staff on the impact of crime on victims and related issues, as well as the need to identify ways to prevent and respond to probation and parole professionals who are victimized on- or off-the-job, are other areas that probation and parole agencies are beginning to address.

### **Making a Commitment to Implement Victim Services**

There are many elements and issues to consider when designing, developing, and evaluating an effective victim services program. The process is challenging; however, it will yield many rewards if undertaken with the appropriate degree of thought, consideration, and effort.

“The development of a comprehensive philosophy upon which agency programs and practices are based requires the examination of the following:

- Values inherent in the agency.
- The agency mission statement.
- Goals of the agency.
- Activities performed to accomplish the goals.
- Measures for determining how well the activities are being performed and what impact they are having” (Fulton, 1996, p. 32).

Alignment of these key organizational practices enhances an agency's chances for successfully involving and serving crime victims in a long-lasting and purposeful way.

Commitment from the leadership of the agency and buy-in and involvement of line staff are essential ingredients for the development and implementation of effective services for victims of crime within the agency's structure. Failure to recognize victims as clients or lackadaisical support for the implementation and provision of victim services within the department will result in haphazard delivery of services and the continued frustration of crime victims with the probation and parole process.

A critical step to implementing victim-related practices within probation and parole agencies is to clarify and communicate agency values. Values shape decisions, actions, and hence, results for individuals and organizations. A probation or parole agency may have a mission statement that states it will, "provide assistance to victims to include keeping them informed of the status of their respective cases;" however, if the organization does not really *value* the victim's input, it will not be practiced. Values serve as the motivating factor behind agency policies and practices, from the hiring of staff, to the supervision of offenders, to monitoring and evaluation. Establishing and expressing values convey a positive identity and promote an understanding about the beliefs and priorities of an organization — both to internal and external stakeholders (Fulton, 1996).

Once the new values are declared, they must be embraced by the organization and integrated into the way the agency staff perform their roles. So, when initiating new programs and practices discussed in this compendium, especially those that may be different in nature from those typically or currently performed, agencies should set in place a mechanism for monitoring and

evaluating the achievement of established goals, activities, and outcomes.

Performance-based measures can be extremely useful in helping agencies determine if the services being provided to victims within their agencies are (1) being implemented as designed, and (2) meeting the information and other needs and interests of crime victims within their jurisdiction. Simply stated, through the use of process and outcome measures, performance-based measures are designed to provide agencies with a mechanism for assessing what they do and how well they do it. A performance-based strategy can also improve an agency's practices by offering the agency and staff a chance to define their true values and translate them into action and results. They provide a basis for program modification and improvements and a mechanism for linking employee evaluation to the agency's mission (Boone and Fulton, 1995).

More indepth information on the development and implementation of performance-based measures can be found in Boone's and Fulton's *Results-Driven Management: Implementing Performance-Based Measures in Community Corrections*. A chapter from that document on supporting crime victims is included in Appendix A.

## **Purpose of This Compendium**

Simply saying that a probation and parole agency provides the services mentioned above does not necessarily mean that the services they have implemented are truly promising or innovative. Many times agencies may be only scratching the surface in the delivery of these services. So, what elements should agencies strive to implement when designing programs and services for victims of crime? This compendium is designed to identify elements of exemplary victim-related

probation and parole practices and provide agencies with specific direction for the development and implementation of promising victim-related services and programs. It is recognized that the extent to which probation and parole agencies will be able to implement the elements described within this document will vary according to statutory or local policy, procedural constraints, and resources. Topics to be discussed in ensuing chapters include the following:

- Victim impact and victim notification.
- Restitution management.
- Victim–offender programs.
- Family violence.
- Workplace violence.
- Staff training on victim issues.
- Community relations and outreach strategies.

Within this compendium, the term “community corrections” is used to connote probation and parole agencies. Much of the information, however, is also appropriate for other agencies that supervise offenders in the community such as those providing aftercare or sanction specific services.

The agencies highlighted in this document represent only a small sample of the many initiatives in place across the country. It would be impossible, within the parameters of this document, to highlight the many different promising victim-related practices and programs that have been implemented in probation and parole agencies nationally. In the quest to continue getting the word out about creative and innovative victim service programs, community corrections professionals are encouraged to take advantage of every opportunity to share information and promote the promising strategies and programs they have implemented for crime victims.

## How to Use This Compendium

When read in its entirety, this compendium outlines a comprehensive approach for serving crime victims in probation and parole. However, it is possible to treat each chapter as a stand alone document. Each chapter focuses on a different type of service that probation and parole agencies can provide to crime victims, thus, making it relatively easy for administrators or practitioners to identify what chapter will contain information to meet their specific needs and interests.

All chapters begin with identifying key elements to providing effective services within the specified topic area. Then, where possible, points are illustrated by providing examples of probation and parole agencies that have implemented practices or strategies that relate to the identified key elements. It is not possible to provide exhaustive information about each highlighted program’s practices; therefore, a contact list for each chapter is provided in Appendix I. Readers can obtain more specific and indepth information from agencies about strategies which interest them. Appendixes also have been included which contain sample documents and helpful resources to assist jurisdictions in replicating or implementing practices featured.

## Conclusion

The day when the needs of all victims of crime are adequately addressed within the criminal justice system, and more specifically probation and parole, has not yet dawned. However, the number of probation and parole professionals that recognize the need to place crime victims on a “more even playing field” with offenders is increasing — after all, it is the “right and just thing to do;” albeit, it is not always the easiest thing to do. The victims’ rights

movement continues to be a powerful force, and community corrections must rise to the challenge being presented or risk losing their credibility with the public as well as risk losing much needed resources.



# Impact, Notification, and Informational Services

## Introduction

For many victims, the effects of crime are not short-term; the ramifications of the crime can be far-reaching, extending well beyond the trial phase of the crime. While many details of the offender's version of the crime are heard by judges, juries, and paroling authorities when making sentencing and release decisions, less attention is paid to the victim's perspective. By soliciting victim input and assessing victim impact, probation and parole agencies can "pick up the ball" and help ensure that victims' needs and concerns are heard and addressed. Victim input is essential to understanding the full magnitude of the criminal act and its detrimental effect on victims.

Recognizing that the criminal justice system can be confusing and frustrating to the professionals who work in it, it is no surprise that it often is viewed as an enigma to the millions of crime victims who try to find their way through its intrinsic maze each year. For many victims, information about the status of their case and the disposition of the offender(s) within the criminal justice system goes beyond their obvious interest in seeing that justice is served. The type of information victims receive can play a key role in their mental and emotional reconstruction, as well as assist them in their efforts to put their lives back together in the wake of victimization.

Issues related to the solicitation of victim input and impact information will be examined in this chapter, and strategies

that can be employed to keep victims involved and informed throughout the probation and parole process will be discussed. This chapter will inform readers about the following:

- The type of information that should be provided to victims related to victim impact statements.
- Different methods for delivering victim impact statements.
- The type of information victims want and need throughout the probation and parole process.
- Ways the notification process can be automated.

## Victim Impact/Input

By obtaining information from victims about the financial, emotional, physical, and psychological effects of the crime, probation and parole professionals can help ensure victim input is accounted for during sentencing and prior to any hearings relevant to the offender's release or community supervision. In particular, this type of information can help determine the following:

- Victim-specific restitution.
- The length of sentence, probation, or parole for an offender.
- The need for any special release conditions (*e.g.*, restraining orders) for an offender.
- The need for any victim/offender programs (*e.g.*, mediation, conciliation, participation in treatment programs).
- Any recommendations to help protect the safety of the victim (National Center for Victims of Crime, 1992).

In addition, there is a continuing need for probation and parole professionals to

recognize victims as “consumers” or “clients” of their services. By soliciting input from victims in the form of victim impact statements, the victim’s role in the criminal justice system is validated, and in part, may aid some victims’ ability to reconstruct their lives in the aftermath of crime (Alexander and Lord, 1994).

In fact, research suggests that when victims are given the opportunity to provide information about the effect of the crime, it can improve their overall opinion of the criminal justice system. For example, according to research conducted by Mothers Against Drunk Driving (MADD) in 1993, two-thirds of victims who were given the opportunity to present written victim impact statements reported that they were “satisfied” with the criminal justice system. In contrast, three-fourths of those not allowed to submit a victim impact statement reported being “dissatisfied” with the criminal justice system as a whole (Alexander and Lord, 1994).

### Key Elements for Soliciting Victim Input/Impact

First and foremost, effective solicitation of victim input and impact information requires a coordinated and collaborative effort for sharing of information among all the key agencies on the criminal justice continuum (*i.e.*, law enforcement, prosecution, courts, probation, corrections, parole and victim services organizations). Specific to probation and parole, characteristics and components of exemplary practices related to victim input and impact include the following:

- All victims (including children) should be offered the opportunity to submit or update victim impact information during the presentence investigation on the financial, physical, emotional, and psychological effects the crime had on

them, their family members, or friends. This requires that probation and parole agencies make a sincere effort (due diligence) to locate victims.

- Different methods of delivering victim impact statements should be available to victims (*e.g.*, written, audio, video, allocution, telephone, electronic). Probation and parole agencies should ensure that victim impact statement opportunities are culturally sensitive, age-specific, and accessible to non-English speaking victims.
- Victim impact information should be incorporated into the agency’s management information system; however, measures should be taken to ensure confidentiality of victim contact information (*i.e.*, address, phone number) throughout the probation and parole process.
- Training or information should be provided to judges, paroling authorities, commissioners, administrative hearing officers, victim service providers, and victims on what type of information is helpful to courts and parole boards and when it is needed; how victim impact information is used; and who has access to the information. Cross training between probation and parole and other criminal justice entities and victim service providers related to victim impact is also helpful.

A comprehensive guide on victim impact statements, entitled *Impact Statements: A Victim’s Right to Speak, A Nation’s Responsibility to Listen*, has been developed by Alexander and Lord (1994). Much of the information provided in this chapter on victim impact information is drawn from that report. Copies of the report can be obtained by contacting the Office for Victims of Crime Resource Center at 1-800-627-6872.



## Extending the Opportunity and Coordinating Services

To consider victim impact information, it must be (1) gathered from victims and (2) made available to judges and paroling authorities during the decisionmaking process. Unfortunately, many times probation and parole officers often are too uncomfortable, ambivalent, or busy to collect adequate impact information from victims (Shapiro, 1988). To add insult to injury, even when victim impact information is collected, the information may not be made available to the appropriate entities in a timely manner for use during sentencing and release decisions.

To prevent this from occurring, probation and parole agencies should establish policies and procedures that clearly delineate the probation and/or parole agency's responsibility for the implementation, distribution, and collection of victim impact statements. In doing so, these policies and procedures should provide for interagency cooperation in coordinating victim impact services with all key criminal justice agencies (Alexander and Lord, 1994).

By enhancing interagency coordination and collaboration, probation and parole agencies can avoid unnecessary overlapping and duplication of roles, as well as help ensure continuity of services. For example, probation agencies need to develop a clearer understanding of the victim impact services being provided by the local prosecutor's office, and be knowledgeable about prosecution policies and procedures related to forwarding victim impact statements to the probation department for inclusion in the presentence report and the defendant's permanent case

file. In addition, it is imperative that policies and procedures be established and that interagency agreements be developed that outline how victim impact information is to be shared as a case progresses through the probation and parole process. Interagency agreements also should clarify *who* is responsible for *what* activities related to victim impact.

When it comes to securing victim impact information from victims, probation and parole agencies should establish policies and procedures that require staff to exercise due diligence when obtaining information, even to the extent that contact is made with outside agencies in an attempt to locate the whereabouts of crime victims. Outside sources that could be used to determine victim contact information could include the following:

- Postal service.
- Driver's license bureau.
- Voter registration bureau.
- Social Security Administration.
- Utility companies (Alexander and Lord, 1994).

Policies and procedures also should be established that describe how crime victims will be notified and informed of their rights to submit or update victim impact statements. Victims can be informed by letter or through personal contact (Alexander and Lord, 1994). Figure 2-1 provides a list of the type of information that victims should be given, at a minimum, related to submitting victim impact statements.

**Figure 2-1: Information to Provide to Victims Related to Victim Impact Statements**

- The purpose and use of the victim impact statement in the criminal justice system, the victim's option for exercising or declining his or her right to submit or update a victim impact statement, and specific guidelines concerning confidentiality of victim impact statements.
- Eligibility requirements for submission of victim impact statements (*i.e.*, victim only, family members, designated victim representative).
- How the victim impact statement should be submitted or options for submission (*e.g.*, written, oral, audio, video, other electronic means).
- How the victim impact statement will be reviewed by the court (*i.e.*, inclusion in the presentence investigative report or as an attachment to the presentence investigative report).
- The date and time of the sentencing or parole hearing, as well as the right to attend the proceeding, as well as informing the victim how the proceeding will be conducted (*e.g.*, victim allowed to meet separately with the paroling authority, defendant will or will not be present).
- A specified time frame for returning the completed victim impact statement.
- Instructions for submitting the victim impact statement to the court (*i.e.*, through the prosecutor, probation, or directly to the court).
- Information as to the victim's right to request no contact orders, to receive notification of early release and the conditions of release, probation revocation hearings, parole hearings, and instructions for requesting these rights.
- Information as to the victim's right to submit evidence of additional financial losses for consideration in the modification of existing restitution orders.
- Information for requesting assistance in completing the victim impact statement (*i.e.*, name and phone number of agency contact).
- The importance of notifying probation, correctional, and paroling authorities of changes in address and instructions for doing so.

Source: Alexander and Lord, 1994.

In addition to the mechanics of how to file a victim impact statement, the criminal justice system should provide outreach for the victim. The probation and parole agencies should ensure access to an advocate to help victims complete or update victim impact statements and assist with other victim-related issues or needs. If the victim is a child, ill, elderly, or with disabilities and, therefore, possibly would be excluded from presenting victim impact statements, the department should visit the victim. If the victim is non-English speaking or hearing impaired or does not write or read well, assistance should be provided either by allowing the victim to designate a representative to act in his or her behalf or by providing the information in their required format (*i.e.*, their native language, interpreter, etc.). The victim should also have the opportunity to meet with parole board members. A separate waiting room for victims which is staffed with personnel knowledgeable about victims' rights in the criminal justice and paroling process allows the victims to communicate their concerns and feel a vital part of the process.

### Methods of Delivery

To address the varying and special needs of crime victims, probation and parole agencies should allow victim impact information to be collected through a variety of means. Methods of delivery could include written, audio, video, allocution, telephone, and other electronic means.

### Written Statements

The most common way victims provide information on the impact of crime is through written victim impact statements. However, according to Robert Wells, Senior Instructor at the Federal Law Enforcement Training Center and a leading expert in the field of victim impact, many of the instruments used to capture victim

impact information are not effective in eliciting victim participation and response (Alexander and Lord, 1994).

To help criminal justice professionals develop effective tools for soliciting impact information, the National Center for Victims of Crime (NCVC), Mothers Against Drunk Driving (MADD), and American Prosecutor's Research Institute (APRI) joined forces to analyze existing victim impact statements and to determine the design, language, layout, and supporting materials that could be used to extract victim impact evidence while meeting the needs of victims and the criminal justice system. Their effort resulted in the publication *Impact Statements: A Victim's Right to Speak, A Nation's Responsibility to Listen*, authored by Alexander and Lord (1994). This document describes four model victim impact statements designed to meet the needs of (1) adult victims whose cases are being handled at the State and local levels; (2) adult victims whose cases are being handled at the Federal level; (3) child victims whose cases are being handled at the Federal, State, and local levels; and (4) family members of homicide victims. The following are common elements included within each model:

- *An Introductory or Informational Sheet:* Victims need to be given general information about the use of victim impact statements, their right to submit a statement (which can be easily modified based on jurisdictional statutes), how to complete and return the statement, crime victim compensation, and how to contact the agency for further assistance.
- *An Instrument to Record the Emotional and Physical Impact of Crime:* Based on written cues or questions, ample space should be provided for the victim to write about the emotional and physical impact of the crime and to convey emotional wounds, concerns, and fears to the sentencing and paroling authorities.

- *A Worksheet to Record Financial Losses:* Victims should be offered the opportunity to document all financial losses based on current expenditures, as well as possible projected future losses, so that additional restitution hearings can be held to modify restitution orders, if necessary.
- *A Sentencing Recommendation Instrument:* Victims should be able to express their opinion as to the sentencing of the defendant. Additional requests from the victim such as no contact orders and future notification of offender status, and the opportunity to participate in victim–offender mediation also can be included in this section. Additionally, information should be included on how victims can receive notification from the State Department of Corrections in cases involving incarceration.

The sample model victim impact statement forms developed for that report have been reproduced with permission and are included in Appendix B. Each is designed to be easily modified according to the specific laws for submission and use in individual jurisdictions. In addition, each model can be easily adapted to meet victims’ physical and emotional needs, and distinct category of victimization (e.g., sexual assault, burglary, white collar crime, assault). Sample modifications that agencies can make include the following:

- Increasing the font size of the model to accommodate vision challenges of the elderly or sight-impaired.
- Reproducing the models in languages indigenous to individual jurisdictions (e.g., Spanish, Vietnamese, Tagalese, Japanese, Chinese).
- Reproducing and presenting the child’s model as a parent/child activity.
- Tailoring individual questions to meet the needs of specific crime victimizations (e.g., an individualized victim impact

statement for family members of homicide victims) (Alexander and Lord, 1994).

Additional considerations to keep in mind when designing forms for written victim impact statements, as described by Alexander and Lord (1994), are as follows:

- *Form Design:* Victim impact statement forms should be easy to read and understand. They should use clear, concise language in both their instructions and questions. The layout and graphic appearance should be pleasing to the eye, and there should be sufficient space for victims’ responses. Additionally, the forms should demonstrate appropriate sensitivity to victims by showing support and sympathy, and by avoiding impersonal or “bureaucratic” language.
- *Introduction to the Victim Impact Statement:* The victim impact statement form should be introduced to the victim in a manner that makes clear what its purposes are and how it will be used. Information should be provided as to why the victim would want to complete it and indicate that he or she has a choice to submit or not submit a statement for review.
- *Instructions for Completion and Submission:* A victim impact statement form should include instructions that provide useful information on: (1) how to complete the statement; (2) the type of information that is useful to sentencing and paroling authorities; and (3) how and to whom the form should be submitted once it has been completed. These instructions may appear on the form itself or in an introductory letter. A contact name and phone number to call for assistance in completing the statement also should be provided. Self-addressed envelopes also are helpful.

- *Confidentiality of the Statement:* The victim impact statement form should make clear who will have access to the statement, specifically mentioning the judge, prosecutor, defendant, defendant’s attorney, and anybody else that will have access to the statement. Victims must be assured of their safety from the defendant and defendant’s family and should not be compelled to reveal any unnecessary identifying information such as their address or phone number, or they should be able to have this information protected from offenders and their counsel.
- *Order of Impact Questions:* Victim impact statements should seek information from the victim on a number of aspects of his or her life: emotional state, social and family relationships, concerns for safety and security, physical condition, and financial status and costs associated with the crime. The statement should not ask narrowly focused, specific questions regarding the impact of crime. Instead it should ask open-ended questions that allow victims to write about these issues. This allows victims to identify what is important.
- *Emotional Impact:* The order in which the “impact” questions are asked is important to victims. The victim impact statement form should first ask for the emotional impact on the victim before eliciting information on the physical or financial impact. Some victims find it insulting that the court or paroling authority would primarily focus on the financial impact, as opposed to the emotional impact of the crime. Surviving victims should be afforded ample space to express how the crime has personally affected them in homicide cases. Family members or friends of homicide victims should be given ample space to describe the deceased’s personal characteristics and how his/her loss has affected their lives.
- *Physical Impact:* The victim impact statement form should seek information about the physical injuries the victim may have suffered as a result of the crime. Victims should have space to describe the type and degree of injury, how long the injury lasted or is expected to last, the amount of pain and/or modifications to their lifestyle that have resulted from the crime, and any medical treatment required to date, as well as any that might be anticipated.
- *Financial Impact:* When seeking financial impact from victims, the victim impact statement form should seek detailed information about the cost of the crime. Victims should be given the opportunity to list medical costs (e.g., hospitals, doctors, and drugs), counseling costs, lost income from work, or expenses incurred in tasks performed by the victim, (e.g., replacing stolen, damaged or lost property), diminished or lost ability to earn a living, lost support for dependent if the victim died, funeral bills, and any other costs related to the crime. Victims also should be asked to provide information on the portion of the costs covered by insurance, crime victim compensation, or any other source. The victim impact statement form should clearly and readily allow for a calculation of the amount of monetary restitution owed to the victim.
- *Notification of Offender’s Post-Conviction Status:* In jurisdictions that allow the victim to be notified of the offender’s post-conviction status, the victim impact statement form should ask the victim to what extent he or she wishes to be notified of these developments. The statement should **not** assume that all victims will want to be involved or notified. For victims who wish to be notified, their requests should be forwarded to the appropriate agency.

- *Victim's Opinion on Sentence:* In some jurisdictions, the victim is allowed to provide a perspective or opinion on the sentence the defendant should receive. If allowed, the victim impact statement should provide ample space for the victim to inform the sentencing authority of his/her wishes in the sentencing of the defendant.
- *Signature/Oath of Victim:* In general, a model victim impact statement form should burden the victim with as few requirements as possible regarding swearing accuracy of the statement and notarizing the victim's signature. While such formalities may be requirements in some jurisdictions, those which have no such requirements should not compel the victim to seek a notary, and victims should not be compelled to swear to the emotional impact of the crime.

### Oral, Audio, Video Statements

For victims who may be unable to read or write, it may be necessary for probation and parole officers to interview the victim over the telephone or in-person, or arrange for the victim to provide an oral statement to the sentencing or paroling authorities (*i.e.*, allocution). When preparing a victim impact statement over the telephone or through a face-to-face interview, probation and parole officers should be sure that the information provided by the victim is recorded carefully. Audio taped and videotaped victim impact statements also can be useful in situations where victims are unable to read or write, or are unable to attend sentencing or parole hearings.

If a victim decides to provide an oral statement to the sentencing or paroling authority, they should be provided with information about what to expect during the proceedings and, if needed, provided with support services. When victims choose to attend parole hearings in South Carolina, the

Office of Victims Services of the South Carolina Department of Probation, Parole, and Pardon Service (SCDPPPS) provides them, in writing, the following type of information and guidelines:

- Who can attend the hearing.
- Maximum number of attendees per offense.
- Time, date, and location of the hearing.
- Directions to the specific hearing room.
- Where to park (victims should have a separate parking area from the individuals who are attending in support of the inmate).
- Agenda that specifies the order of testimony.
- Recommendations about how to testify effectively.
- What to wear.
- What they can and cannot bring.
- The name, address, and telephone number of the victim service contact person for the agency.

A sample information sheet sent to victims attending parole hearings in South Carolina is included in Appendix B.

Also, in South Carolina, when victims choose to attend a parole hearing, there is a special waiting area for them which is separate from the waiting room for the inmate and the inmate's family. The victim waiting area is staffed by victim-sensitive personnel (using volunteers, as needed) and contains the following types of provisions:

- Information relevant to the parole process and victims' rights.
- Beverages and snacks.
- Newspapers and magazines.
- Toys.

- Restroom facilities.
- Telephone.
- Television and VCR.
- A nonsmoking area.
- A private area.

Victims are greeted in the waiting area by Office of Victim Services staff who explain the hearing process and answer any questions the victims may have. When a victim's case is called, the inmate and his or her family members and attorney address the Parole Board as to why the inmate is a good candidate for parole. After the inmate and his or her supporters have left the room, the victim presents testimony to the Parole Board. A Victim Services Coordinator accompanies the victim to the hearing to provide emotional support as well as to answer any of the victim's questions that may arise during the hearing. The Office for Victim Services also offers these support services for victims attending probation violation hearings.

Currently, SCDPPPS is in the process of trying a new way of conducting parole hearings — via video-conferencing. This allows the Parole Board to meet at the Administrative Office building rather than at the institution. Victims still appear “face-to-face” before the Parole Board members, while inmates, due to security concerns, appear before the Board via video-conferencing from the local institutions. Inmates' families are required to go to the institution where the inmate is located if they wish to address the Parole Board. This type of arrangement prevents the victim from coming in contact with the inmate or the inmate's family, and is a cost effective approach for the agency as well.

### **Incorporating Victim Information into Agency's Management Information**

An increasing trend within probation and parole departments is to incorporate vital victim information into their offender management information systems. Instead of having multiple and separate databases that relate to an offender's case and, hence, to the victim's case, many jurisdictions are beginning to centralize their databases and tie victim information to the offender information. It is important to note, however, that substantial security provisions must be in place to protect confidential victim information (Sigmon and Seymour, 1996). Automated systems used within probation and parole departments, with respect to victim notification, are discussed in more detail later in this chapter.

Victim confidentiality is a priority for service providers, and much victim information related to the criminal justice system is confidential by law or by agency policy. Therefore, when developing new technologies that benefit crime victims, it is important for agencies to give careful consideration to the security of specific information. Technology in today's market easily can accommodate the security of any information deemed confidential by the courts, including victim information. For example, when developing software packages, access to computer screens with confidential information can be limited to authorized users with passwords. Unauthorized access to documents also can be prevented through the use of encryption or “scrambling” of documents that are electronically transferred (Sigmon and Seymour, 1996).

### **Providing Training on Victim Impact Statements**

Alexander and Lord (1994) recommend that all criminal justice professionals (*i.e.*, law enforcement, prosecutors, victim advocates, judges, probation officers,

paroling authorities) who influence the victim impact procedure have a thorough understanding of their State statutes and case law regarding the submission and use of victim impact statements. This includes the following guidelines:

- The types of crimes for which impact statements are allowed.
- The definition of “victim.”
- Whether the submission of victim impact information or statements is mandatory or discretionary at the time of sentencing.
- Whether the submission of victim impact information is mandatory or discretionary at the time of parole consideration.
- Confidentiality limits.
- Rights of enforcement (probably limited to States with State Constitutional Amendments for victims’ rights).
- Submission deadlines.
- Perjury penalties.
- Collectability of restitution.
- Liability issues.
- Other elements or limitations.

To effectively and compassionately address the needs and rights of crime victims and provide them with adequate services, community corrections professionals must have a clear perception of the effect of crime on its victims. Therefore, probation and paroling authorities should establish policies and procedures that require all employees who have direct contact with crime victims to participate in State or local victim assistance training programs that address the needs, rights, and legal interests of crime victims (Alexander and Lord, 1994). Staff training is discussed in more detail in Chapter 7. It is important to note for the purposes of this chapter, however, that staff who are responsible for obtaining victim impact information especially need to

understand and be sensitive to the needs and concerns of crime victims, and be able to communicate effectively with their victim clients.

In the 1980’s, the Attorney General’s Office in Illinois prepared interviewing guidelines for probation officers to follow when conducting in-person and telephone interviews for the purpose of soliciting victim impact. The Dewitt County (Illinois) Probation and Court Services provides these guidelines to all its probation officers. The guidelines serve as a reminder to officers of the issues individuals may be facing as a result of being a victim of crime and provide helpful suggestions to prepare the officer for interviewing crime victims. The guidelines cover items such as appropriate settings for interviews, strategies for communicating with victims (*e.g.*, conveying empathy, respecting different stages of the recovery process of victimization, paraphrasing, being adequately prepared), referral services for victims, and appropriate response to the special needs of different types of victimizations (*e.g.*, families of homicide victims, sexual assault victims, child victims, incapacitated victims).

## **Victim Notification and Informational Services**

Notification and informational needs of victims extend beyond informing victims of their right to submit or update a victim impact statement. Probation and parole officers have access to both general and offender-specific information that could address victims’ myriad informational needs and concerns. Just knowing how probation and parole work and how they interact with other criminal justice agencies, knowing an offender’s custody status, and knowing that offenders will be held accountable for their actions often are enough to ease the fears and frustrations of victims.



## Key Elements for Victim Notification and Informational Services

When developing victim notification and informational services in probation and parole agencies, the following key components should be considered:

- All victims should receive initial information about the probation and parole process and be offered the opportunity to receive future notification of the offenders' status and disposition.
- Agencies should incorporate various forms of notification, such as written, telephone, automated voice response, and in-person.
- Agencies should be proactive in providing both general and offender-specific information to victims of crime.
- To simplify the notification process, agencies should design the department's management information system (with appropriate confidentiality protections) to assist in processing victim notification requests.
- Information about how the notification process works within probation and parole agencies should be given to all local and State victim service providers.

Many victims do not want continued contact and information from the justice system. It is important to respect the wishes of these people.

## Extending the Opportunity

After the offender is sentenced to supervision or incarceration, the victim should be identified, notified, and asked to register for future notification of the offender's status. Some systems limit their notification process to victims of violent crimes, while others reach out to notify all victims regardless of the offense against

them. Agencies should have several methods for victims to register for notification, such as by telephone or an automated calling service, in-person, office visits, and in writing (*e.g.*, through victim impact statements, presentence reports, registration form/cards).

In South Carolina, all victims, regardless of the severity of the offense, are given the opportunity to enroll in the notification program during community supervision and the parole hearing process. The Victim Services Office of the South Carolina Department of Probation, Parole, and Pardon Services sends a brochure to victims that has a detachable registration/notification request card that they may complete and return to the department. When designing request cards, it is important to develop a method for keeping the victim's name and address confidential. A sample registration/notification request card is included in Appendix B.

In both Washington, D.C. and Georgia, the Parole Board has created outreach posters that describe victims' rights and available services. In Georgia, the reverse side of the poster can be used by victims to register for notification.

In Arizona, identification of the victim or victim representative is simplified by using a single form that identifies the victim and indicates their request for pre-conviction and post-conviction notification. This pressure sensitive triplicate form is completed by either victim/witness staff in the prosecutor's office or by the presentence investigation officer in the probation department. Copies are then forwarded to the victim, victim advocate, arresting law enforcement agency, prosecutor, court, probation and parole, and/or correctional facility. The form follows the offender throughout the criminal justice process and serves as the basis for victim identification and notification.

### Information to Provide to Victims

Probation and parole agencies can provide victims with general information about how the probation and parole process works and the types of services available for victims of crime in the community. They also can provide victims with offender-specific information about the status of their case and the disposition of the offender(s) within the criminal justice system. Specifically, victims need information about the following:

- Their rights.
- The probation and parole process.
- Who the victim can contact at the probation and parole agency for more information.
- Submitting victim impact statements.
- Services provided to victims by the agency (*e.g.*, New York’s Ulster County Probation Department has formed support groups for children of domestic violence).
- Notice of the sentence and conditions of probation/parole of the offender.
- Offender status (*e.g.* violations, imposition of intermediate sanctions, revocations, restitution, early terminations).
- Amount of restitution ordered and payment schedule.
- Names and phone numbers of local, State, and national victim service providers.

### Methods of Providing Notification and Informational Services

There are numerous ways that victims can be provided with information about the probation and parole process and be kept informed of an offender’s status. It is

incumbent upon probation and parole agencies to be proactive and creative when developing methods for providing information and assisting victims who wish to receive notification of case status. Written materials, creation of toll-free telephone numbers, implementation of automated notification systems, and creative, yet careful, use of new technologies (*e.g.*, Internet) are all methods that can be employed at varying degrees within departments to achieve these goals.

### Written Materials

At the beginning of their involvement in the probation or parole process, victims should be provided information in writing that explains their rights and how to keep involved and informed. (See Appendix B for a sample victim-sensitive notification letter.) It is especially important to remember to make written material easy to read (generally at a seventh grade reading level) and “victim-friendly.” This includes preparing written materials in lay terms (*e.g.*, avoiding criminal justice jargon and acronyms) and having information available in different languages for non-English speaking victims. In California, the California Youth Authority (CYA) has a sentence in Spanish at the bottom of all its forms that informs victims that information can be sent to them in Spanish if needed.

### *Tarrant County Community Supervision and Corrections Department, Texas*

The Tarrant County Community Supervision and Corrections Department’s (CSCD) victim notification procedures, in accordance with Texas law, are accomplished through the Victim Services Coordinator’s Office with the cooperation of CSCD’s Courts Branch.

Victims receive initial notification that an offender has been placed on probation in

the form of a letter, along with a copy of the offender's conditions of probation. The injured party then knows exactly what the court expects of the offender during the term of probation. If monetary restitution has been ordered by the court, information specific to the collection and disbursement of those monies is sent along with a copy of the restitution order. In addition, victims receive CSCD's *Crime Victims Handbook*. This 34-page *Handbook* includes the following information:

- Important phone numbers for crime victims.
- General information on probation services.
- Explanations of standard and supplemental conditions of probation.
- Information on how restitution orders are handled by the department.
- Information on victim services provided by the probation department.
- Information for contacting the probation department.
- Sample conditions of probation forms.
- A copy of the Texas Crime Victims' Bill of Rights.

The *Handbook* is easy to read and written in terms that can be understood by persons not familiar with the criminal justice system. Victims can refer to the *Handbook* for information throughout the time their offender is on probation, thus reducing the amount of time required by the victim services staff of the department to answer general questions.

The format used for Tarrant County's *Handbook* is available both in diskette and photocopied format through the American Probation and Parole Association. Agencies can follow the format provided and easily adapt the general information to fit their jurisdiction's specific practices.

## Toll-Free Numbers

Toll-free numbers that victims can call are also helpful tools for providing and responding to requests for information. The South Carolina Department of Probation, Parole and Pardon Services (SCDPPPS) recently established a toll-free number for its Office For Victims Services that victims can call for information about an inmate's parole eligibility or the parole hearing process, as well as to obtain information about offenders who are currently on probation or parole.

## Automating the Notification Process

Many States have opted for automated victim registration and notification systems that can save considerable time, money, and human resources. These automated systems help ensure that victims are notified of an offender's release or impending parole hearing in a timely manner that is in accordance with the law. Automated systems work by linking a central server computer, via telephone lines, to existing systems in jails, courthouses, prosecutor's offices, probation and parole offices, and prisons.

According to Sigmon and Seymour (1996, p. 20–27), the process of automated victim notification generally includes the following:

- Victims who request to be notified of an offender's release (either through a prosecutor, victim service provider, Department of Corrections, or paroling authority) have their name, address, and telephone number entered into a centralized database.
- The victim contact information is on a security screen, which means that only authorized personnel (such as the victim services program manager, or case records personnel at institutions) have access to it.

- Computerized notification letters designed to provide details on the offender's status, including release, upcoming release hearing, or death, are keyed into the system and matched to the relevant victim information file.
- At the appropriate juncture mandated by law (such as 60 days prior to release), the letter is automatically printed out by the computer and disseminated by the victim services program (in centralized systems) or case records personnel (in decentralized systems).

### ***Virginia Department of Corrections***

The Virginia Parole Board began implementing its victim notification program in July 1989. At that time, the notification consisted of parole status information only and was a manual process that consisted of a large red card (containing victim contact information) placed in an offender's central office file with instructions to forward the file to the Victim Services Unit when it became an active Parole Board case. Although the system basically worked, at times, it fell prey to human error causing some cases to "fall through the cracks."

In 1992, the Parole Board decided to move toward a totally automated case information and processing system. The Victim Services Unit, which is now a part of the Virginia Department of Corrections (DOC) uses a Windows-based relational database management system. The system they have set up allows the victim database to be linked with the offender database, so when changes in the offender's status occur, the system automatically identifies changes in status without relying on a manual process that is subject to human error. This automated system also allows for quarterly notification of the offender's current parole eligibility, as well as a current mandatory release date.

In terms of extracting statistical and managerial information from the victim

notification database and the offender database, the following specific questions can be queried:

- Which area of the State has the most or least victim notification participation?
- Which offenders will be released on mandatory parole over the next 6 months who have victims who want to be notified?
- How many offenders have multiple crime victims?
- What type of crime is most likely to generate an interest in victim notification?

Any number of specific questions can be asked and answered for statistical or notification purposes. For example, when Virginia transferred several hundred inmates to Texas in response to overcrowding, the Victim Services Unit was able to query the database and determine exactly who the offenders were, the crime they had committed, and the victims' names and addresses for appropriate notification.

The innovative characteristic of this program is its use of existing technology in automation. Its exemplary qualities are the system's ability to provide accurate and timely notification to a large number of victims with limited staffing.

Startup costs were minimal as the Parole Board had committed itself to full automation of the parole process. Currently, there are two staff persons in the Victim Services unit, each using a networked 486 personal computer, Microsoft Access™ software, and a laserjet printer. The combined hardware costs for the two PC's and software licenses were obtained for less than \$5,000. Staff of the Information Management Systems Unit at the Parole Board did the necessary alterations and programming to allow for the conversion of the database from the original automated

system and to allow for specific features that were needed in the new system.

Although not all offender status changes for victim notification are automated, the VA DOC is committed to the computerized system and is hopeful that in the near future all functions will be online.

### ***Kentucky Department of Corrections***

The Kentucky Department of Corrections and the Kentucky Parole Board have implemented a promising notification system which links the 15 State prisons with crime victims, who wish to be notified of their offender's status, throughout the Commonwealth of Kentucky. The program is modeled after a successful Jefferson County, Kentucky program that originated in December 1994 as a response to a tragic murder. Mary Frances Byron of Jeffersontown, Kentucky was shot and killed by her former boyfriend as she left work less than 3 weeks after he was charged with kidnapping and raping her at gun point. He had been released from jail on bond, and she had not been notified of the release despite assurances that she would be. He was later convicted of murdering her. In response to the public outcry following this tragic crime, Kentucky implemented its automated system in Jefferson County to notify victims when offenders are released from the county jail. (See Appendix B.)

Adapted for use by the Kentucky Department of Corrections and the Kentucky Parole Board, critical information regarding inmates can now be accessed by victims through the automated system, automatically 24 hours a day, 7 days a week with complete anonymity. Recently, the KY DOC has been directed by statute to link all 84 jails throughout the Commonwealth to the system. There also are plans to link the KY Juvenile Justice Department to the system so that victims of juvenile offenders can register for notification as well.

The following immediate information is available through the automated system:

- Custody status of the inmate: Information is provided on whether the inmate is incarcerated, has been transferred, has been released, or has escaped.
- Location of the inmate: The current institutional address and telephone number is given for inmates in departmental custody.
- Parole eligibility: The next parole hearing date is given.
- Sentence expiration: The tentative release date is given.

Victims also can call the toll-free number (800-511-1670), using a touch-tone telephone, to register for notification. Through computer generated calls, all registered victims will be immediately contacted at a predetermined telephone number when an inmate is scheduled for release or if an inmate escapes from custody. The system continues to call the victim every hour for the first 8 hours, every 4 hours for the next 24 hours, and every 6 hours for the following 24 hours or until the requesting party accepts the release information. The system is designed to provide 72 hours advance notification. In cases of parole, changes in sentencing due to immediate time credits, court ordered discharges or escapes, the system will begin to call once the release occurs.

Each victim is allowed to register two telephone numbers. To ensure that the victim receives the release information, the system asks the victim to leave a four digit personal identification number (PIN). Victims are encouraged to choose a PIN that is easy for them to remember since it may be several years before the inmate is released. Use of the PIN is the only way to halt the notification calls. Victims who move or change telephone numbers must ensure that this information gets entered into the

automated system. Otherwise, it can create a situation where the system calls an incorrect number and the person or agency on the receiving end of the call is unable to stop the calls because they do not have the victim's personal identification number. Also, without the proper telephone number being supplied or updated by the victim, he or she may not receive the notification that they originally requested.

If a victim does not have a touch-tone telephone, the victim may still register for notification by calling the toll-free number and staying on the line and speaking with an operator or by calling the Offender Records Office. Registered victims with rotary dial telephones are able to receive notification through the automated system and are provided with instructions on how to use their PIN to confirm receipt of the notification announcement. Individuals without telephones may request written notification of an inmate's release.

#### ***Tennessee Department of Correction***

Recently, in Tennessee, the Department of Correction implemented an automated calling system — V.O.I.C.E. (Victims Offender Information Caller Emissary). Through the use of a touch tone phone, registered victims can call V.O.I.C.E. and access immediate and accurate information about parole hearings and eligibility dates, scheduled and early release dates, and the location of the offender. Currently, the system cannot make outgoing calls to victims; however, the department forecasts that soon the system will be able to call registered victims and notify them of escapes, prison location changes, sentence or parole eligibility date changes, or the status of the offender.

#### **Concerns to Address with Automated Callback Systems**

Automated callback systems offer jurisdictions who choose to use them a host

of benefits — most importantly timely and efficient notification of victims of crime. However, as with any automated system, there are some drawbacks and concerns to consider and address. Concerns espoused by some victim advocates relate to the possible errors that can occur by persons responsible for entering the data (*e.g.*, transposing numbers in the telephone number) and to situations where telephone lines may be down for a period of time due to inclement weather or in instances where victims do not have phones.

Additionally, limitations to automated callback systems noted by some victim advocates include the lack of personal contact involved in a call placed by an automated system. Upon receiving the news that an inmate is about to be released or has escaped custody can instill concern in some victims and generate many questions. Therefore, departments should ensure that the system provides the victim with information on who they can contact for additional information (*e.g.*, probation and parole department's victim services office, local victim/witness advocate). Optimally, departments with automated notification systems should consider augmenting the system with a 24-hour toll-free telephone number that victims can call to talk to someone who can provide crisis counseling and provide referrals, as well as answer questions they may have about the individual's release.

#### **Using the Internet to Provide Information and Notification**

The Internet is a powerful tool for disseminating information. Currently, its use by probation and parole agencies to provide information to victims of crime is rather limited. However, as more people gain access to the system and it becomes a more routine informational tool in people's everyday lives, it is likely that different and innovative ways of using the Internet to

provide information, solicit victim input, and keep victims informed will be developed. Although, as with any technology, agencies will have to be careful in protecting confidentiality of victim information.

At the very least, probation and parole agencies can use the Internet to provide general information about their services available to crime victims. The Texas Department of Criminal Justice and the Ohio Department of Rehabilitation and Correction are examples of two agencies that have put information about their victim services on their Web sites. (Further information about the Web sites the Ohio Department has designed is provided in Chapter 8.)

Victims who have access to the World Wide Web can go to an agency's home page and read about the services available to them. Probation and parole agencies also should be aware of other Web sites (*i.e.*, local, State, and national victim service organizations) that victims can access to get information on victim services or issues and, if possible, arrange for automatic links from their Web site to other sites. Information on how to access the National Criminal Justice Reference Services (NCJRS) and the Office for Victims of Crime Resource Center (OVCRC) online and other victim-related Internet sites is included in Appendix G.

The New Jersey Parole Board is an example of one agency that is using the Internet to help meet some of its notification mandates. Pursuant to the provisions of N.J.S.A. 30:4-123.45 *et seq.*, the New Jersey State Parole Board is required to give public notice when adult inmates are to be considered for parole. To help provide this notice, they have

created a Parole Eligibility Notice section on their Web site (<http://www.state.nj.us/parole>) that lists release dates of adult inmates by county.

### **Educating Local and State Victim Service Providers**

Information about how the notification process works within probation and parole agencies should be given to all local and State victim service providers. Information can be provided in the form of written materials that victim service providers can distribute to their clients, as well as use for their own internal reference. Networking events, training seminars, and presentations also are effective ways to educate victim service providers about the notification process, as well as other services provided to victims within the department. The key is for probation and parole agencies to be proactive about communicating with victim service organizations and to seek these agencies out. Additional information about community relations and outreach strategies may be found in Chapter 8.

### **Conclusion**

This chapter provided an overview of issues related to providing victim impact, notification, and informational services. All probation and parole agencies should solicit victim input and keep victims informed of case status as essential components of their work in order for victims to resolve their anxiety and also for the probation and parole agencies to fully understand the impact of the crime. Only by opening lines of communication and educating victims and the public on what they do, will probation and parole actually better serve crime victims as well as the community-at-large and elevate crime victims to client status.





# Restitution

## Introduction

The financial impact of crime on victims is staggering.

- Violent crime (including drunk driving and arson) accounts for \$426,000 billion annually, and property crime accounts for \$24 billion. (Miller, Cohen & Wiersema, 1996).
- Personal crime is estimated to cost \$105 billion annually in medical costs, lost earnings and public program costs related to victim assistance. When pain, suffering, and the reduced quality of life are assessed, the costs of personal crime increase to an estimated \$450 billion annually (Miller, *et al.*, 1996).
- Four out of five gunshot victims are on public assistance or uninsured, costing taxpayers an estimated \$4.5 billion a year (Office of National Drug Control Policy, 1995).
- Victims pay about \$44 billion of the \$57 billion in tangible nonservice expenses for traditional crimes of violence. Employers pay almost \$5 billion because of these crimes (health insurance bills, sick leave, and disability insurance), and government bears the remaining costs through lost tax revenues and Medicare and Medicaid payments (*U.S. News and World Report*, July 1, 1996).

When one considers these statistics, the importance of restitution takes on significant meaning. The benefits to victims are clear — they receive economic compensation for losses, they hold the

offender accountable, and they see the criminal justice system as responsive to their needs. For offenders, restitution offers the opportunity to comprehend the injury of the offense and the very real consequences to the victim. Restitution also provides offenders with the experience of taking responsibility for the injury they have caused and of being held accountable to the victim and society for the resulting damage.

However, for restitution to be truly meaningful, there must be strict accountability on the part of the offender to pay. Similarly, the system must be accountable for the effective and efficient collection and processing of restitution, and must maintain mechanisms for enforcing the collection of restitution when offenders' repayment becomes delinquent.

Key elements of an effective restitution management process with a focus on the role of probation and parole will be examined in this chapter. Readers will be informed about the following:

- The coordinated interagency approach and victims' involvement in the development of restitution programs.
- Factors that should be considered when assessing and documenting victim loss or an offender's ability to pay.
- The merits of encompassing restitution as an agency value and of incorporating restitution strategies within the case supervision plan.
- Automated collection systems used in three States.
- States that have legislatively authorized approaches to restitution collection.
- Various alternative methods of collecting restitution used in several probation and parole agencies.

## Collection of Restitution — An Agency Value

Unfortunately, many supervising agents do not feel that it is their responsibility to be a “bill collector,” and they continue to view the collection of restitution in that context. Compounding this issue is the fact that the collection of restitution often directly competes with the collection of other court-ordered fines and fees, some of which may be used to supplement the budgets of probation and parole departments and pay officers’ salaries.

Probation and parole agencies can place the collection of restitution in proper perspective by developing and implementing specific and directive restitution-related policies and procedures that dictate the importance of restitution collection for the individual officers. If restitution collection is encompassed as an agency value, stipulated as **first priority** in the order of collection of court-ordered fines and fees, and reinforced by the implementation of performance-based measures on restitution management and collection, probation and parole agencies are more likely to see favorable results.

### Tarrant County Community Supervision and Corrections Department, Texas

The Tarrant County Community Supervision and Corrections Department’s (CSCD) stance on the officer’s responsibility for restitution collection is quite clear in its policies and procedures related to probationer payments as stated, in part, below:

*Ideally, every probationer would pay all fees on time. In reality, probationers are not likely to do so. Therefore, to maximize collection of fees, all probation officers must accept their responsibilities, be determined to enforce probation conditions and be willing to invest the effort in their casework. Each probationer, regardless of how many different probation officers may*

*supervise or contact them, should experience their universal diligence in collection of fees. The probation officer, who shuns or is casual about the responsibility to collect fees, thwarts the efforts of the Department and those who take the responsibility seriously.*

Written policies and procedures help to clarify staff roles and responsibilities. It is clear when reading Tarrant County’s policies and procedures that officers are expected to take the order of restitution seriously and not to place it on the back burner when enforcing the conditions of probation. Their comprehensive and detailed policies and procedures related to probationer payments specify the following:

- The payment of fees is of equal importance to any other conditions that the Court may order, and that the probation officer is responsible for monitoring the probationer’s payments and using the casework process and supervision plan to motivate and compell the probationer to take steps necessary to make payments as ordered by the Court.
- Restitution collection is to be **top priority** among all court-ordered fees collected by the Department.
- The steps the probation officer must take when documenting payment or noncompliance with the payment schedule.
- The detailed procedure the officer is to follow when the probationer falls behind on making payments (*e.g.*, discuss the problem with the offender, determine obstacles affecting the offender’s ability to pay and incorporate strategies within the supervision plan to overcome the obstacles).
- The action to be taken if a probationer claims that payments were not or cannot be made due to a temporary or permanent medical condition.

- The officer is to document the actions taken to bring the offender into compliance in the event the case is referred back to the court.

The Tarrant County CSCD also holds inservice training for supervision officers on these procedures as well as on strategies for increasing collection of court-ordered fees. A copy of the Tarrant County CSCD policies and procedures for probationer payments is included in Appendix C.

Agencies that implement these types of policies and procedures will reinforce the message that restitution collection within their agencies and on the part of individual officers is important.

## The Restitution Process

The restitution process extends from the commission of the crime to the postsupervision period. Its effective management is dependent upon the coordination of multiple tasks by numerous professionals in separate agencies and departments within the criminal justice system. Key players in the restitution process include victims, law enforcement officers, prosecutors, probation and parole agents, corrections officials, paroling authorities, and the courts. These professionals, alone or in combination, must coordinate and accomplish numerous tasks comprising the process of criminal restitution which include the following:

- Apprehension and adjudication of the offender.
- Determination of eligibility for restitution.
- Consultation with the victim to determine losses.
- Consideration of restitution in plea negotiations.
- Preparation of presentence report.

- Thorough assessment of defendant's ability to pay.
- Determination of payment schedule.
- Determining the order of restitution and other financial obligations.
- Monitoring and enforcing restitution orders while an offender is on probation, parole, or incarcerated.
- Prevention of offenders' hiding of assets.
- Imposition of restitution conditions following a period of incarceration.
- Application of sanctions for nonpayment.
- Collection of restitution payments.
- Allocation of restitution fines to victim compensation boards.
- Distribution of funds to victims.
- Imposition of available civil remedies (Burnley and Murray, n.d.).

Most jurisdictions organize their restitution management operations around one particular agency that maintains the primary responsibility for the administration and collection of restitution with a minimum of assistance and cooperation from other agencies. Typically, this is the probation department; however, in many jurisdictions, the prosecutor, court administrator, or victim/witness office takes the lead. This type of management structure prevents restitution from being a systemic responsibility. Rather than creating a dynamic and ongoing sense of shared and mutual responsibility among all participants, the process tends to be impossible to coordinate and impossible to render effective (Burnley and Murray, n.d.).

## Coordinated Interagency Approach

The coordinated interagency approach to restitution management, developed by the Victim Assistance Legal Organization

(VALOR), is a promising and common sense approach to solving some of the problems which have plagued effective administration of restitution programs for decades.

In the report, *Restitution Reform: The Coordinated Interagency Approach*, published by the Office for Victims of Crime, Burnley and Murray (n.d.) outline five essential goals in the management of restitution based on the coordinated interagency approach. These goals are closely interrelated and fundamental to the success of a restitution program. They are as follows:

- ***Effective Communication and Coordination Among Criminal Justice Agencies and Professionals:*** Effective communication and coordination among criminal justice agencies and personnel are crucial to successful restitution management. A lack of communication affects every aspect of the process and severely hampers any efforts to improve restitution management.
- ***Clear Definition and Delineation of Restitution Roles:*** Since restitution involves a multitude of tasks, it is essential that agency roles be clearly defined and acknowledged. The lack of such clarity can lead to duplication of services or failure to provide certain services at all. Neither the victim nor justice is served when the system fails to define and assign the roles involved in restitution in the most efficient and effective manner.
- ***Efficient and Streamlined Coordination of Restitution Tasks:*** Restitution tasks must be viewed with a keen eye towards elimination of unnecessary steps and duplication of efforts. The overlapping of restitution tasks — such as preparation of the victim impact statement, or notification of victims regarding case developments — is not only a waste of jurisdictional resources, but harmful to

the overall efficiency of the restitution process and insensitive to crime victims. Effective streamlining also requires the assignment of each task to the agency most capable of performing it efficiently. At times, this may require rethinking of procedures or reallocation of resources.

- ***Routine and Regular Flow of Information and Data:***

The establishment of a routine flow of restitution information pertains to (1) substantive and procedural information regarding all restitution cases as they progress through the system; and (2) restitution data generated from statistical figures on the status of restitution accounts. It is extremely important for each agency along the criminal justice continuum to be aware of any developments, changes, or problems that have occurred vis-à-vis other agency restitution responsibilities.

- ***Participation and Accountability by All Parties to the Process:*** The goal of accountability refers to the need for each criminal justice system agency and professional to be willing to take responsibility for their portion of the restitution process. Restitution is about taking responsibility — on every level. Key to the establishment of such responsibility is the recognition of the interdependence of all components of the criminal justice system. The coordinated interagency approach provides a climate in which acceptance of responsibility and accountability by all participants can be realistically achieved.

### **Victim Involvement in the Development of Restitution Programs**

Victims, *more than anybody else*, are able to provide personal insights into the importance of restitution, as well as any problems they may have faced in receiving their own restitution payments. Agencies seeking to initiate or enhance restitution

programs can tap victims' expertise in several ways (National Center for Victims of Crime, 1997b):

- Conduct random victim satisfaction surveys that provide victims with the opportunity to assess the efforts of the agency and/or staff related to restitution.
- Utilize existing agency Victim Advisory Committees to review policies and procedures and make recommendations for improvement.
- Establish a specialized, cross-collaborative restitution committee or consortium that includes victims as members, for the purposes of improving approaches to restitution.

For example, the California State Board of Control, which administers the State's victim compensation program, formed a Restitution Committee "to bring together a broad range of criminal justice organizations/entities to address restitution and victim service issues." Representatives come from the following cross-agency/cross-jurisdictional committee memberships:

- State Attorney General's Office.
- Judicial Council.
- California Judge's Association.
- Legislative Analyst's office.
- California District Attorney's Association.
- Chief Probation Officer's Association.
- California Court Clerks Association.
- California Superior Court Clerk's Association.
- California Superior Court Administrators.
- Victim and Witness Coordinating Council.
- Office of Criminal Justice Planning.
- California Department of Corrections.

- California Youth Authority.

The Restitution Committee provides an ongoing forum for member organizations to offer input and ideas regarding proposed legislation, restitution policies and procedures, and victims' needs. Since each member represents a different and unique perspective, the entire Committee benefits from their shared insights, problems, and issues.

Crime victims also need information that helps them to understand the process of ordering, monitoring, and collecting restitution in the criminal and juvenile justice systems. An overview of how all financial obligations are processed (including restitution, base fines, and other penalties) should be provided to victims. Two excellent charts developed by the State Board of Control that visually describe the restitution process in California are included in Appendix C.

## Key Elements for the Management and Collection of Restitution

Keeping the concepts discussed above in mind, the following characteristics and components should be considered by probation and parole agencies when implementing promising restitution practices:

- Information should be gathered from the victim during the presentence investigation and prior to parole to estimate the amount of financial loss for use during sentencing and parole hearings. In addition, a good faith effort should be employed when trying to locate victims for restitution payments.
- Once restitution is ordered, written policies should be in place to ensure that restitution is monitored, managed, collected, enforced, disbursed, and stipulated as a priority in the order of collection.

- Agencies should implement automated systems to aid in monitoring, managing, collecting, and disbursing restitution and other victim-related fees and fines.
- Probation officers should incorporate measures within the supervision plan to increase offenders' ability to pay (e.g., help offenders seek employment opportunities, provide referrals to job training classes).
- The agency should have alternative means available for collecting restitution (e.g., civil remedies, attachment of assets, garnishment of wages, restitution centers, collection of restitution while institutionalized, forfeiture of bond money for restitution obligations, statutory ability to extend supervision for nonpayment, denial of professional licensure).
- Documentation of any workers' compensation claims submitted and/or claims payments received by the victim.
- Copies of bills for services directly related to victims' financial recovery from the crime.
- Any receipts for items or services.
- Documentation that estimates the value of stolen property.
- Photos of valuables that were stolen.
- Copies of any documentation often provided by local law enforcement agencies (e.g., records of serial numbers, photos) that is intended to aid victims in the recovery of stolen property.
- Any law enforcement records that indicate the status of stolen property (e.g., property recovered, recovered but damaged).

## Assessing and Documenting Loss

An accurate and detailed assessment of the extent of the victim's injuries and losses is critical to a fair order of restitution. While victims may have provided initial information on the financial impact of the crime in a victim impact statement provided to the prosecutor's office, additional and unforeseen financial burdens may have been incurred by victims since that time. By gathering or updating victim impact information referring to financial loss at the time of the presentence investigation and prior to parole hearings, probation and parole can ensure that the most accurate information is available when the restitution amount is determined and ordered. Some considerations for guidelines that should be provided *in writing* to victims include the following:

- Employer statements (letters or affidavits) that document unpaid time off from work the victim took as a result of injuries from the crime or involvement in justice processes.

- Copies of victims' applications to and/or copies of checks received from the State victim compensation fund.
- Copies of insurance claims and related correspondence between victims and their insurance company, as well as copies of checks victims may have received to cover losses.

When the victim files claims with the State for compensation due to crime, the offender is still held accountable. In assessing economic loss to victims as part of a presentence investigation, probation officers must understand that payment made by a Compensation Program does not exempt offenders from having to pay. When a probation officer recommends to the court that restitution be paid, the officer must consider the amount to be reimbursed to the Compensation Program.

## Immediate Losses

As early as possible, either before or during the presentence investigation, victims

should be asked to report information about their losses by completing or updating a financial worksheet, and providing documentation as described above. A sample financial worksheet is included in the model victim impact statement forms found in Appendix B.

The range of these losses can include the following:

### Medical Care

- Emergency transportation to the hospital.
- Rape kit examinations that are not immediately paid by a third party.
- All expenses related to the hospital stay, including the room, laboratory tests, medications, x-rays, HIV testing in cases involving the exchange of bodily fluids, and medical supplies.
- Expenses for care provided by physicians — both inpatient and outpatient — medication and medical supplies.
- Fees for physical or occupational therapy.
- Replacement of eyeglasses, hearing aids, or other sensory aid items damaged, destroyed, or stolen from the victim.
- Rental and related costs for equipment used for victims' physical restoration (e.g., wheelchairs, wheelchair ramps, special beds, crutches).

### Mental Health Services

- Fees for counseling or therapy for the victim and his/her family members.
- Any costs incurred as a result of the victim's participation in support or therapy groups.
- Expenses for medications that doctors may prescribe for victims to help ease their trauma following a crime.

### Funeral Expenses

- Costs associated with burials, *i.e.*, caskets, cemetery plots, memorial services, etc.
- Expenses for travel to plan and/or attend funerals.

### Time Off From Work

- To repair damage following property crimes.
- To attend or participate in court or parole proceedings.
- To attend doctors' appointments for injuries or mental health needs directly resulting from the crime.

### Other Expenses

- Crime scene cleanup.
- Costs of replacing locks, changing security devices, etc.
- Expenses related to child or elder care when victims have to testify in court.
- Relocation expenses.
- Fees incurred in changing banking or credit card accounts.

In addition to losses sustained as a result of violent crime, losses can also be sustained as a result of stolen, damaged, or destroyed property, including loss of money due to insurance or telemarketing scams or fraud. A victim's car could be stolen and may incur \$1,000 in expenses that were not covered by insurance. Resultant expenses can be cost of repair, insurance deductibles, cost of other transportation if a car is stolen. These losses are significant and can be listed as compensable costs.

## Projected Expenses

Victimization often results in injuries or losses that are long term in nature. While it is not possible to accurately document such projected expenses, it is possible to document expert opinions as to future financial obligations the victim might incur as a direct result of the crime.

Victims should be advised to seek documentation (a letter or affidavit) from professionals who are providing them with medical or mental health services that offers an estimate of the victims' future treatment needs, as well as related expenses. Such costs can include the following:

- Long-term medical treatment.
- Physical or occupational rehabilitation or therapy.
- Mental health counseling or therapy.
- Time that must be taken off from work to receive any of the above services.

The justice professional responsible for assessing victims' restitution needs should provide this documentation to the court or paroling authority.

## "To Be Determined" Restitution Orders

One of the most significant challenges to assessing victims' losses is the speed in which cases move through the criminal and juvenile justice systems. Plea bargains and related sentencings are often finalized without adequate time to determine victims' financial losses.

Courts should have the option of including "to be determined" restitution orders as part of the sentence in cases that are plea bargained. In California, courts are required by law to impose "to be determined" restitution orders if victims' losses are not fully assessed at the time of sentencing.

Once victims' losses are determined, the case is returned to court to officially record the restitution order and establish a payment schedule.

This innovative approach provides an important opportunity for offender financial accountability in cases where the only alternative is no restitution order at all.

## Assessing the Offender's Ability to Pay

The "other side of the coin" of victim documentation of financial losses is conducting an assessment of the offender's ability to pay, in order to recommend an appropriate restitution payment plan. The responsible justice agency should evaluate the offender's current and future financial status in making recommendations about both the amount of restitution as well as the payment schedule.

Issues for consideration include the following:

- Current employment status, including salary, benefits, and pension plans.
- Projections on future employability (that assess the type of job and remuneration offenders might secure).
- Assets not essential to the offender's quality of life (excluding home or automobile ownership), including savings accounts, investments such as stocks, bonds and mutual funds, and income from investment properties.
- Potential contingency funds, such as State and Federal income tax returns, winnings from lotteries, or inheritances.

## Management of Restitution

Even though the payment of restitution is stipulated as a condition of probation and parole supervision, many offenders manage to complete their supervision period without paying the amount owed. This disturbing



reality places the credibility of the restitution process, as well as the integrity of the entire criminal justice system, at stake. To help prevent this from happening, probation and parole officers must:

(1) take their responsibility for ensuring that restitution is collected seriously, (2) make an effort to instill an understanding in the offender of the critical importance of restitution for the victim and assist offenders in increasing the ability to pay, and (3) take all steps necessary to ensure that the restitution orders are enforced and monies are collected. Agencies can make the restitution management process easier for their officers by using automated systems and by using specialized staff or units for restitution collection.

Studies have shown that increasing both punitive and nonpunitive enforcement mechanisms can increase the compliance rate for restitution (Burnley and Murray, n.d.). Findings from a study conducted by the American Bar Association (ABA), *Improving Enforcement of Court-Ordered Restitution*, suggest that higher compliance rates result: (1) when efforts are made to monitor payments, and (2) when consistent action is taken to respond to delinquencies. To avoid a pattern of noncompliance, effective monitoring practices should be initiated so that delinquency can be detected as soon as it occurs. In the ABA's survey of restitution directors, the directors reported that delinquency in payment of restitution occurred at the time of the first payment approximately 50 percent of the time and at midsentence the remaining 50 percent of the time. Rarely did noncompliance occur at the end of an offender's sentence (Smith, Davis & Hillenbrand, 1989). This suggests that early and effective responses may successfully interrupt a pattern of nonpayment.

### **Specialized Staff**

Studies show that a separation between responsibilities for the physical collection

of restitution and monitoring of offenders can be extremely productive in terms of overall program efficiency. The average probation order contains 18 conditions of probation. Ideally, probation officers should not be in the position of supporting offenders in efforts to responsibly comply with restitution orders while physically collecting the actual payment. The separation of monetary collection and, if desired, monitoring responsibilities can be achieved by having two separate agencies handle these tasks, or by having a separate unit within the probation agency that is established for restitution purposes (Burnley & Murray, n.d.). It is important, however, that the primary supervising officer not lose sight of the needs of the victim because they no longer collect restitution payments. Some jurisdictions deal with this by having the specialized restitution officer collect payments while the primary supervising officer continues to have monitoring responsibilities.

### **Incorporating Restitution Strategies Within the Supervision Plan**

When talking to probation and parole officers about restitution, a resounding chorus of "you can't get blood out of a turnip" is often heard. It is true that many times offenders have extreme financial problems and are not able to earn adequate funds to pay full restitution; however, this should not excuse them from their responsibility to reimburse victims. Victims often experience severe financial difficulties as a direct result from the crime committed against them and deserve to receive compensation. Even small payments of \$2 per month demonstrate to the victim that the offender and supervising officer take it seriously, that the victim is not forgotten, and that every offender can find a way to pay something.

Regardless of whether the probation or parole agency is directly responsible for

physically collecting and disbursing fines and fees, it is the universal responsibility of probation and parole agents to monitor and enforce the collection of restitution when stipulated as a condition of probation or parole. Research suggests that offenders who work, live at a stable address, and attend school are more likely to comply with their restitution orders (Davis & Lurigio, n.d.). Therefore, these and other issues that affect the offender's ability to pay restitution should be considered and addressed by supervising agents when developing the supervision plan. For example, if an offender is unemployed, the initial goal would be to help the offender obtain marketable job skills. Once that goal is accomplished, the plan would be adjusted to concentrate on making the offender a regular payer (Godwin, 1994).

The following section highlights promising practices that some probation and parole agencies have implemented to help offenders manage their money and obtain and maintain employment, thereby, increasing their capacity to pay restitution.

#### Tarrant County CSCD, Texas — Personal Budgeting Course

The Personal Budgeting Course is a 3-hour course provided through the Education Unit of the Tarrant County Community Supervision and Corrections Department by Consumer Credit Counseling Services. The goal of the course is to assist probationers to improve their budgeting, so that they will be able to pay their court-ordered fees as well as other essential financial obligations. Probationers are referred to the program by their supervising officer if they report an income source that falls in arrears on their court-ordered fees in an amount that is equal to 3 monthly payments.

All probationers are required to fill out a budget worksheet within 60 days of being

placed on probation. This is used as a reference tool throughout the probationer's supervision period. A copy of the budget worksheet is included in Appendix C. Prior to attending the Personal Budgeting Course, the offender completes an updated budget worksheet that is forwarded to the Education Unit for use during the course. During the Personal Budgeting Course, probationers analyze their financial resources to create a manageable budget that takes into consideration monthly expenses (*e.g.*, housing, food, utilities) as well as nonmonthly expenses (*e.g.*, car repairs, insurance payments, taxes) and establish a money management plan. The course also helps probationers identify strategies for economizing and cutting expenses and provides them with information on community resources to which individuals can turn for financial assistance. At the end of the class, the probationer completes another worksheet which he takes to his supervising officer. The supervising officer and the probationer then negotiate a payment schedule. The new schedule is included in the case supervision plan.

#### Tarrant County CSCD, Texas — Employment Services Program

The Employment Services Program is designed to assist offenders on community supervision in acquiring and maintaining stable, full-time employment and increasing their chances of succeeding under community supervision. This program interacts with other Tarrant County Community Supervision and Corrections Department programs which are currently in place, as well as develops new working relationships with other community agencies, educational institutions, service providers, and Tarrant County employers. In fact, staff of the Tarrant County CSCD Employment Services Program, Fort Worth Independent School District, Texas Workforce Commission, and Texas Rehabilitation

Commission are housed in one location (*i.e.*, Resource Center) to enhance the ability of the agencies to work together and share resources to assist offenders in obtaining and maintaining employment.

The Employment Service Program develops placements in the private and public sectors for employment with regard to the offender's respective interests, needs, and skill levels. The Employment Service Program notifies the Supervision Officer of an offender's activities while s/he is in the employment program. Records are developed and maintained, and information is gathered from a variety of sources on local business conditions in relation to openings, expansions, and closures. This information is shared with other agencies who, in turn, share their information on job openings with the Employment Services Program. The Employment Service Program is marketed through public service announcements and multimedia presentations. Presentations of the Employment Services Program are made to businesses and service clubs upon request.

Montgomery County Community  
Supervision and Corrections  
Department, Texas —  
Offender Employment Program (OEP)

The Offender Employment Program (OEP) of the Montgomery County Community Supervision and Corrections Department (MCCSCD) is available to any probationer under supervision who needs or wants employment assistance. It is designed to provide life long skills to increase the probationers' success at securing and maintaining employment. The OEP is staffed by a Job Specialist who is responsible for coordinating the program, networking with local businesses, and providing one-on-one assistance to probationers in securing and maintaining employment. Initial assessments and the job readiness training portion of the

program typically are handled by the Educational Assistants in the department's Day Resource Center. The OEP is a service offered by the department to augment the other services being provided to the offender while on supervision; therefore, while the probationer is involved in the OEP, s/he is still monitored by their supervising agent.

Referrals for the program are made by supervising officers, and the department director or assistant director following an in-house administrative hearing. The program consists of four main components:

1. An assessment of employability.
2. Classes to teach probationers job readiness skills.
3. Assistance in securing employment.
4. Followup with the probationer and the employer to increase the probability of successful job placement (Brown & Young, 1992).

Once a probationer has secured employment, OEP staff continue to monitor the progress of the probationer for a period of 2 years or until the offender is removed from probation. During this time period, OEP staff is available to counsel probationers who may be having difficulties adjusting to the demands of the job and to help address other employment problems that might arise.

Gainful employment is often the critical factor in offenders fulfilling their restitution orders. The public and agency resources invested in such programs can reap myriad benefits, including an improved and expanded workforce; gainfully employed ex-offenders who possess new competency and job skills; a reduced burden on taxpayers who might otherwise be contributing to probationers' livelihood and/or the costs for re-incarceration that might result from lack of structure and rehabilitative activities; and, perhaps most important, the payment of victim restitution

that helps victims reconstruct their lives in the aftermath of crime.

### Establishing Offender Sanctions for Nonpayment of Restitution

Agencies responsible for enforcing restitution must also enforce established sanctions for offenders' *willful* failure to pay, and ensure that offenders under their supervision are aware of the range of possible sanctions. Such sanctions can be lifted in extreme cases where an offender can demonstrate hardships that prevent the maintenance of timely restitution payments; however, in such cases, restitution payment schedules should be adjusted, *not* abandoned (National Center for Victims of Crime, 1997b).

It is also important that officers understand their obligation to report nonpayment of court- and parole board-ordered restitution in order to assess the reasons for nonpayment, and possibly consider sanctions for offenders in violation of official orders. Victims should be provided the opportunity to have input into the type(s) of sanctions that might be imposed. In addition to the remedies noted above, such sanctions can include the following (National Center for Victims of Crime, 1997b):

- Public/community service employment (both paid and nonpaid).
- Intensive supervision.
- House arrest.
- Curfews.
- Electronic monitoring.
- Urinalysis.
- Revocation of supervision to incarceration (including minimum security institutions and work release programs).

### Automating the Restitution Process

Automation can relieve many of the burdens associated with management and collection of restitution. Manual methods of managing restitution can be extremely cumbersome — often involving the use of color-coded ledger sheets for the recording of different types of revenue collected, the use of carbon paper, a lengthy correction process in the event that an error is made on an official ledger sheet, and hand stamping of receipts with the official seal of the agency. The cycle never ends — often contributing to keeping restitution collection and enforcement at a low priority (Beatty, Frank, Lurigio, Seymour & Macgargle, 1994).

Automation can enhance the restitution process by doing the following:

- Reducing the amount of staff time needed to manage and collect restitution.
- Automatically generating letters of reminder or bills to offenders related to restitution and other court-ordered fees.
- Automatically generating letters to victims informing them about the restitution process, the status of the payments owed to them, and other available services.
- Increasing the ability of probation and parole officers, supervisors, and department administrators to access information on the status of an individual offender or of a group of offenders (*e.g.*, all offenders supervised by a particular agent or unit, all offenders ordered to pay restitution throughout the State).
- Enabling agencies to prepare statistical reports quickly and easily to analyze and report their progress or results (*e.g.*, collection rates).

While a number of probation and parole agencies are turning to automated systems to manage restitution, this section will focus

on systems in place or being implemented in Florida and Utah. The automated billing system used by the Washington Department of Corrections also will be discussed.

### Florida Department of Corrections — Court-Ordered Payment System

In May 1991, the Florida Department of Corrections implemented its Court-Ordered Payment System (COPS) to accurately track and simplify the collection of court-ordered payments. The system started as a pilot in Gainesville, Florida and was fully implemented throughout the State of Florida by November 1993. Prior to the implementation of COPS, the department relied on a manual process for managing and collecting restitution. According to agency administrators, the labor-intensive manual accounting system was inadequate and resulted in a wide disparity of practices and procedures and a general loss of system control.

The Court-Ordered Payment System has given the Florida Department of Corrections the means to do the following:

- Automate the collection and receipting process of offender payments.
- Provide an audit trail.
- Expedite the disbursement of offender payments to victims and other payees.
- Establish payment schedules as defined by the orders of supervision.
- Disburse offender payments equitably among all victims and other payees within 48 hours of being collected.
- Generate reports and statistical information on the status of the collection of court-ordered payments in the Department.

Some of the main characteristics and elements of COPS are highlighted in Figure 3-1.

**Figure 3-1: Characteristics/Elements of COPS**

1. Automated collection system is located on the Department of Corrections mainframe computer and linked to the offender's criminal history and supervision/inmate record.
2. Innovative system provides court-ordered payment information not only to all 155 probation offices throughout the State of Florida but also to 51 major institutions, 32 community correctional centers, and 43 road prisons, work camps, and forestry camps.
3. Offender's obligation and payment history while on supervision is readily available by computer terminal to prison officials if the offender is later sent to prison. The same is true for offenders released from prison to post-release supervision.
4. Offenders bring in one payment instrument (must be a guaranteed form of payment, *i.e.*, a money order) that is disbursed to victims and other payees according to the established payment schedules in COPS.
5. Governmental checks are disbursed to victims and other payees, eliminating any possibility of victims having to deal with worthless checks from offenders.
6. The system provides a method for heightened caseload management awareness with the automated tracking of restitution and other court-ordered payments and provides the officer with immediate and accurate documentation for court proceedings and administrative review.

With reference to startup costs, the Florida Department of Corrections reports that the mainframe system was already in place. Software was developed by the Department of Corrections' Management Information Systems and Management Systems Development with the collaboration of the Department of Corrections Probation and Parole Program Office. Funding for the project came from the State of Florida's General Revenue Fund. Once COPS was implemented, the Department began collecting a statutorily-mandated 4 percent surcharge on all court-ordered obligations collected through the system. The surcharge is paid by the offender in addition to the amount ordered by the sentencing authority. The surcharge is used by the department to help defray the costs of processing payments from offenders.

#### Utah Department of Corrections — Offender Obligation System

The Utah Department of Corrections is in the process of implementing a new automated system, the Offender Obligation System, for managing the restitution process throughout the State. Prior to implementation of the Offender Obligation System, each of the seven regional probation and parole offices in Utah managed the restitution process by using a Wang computer system, running a financial information database, to maintain restitution collection and disbursement information. The Wang system used a central processing unit controlling "dumb" terminals. The money collected in each region was deposited in a local bank and each region was responsible for issuing checks to victims.

While this system was reported to have served the Department well overall, several disadvantages to the system were noted by the Department that affected the quality of services to victims:

- The regions were totally independent of each other and the Wang system was not networked for communication between

regions. Due to different versions of software and program code "fixes" implemented over the years to address region-specific problems, electronic information from one region was not compatible with another.

- As offenders and victims moved around the State, payment histories and addresses had to follow by paper in offender case files, notes, and phone calls. At times, this type of paper trail would result in overpayment, underpayment, and lost information.
- Smaller regional offices had a difficult time maintaining enough staff to separate money handling, bookkeeping, and balancing duties required by department auditing policies.
- Offenders did not receive monthly bills or statements, and often did not know how much restitution had been paid, or was owed. Agents had to rely on the Restitution Technician in their region for information on case status, which could be a slow process. When offenders were not reminded of restitution owed on a regular basis, restitution was either placed at a low priority or ignored by offenders until pressured to pay by agents.
- Although the Utah Department of Corrections is responsible for offenders both in prison and on parole, historically, there has been poor coordination of restitution collection efforts between them. This was due, in large part, to the inability of the separate electronic systems to communicate.
- The old system was unable to combine payments from multiple offenders for a single recipient (*i.e.*, victim) into one check from within or among the region(s). Large chain stores and other statewide businesses would receive multiple checks from each region — one for each offender who owed them restitution.

The Offender Obligation System was designed to address and correct these problems. One of the most beneficial aspects of the new system is its ability to communicate among regional offices, as well as with other State systems. This has helped to substantially decrease past problems associated with overpayment, underpayment, and misinformation. All payments made by an offender while on supervision or while institutionalized are handled by the Offender Obligation System. In short, the new system allows for the following:

- Probation and parole to access court ordered and sentencing information from the court.
- The court to access information related to offenders' payment status.
- Probation and parole officers and supervisors to easily access the payment history of an offender (or group of offenders) from any PC on the network.
- Victims to call the local region and get immediate information on the offender's status, even if the offense was adjudicated in another region.

In addition, the Offender Obligation System has simplified and streamlined the process for updating offender and victim's records (*e.g.*, address changes). Since the program and its data are centralized and networked, any changes are reflected instantly across the system.

To serve as a reminder, offenders receive a monthly statement that shows their account status and the amount due. An envelope also is enclosed for offenders to mail in their payments. Offenders are able to submit personal checks for payment; however, checks are held for clearance

until they are credited to an offender's account. If a check does not clear, the Offender Obligation System notifies the supervising agent so appropriate and prompt action can be taken.

Rather than each region depositing money in a local bank, a single bank account is used for all deposits and disbursements, thus, making balancing and audit functions quicker and easier. Once the offender's account has money in it, the program uses the payment schedule established by the supervising agent and distributes the money to the recipient accounts linked to the offender. A disbursement program then prints a single check to each recipient, showing offender(s) and account information on the check stub. Restitution has been given the highest priority among court-ordered fees and is collected first.

To prepare for the new system, the Department's management information system staff were retrained, and new programming staff were hired. New equipment with networking capabilities was purchased and installed across the State. Beginning in 1993, the Department began replacing the "dumb" terminals of the Wang system with a Unix based Client/Server system. Each region is a Local Area Network with its own server(s). The regions are joined in a Wide Area Network across the State. Individuals in the regional offices work on IBM based PCs using the Microsoft Windows environment. The Offender Obligation System is being developed using the Informix Database and Powerbuilder front end for Windows compatibility.

Agency administrators report that all funding for the Offender Obligation System originated from Department budget funds. Figure 3-2 shows a general breakdown of project costs and funding for the system.

**Figure 3-2: Costs of Utah's Offender Obligation System**

<b>Amount</b>	<b>Source</b>	<b>Purpose</b>
\$500,000	Internal Service Fund	Purchase 4 H.P. Unix Servers and 24 Network Servers with software and licenses
\$4.5 million	Pool of Division Funds	Hardware for entire Department — PCs, printer, etc. The major portion, but not all, was for Field Operations.
\$387,000	Budgeted Funds	Software Contracting — Offender Obligation System and PSI only. The Department has an additional \$456,000 in budgeted funds to complete these two systems, making a total of \$843,000.

Due mostly to the initial hardware costs, larger regions still do not have PCs for all staff. Each region, based on its budget status, decides how much to spend on additional hardware/software. Also, each region is being asked to provide personnel for service on committees for development and implementation of the program and training. These “volunteers” maintain their full case management and work responsibilities, doing committee work when possible. The Committee has “spent” an estimated 15,000 hours developing and implementing the program.

One new feature of the system to be tested is the Division of Finance FINDER Program. The FINDER Program is a result of Utah Code Annotated 59-10-529 which allows the Department of Corrections, in conjunction with the State Tax Commission, to seize an offender's Utah tax refund if s/he owes restitution. In the past, program administrators report that the FINDER Program has been used inconsistently by individual agents. 1997 was the first time the names of all offenders who owe restitution were sent to the Tax Commission

automatically by a report prepared by the OOS.

### Washington Department of Corrections

The Washington Department of Corrections operates a highly successful system for restitution collection that is based upon functions similar to credit card billings. A monthly billing process helps some offenders to budget victim restitution as they would any other financial obligation. It has proven effective in increasing offenders' victim restitution payments.

The Washington DOC offers the following guidelines for program implementation:

- An accounting system is an integral component of the overall billing process, and should include processes to document and provide receipts for offenders' payments.
- Legislation may be necessary that requires the entity responsible for disbursement of restitution payments to establish a monthly billing process.



- If a clerk's office is responsible for disbursement, a monthly billing process should be established with the correctional or paroling authority responsible for monitoring restitution payments.
- The agency bills the offender on a monthly basis.
- Policies should be established that clarify and direct the filing and accounting process.
- Credit cards may be accepted as payment for legal financial obligations. Any costs incurred related to credit card payments (such as interest) are the responsibility of the offender.
- Care and caution should be taken to establish an internal audit process that provides safeguards and protects agencies that accept payments from offenders.

### Westchester County Adult Probation Department

In 1991, the Westchester County, New York Department of Probation established an Economics Sanctions Unit, a division of the probation department specifically responsible for the collection of restitution. Payments from probation are mailed to the unit, and restitution accounts are monitored by the accounting staff. If there are problems with payments, the accounting staff notifies the offender's probation officer. Probation officers working within the Economics Sanctions Unit receive individualized and specialized training on restitution collection, which is considered a top priority by all involved personnel. The Unit is designed to serve the needs of both offenders and victims (Burnley and Murray, n.d.).

### Restitution and Employee Proficiency

While the elimination of collection responsibilities benefits probation monitoring, it is still essential that probation officers be responsible for

monitoring offender restitution. For example, probation officers in Westchester County and Alexandria, Virginia are evaluated, in part, on how well they manage restitution cases. Although probation officers are not collection agents, the pivotal roles they play in galvanizing offenders to positive, productive, and socially responsible behavior are crucial to restitution collection (Burnley and Murray, n.d.).

### Restitution and Victim Compensation

In an article entitled "Restitution: A National Priority," National Association of Crime Victims Compensation Boards Executive Director Dan Eddy (1995) offered an excellent overview of restitution's effect on victim compensation programs (pp. 2–3):

All 50 States, plus D.C., Guam and the Virgin Islands, now operate crime victim compensation programs. While each State functions independently, under its own State law, the programs tend to be very similar in terms of their eligibility requirements and basic types of compensable expenses. All of the States will pay for medical expenses, counseling and lost wages, as well as for funerals and lost support for deceased victims' families. And all of the programs require victims to be "innocent" of criminal activity or misconduct, and to report crimes and cooperate with criminal justice agencies (though some programs waive these requirements in some circumstances). Major differences in the programs lie in their relative sizes, with some States having staffs of only two or three running their programs (the average size is about 10), and in the dollar levels of benefits that are provided, with maximums ranging from \$5,000 in several States to \$46,000 and \$50,000 in a few others (the median maximum is \$20,000).

Forty-three programs depend in whole or in part on offender fees to fund their compensation programs, with most of this number paying for both benefits to victims and administrative costs from these fees. . . . Faced with mounting fiscal demands, many States have instituted various cost-control measures, such as limits on mental health counseling, or the payment of medical bills at a reduced percentage. States are also searching closely for collateral sources of payment, such as private insurance, public benefits, and restitution.

Because an effective restitution recovery effort requires significant amounts of staff time, and because many compensation programs are short-staffed already, restitution income has not been a large source of funds for compensation programs thus far. The programs are largely dependent on others in the criminal justice system to perform their responsibilities in seeking, ordering, and collecting restitution, and they generally rely on the victims themselves to reimburse the program when the restitution received is for expenses already paid for by the program (Eddy, 1995).

But a number of States are finding that a modest investment of administrative resources can reap significant rewards. Dan Eddy cites Iowa as an example; “with only one person working full-time on pursuing restitution recovery, it recoups from offenders about 15% of the money it awards to victims. . . . Iowa is perhaps the best example of a State that has embarked on a serious and systematic effort to maximize its restitution recovery. By identifying “key players in the restitution arena, and then working closely with them to make sure that restitution orders are sought, obtained, and enforced, Iowa has demonstrated clearly that restitution can be an important component of a State’s overall budget plan” (Eddy, 1995).

The collaborative, multidisciplinary approach taken by Iowa’s Crime Victim Compensation Program includes the following processes (Eddy, 1995):

- A letter is sent to the prosecutor noting that the victim has applied for compensation and requesting that restitution be sought for the victim’s losses.
- When the compensation claim is approved, another letter is sent to the clerk of the court to track case status and related restitution orders; if no restitution was ordered, the prosecutor is asked to seek an amendment to the sentence.
- Once restitution has been ordered, Iowa’s restitution specialist locates the defendant’s whereabouts through the Department of Corrections database, and then communicates with corrections officials or with parole officers to inform them that the compensation program expects restitution to be forwarded to it.
- Regular direct correspondence to offenders reminds them of their obligation to pay, and makes clear that the compensation program will continue to monitor the offender’s payments.
- Delinquency letters are sent to the defendant, prosecuting attorney, and parole supervisors when defendants fail to pay, and additional penalties are requested.
- The program also utilizes garnishment of offenders’ wages as well as employer agreements for payroll deductions to recapture the amounts it has paid to victims.
- Incarcerated offenders can have the amount of restitution orders deducted automatically from their accounts and forwarded to the compensation program.

- Through an agreement with the Department of Revenue and Finance, delinquent defendants' income tax refunds can be offset or seized to fulfill restitution orders; the program has even seized a lottery award from a lucky offender!

Eddy (1995) explained that this promising practice in restitution collection has been aided considerably by several legislative changes:

- The compensation program is specifically listed as an eligible recipient in the restitution statute so a court can order the defendant to reimburse the program directly (after paying the victim for losses not covered by the compensation program).
- The prosecutor is authorized to attach a restitution lien to a defendant's property or other assets at the time of indictment, so that those assets can't be divested prior to conviction.
- All restitution orders are entered as civil judgments, so that the victim and/or the compensation program can execute the judgment for nonpayment of debt.

This cross-agency effort has served to increase funds for victim restitution and compensation to collaboratively work with justice agencies to enforce restitution orders and to hold offenders accountable.

### Improving the Rates of Collection: State Laws

Many promising practices and strategies that individually and collectively improve the rate of restitution collections have been authorized in recent years by State law. The National Center for Victims of Crime's (1996) *1996 Victims' Rights Sourcebook: A Compilation and Comparison of Victims' Rights Legislation* summarizes a number of

States' legislatively authorized approaches to restitution collection:

- *Alabama:* District attorneys may establish a "restitution recovery division." The court may transfer any order to pay victims' restitution, court costs, or other court imposed payments which are in default to a district attorney's restitution recovery division and must, at the time of transfer, assess an additional collection fee of 30 percent. The district attorney's office keeps 75 percent of that collection fee, with the remaining 25 percent transferred to the court. The district attorney and court are also authorized to contract with private entities for collection.
- *Arizona:* The State charges an \$8.00 fee for offenders who wish to pay their restitution obligations in installments.
- *Delaware:* The court may hold an offender's drivers license as security for payment of restitution or other costs or assessments. If the offender fails to pay as ordered, the driver's license is suspended.
- *Florida and Alabama:* The court can issue an income deduction order at the time it orders restitution.
- *Kansas and Arizona:* Both States require that any payment by the State to the defendant, including tax refunds, shall be paid first to satisfy restitution obligations.
- *Massachusetts:* Victims have the right to receive a copy of the schedule of restitution payments, and the name and telephone number of the official responsible for supervising payments.
- *Minnesota:* An offender who is ordered to pay more than \$500 in restitution is to file an affidavit of financial disclosure with the correctional agency investigating his/her financial resources.

- *New Mexico:* When a prisoner recovers financially from a claim against the State, any money paid to satisfy the claim is to be first applied to restitution orders.
  - *New Jersey:* Information from the presentence report concerning the defendant's financial resources is made available on request to the victim compensation board or to any officer authorized to collect payment on an assessment, restitution or fine. New Jersey also charges offenders a \$1.00 transaction fee for restitution payments, to be used to develop computerized tracking systems.
  - *Oregon:* The court can report any default in the payment of restitution to the consumer reporting agency.
  - *Washington:* Individualized monthly billings and weekly notice of payments by offenders are provided by the county clerks to the Department of Corrections.
  - *Wisconsin:* The State charges a five percent surcharge on the offender for administrative costs related to the collection of restitution, court costs, attorneys' fees, fines, and related costs.
- In addition to statutory ability to extend supervision for nonpayment of restitution, other alternative methods for collecting monetary restitution include the following:
- Civil remedies.
  - Attachment of assets.
  - Garnishment of wages.
  - Restitution centers.
  - The acceptance of credit card payments.
  - Forfeiture of bond money for restitution obligations.
  - Collection of restitution while the offender is institutionalized, as well as once placed on parole.
  - Holding parents or legal guardians liable for restitution orders resulting from their children's delinquent acts.

Additional information about these model laws is available from the National Center for Victims of Crime's Department of Public Policy.

## Alternative Methods of Collecting Restitution

At times, it becomes necessary to employ innovative and more controlled methods for collecting restitution when offenders fail to pay as scheduled. For example, in the State of Washington, the Department of Corrections can extend parole of the offender for 10 years after the end of the formal supervision period for the purpose of collecting restitution (Beatty *et al.*, 1994).

## Civil Judgments, Attaching Assets, Garnishing Wages

According to statistics from the National Center for Victims of Crime, in 1991, 22 States allowed restitution to be enforced as a civil judgment. In most of these States, once there has been a default in payment, a civil judgment can be enforced by placing a lien on the offender's real property, garnishing his/her wages, attaching his/her assets, or freezing his/her bank accounts.

The Maricopa County Adult Probation Department in Phoenix, Arizona requires probationers enrolled in the intensive supervision program and the work furlough program to endorse their paycheck and sign them over to the probation department. Another check is then issued to the offender, minus the payment toward victim restitution. Probationers enrolled in the day reporting program also can be subject to this requirement.

Throughout Colorado probation departments train their officers to examine the entire financial situation of offenders when looking at issues concerning their ability to pay restitution. For example, if an offender owes restitution and owns expensive, non-necessity items (e.g., television, compact disc player), then the probation officer can ask the judge to order the offender to sell their possessions to pay restitution to the victim(s).

Also, in Colorado, offenders who owe more than \$2,000 in restitution are required, as a condition of probation, to submit their income tax return to their probation officer. If the offender is entitled to a tax refund, the probation officer can require the offender to pay that amount toward his/her restitution obligation.

### **Forfeiture of Bond Money**

In Westchester County, New York, when a “Violation of Probation” is filed as a result of failure to pay restitution, the probation officer can request bail. The officer then suggests the court set bail in the amount of the owed restitution, if the amount is not “unreasonable.” In the accompanying report to the court, the court is advised that if the violation is sustained and the probationer is willing to assign the bail money as payment of restitution, the probation department would recommend that probation be continued, or, in some cases, be terminated. The report recommends alternative sentences for probationers who will not assign bail money. The available alternatives include an upward modification of the order to include a graduated sanction such as “shock time,” community service, or possible electronic monitoring. In some instances, a recommendation of revocation and a sentence of incarceration are made.

In California, the clerks of courts are required by law to apply bail money, after an offender’s conviction, toward the restitution order, the restitution fine, and court costs before returning any portion of the money to the defendant. This law does not apply to bail payments made by individuals other than the defendant.

### **Restitution Centers**

Restitution centers are another option used in some States for collecting restitution from offenders. Generally, restitution centers, such as the ones operated in Texas, house offenders for a period of 6 months to 1 year while they go to work in the community. The director of the center receives the offender’s wages and disburses portions of it for expenses, fines, and restitution according to the predetermined priority (Lawrence, 1990). Some States that have restitution centers include South Carolina, Georgia, and Florida.

### **Collections in Institutions**

The California Department of Corrections (CDC) has implemented an Inmate Restitution Fine Collections System that enables the department to deduct 20 percent of inmate wages and other trust account deposits to pay court-ordered restitution. This amount is forwarded to the State Board of Control Restitution Fund. This fund provides reimbursement to qualified victims for expenses incurred as a result of the crime committed against them, such as medical costs, burial costs, and counseling. Since its inception in November 1992, this system has resulted in the collection of over \$9 million from inmate wages and trust account deposits. CDC’s Victim Services Program staff also facilitate voluntary restitution payments made by inmates and parolees, as well as monies derived from annual inmate fundraisers.

Through the Financial Responsibility Program, the Federal Bureau of Prisons encourages each sentenced inmate to meet his/her legitimate financial obligations, including restitution. As part of the initial classification process, staff assist the inmate in developing a financial plan for meeting his/her obligations and, at subsequent program reviews, consider the inmate's efforts to fulfill those obligations as indicative of the inmate's acceptance and demonstrated level of responsibility.

### **Acceptance of Credit Cards for Payment**

The Court Administrator's Office in Stearns County, Minnesota accepts credit card payments for court-ordered fines and fees, including restitution. To begin accepting that form of payment, the Court Administrator's Office got permission from the local judge and the county commissioners. Arrangements were made with a local bank, and the office now accepts MasterCard, Visa, and Discover Card. The Court Administrator's Office absorbs the user fee charged by the bank for use of credit cards, which is generally covered by the interest earned on the account. Once an offender offers a credit card for payment of restitution, and it is authorized by the bank, it is an immediate "capture" of funds for the Court Administrator's Office.

### **Rebate Program**

The California State Board of Control has implemented a "10% Rebate Program" that provides rebates to counties that remit restitution to the Restitution Fund, used to compensate victims of crime in California. The intent of the rebate is to provide an incentive to the counties that collect restitution fines and orders. Assembly Bill 817, passed in August 1995, requires counties to use the rebate to further collection efforts and not to enhance general government budgets. This rebate

is in addition to the existing statutes that allow counties to recover up to a maximum of 10 percent of the fine for their costs associated with the administration and collection of restitution. This program represents the first time a revenue sharing tool has been implemented between a victims' compensation agency and local criminal justice agencies (State Board of Control, n.d.).

### **Converting Restitution Order to Community Service**

In extreme cases where offenders are truly indigent and unable to pay restitution, another option is to have offenders perform community service hours in lieu of paying restitution. Victims can have input into the type and location of the community service performed, which is a truly restorative justice practice. Offenders may perform direct services for the victim to repair the damage caused by their actions or perform their community service hours for a favorite charity of the victim.

In Minnesota, the Dakota County Community Corrections Department maintains a restitution fund that is used to pay victims of juvenile offenders. The juvenile offenders perform community service hours and receive minimum wage credit for the hours they work. The "money" the youth earn is then taken from the restitution fund and paid directly to the victims.

### **Reimbursing Victims of Deceased Offenders**

In December 1996, officials in Lehigh County, Pennsylvania decided to pay more than \$41,000 to 61 crime victims whose restitution had not been fully paid and whose perpetrators had died. Some of the cases dated back over 20 years. The money being used to reimburse these victims came from the revenue of a local recycling center, jointly operated by the city and county. Juvenile offenders of the Juvenile Probation

Department in Allentown, Pennsylvania work at the center as part of their community service sentence. The youth “earn” the equivalent of minimum wage salary for the hours they work, which is then paid to victims in cases where restitution has been ordered. Money to reimburse the victims comes from the revenue the city and county gets from recyclables. Due in part to the increased value of newsprint, recycling revenue was higher than expected over the past few years, thus creating a surplus of money. In an effort to encourage an appropriate use for the extra money, the probation department presented the innovative plan to reimburse victims of deceased offenders to county officials, who enthusiastically supported the idea (Hartzell, 1996).

### Parental Liability

Many States have passed laws that hold parents or legal guardians liable for restitution orders resulting from their children’s delinquent activities (National Center for Victims of Crime, 1997b):

- Liability is “joint and several,” which means that if the child is unable to fulfill his/her restitution obligations, the parent or guardian fully shares in the responsibility. (In some jurisdictions this can also mean that if multiple offenders are convicted, they are all obliged to pay the full amount.)
- Most laws provide for limits to monetary liability, which can be determined based upon the severity of the crime, whether or not a person or property was injured in the crime, and whether or not a firearm was used in the commission of the crime.
- State laws vary as to parents’ or guardians’ liability for restitution orders once the child reaches age 18. Existing options include termination of orders,

enforcement of orders until restitution is fully paid, and allowing victims to convert joint and several liability orders to civil judgments.

- Some laws contain stipulations that base joint liability on a parent’s or guardian’s “ability to pay,” and provide that they provide clear proof of why they are unable to pay the restitution order.

Parental liability laws are not without controversy. They are based upon the premise that parents’ failure to adequately supervise or control their child contributed to the youth’s delinquent activities. Some critics point out that many good parents’ ongoing attempts to monitor their children’s activities are thwarted by a child’s mental illness, use of drugs, and/or the lure of gangs. Some restorative justice advocates believe parental liability laws reduce the *personal* accountability of youthful offenders by mandating that their parents share responsibility for their delinquent actions. Others believe society should focus *first* on providing supportive services to the families of at-risk children, which include parenting classes and family therapy (National Center for Victims of Crime, 1997b).

On the other hand, victims and their advocates express frustration at juvenile restitution orders that remain unpaid, and that are often expunged when the child turns 18. They believe that parental liability laws offer an important option that increases the likelihood of receiving restitution to which they are entitled (National Center for Victims of Crime, 1997b).

### Processing Unclaimed Victim Restitution

Courts and probation agencies may have cases where restitution is ordered and collected, but the victim cannot be located. In such instances, following duly diligent

efforts to locate the victim and after a prescribed period of time (2 to 3 years), restitution payments should be provided to the following (National Victim Center, 1997b):

- Any State-level restitution fund.
- The State's victim compensation program.
- Victim services fund in the county from which the restitution order is derived.

## Conclusion

Restitution plays a key role in the victim's reconstruction in the aftermath of a crime. Granted, restitution cannot undo the damage done by the offender, but it can, in some small way, help the victim and hold the offender accountable. An offender's failure to pay restitution should not be treated as a minor technical violation of probation or parole. By implementing strategies discussed in this chapter, probation and parole may discover that it is, indeed, possible to "squeeze blood out of a turnip."



# Victim–Offender Programs

## Introduction

In the United States, the concept of victim–offender programs is relatively new, spanning just two decades of development and growth. While these programs share many goals, there is usually one important underlying principle: to provide forums that promote greater understanding of the impact that crime has on victims and their families, offenders’ families, neighborhoods, and communities and to promote offender accountability and a positive learning experience for all involved participants. Many victim–offender programs incorporate principles of restorative justice, which are discussed below.

Why would victims, who have been harmed by criminal or delinquent activities, want to again be face-to-face with the person who hurt them? For many victims, burning questions in the aftermath of a crime need to be answered:

- Why did you choose to victimize me instead of somebody else?
- Does my offender(s) realize the emotional, physical, and financial losses that I have endured as a result of his/her action?
- Does my offender(s) feel any remorse?
- Can my offender(s), through words or actions, be directly accountable to me so I can reconstruct my life in the aftermath of the crime?

For adult and juvenile offenders, victim–offender programs can offer substantial value, including an understanding of the impact their crimes have on their victims

and communities. Victim–offender programs also offer offenders incentives for personal accountability in the forms of apologies, financial restitution, and community service, as well as facilitate a positive learning experience and competency development that can provide positive alternatives to criminal and delinquent activities.

Communities as a whole also stand to benefit from the implementation of victim–offender programs. Crime and delinquency have both direct and indirect victims. The “domino effect” of any crime — regardless of its severity — increases communities’ fears and feelings of vulnerability. In many victim–offender programs, the active involvement of community representatives sends a strong message that crime will not be tolerated, and that investment in individual and public safety is a community priority. Victim–offender programs often provide cost-effective alternatives to more retributive forms of justice. When victims are provided with positive tools to reconstruct their lives, they are able to function better as contributing members of a community, which provides universal benefits that cannot be overlooked.

Depending upon the program format, victim–offender programs can be utilized in a number of forums for adult and juvenile offenders, including presentence, diversion, probation, law enforcement incarceration and detention, and parole. Educational programs that incorporate victim–offender principles also are being utilized in curricula for elementary, middle, and high school students that focus on prevention and early intervention.

By the conclusion of this chapter, readers will understand the following:

- The concept of restorative justice and some practical applications of restorative justice within probation and parole agencies.

- The purpose for victim–offender mediation and several policy and program implications for victim–offender mediation.
- The “impact of crime on victims” programs.
- The merits of, and resources for, the development of victim impact panels.

### Key Elements for Victim–Offender Programs

Victim–offender programs and services are *not* for all victims or all offenders. Such programs should *not* operate in a vacuum, but rather be an integral component of system- and community-based services for both victims and offenders.

Recommended guidelines for the implementation of victim–offender programs include, but are not limited to, the following:

- A clearly stated mission statement, with supporting goals and objectives, to guide program development, focusing on outcomes and possible benefits relevant to victims, offenders and the community.
- Leadership from a “change champion” — either an individual or entity — who can provide vision and guidance in program implementation.
- Structure that clarifies the role of the program within the criminal or juvenile justice system, as well as its role related to community-based activities.
- Comprehensive knowledge of research and theory related to victimization, crime, juvenile and criminal justice, and offenders to provide a basis for program development.
- Intensive training and cross-training to establish and clarify program

expectations, and increase knowledge of professionals and volunteers involved with program planning, development, and evaluation.

- Written policies, procedures, and protocols to guide planning and implementation.
- Policies and procedures to screen victims to ensure that participation is appropriate for them.
- Policies and procedures to ensure that the victim’s safety is of paramount importance at all times.
- Measures to ensure that victim participation is *strictly voluntary*, with no perception of coercion and that victims may end their participation at any time.
- A thorough, sensitive intake procedure to provide adequate screening and preparation.
- Understanding of existing victim–offender programs to facilitate knowledge exchange, and to avoid “reinventing the wheel” or repeating mistakes.
- Written documentation of key program activities (planning, implementation, and evaluation) to facilitate knowledge expansion and exchange among victim–offender program practitioners, allied professionals, and the community.

### Restorative Justice

Many victim–offender programs are based upon the principles of restorative justice, which evokes a substantial shift from America’s traditionally retributive approach to justice. Initially offered as a philosophy for justice and fairness, restorative justice has taken on many important practical applications in the past decade — for victims, offenders and communities.

As described by Dr. Gordon Bazemore, Director of the Balanced and Restorative Justice Project at Florida Atlantic University in Fort Lauderdale, the conceptual framework of this approach to justice can best be described as a combined emphasis on three programming priorities (NOTE: Bazemore’s model was developed specifically for juvenile offenders):

- *Accountability:* Restitution, community service, and victim–offender mediation create an awareness in offenders of the harmful consequences of their actions for victims, require offenders to take action to make amends to victims and the community and, whenever possible, involve victims directly in the justice process.
- *Community protection:* Intermediate, community-based surveillance and sanctioning systems channel the offender’s time and energy into productive activities. A continuum of surveillance and sanctions provides a progression of consequences for noncompliance with supervision requirements and incentives that reinforce the offender’s progress in meeting competency development and accountability objectives.
- *Competency development:* Work experience, active learning, and community service provide opportunities for offenders to develop skills, interact positively with conventional adults, earn money, and demonstrate publicly that they are capable of productive, competent behavior.

According to Kay Pranis, Restorative Justice Planner at the Minnesota

Department of Corrections, restorative justice asks these questions:

- How can we increase opportunity for victim involvement in defining harm and potential repair?
- How can we increase offender awareness of injury to the victim?
- How can we encourage offender acknowledgment of wrongness of behavior?
- How can we involve the offender in repairing the harm?
- How can we acknowledge victim harm and confirm that the victim is not responsible for what happened?
- How can the community send messages of disapproval while not banishing offenders?
- How can the community provide opportunities for the offender to repair harm?
- How can the community be involved in the process of holding offenders accountable?

The shift from retributive to restorative justice has many implications for victims of crime. Key to these changes are active involvement in the justice process, as well as a defined role in achieving offender accountability. This shift is depicted in Figure 4-1, which includes definitions of “retributive” and “restorative” justice developed by noted author Howard Zehr (as cited by Bazemore and Umbreit, 1994), and “implications for victims” developed by public safety consultant Anne Seymour.

**Figure 4-1: Retributive and Restorative Justice Assumptions and Implications for Victims of Crime**

<b>Retributive Justice</b>	<b>Restorative Justice</b>	<b>Implications for Victims</b>
Crime is an act against the State, a violation of a law, an abstract idea.	Crime is an act against another person and the community.	The victim is individualized as central to the crime and the criminal justice system process, with the community duly noted as also affected by crimes.
The criminal justice system controls crime.	Crime control lies primarily in the community.	The community — including victims and their allies — participates in and directly benefits from crime deterrence.
Offender accountability defined as taking punishment.	Accountability defined as assuming responsibility and taking action to repair harm.	Offenders are held directly accountable to victims.
Crime is an individual act with individual responsibility.	Crime has both individual and social dimensions of responsibility.	Prevention, intervention, and breaking the cycle of violence are important considerations.
Punishment is effective. a. Threat of punishment deters crime. b. Punishment changes behavior.	Punishment alone is not effective in changing behavior and is disruptive to community harmony and good relationships.	Punishment is augmented by direct accountability to the victim and to the community, with victims having a strong, consistent voice.
Victims are peripheral to the process.	Victims are central to the process of resolving a crime.	Restorative justice principles are “victim-centered.”
The offender is defined by deficits.	The offender is defined by his or her capacity to make reparation.	Reparation to the victim and to the community is a priority.
Focus on establishing blame, on guilt, on past (did he/she do it?).	Focus is on problem solving, on liabilities/ obligations, and on the future (what should be done?).	A central goal is to deter future criminal action through conflict resolution, problem solving, and fulfilling obligations to the victim and to the community.
Emphasis on adversarial relationship.	Emphasis is on dialogue and negotiation.	Victims are active participants in determining appropriate reparations.

**Figure 4-1: Retributive and Restorative Justice Assumptions and Implications for Victims of Crime (continued)**

<b>Retributive Justice</b>	<b>Restorative Justice</b>	<b>Implications for Victims</b>
Imposition of pain to punish and deter/prevent.	Restitution is a means of restoring both parties; goal of conciliation/restoration.	Restitution holds the offender accountable and is meaningful to both him/her and the victim.
Community is on the sideline, represented abstractly by the State.	Community as facilitator in restorative process.	Just as the community is negatively affected by crime, it is positively affected by restorative justice processes.
Response is focused on the offender’s past behavior.	Response focused on harmful consequences of the offender’s behavior; emphasis is on the future.	Crime deterrence in the future focuses on victim and public safety.
Dependence on proxy professionals.	Direct involvement by participants.	Victims and their allies are directly involved in the criminal justice and restorative justice processes.

Source: Adapted from Bazemore and Umbreit, 1994

As the justice community continually seeks new, innovative approaches to fulfill its mission and goals, the concept of restorative justice has emerged as an approach that incorporates crime prevention, violence reduction, offender accountability, victim assistance, and public safety.

In the restorative model, offenders, crime victims, and the community are *all* considered clients of justice processes, including corrections. As such, the involvement and interests of these three client populations become core to the planning, development, implementation, and evaluation of justice-related programs and services.

At a national teleconference on restorative justice sponsored by the National Institute for Corrections in December 1996, a panel of experts identified seven core values of restorative justice:

- Crime is an offense against human relationships.
- Victims and the community are central to the justice process.
- The first priority of justice processes is to assist victims.
- The second priority of justice processes is to restore the community, to the degree possible.
- The offender has personal responsibility to victims and to the community for crimes committed.
- The offender will develop improved competency and understanding as a result of the restorative justice experience.
- Stakeholders share responsibilities for restorative justice through partnerships for action.

One of the best practical definitions of restorative justice is offered by Kay Pranis (1996, pp. 15-16), Restorative Justice Planner for the Minnesota Department of Corrections:

Restorative justice provides a framework for responding to crime that strengthens the community while holding offenders accountable. Based upon a rethinking of crime as an injury to the victim and the community rather than as an affront to the power of the State, the restorative model seeks to repair the harm resulting from crime. To define harm and how to repair it, victims must be involved. Surrogates or advocates may present the victim perspective when a victim does not wish to participate. Offenders are held accountable by taking responsibility for their behavior and acting to repair the harm they've caused.

The restorative justice model requires the offender to earn his or her way back into the community by making amends to the victim and the community with the assistance of the community, and calls upon the community to reach out and support the victim.

Restorative thinking can be applied to any crime. Victims should always be allowed to define the harm of the crime and what might help them. . . . Offenders should always be encouraged to take responsibility for their behavior and make amends if possible. However, no single restorative program is appropriate for all crime. While opportunities to repair harm are generally greater when the offender is kept in the community, violent offenders should be kept in secure facilities. Since part of the harm of crime is damage to the social fabric caused by fear of violent predators, they must be separated from the community. While in custody, offenders can participate in community service and victim empathy groups, and victim panels can help violent offenders understand the impact of their behavior (Pranis, 1996).

## Practical Applications of Restorative Justice

How can probation and parole agencies develop practical applications, *i.e.*, programs, policies, and services, that embody the principles of restorative justice?

There are a number of promising practices that should be considered for replication by probation and parole agencies in their jurisdictions.

### Reparative Probation Boards<sup>1</sup>

In Vermont, communities are not bystanders in the State's approach to restorative justice; rather, they are central to its implementation. The establishment of reparative probation boards, consisting of community members nominated by community leaders and appointed by the Commissioner of Corrections, promotes the concept that communities have much to gain, and nothing to lose, by assuming a role in offender accountability.

The Reparative Probation Program provides Vermont's courts with a sentencing option for offenders to make reparation to victims and the community. According to Michael J. Dooley, former Vermont Department of Corrections Program Director, "the emphasis of programs and services, which are traditionally targeted at the offender, are now focused on the community. Here, the emphasis is on the offender accepting responsibility, with the central focus on making victims and communities whole again."

Reparative activities included in offenders' sentences meted out by reparative probation boards include the following:

- Victim restitution.
- Community work service.

<sup>1</sup>Partially derived from Fulton, B.A. (1996). *Restoring Hope Through Community Partnerships: The Real Deal in Crime Control*. Lexington, KY: American Probation and Parole Association.

- Victim–offender mediation.
- Cognitive skills development sessions.
- Victim empathy programs.
- Decisionmaking programs.
- Driver improvement courses.

As described in an excerpt on Reparative Probation Boards (see Appendix D), four offender activity areas comprise the foundation for community reparative probation boards:

1. *Restore and make whole the victims of crime.* The offender will be expected to make restitution if ordered by the court, and participate in victim–offender mediation if requested by the victim.
2. *Make amends to the community.* The offender will complete community work service, preferably a work service activity related to the criminal conduct.
3. *Learn about the impact of crime on victims and the community.* The offender will appear before a Victim Empathy Panel composed of community members who know the impact of crime on their community. Members may be victims of crime, members of groups like Students Against Drunk Driving or Mothers Against Drunk Driving, merchants familiar with crimes such as shoplifting, or they may be former offenders.
4. *Learn ways to avoid re-offense in the future.* Offenders will complete short educational programs designed to give them knowledge, skills, and techniques to help them avoid reoffending in the future.

Vermont’s approach takes into consideration the three-pronged approach of restorative justice: offender accountability, offender competency development, and safety and involvement

of both victims and the public. This innovative program enjoys overwhelming support from Vermonters, who “want to be actively involved and want punishment to focus on opportunities and means for offenders to repair injuries and damages they caused (Fulton, 1996).

### Family Group Conferencing

Family group conferencing is currently utilized in several States, including Minnesota, Montana, Pennsylvania, and Vermont. It is often a diversion program for youthful offenders, or can be implemented as a condition of probation and parole. As described in *Restorative Justice, A Discussion Paper* published by the Ministry of Justice in New Zealand (1996):

A family group conference involves the victim (or his/her representative), the offender and members of the offender’s family. It is attended by the police and facilitated by a youth justice coordinator who is employed by the Department of Social Welfare. Others, such as a social worker and a legal advocate for the young offender, may attend the conference at the request of the coordinator.

In a review of juvenile justice practices, the process of family group conferences follows a typical pattern:

- Introduction.
- An explanation of the procedure by the coordinator.
- An opportunity for the offender to comment on the accuracy of the police statement.
- An opportunity for the victim (or representative) to present his/her view if the offender admits the offense.
- A general discussion of possible outcomes.

- A discussion of options among the offender’s family.
- The formulation of a plan, response, or outcome by the offender’s family.
- General negotiation.
- Agreement from the enforcement agency, the victim, and the offender.
- Recording of the agreed plan and closure of the meeting (Maxwell and Morris, 1995).
- Developing policies that mandate return of cases to court proceedings when the victim cannot or does not agree to the proposed plan.

In family group conferences, all participants have to mutually agree to a plan, or cases are referred back to court.

Early research on family group conferences found considerable dissatisfaction with the process by both crime victims and those who serve them. Some considerations in developing this approach that may increase victim satisfaction include the following:

- Requiring all program coordinators and facilitators to receive intensive training in victimology theory and principles.
- Establishing a program advisory board, comprised of victims and service providers, to provide input and guidance on program policies, goals and objectives, and overall structure.
- Ensuring that a balance consistently exists between the opinions and concerns of the victim and those of the offender and his/her family. This intervention should not be used in cases involving family violence (with very few exceptions) because of the imbalance of power between the parties and the use by the offender against the victim of fear and intimidation.
- Conferring with victims *first*, prior to scheduling conferences, in order to facilitate their participation in a nonintrusive manner.

### Circle Sentencing

Circle sentencing is a community-directed process conducted in partnership with the criminal justice system to develop consensus on an appropriate sentencing plan that addresses the concerns of all interested parties. Sentencing circles, sometimes called peacemaking circles, use traditional circle ritual and structure to involve the victim, victim supporters, the offender, offender supporters, judge and court personnel, prosecutor, defense counsel, police, and all interested community members. Within the circle, people can speak from the heart in a shared search for understanding of the event, and together identify the steps necessary to assist in healing all affected parties and prevent future crimes.

Circles typically involve a multistep procedure that includes: (1) application by the offender to participate in the circle process; (2) a healing circle for the victim; (3) a healing circle for the offender; (4) a sentencing circle to develop consensus on the elements of a sentencing plan; and (5) followup circles to monitor the progress of the offender. The sentencing plan may incorporate commitments by the system, community, and family members as well as by the offender. Sentencing circles are used for adult and juvenile offenders with a variety of offenses and have been used in both rural and urban settings. Specifics of the circle process vary from community to community and are designed locally to fit community needs and culture.

Circles have been developed most extensively in Saskatchewan, Manitoba and the Yukon, and occasionally in other communities. Their use spread to the



United States in 1996 when a pilot project was initiated in Minnesota.

### Offender Apologies

In many jurisdictions, judges require a formal apology — either written or verbal — from the offender to the victim, which is then made part of the official court record (or the offender’s apology can simply be placed in his/her file). Caution should be taken, however, to ensure *first* that the victim *wants* an apology, to avoid hollow apologies that are meaningless to the one who has been harmed, and to ensure that the offender prepares sincere and blame-free apologies. A third party, such as the probation or parole officer, should review the apology and return incomplete or inappropriate apologies to the offender for rewriting. Apology guidelines can be established to guide the offender in formulating his/her apology letter.

### Community Service

Two innovative approaches to community service should be considered by probation and parole authorities as a promising practice:

- *Letting the victim offer the court recommendations for the offender’s community service.* For example, a victim may live near a local park in which his/her children play that could use 6 months of weekly cleanup; or graffiti along the roads that the victim takes to work might need to be painted over.
- *Ordering first-time, nonviolent offenders who have a special skill, such as accounting, landscaping, or computer skills, to perform community service for a victims’ rights organization (i.e., rape crisis center or domestic violence shelter).* Of course, such agencies must be willing to accept these services prior to initiating this approach.

Both approaches offer victims important input into the offender’s sentence, and can be included as part of their victim impact statements for presentence investigations or for allocution in court.

Another approach to community service being taken in Dakota County, Minnesota is through the deployment of Crime Repair Crews. The Dakota County Community Corrections Department has organized these crews, which are comprised of offenders and supervised by department staff, to repair damage to victim’s homes or businesses caused by crime. The Crime Repair Crews are set up to perform this service for victims within a short-time period after the commission of the crime. The crew does not provide services for any of the members’ actual victims, but for other victims.

### Staff Victimization and Restorative Justice

In 1996, the American Correctional Association Victims Committee (1996, p. 4) developed a position paper about utilizing a restorative justice approach to deal with staff victimization and critical incidents. Its suggestions are worth reviewing for development into promising practices for staff safety:

A correctional institution and living units are microcosms of the community-at-large. People live together, work together, come and go and, similar to society-at-large, they hurt each other. They suffer the consequences of victimization together. And together, they have to protect each other.

When an assault or critical incident hurts a member of the corrections community, the balanced and restorative justice principles should apply.

How is the offender handled following a critical incident? How is, or is, the victim and his or her family helped? How is the sense of community reestablished? How

is the victim reintegrated back into the corrections workforce?

How the department of corrections treats victims and offenders within its own community is mirrored by the criminal justice system. Victims often have few or no rights and services available; they are often blamed for their victimization and can't get information about what happens to their offender. They have no voice.

Offenders are often placed back in the unit and treated lightly. Yet, they are responsible for disrupting their entire community of corrections. Should the offender be isolated or removed, or should they be held accountable for their behavior?

Corrections can effect the principles of balanced and restorative justice by doing the following:

- Providing staff victims with basic rights, such as notification of the status of their cases, the opportunity to have a voice in proceedings, protection, and restitution from the offender.
- Offering staff victims and their families supportive services, such as appropriate and sensitive crisis response, counseling, support groups (within the corrections community and externally), information about victim compensation, and meaningful restitution from the offender.
- Treating staff victimization offenses as crimes. Responses from both the corrections agency, as well as the criminal justice system, should be swift and incorporate the victim throughout the process. The offender should be held accountable to his or her victim through restitution, community service, and fulfilling the requirements of the sentence. The corrections community within the institution should also be restored through actions by the

offender that holds him or her accountable for disrupting the institutional community (American Correctional Association Victims Committee, 1996).

## Victim–Offender Mediation

Modern day victim–offender mediation, also called “dialogue,” was first utilized in Ontario, Canada in 1974, and found its way to the United States in 1978 in Elkhart, Indiana in a program that dealt exclusively with juvenile property crimes. Today in the U.S., over 300 programs offer victim–offender mediation, the majority in juvenile cases, most of which involve minor property offenses. As described in program materials from the Texas Department of Criminal Justice (TDCJ), “mediation can be a viable means by which justice is facilitated. What can be accomplished, however, is qualified by the victims’ and offenders’ personal experience, expectations, perceptions, background, age, level of maturity, sensitivity, honesty, openness, level and nature of support, nature, extent and frequency of the offense, relationship to the offender, and means by which the victims and/or offenders mediate, or deny their past and present circumstances and feelings.”

A very few programs facilitate victim–offender mediation in more serious crimes. The TDCJ program manages mediations — all initiated by the victim/survivor — in cases involving death row inmates. At the TDCJ, the purpose of mediation is “to provide victims of violent crime with the opportunity to have a structured, face-to-face meeting with their offender(s) in a secure, safe environment, in order to facilitate a healing recovery process.”

The TDCJ has established five goals that guide the implementation of its victim–offender mediation program, which may be found in Figure 4-2.

**Figure 4-2: Texas Department of Criminal Justice’s Goals for Implementation of Victim–Offender Mediation**

**Goal 1:** To provide victims with the opportunity for closure to unresolved trauma associated with violent crime.

- To directly and constructively express to offenders current and repressed feelings, such as fear, anxiety, anger, loss, pain, and grief.
- To ask questions and receive answers and insights which only offenders can provide.
- To experience a sense of empowerment through a direct voice and participation in this process of justice by helping to determine appropriate acts of restitution and accountability for the offender, and constructive acts of healing for the victim.

**Goal 2:** To provide offenders with an opportunity to face the full human impact of their crime upon the victim.

- To hear firsthand the depth of trauma experienced by the victim.
- To express remorse related to their offense and resulting impact.
- To answer questions for the purpose of personal assistance for the victim rather than legal defense of the offender.

- To reach greater accountability by determining the means whereby offenders become obligated beyond themselves to their victims and communities, and to restore what has been “wronged” within the victims’ physical, emotional, spiritual, financial, and social dimensions of their everyday life to whatever extent possible — for example, determining actual and symbolic restitution through an affirmation agreement.

**Goal 3:** To provide victims and offenders the opportunity for clearer understanding and personalization of the crimes’ impact upon their lives.

**Goal 4:** To provide victims and offenders participating in victim offender mediation/ dialogue with a process for developing mutual agreements, insights, or projects that could serve to benefit other victims and offenders in similar circumstances, such as mutual commitment to crime prevention, assurance of personal safety, victim advocacy, service to/within the community, criminal justice reform, victim impact panels.

**Goal 5:** To provide the community and society-at-large an opportunity to receive healing and restoration.

## Research on Victim–Offender Mediation

To understand the implementation and implications of victim–offender mediation, an examination of key research in this growing field is crucial. In the first large cross-site evaluation of victim–offender mediation programs in the United States, four program sites that worked closely with juvenile courts were examined carefully by a research team from the Citizens Council Mediation Services in Minneapolis, MN and the School of Social Work at the University of Minnesota: Albuquerque, NM, Austin, TX, Minneapolis and St. Paul, MN, and the East Bay area of California.

The findings of this significant research, outlined in Umbreit and Coates (1992, pp. 2–4) *Victim–offender Mediation: An Analysis of Programs in Four States of the U.S.: Executive Summary Report*, can help guide promising practices in the planning and implementation of victim–offender programs:

A substantial amount of quantitative and qualitative data has been collected from a total of 1,153 interviews with crime victims and juvenile offenders in four States, review of program and court records, interviews with court officials and program staff, and observation of 28 mediation sessions. The conclusions that emerged from analysis of these many data sources are first identified below. While these conclusions cannot be generalized to represent all victim–offender mediation programs, they do provide important insight into this growing international field of justice reform.

1. Victim–offender mediation results in very high levels of client satisfaction (victims, 79%; offenders, 87%) and perceptions of fairness (victims, 83%; offenders, 89%) with the mediation process for both victims and offenders. This is consistent with a number of previous studies (Coates & Gehm,

1989; Digman, 1990; Marshall & Merry, 1990; Umbreit, 1991, 1990, 1988).

2. The importance among victims and offenders of meeting each other and interacting through the mediation process is documented quantitatively in this study, whereas prior research (Coates & Gehm, 1989) provided qualitative data related to this issue.
3. Participants experience mediation as having a strong effect in humanizing the justice system response to crime, both for victims and juvenile offenders. This is consistent with the findings of prior studies (Coates & Gehm, 1989; Marshall & Merry, 1990; Umbreit, 1991).
4. The process of victim–offender mediation has a more significant positive effect upon crime victims (when examining comparison groups), even though both victims and offenders indicate very high levels of satisfaction and perceptions of fairness with mediation.
5. Victim–offender mediation makes a significant contribution to reducing fear and anxiety among crime victims. Prior to mediation, nearly 25% of victims were afraid of being victimized again by the same offender. After mediation, only 10% were afraid of being revictimized.
6. Juvenile offenders do not perceive victim–offender mediation to be a significantly less demanding response to their criminal behavior than other options available to the court. The use of mediation is consistent with the concern to hold young offenders accountable for their criminal behavior.
7. Victim–offender mediation can be effective in working with juvenile offenders with prior convictions, rather than simply with “first time” offenders.

8. The mediation process can be effective in working with more serious crimes such as burglary, robbery, and assault.
9. The specific location and sponsorship of the program had no major impact upon the high degree of client satisfaction with the outcome of mediation, or their perception of fairness with the mediation process, for either victims or offenders.
10. Victim–offender mediation has strong support from court officials, both judges and probation staff, and is increasingly becoming institutionalized into the juvenile court system.
11. The vast majority of offenders indicate they voluntarily chose to participate in victim–offender mediation. Programs in this study appear to have done a better job of presenting victim–offender mediation as a voluntary choice to the offender (81% of offenders) than indicated in prior research (Coates & Gehm, 1989).
12. Mediation is perceived to be voluntary by the vast majority of victims who participated in it. Although 91 percent of victims felt they voluntarily chose to participate in mediation, a small number of victims (9%) felt that they were coerced into participating in the victim–offender mediation program. Whether this perception of coercion was a function of the program staff, mediators, court-related officials, or even parents (of juvenile victims) is unclear.
13. Considerably fewer and less serious additional crimes were committed within a one-year period by juvenile offenders in victim–offender mediation programs, when compared to similar offenders who did not participate in mediation. Consistent with two recent English studies (Marshal & Merry, 1990; Digman, 1990), this finding, however, is not statistically significant.
14. Victim–offender mediation has a significant impact on the likelihood of offenders successfully completing their restitution obligation (81%) to the victim, when compared to similar offenders who completed their restitution (58%) in a court-administered program without mediation.
15. There is some basis for concern that the mediation process can become so routine as to suggest an impersonal atmosphere, potentially leading to a dehumanizing experience for participants. The spontaneity, vitality and creativity of the mediation process must be preserved by training and monitoring.
16. As the field of victim–offender mediation expands and becomes more institutionalized, a danger exists that mediation will alter its model to accommodate the dominant system of retributive justice, rather than influencing the present system to alter its model to incorporate a more restorative vision of justice upon which victim–offender mediation is based.

## Implications

A number of implications for both justice policy and direct practices are offered, based upon the conclusions that emerged from this extensive 2.5 year multisite study of victim–offender mediation in the United States.

## Policy Implications

- Wider public policy consideration should be given to increasing the availability of victim–offender mediation services, perhaps even as a basic right for those victims of crime who would find it

helpful, assuming the offender agrees to such a meeting and a credible victim–offender mediation program is available to both parties.

- Victim–offender mediation should be more consistently integrated into the large national network of court-sponsored restitution programs. There is strong evidence that victims of crime are more likely to actually be compensated if the restitution plan is negotiated by the offender and victim.
- Mediating conflict between interested crime victims and their offenders should receive far more attention from the large network of victim advocacy groups throughout the United States. There is strong evidence that a victim’s sense of vulnerability and anxiety can be reduced following a direct mediation session with his or her offender.
- More research is needed to assess the impact of victim–offender mediation, particularly with adult offenders and in crimes of violence.
- Additional attention should be given to ensuring that participation in mediation is voluntary for both parties. This should include training of case developers and mediators to inform both parties of all available options prior to their choice of mediation.
- Programs should routinely have victims and offenders sign a “consent to participate in mediation” form, prior to the actual mediation session, which clearly explains mediation, states the voluntary nature of mediation, and identifies other options that are available to both parties. Even after signing such a consent, victims should be free to end the session at any time.
- The appropriate role of parents in the mediation process involving juvenile offenders needs additional clarification. Rather than either a policy of including or not including parents in the actual mediation session, programs should develop policies that identify for whom and under what specific circumstances parents should be allowed in the entire mediation session.

### Program Implications

- Training of mediators should be enhanced to ensure that an appropriate nondirective style of mediation is used. This style includes the ability to make use of silence during mediation sessions and to avoid missing opportunities to encourage either victim or offender to address issues that are important to them. Emphasis should be placed on demonstrated skill competency rather than simply completing a set number of hours of mediation training.
- New and written video training resources should be developed to highlight the importance of a nondirective style of mediation. Specific examples of how to avoid “missing opportunities” for greater emotional closure for the victim and offender should be provided.
- New written and video training resources should be developed to provide program staff and mediators with assistance in identifying which cases and under what circumstances parental involvement in the mediation is desirable. The manner in which parents are allowed to be in the mediation session, including additional ground rules, should be incorporated into mediation training.
- Case referral criteria in victim–offender mediation programs should include both offenders with prior convictions and cases involving more serious offenses, such as residential burglary, robbery, aggravated assaults, and negligent homicide.
- Programs should develop an ongoing system for collecting client satisfaction

and other related data that are helpful for maintaining high quality control. This should include collecting data related to the participants' perception of voluntary participation and the role and effectiveness of the mediator. A program evaluation kit made available through this study could be helpful with such an effort (Umbreit and Coates, 1992).

### **“Impact of Crime on Victims” Programs**

“Impact of Crime on Victims” (IOC) classes were initiated by the California Youth Authority (CYA) in 1985, the nation's largest agency that detains juvenile offenders. Classes are now in all CYA institutions, and have since been replicated in 17 other States and at the Federal level. Applications for the IOC program include forums for adult and juvenile offenders, both nonviolent and violent, in diversion, probation, incarceration, detention, and parole settings.

In a program abstract written by IOC founder Sharon English, Assistant Director of the CYA and Martie Crawford, Program Director of the Riverside County (CA) Victim/Witness Program (1989), guidelines for developing an educational IOC model were offered.

In CYA, no new funds were allocated for the classes, but resources were redirected; that is, redirected so that budgeted education funds were reassigned to conduct this class instead of another course. This course, however, includes a number of the other educational activities such as analyzing problems, spelling, writing, and reading. The difference is the subject matter.

The following sections describe course requirements, instructor/facilitator selection, and availability of resources to develop the program:

### **Course Description**

The students of the IOC course must meet the following objectives:

- Explore how they view the rights of other people.
- Raise their awareness of the long-term impact of their action.
- Recognize their own possible victimization as children and how that abuse might influence them today.
- Provide opportunities to help them become non-abusive parents and good spouses/partners.
- Discuss their tendency to depersonalize the people they injure.
- Consider how they are accountable for the crimes they committed.

Subjects taught in a victim awareness class should span a range of topics, including property offenses, domestic violence, sexual assault, homicide, robbery, child abuse and victims' rights. In these classes, offenders should not be separated by offense type, since the goal is for *all* offenders to learn about the far-reaching effects of crime.

The course must be experiential with a variety of activities that include the use of visual aids such as videotapes with study guides, television newscasts or programs; guest speakers; notebooks with articles; scenarios and exercises; and role-playing opportunities. Of these activities, visits by actual victims provide the most important experience. Nothing can replace or substitute hearing from a parent whose child was killed or a burglary victim who is still afraid to be in his/her own home.

The only substitute for an actual victim could be a victim services advocate who has worked with many victims, and who can relate the stories of the people he or she has

helped. Most people do not fully appreciate the tragedies of crime or the related financial and emotional costs. Consider this example: The fiancée of a bride-to-be is stabbed to death just weeks before their marriage, and all deposits for the wedding and celebration are non-refundable. Besides that, the young woman has no rights as a victim, since she is not the “next of kin.”

This type of real-life story can make more of an impact on a delinquent youth than the horrible, sensational stories which even habitual offenders find repulsive. For that reason, instructors in this course should use everyday news stories on television and in the newspapers to present material involving ordinary people.

Other good exercises are to have the offender assess and write about what he or she thinks is owed to the victim, or what he or she feel would be owed if either of them were the victim of this offense. Another approach used by the Texas Youth Commission at the Giddings Correctional Facility involves having the young offenders role play their violent offenses as both the victim and the perpetrator.

### **Instructor/Facilitator Selection**

The instructor/facilitator must be able to do the following:

- Confront delinquent youth regarding their attitudes and beliefs in an assertive manner that encourages maximum self-examination and minimizes defensiveness.
- Understand the conflicting attitudes of both offenders and victims.
- Use experiential (student participation) teaching techniques to facilitate offender learning in the classroom.

In order to facilitate an “Impact of Crime on Victims” course, the instructor must know

how to be successful. The instructor *cannot attempt* to teach this course without advanced preparation, and so must be trained by victim service advocates. The instructor must stay on target with *victim of crime* issues. This is not a course on the general causes of delinquency, nor is it a course on other offender needs such as housing, employment, or gangs. It is often too easy for offenders or staff to focus on the many other societal problems and neglect the personal responsibility of each individual for his or her situation. This is not a course on philosophy (*i.e.*, are fish victims?) and is not a course on the holocaust or natural disasters (*i.e.*, victims of hurricanes).

### **Resources to Develop the “Impact of Crime on Victims” Program**

A comprehensive teachers’ manual and students’ curriculum has been developed by CYA. In addition, the Office for Victims of Crime provided support for a “training for trainers” session in IOC and victim impact panels in 1996, from which many resources and trained course facilitators emerged. Additional information about how to plan and implement an IOC class in probation or parole settings is available from the California Youth Authority, Office of Prevention and Victim Services, 4241 Williamsborough Drive, Suite 214, Sacramento, CA 95823.

### **Victim Impact Panels**

Victim impact panels (VIPs) have been utilized in conjunction with the criminal and juvenile justice systems since 1980. Initially developed by Mothers Against Drunk Driving (MADD) and Remove Intoxicated Drivers (RID) to educate DUI offenders about the tragic effects their actions have on victims, VIPs have expanded to also include persons convicted of offenses such as burglary, robbery, auto theft, and property crimes. VIPs can be



utilized in a variety of venues involving adult and juvenile offenders, including diversion, probation, parole, detention, or incarceration. In addition, VIPs have proved effective as a preventive approach for youth through school forums. They are also extremely beneficial when included as components of any training for justice and allied professionals, including probation and parole.

### **Benefits for Offenders and Victims**

For offenders, VIPs offer an opportunity to hear firsthand about the short- and long-term pain and suffering their crimes cause to victims. For victims who choose to participate, VIPs can be a valuable component in their attempts to reconstruct their lives in the aftermath of a crime. Many victims believe that by speaking directly to offenders, they may help prevent future delinquent or criminal behaviors.

### **Program Coordination**

VIPs must include a truly collaborative approach that crosses the justice system and the community. Stakeholders in program planning, development, and implementation include the following:

- System-based and community-based victim service organizations.
- Crime victims.
- Adult and juvenile courts.
- Judiciary.
- Prosecutors.
- Adult and juvenile probation/diversion.
- Adult and juvenile corrections.
- Adult parole and juvenile aftercare.

### **Resources for VIP Program Development**

Excellent resources for program development, including a planning guide and videotape, are available from the National Office of MADD, P.O. Box 541688, Dallas, TX 75354-1688, or by calling 1-800-GET-MADD. Recommended guidelines for organizing a VIP program, as developed by Lord (1990), address the following issues:

- Criminal justice system support.
- Research on victim impact panels.
- Steering committee.
- Other victim impact panel options.
- Site selection.
- Procedures/forms.
- Sample forms.
- Funding.
- Selection of victim speakers.
- Guidelines for victim speakers.
- Preparation tips for victims.
- The panel presentation.
- Evaluation.
- Sample evaluation forms.

### **Conclusion**

This chapter gives an overview of the value of victim–offender programs and offers concrete examples of victim–offender programs that have been implemented in probation and parole settings. When implemented correctly, victim–offender programs can provide substantial benefits to victims, offenders, and the community.



# Family Violence<sup>1</sup>

## Introduction

Family violence is a pervasive and insidious problem in American society, and one that, all too often, has been ignored by the criminal justice system. Family violence affects victims across the entire age span and from all socioeconomic and ethnic groups. Child abuse, partner abuse, and elder abuse are among the types of family violence most commonly addressed by criminal justice and social services agencies. However, violence in other family relationships, such as between siblings, assault of parents by juveniles, and abuse by family caretakers of vulnerable adults (*e.g.*, those with physical or mental impairments) also exists and must be studied more thoroughly to understand the full extent and ramifications for victims and society.

This chapter contains a discussion of the following:

- The extent and consequences of family violence and its impact on victims.
- Several practices recommended for an effective community corrections response to family violence and its victims.
- The type of information that should be provided to victims of family violence.
- Offender supervision in relation to family violence cases to help protect victims.

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<sup>1</sup>Partially derived from A.H. Crowe (with P. Wack and P.J. Schaefer). (1996). *Intervening in Family Violence: A Resource Manual for Community Corrections Professionals*. Lexington, KY: American Probation and Parole Association.

## Exploration of Problems and Issues

### Extent of Family Violence

The magnitude of family violence incidents is difficult to ascertain. The “family” has generally been regarded as an inviolable unit of society, protected from the scrutiny of outside contingents. Therefore, experts believe much family violence is never included in official reports. Nonetheless, known prevalence is staggering. The following data underscore the occurrence of several types of family violence:

- There were nearly 2 million reports of child abuse and neglect involving 2.9 million children in 1993. About 40 percent of reported cases were substantiated, or there was some indication of maltreatment. One thousand and twenty-eight (1,028) children died from maltreatment. Of child abuse perpetrators, approximately 77 percent were parents and 12 percent were other relatives (National Center on Child Abuse and Neglect, 1995).
- The majority of partner abuse crimes are committed by men toward their female partners. More than 1 million women were victims of violence at the hands of their intimate partners (husbands, ex-husbands, boyfriends, and ex-boyfriends) in 1992 (Bachman & Saltzman, 1995).
- Elder abuse has been studied less intensively than has child or partner abuse. However, estimates range from 1 percent to 10 percent of the elderly population experience abuse, including physical, emotional, and financial maltreatment (Tatara, 1993).

### Consequences of Family Violence

The significant association between family violence and other issues confronting the criminal justice system make this a critical issue to address. Children who grow up in

abusive households (whether the violence is directed toward them or toward a parent) are more likely, **but not destined**, to live in abusive households as adults (Gelles & Cornell, 1990). Recent studies underscore that abuse of children increases the potential risk of future delinquency and adult criminality. Widom (1992) followed a sample of 908 abused children and a comparison group of 667 non-abused children for 15 to 20 years. She reached the following conclusions:

- Being physically or mentally abused or neglected as a child increased the likelihood of the following:
  - Arrest as a juvenile by 53 percent.
  - Arrest as an adult by 38 percent.
  - Arrest for a violent crime by 38 percent.
- Being abused or neglected in childhood increased the likelihood of arrest for females by 77 percent.
- Physically abused children were more likely to be arrested later for a violent crime (15.8%), however this was followed closely by those who were neglected (12.5%).

A review of research on the effects on children of witnessing violence led Widom (1989) to conclude that observing hitting between parents was more highly related to later marital aggression than was being hit as a teenager. However, experiencing both types of violence — partner and child abuse — resulted in the highest risk of subsequent partner abuse.

Although much more research is needed, there is evidence that risk factors for various types of family violence are very similar to those for general criminality. Therefore, it is likely that within the general population of criminal offenders supervised by community corrections professionals, there are many who have committed, or currently

are committing, family violence offenses. Factors that often are present among perpetrators of family violence, as well as general offender populations, usually have violence in family of origin; criminal history; substance abuse; generalized aggression, including assaults against both males and females outside the home; low education level; social isolation; and are relatively young (Gelles & Cornell, 1990; Gelles, Lackner & Wolfner, n.d.; Klein, 1994; Milner, 1995; Saunders, 1995).

A pervasive factor in all forms of family violence is the feeling of entitlement by the perpetrator. A need for power and control over a victim/family member often results in violence if victims are not perceived as being compliant with offenders' demands. Perpetrators often express feelings of "ownership" of other family members and feel they have a right to control family members using any means.

### Impact on Victims

Impact on victims of child abuse, partner abuse, and elder abuse manifests itself in three ways:

**Child abuse** (inflicts lifelong scars on victims) and its potential ramifications:

- Relationship difficulties experienced as children and as adults include the distrust of others; fear of intimacy; feelings of isolation, alienation, and abandonment; and attachment disorders (Brier, 1984; Courtois, 1979; Egeland & Erickson, 1987; Herman, 1981; Zeanah & Anders, 1987).
- Psychological consequences such as suicide, substance abuse, lower self-esteem, and feelings of powerlessness.
- Delinquency and adult criminal behavior, including perpetration of violence toward family members and others.

**Partner abuse** frequently produces the following consequences among its victims (Walker, 1988, *Battered Woman's Syndrome*):

- Cognitive distortions (confused thinking, difficulty in concentrating, pessimistic thinking style).
- Memory distortions (partial amnesia, intrusive memories, flashbacks, dissociation).
- “Flight” symptoms (high avoidance, depression).
- “Fight” symptoms (hypersensitivity to cues of danger, exaggerated startle response, irritability, and anger released during periods of low danger).
- Sleeping and eating problems.
- Physiological reactivity (seeking medical help during calm periods after abuse occurs for aches and pains associated with high stress).

Women who are physically or sexually abused by their partners perceive themselves as less healthy, complain more about physical and emotional distress, and engage in behavior that is injurious to their health (*e.g.*, substance abuse) more often than women who do not experience abuse (Koss, Koss & Woodruff, 1991).

In addition to the effects of partner abuse on women, children living in domestic violence situations also are adversely affected by the abuse. The consequences often encountered by children living in homes where partner abuse occurs include the following (Seymour, 1996a):

- A risk of suffering physical or sexual abuse themselves at the hands of the batterer.
- Emotional or financial neglect.

- Emotional distress, such as fear, phobias, and depression.
- Threats and manipulation by the batterer to promote his power and control of his partner.
- Diminished self-esteem.
- Academic and/or peer relationship problems.
- Disruptions in residency when women seek shelter and/or actual homelessness.
- Learned aggression which is perpetuated toward other family members and persons outside the home.

**Elder abuse** occurs when elders are subjected to family violence. The elderly victim also experiences physical manifestations (*e.g.*, bruises, sprains, abrasions, bone fractures, burns, and other wounds) as well as psychological consequences such as depression, appetite loss, and sleep disturbances (Pillemer & Frankel, 1991; Phillips, 1983; Hudson, 1986).

## Key Elements for Intervening with Victims of Family Violence

Family violence has traditionally been defined as a social problem rather than an issue for the criminal justice system. Two themes often were used to rationalize neglect by the criminal justice system: (1) what happens within the family is private; and (2) resources need to be directed toward dealing with “real” crimes and criminals (*e.g.*, bank robberies, car thefts, stranger abductions, and murders).

These two lines of reasoning are fallacious because victims deserve protection whether they experience violence at the hands of a family member or a stranger. The evidence is strong, as well, that family violence crimes often lead to, or are associated with, other types of criminal behavior. Thus,

violence within families often fosters the next generation of criminals. Intervening at the earliest possible opportunity may prevent future criminal behavior. Several practices are recommended for an effective community corrections response to family violence victims:

- **Program Goals:** Victim protection and empowerment is the primary goal of intervention in cases of family violence. To support that goal, offender accountability and offender behavior change also are adopted as goals.
- **Case Assessment:** Assessment activities include both offenders and victims. Offenders are told that victims will be contacted by the probation/parole agency initially and throughout the supervision period. Victims' accounts of the violence are heard as credible and used as a basis for making case decisions. Victims are advised during the assessment process, and subsequently, of their rights and actions they may take to increase their safety. All family violence offenders are initially classified as high-risk and assessed for substance abuse problems.
- **Special Conditions of Release:** Community corrections professionals and courts or paroling authorities work cooperatively to impose special conditions of release on family violence offenders that assist probation and parole officers in achieving the goals of victim safety, offender accountability, and offender behavior change. There are swift consequences for violations of these conditions and/or any further instances of abuse.
- **Victim Services and Offender Supervision:** In an attempt to ensure victims' safety, family violence offenders are supervised as high-risk offenders, including frequent contacts, home visits or field surveillance, investigation of records for new abuse, contact with

victims (if they are willing), substance abuse monitoring, checks of attendance and participation in treatment programs, electronic monitoring or curfew checks, and monitoring of offenders' financial obligations.

- **Enforcement of Conditions of Probation or Parole:** Supervision protocols include ongoing contact with victims and the provision of additional resources to victims (through the probation/parole agency or referral to other agencies), such as safety planning, victim protection technologies (cellular phones, electronic monitoring), and opportunities for treatment and support.
- **Trained Staff:** The probation/parole agency has staff who are trained in dealing with cases of family violence and are sensitive to victims' issues. Attempts by offenders and others to deny, minimize, externalize, and rationalize abusive behaviors are challenged.

These elements are summarized in the remainder of this chapter. The information provided is based on reviews of probation and parole agency materials and professional literature. The agency contact and resource list in Appendix I contains a list of some community corrections programs providing specialized family violence services containing many of these practices.

In addition to the elements listed above, the community corrections agency should keep accurate data on cases of family violence and undertake efforts to evaluate program effectiveness.

## Program Goals

### Victim Protection and Empowerment

Victim protection and empowerment must be a priority for community corrections.

Four important reasons to emphasize victim protection and services are as follows:

1. Prevention of death or injury.
2. Containment of the intergenerational transmission of violence.
3. Empowerment of victims.
4. Reduction of exposure to legal liability.

The potential for death and injury in family violence cases, and the increased risk of its intergenerational continuation, have been addressed already. Victim empowerment is another key aspect of this goal. Seeing others take their situation seriously empowers a victim of family violence to act on her own behalf. Victim empowerment is more likely to occur when the justice system intervenes appropriately. Conversely, when they are not believed, when they are blamed for the abuse, or when cases become “lost in the system,” victims often become further alienated, victimized, and less able to act for themselves. The most important method of empowering victims of family violence is to believe them, investigate, and take appropriate action.

Legal liability is still another reason victim protection is important. Many changes in legislation and policies and procedures for law enforcement, court personnel, prosecutors, community corrections, and treatment providers occurred largely through litigation brought by victims or survivors of murder victims. Most lawsuits stem from victim protection responsibilities that often have at their core the justice system’s failure to take these cases seriously. Because family violence cases involve a known victim who is usually in foreseeable danger from an identified perpetrator, and because these victims often have restraining or protective orders that may be interpreted as committing the State to intensified protection efforts, community corrections’ exposure to legal liability is somewhat heightened in these cases.

## **Offender Supervision and Accountability**

Community corrections agencies have a public protection mandate. In family violence cases, the “public” consists of known and potential victims as well as others outside the family. The protection of all of them is a fundamental responsibility of community corrections. As discussed previously, there is evidence suggesting family violence is correlated with risk for other criminal behavior. Stringent supervision techniques and swift and sure enforcement of conditions affects the safety of identifiable victims, as well as the public at-large.

Holding family violence offenders accountable for their actions is central to supervision and enforcement of conditions. Offenders often exhibit a sense of entitlement toward those with whom they are intimate, and they often are tenacious in their pursuit of victims. They may deny, rationalize, minimize, and blame victims for their behavior. These attempts must be confronted every time they occur. Appropriate responses from the criminal justice system reinforce to the offender and others that violence within the family is unacceptable, criminal behavior.

## **Offender Behavior Change**

Family violence behavior is thought to be learned in most cases. Therefore, with appropriate intervention, it can be “unlearned,” or different behaviors can be learned to replace abusive ones. Appropriate intervention is based on psychoeducational and cognitive behavioral principles provided in group settings and specific to the type of offense(s) committed. Intervention focuses on stopping abusive behaviors, protecting victims, and holding offenders accountable. Traditional treatment modalities, such as marriage counseling, anger control, and individual insight therapy have been ineffective when used early in the intervention process or

when used exclusively. Some States legislatively prescribe appropriate treatment in domestic violence cases because more traditional approaches have the potential for batterers to avoid accepting responsibility for their behavior or for failing to reduce victim danger and victim blame. It is increasingly recognized that intervention generally should be long-term. This may require legislation extending the period of probation or parole allowed for some offenses. Enforcement of treatment conditions should include regularly monitored attendance, active participation, and successful completion of treatment goals.

### Case Assessment

A thorough assessment is the foundation of good case planning and intervention. It facilitates an appraisal of potential risk to victims and a determination of appropriate intervention and supervision strategies for family violence offenders. Each victim and offender may share many characteristics with similar victims and offenders, but each also is unique. Individual needs and resources must be evaluated and used as the basis of the case management strategy.

### Victim Assessment

Victim assessment should be undertaken to determine any needs victims may have, including those related to their safety. Victims also are instrumental in the assessment of offenders. They have firsthand knowledge of the offender's patterns of abuse and factors that increase the risk of violence. Because family violence offenders tend to deny, minimize, externalize, and rationalize their behavior, the victim's account is likely to be more accurate and should be used for comparison with the offender's version. Victims should be assessed in the manner that is most appropriate for their needs.

In many cases, victims of physical or sexual child abuse have a social worker from the

Child Protective Services Department; they also may have a therapist working with them. Often law enforcement personnel are involved in investigative assessments of child abuse. These persons perform assessments, and it is unlikely that community corrections will have much contact with these victims. Similarly, in cases where older persons have been abused, an Adult Protective Services unit is likely to be involved. These professionals have been especially trained to work with children or elders. However, establishing working relationships with protective services agencies so vital information on the offender's supervision can be shared is important.

On some occasions, however, it may be necessary for a community corrections professional to make initial assessments of victims of child or elder abuse. This may occur if interactions with offenders indicate the possibility of abuse. For example, if a probation officer is conducting a home visit with an offender and notices a child or elder who has suspicious injuries or other indicators of abuse or neglect, a preliminary assessment of the child or elder becomes necessary to determine if a report to protective services should be made. In such a case, the following procedures should be taken:

- Separate the suspected victim from possible abusers so he or she can talk freely.
- Approach the child or elder with respect and in a nonthreatening manner.
- Use language that the child or elder understands.
- Assure the possible victim that s/he has done nothing wrong and is not in trouble.
- If children or elders are reluctant to talk, ask if there is someone they would like to speak with (*e.g.*, teacher, friend, relative). Express concern for their safety.



- Ask the child or elder to explain how s/he received the injury or why s/he is behaving as they are (*e.g.*, crying, isolated, fearful).

If abuse is **suspected**, most State laws require professionals to report it to the protective services agency. Community corrections professionals should know the reporting laws and procedures in their States, including whether or not they are mandated reporters.

Probation and parole officers have more frequent contact with victims of partner abuse. In most locations there is not an equivalent of a protective services agency for adults who are neither elderly nor vulnerable because of physical or developmental challenges. Some partner abuse victims seek services such as shelters, mental health counseling, or legal remedies (*e.g.*, restraining orders). However, many victims are systematically isolated and controlled by their batterers and have little knowledge of community resources or skills for accessing needed services.

Contact should be made with partner abuse victims as soon as possible when community corrections professionals

become involved with these cases. See Figure 5-1 for a suggested protocol for assessing victims. The offender should be informed from the beginning of probation or parole contact that the victim will be contacted for assessment information, and periodically throughout the period, the offender is receiving community supervision. The offender should be admonished that s/he is not to interfere in any way with such contact nor to attempt to influence the victim's response to such contact. The purpose of contact is to assess the victim's ongoing safety and needs, as well as to determine whether or not the offender is complying with the conditions of probation or parole. It should **not** be the responsibility of the victim to monitor the offender's behavior; however, s/he may be the only one who has certain information (*e.g.*, if the offender has made unauthorized contact with the victim).

There are several areas to assess with domestic violence victims. Figure 5-2 contains a list gleaned from several assessment instruments and program manuals. Several areas listed are the same as those for which offenders should be assessed. Figure 5-3 contains suggested interviewing approaches for victims of partner abuse.

**Figure 5-1: Suggested Protocol for Assessing Partner Abuse Victims**

1. Contact victim advocates, police, or others known to have knowledge about the case prior to the interview with the victim or offender to obtain any applicable information.
2. Contact the victim after interviewing the defendant in order to verify statements made by the offender. Victim contact should be made at the earliest point of contact with the offender (*i.e.*, pretrial, presentencing, probation intake, parole planning, or parole intake).
3. Always interview victims and perpetrators separately. If both are in court for a pretrial hearing, interview the defendant first and then the victim. If the offender comes to the court or probation office alone, contact the victim as soon as the offender leaves. This allows an interview with the victim before the perpetrator has an opportunity to prepare or coach her for the interview.
4. Express concern for the victim's safety and explain the need for her involvement in the assessment process.
5. Ask the victim to describe the abuse in general and the specific incident resulting in this court involvement.
6. Use an interview guide or assessment instruments selected for the assessment process. This helps ensure a thorough assessment.
7. Explain the court and legal processes being conducted (*i.e.*, pretrial hearing, sentencing, probation, parole).
8. Confirm the victim's mailing address or request another address where she would like to be contacted (*e.g.*, a family member or friend). Inform the victim that a letter will be sent to her that will provide information on domestic violence and community resources available to her.
9. Mail a letter to the victim explaining the court, probation and/or parole processes affecting her. Include the name and phone number of the shelter closest to her, information about obtaining restraining or protection orders, a list of community resources she may need, information on planning for her safety, and other information on domestic abuse.
10. If a victim refuses to provide information or requests materials not be sent to her, document this in the case record.
11. Maintain the victim's contact information in a secure place separate from the offender's file.
12. Make a followup call to verify the victim received the mailed information and inquire as to whether she has any additional information to share, feels she is safe at present, or has any other problems for which she needs assistance.

*Sources:* Black, 1995; Domestic Violence Committee, New York Department of Probation, n.d.; Family Division, Superior Court of Connecticut, 1986; Pence, 1989.

**Figure 5-2: Areas for Assessment of Partner Abuse Victims**

**Family History:** Were either the victim or perpetrator abused as children or witnesses to marital violence?

**Types of Violence Experienced:** What types of physical and emotional abuse has the offender perpetrated against the victim?

**Cycle/Frequency of Violence:** How long has the violence been committed and how frequently does it occur? Is it becoming more serious? How many times have police been called? Is there a current (or previous) restraining order? Has the offender been abusive in previous relationships?

**Present Offense:** What is the victim's account of the present offense?

**Dangerousness/Lethality:** What is the victim's assessment of the danger to her and her children? What is her level of fear? What is the most serious violence she has experienced? Does she know whether or not the offender has access to weapons? In what ways has he threatened her? Has the offender ever harmed pets or taken hostages?

**Suicide Threats or Attempts:** Have either the offender or victim threatened or attempted suicide?

**Forced Sex:** Has the perpetrator forced the victim to have sex against her will?

**Child Abuse:** Has the offender ever abused the children? Has the family ever been investigated or received services from the child protective services department?

**Substance Abuse:** Do either the offender or the victim have a problem with the abuse of alcohol or other drugs? Has either of them received substance abuse treatment? Does the victim perceive substance abuse is a contributing factor in the violence?

**Violence or Other Criminal Activity Outside the Home:** Does the victim report the offender's involvement in abusive behaviors or other criminal activities away from home?

**Property Destruction:** Does the offender ever throw objects, break things, or otherwise destroy property?

**Isolation of the Victim and/or Perpetrator:** Is the victim allowed to work, go out with friends and family, participate in activities in the community, and receive mail and phone calls? Does the perpetrator work, have friends, and participate in activities outside the home?

**Attitudes Toward Violence:** Is violence viewed as acceptable or expected behavior?

**Offender's Attitudes Toward Victim:** Is the offender jealous, critical, or demeaning toward the victim?

**Victim's Needs:** Does the victim need housing or temporary shelter, medical care, financial assistance, legal assistance, educational services, counseling, or support?

**Victim's Support System:** Who can she turn to when she needs help or support? Does she have family or friends in the immediate vicinity? Is she aware of, or has she used, community services?

*Sources:* Black, 1995; Family Assault Supervision Team, n.d.; Family Division, Connecticut Superior court, 1986; Onondaga County Probation Department, 1991; Pence, 1989.

**Figure 5-3: Interviewing Techniques for Partner Abuse Victims**

Victim safety should be the first priority.

- Express concern for her safety, but respect her reasons for staying.
- Recognize the cycle of violence, and help her understand it is likely to happen again.
- Understand that leaving her batterer may be the most dangerous time for her.
- Ask if this is a good time to talk; avoid interviewing victims if abusers are present.

Support the victim.

- Help her understand the abuse is not her fault; she does not deserve to be beaten or verbally abused.
- Emphasize the abuser is responsible for his behavior.
- Encourage and support her if she realizes she needs to get away from danger, but do not pressure her to leave or criticize her for not leaving.
- Explain the benefits of intervention with the abuser and acknowledge that the process of change will be difficult for both for them.
- Always be honest with the victim.

Listen carefully to victims.

- Take her story seriously.
- Don't interrupt.
- Listen to how things are said and what is not said.

Question victims with care.

- Use probing, open-ended questions.
- Follow responses with specific questions to get details.
- Ask for examples and specifics.
- Define terms used.
- Clarify common statements (e.g., "What did you mean when you said he hits you a lot?").

- Avoid giving victims answers to your questions (e.g., Ask "What do you argue about?" instead of "Don't you argue about the children?").

Be aware of personal thoughts, feelings, and biases.

- Try to remain nonjudgmental.
- Understand differing cultural and religious values and beliefs.
- Recognize and understand victims' ambivalence; they often love their partners.

Define roles and responsibilities.

- Clarify the professional role and responsibilities of a community corrections professional.
- Explain what can and cannot be done.
- Be sure the victim understands that some information she shares may not be kept in confidence.

Empower victims.

- Recognize that abusers often damage victims' confidence and self-esteem.
- Offer them information that increases their choices.
- Avoid taking over and making decisions for her.
- Encourage victims to take small steps toward independence and to rebuild self-confidence.

Identify the victim's needs.

- Ask if she needs medical attention.
- Ask if she needs safe housing.
- Help her prioritize her needs.
- Provide information about services available to her.

*Sources:* Black, 1995; Family Assault Supervision Team, n.d.

A sample letter that could be sent to a victim of domestic violence at the point of initial case contact is contained in Appendix E. A sample safety plan for victims of domestic violence also is included in Appendix E.

### **Offender Assessment**

Offender assessment is a vital component of efforts to ensure victim protection and empowerment. When determining which offenders to assess, agencies need to make some critical decisions. Community corrections caseloads contain offenders whose present sentence results from a conviction for a family violence offense, such as domestic violence or child sexual abuse. However, there may be offenders on probation or parole for other crimes who have family violence arrests or convictions in their past records. Further, there likely are many offenders who never were arrested for a family violence offense who, nevertheless, are violent toward their family members. Andrew Klein, former Chief Probation Officer in Quincy, Massachusetts, where a nationally recognized coordinated response to domestic violence has been developed, has identified several types of offenses that are especially likely to include a family violence component. These include breaking and entering, annoying phone calls, stalking, malicious property damage, and cruelty to animals (Klein, 1996). An agency's resources and commitment to stopping the violence will influence the extent to which assessments of each of these groups will be undertaken.

The first group, adjudicated family violence offenders, must be assessed, and appropriate intervention plans should be developed to ensure victim safety. If possible, all offenders should be screened for family violence offenses, whether or not there is an official record of such conduct.

Many probation and parole professionals regularly conduct risk and needs assessments on offenders. The areas covered by these assessments also will apply to family violence cases. However, there are some special considerations for these cases, as well. Part of the assessment task often calls for the probation or parole officer to attempt to predict the degree of risk or dangerousness presented by the offender. Probation and parole professionals should be familiar with specific risk and lethality factors associated with various types of family violence. (For a more comprehensive discussion of risk factors and assessment processes, please see Chapter 10, Assessment, in Ann Crowe's *Intervening in Family Violence: A Resource Manual for Community Corrections Professionals*, published by the American Probation and Parole Association, 1996.)

Establishing from the beginning of intervention and supervision that the offender's behavior — the violence — will be the focus is important. At the first contact, the purpose should be articulated clearly. This may be done by the officer making statements to the offender, or the officer may ask the offender to explain why s/he has become involved with the courts (Sonkin, 1987). The latter approach allows the officer to assess the extent to which the offender employs denial, minimization, externalization, and rationalization. When the offender uses these tactics, s/he must be confronted and refuted by the probation or parole officer.

Victims' and offenders' responses to assessment questions should be compared. Often, the victim's account will be the more accurate. Klein (1996) recommends asking interview questions three times as more detailed information often emerges with each repetition.

## Offender Supervision

Each department should have procedures for processing cases upon adjudication and assignment to probation or release of the prisoner on parole. Agency policies should delineate how cases are referred and processed, how long offenders have to report to their supervising probation or parole officers, and any materials they should bring with them. This information should be provided to offenders before they leave court or an incarceration facility. For example, the following is the policy of the New Jersey Conference of Chief Probation Officers (1992, p. 3).

The speedy and efficient processing of cases from the court to probation should be a top priority. The Chief Probation Officer should work with the Family and Criminal Division Managers to establish procedures to alert probation of new cases as soon as possible, but no later than 24 hours of disposition. The paperwork should be expedited so the supervising officer receives the necessary information as soon as possible. . . .

When a sentence to probation is imposed in a domestic violence matter, the defendant should be directed to report to probation immediately. Where possible, the defendant should be escorted from the court to probation, along with the appropriate paperwork.

Placing family violence offenders on **specialized caseloads** that are **smaller and intensively supervised** by probation and parole professionals who have received **extensive training** in family violence is recommended.

### Maryland Division of Parole and Probation Family Assault Supervision Team

The Family Assault Supervision Team (F.A.S.T.) provides a specialized form of

intensive supervision to offenders who have been released to parole/probation supervision for domestic violence offenses. The supervision model focuses on offender accountability and victim safety and incorporates intensive supervision practices with the coordination of batterer's treatment and substance abuse treatment. The supervision protocol also emphasizes expeditious procedures for reporting parole and probation violations, especially those involving victim safety. . . . (Source: Family Assault Supervision Team, n.d.; *Stop the Violence* (Program Description). Baltimore, MD: Maryland Division of Parole and Probation.)

Agents selected for F.A.S.T. received a 2-day training session conducted by the staff of the House of Ruth, Baltimore, a comprehensive domestic violence intervention program. . . . (Source: Family Assault Supervision Team, (n.d.). *Stop the Violence* (Program Description). Baltimore, MD: Maryland Division of Parole and Probation.)

Initially, contact standards for offenders to report to their probation officers should be very frequent. Most program materials indicate the standard is weekly (*e.g.*, Quincy, MA Probation Department; Klein, 1996), every-other-week (*e.g.*, Maricopa County, AZ, Adult Probation Department; Black, 1995) or twice monthly (*e.g.*, Maryland Division of Parole and Probation, Family Assault Supervision Team, n.d.) contact for family violence offenders.

Supervision contacts should "reinforce the probationer's obligation to the court and remind him of the consequences of violation" (Klein, 1996, pp. 15–16). Frequent contact also helps divert offenders' attention from preoccupation with the victim to the requirements of probation or parole (Klein, 1996). In addition to supervision contacts, offenders are seen in a group intervention program

and possibly for drug testing and treatment. These contacts help keep offenders focused on their obligation to obey the conditions of probation or parole.

Klein (1996) recommends regular checks with other parts of the criminal justice system to be sure abuse is not continuing unbeknownst to the probation or parole officer. The following are recommended by Klein (1996):

- Monthly checks of police logs for calls to the offender's or victim's residence.
- Weekly checks of persons held in protective custody for intoxication.
- Regular checks of local or statewide computer records of criminal cases (for any new complaint, family abuse or otherwise) and civil restraining order activity (whether initiated by the victim of record or another).

Offenders should be considered in violation of their probation and possibly returned to court if their names are found through any of these sources.

Offenders should be required to participate in group intervention programs specifically for the type of offense they have committed (e.g., batterer's intervention for domestic violence offenders; sex offender treatment groups for child molesters). Figure 5-4 provides an excerpt from Quincy, Massachusetts *Probation/Parole Manual for the Supervision of Domestic Violence Cases Programs* that describes batterers' treatment. Programs should set firm policies about absences from treatment. Some agencies will allow two absences before offenders are returned to court. Probation and parole officers should receive regular information about the attendance and participation of offenders in a group intervention program. With

modern technology, most intervention programs and community corrections agencies can exchange information very quickly by fax or internet. The treatment provider can fax, deliver, or mail an attendance list following each weekly group meeting. The list also can indicate the name of any offenders about whom the group leaders have concerns. This cues the probation or parole officer to contact the group leader for further details. Probation and parole officers may observe group sessions occasionally to obtain first-hand information on offenders' progress. The same process as just described also can be used to monitor offenders' compliance with substance abuse treatment conditions.

#### **Figure 5-4: Batterer's Treatment**

Probationers should be referred to a certified batterer's program, those programs that specialize in the treatment of batterers that are psycho-educational, cognitive restructuring, and behaviorally-oriented. . . . Treatment in isolation, no matter how rigorous, will not be effective if not complemented and supplemented by consistent intervention by the criminal justice system to end battering behavior. . . . Mandatory treatment is preferred over voluntary treatment. It is important that the treatment agency be responsive to the probation officer's need to hold the offender accountable. . . .

Source: Klein, A.R. 1996. *Probation/Parole Manual for the Supervision of Domestic Violence Cases*, p. 18. Penfield, NY: Quincy Court/Polaroid Information Service.

Both offenders and victims should be told that a condition of no contact can be changed only by the court. Even if the victim drops a restraining order, a condition of no contact requires action by a judge or paroling authority to change. A decision is based on recommendations concerning the offender's behavior, so he or she should be counseled to focus on behavior change conditions of release. Sobriety, no new abuse, no infraction of probation or parole conditions and progress in treatment should be among the areas assessed in making a recommendation for a change.

### Case Classification

To ensure victim safety, family violence offenders should be classified initially as **maximum supervision** cases. For example, the New Jersey Conference of Chief Probation Officers' (1992, p. 3) policy states the following:

All cases received for supervision as the result of a domestic violence complaint, for supervision of a restraining order, for violation of a restraining order, or other convictions arising out of a domestic violence situation (*e.g.*, assault) shall be classified as maximum supervision cases. This policy overrides the normal risk and offenses based classification process for adult probation supervision. There shall be no exceptions to this policy for the first six months of supervision. At the 6-month reassessment, the supervision level may only be lowered with the explicit approval of the supervisor.

Most agencies use a risk and needs classification system designed for all

offenders. These risk and needs assessment tools generally evaluate areas such as prior criminal record and probation supervision, age at first offense, stability of residence, employment status, substance abuse, and the like. These classification systems do not always reflect accurately the degree of risk posed by family violence offenders. As family violence offenders often have committed offenses many times without being apprehended, their recidivism rates will not be depicted reliably. Often previous offenses, if apprehended, have been prosecuted as misdemeanors rather than as the felonies they actually are. Family violence offenders often have access to their victims, increasing the danger involved (Hofford, 1991).

Three approaches have been reported by probation departments for adjusting the classification of family violence offenders appropriately:

1. Some agencies automatically classify these offenders for maximum supervision as illustrated in the excerpt from New Jersey's policies cited above.
2. Some agencies use a different instrument with family violence offenders, such as the one developed in Connecticut and Colorado.
3. Some agencies add points to the regular risk assessment form when a family violence offense is involved, such as the process used by the Family Assault Supervision Team in Baltimore, MD. (See Appendix E.) Figure 5-5 provides an explanation of the override system from *Stop the Violence* prepared by the Family Assault Supervision Team, (F.A.S.T.) Maryland Division of Parole and Probation.



**Figure 5-5: Stop the Violence/  
Override System**

For Item #3, Risk Assessment, all offenders assigned to F.A.S.T. for a domestic violence related offense are to score 6 points. If the domestic violence offense is an assaultive offense an additional 4 points will be entered.

For Item #12, Risk Assessment, the Impression of Offender Risk should be considered “high” if the typical characteristics listed in the instructions are present (*i.e.*, rationalizes behavior; shows no intention of changing irresponsible behavior; acts impulsively and without proper deliberation). If offender risk is considered “high” score this item 5 points.

Cases with a score based level of Standard shall receive an override to Intensive level and receive Intensive level supervision for at least six months.

*Source:* Family Assault Supervision Team (n.d.). *Stop the Violence* (Standard Operating Procedure, p. 2). Baltimore, MD: Maryland Division of Parole and Probation.

Regardless of the mechanism used, family violence offenders (especially domestic batterers) should be classified so they can be intensively supervised initially to more effectively protect victims.

## Special Conditions of Release

Probably the most important tool community corrections professionals will need to protect victims is suitable

conditions of release for family violence offenders placed on probation and parole. Without these, officers may be unable to supervise and hold offenders accountable for behaviors that endanger their victims. Probation and parole administrators should work with judges or paroling authorities to request the appropriate conditions be imposed. Presentence investigations and prerelease assessments can be valuable procedures in assuring the conditions are appropriate for the offender. Understanding of the dynamics and consequences of family violence and the importance of pertinent criminal justice sanctions by judges and paroling authorities is vital.

The advantage of having the appropriate conditions imposed is being able to return the offender to court or the paroling authority for further action if s/he fails to abide by them. If specific conditions are not enacted, probation and parole administrators may want to consider developing agency rules that cover these areas. This can be done broadly under court directives that offenders cooperate with their supervision on probation or parole. The drawback to this approach is if the offender fails to abide by a specific agency rule, the court or paroling authority may or may not be willing to have the case returned for a review. If not, only the intermediate sanctions available to the department can be enacted. With specific conditions imposed, offenders can be returned to court or the paroling authority easily for disregarding or disobeying court orders. The court or paroling authority, then, has the option of incarcerating the offender, if appropriate.

Figure 5-6 contains an array of possible special conditions of probation or parole that may be imposed on family violence offenders. Figure 5-7 depicts special conditions appropriate for sexual abuse offenders. The information in each of these figures was compiled from several probation/parole agencies and other literature as documented in each figure.

**Figure 5-6: Recommended Conditions of Release for Family Violence Offenders**

**Protective:**

- No further abuse.
- No contact with victims or their families.
- Abide by all court restrictions and directives.
- Submit to warrantless search and seizure.
- Electronic monitoring.
- Intensive supervision.
- Supervised child visitation and/or public drop-off/pick-up point.
- Cooperation with child/adult protective services.
- Forfeiture of weapons and suspension of license.
- Release of information to third parties as appropriate.

**Treatment:**

- Mandatory attendance, participation in, and successful completion of an offense-specific group intervention program.
- Substance abuse testing.
- Substance abuse treatment.
- Abstinence.

- Self-help/support groups.

- Release of information to third party treatment providers.

**Punitive:**

- Incarceration.
- Noncustodial loss of liberty.
- Fine.
- Community work service.

**Financial:**

- Family support.
- Restitution.
- Attorney fees for victim.
- Counseling for victims and children.
- Group intervention program and substance abuse treatment program fees for offender.
- Cost of urinalysis.
- Fees/court assessment.

*Sources:* This is based on the original work of Klein, 1994, with additional contributions by Black, 1995; Family Assault Supervision Team, n.d.; and Hofford, 1991.

**Figure 5-7: Recommended Conditions of Release for Sex Offenders**

**Protective:**

- No sexual contact or abuse.
- No contact with any child.
- No contact with victims; abide by terms and restrictions of family reunification procedure.
- Do not live with children; no new relationships with families that include children.
- Register as sex offender.
- Reside in approved location.
- Maintain appropriate/approved employment.
- Abide by curfew.
- Submit to search and seizure.
- No possession of pornographic material, frequenting of adult book stores and movie theaters, or use of 900 phone numbers.
- Remain fully clothed in public.
- Abstinence from drugs or alcohol.
- No hitchhiking or picking up hitchhikers; no operation of motor vehicle alone.
- Submit and comply with a schedule of daily activities.
- No possession or use of firearms.

**Treatment:**

- Mandatory attendance, participation in and successful completion of a sex offender treatment program.
- Submit to psychological and/or physiological assessment (*i.e.*, polygraph and Plethysmograph).
- Submit to substance abuse testing.
- Submit to testing for HIV and other sexually transmitted diseases.
- Substance abuse treatment.
- Release of information.

**Financial:**

- Pay for victims' therapy.
- Restitution.
- Pay for sex offender treatment program.
- Pay for substance abuse testing, polygraphs, and plethysmograph tests.

*Sources:* Child Abuse Task Force, Georgia Department of Corrections, n.d.; English, Pullen, Jones & Krauth, 1996; Pithers, Martin & Cumming, 1989; Scott, n.d.

The imposition of conditions should be based on an individualized assessment of each case. Some of the conditions recommended in Figures 5-6 and 5-7 may be imposed on all family violence offenders, while others should be used selectively to match the needs of the victims and offenders involved.

In developing the specific conditions of probation and parole for family violence offenders, judges, paroling authorities, and probation and parole professionals must keep in mind that family violence offenses are serious criminal acts that all too often result in serious injuries or death. The specific conditions imposed on the offenders should reflect this reality as well as information on special needs revealed by an individualized assessment of each case. If found guilty of a family violence offense, offenders should experience consequences that impress upon them the serious criminal nature of their behavior. Being sentenced to probation or being incarcerated and later paroled is the first step. The general consensus of most research findings, experts, and practitioners in the area of domestic violence is that diversion of cases, particularly if a guilty plea is not entered, is ineffective with these offenders. The coercive power of the criminal justice system is needed to enforce the conditions of probation and parole in order to protect victims and compel abusers to change their behaviors (Klein, 1994).

## Victim Services

To achieve the goal of victim protection and empowerment, probation and parole professionals need to take a more proactive role with family violence victims, especially victims of domestic violence. Some probation and parole agencies designate victims' advocates to work with victims in general or specifically with victims of family violence. This additional staff allows agencies to provide extra services victims

often need. If unable to hire a victims specialist, community corrections agencies might consider the possibility of developing contracts or working agreements with victim support agencies in the community. Another option is the use of **trained** volunteers to assist victims. However, whether or not a victims' advocate is available, line officers supervising partner abuse offenders also should have contact with and provide services for victims.

The sooner contact is established with victims, and they hear about the specifics of the probation or parole conditions from the probation or parole officer, the less opportunity there is for the offender to contact, intimidate, or harass the victim further. At the first supervision meeting with the offender, the supervising officer should state clearly that initial and ongoing contact will occur between the victim and officer, that this is a standard procedure, and the offender should not interfere with such contact.

All initial contacts (letters, telephone, and/or in-person) should strive to ensure the safety of the victim and provide needed information. Initial contacts should include the following information; also see sample letter in Appendix E. (*Sources:* Black, 1995; Family Assault Supervision Team, n.d.; Klein, 1996; New Jersey conference of Chief Probation Officers, 1992.)

- Identification of the supervising officer, his/her role, address, and telephone number. (Be sure the victim understands to call police **first** in an emergency; then she should inform the probation or parole officer).
- The name of the probationer/parolee.
- The conditions of release provided in understandable language; details regarding no contact orders should explain that **any** contact, whether threatening or not, is prohibited and should be reported to the probation or parole officer.

- An explanation that only the court can modify the conditions of release, including no contact orders; clarify that no contact orders do **not** prohibit the offender from visitation with the children unless otherwise stated in the orders.
- How the victim can contact the officer if a violation occurs or with other relevant information; the name of another contact person (*e.g.*, the officer's supervisor) if the probation or parole officer is not available.
- The plan for the officer to make regular contact with the victim.
- An explanation about the confidentiality of information the victim may share with the officer (*e.g.*, it cannot be kept from the court but will not be revealed to the offender unless the victim's statement is to be entered into the court record).
- **The victim's safety cannot be guaranteed** — include an honest description of the limits of protection orders and offender treatment.
- Victims' rights afforded by statute or department policy (*e.g.*, the right to notification of release, the right to attend and give testimony at revocation hearings).
- Under what conditions the victim will be **subpoenaed** to give testimony (to reinforce to the offender that the case is being conducted by the State and not the victim).
- Appropriate referrals with telephone numbers to include the following:
  - Police/911.
  - Shelters.
  - Adult and child protection agencies.
  - Legal services.
  - Victim advocates (include State numbers that may exist).

- Victim treatment providers.
- Crisis focused child and/or adult day care centers.

Victims or their guardians should be notified whenever there is a status change for the offender, including incarceration, release from custody, dropping out of treatment, and changes in residence or employment (English, Pullen, Jones & Krauth, 1996).

### Enforcement of Conditions of Probation or Parole

The purpose of probation or parole intervention in family violence cases is to protect victims by changing offenders' behavior and stopping the violence. The supervision recommendations discussed previously in this chapter attempt to accomplish these objectives. However, family violence is an insidious and persistent problem fueled by learned behaviors that often are legitimized culturally. Thus, the behavior change process can be lengthy and arduous. Many offenders are unable to complete a term of probation or parole without violating some of the conditions of their probation or parole and/or committing new offenses. The role of the probation or parole professional is one of reinforcing positive behavior changes and of holding offenders accountable for their behavior through negative sanctions for unacceptable behavior.

Most offenders will commit technical violations. Family violence offenders are accustomed to being in control and often continue to act as they please by flouting court orders. Technical violations may or may not constitute new offenses, but they generally increase the potential risk to victims.

Any form of new abuse to a victim — physical or sexual abuse, threats or

harassment — should be sanctioned immediately, no matter how minor. Other criminal offenses also should be confronted. New offenses can go through the normal criminal justice process, which often is very long and cumbersome. Charges must be filed, and often the offender is released again to the community while awaiting trial. In the interim he possibly is able to continue abusing his victim.

However, if community release conditions contain terms that an offender shall obey all laws and perpetrate no further abuse, new abuse or other criminal offenses can be treated as probation or parole violations. This allows much swifter handling of the case and imposition of sanctions by returning the offender to court. It may be advisable to let the case continue along both routes: as a technical violation **and** as a new case for prosecution.

The National Council of Juvenile and Family Court Judges states: “Probation violations of any kind in family abuse cases should be promptly returned to the court for adjudication” (1990, p. 47). As is well understood by community corrections personnel, offender accountability goals are meaningless if sanctions are not forthcoming for violations. Failure to enforce the conditions of release is especially problematic in family violence cases because of the increased risk to the victim and the **negative reinforcing** message non-enforcement sends to the offender, the victim, and the public. Because of the traditional view that intimate violence is less serious than other violent crimes, enforcement for failure to attend treatment or violations of no contact orders often are not dealt with strictly by the courts; however, technical violations are often a present indicator of criminal violations yet to come (Brown, *et al.*, 1984, as cited by National Council of Juvenile and Family Court Judges, 1990). Probation and parole officers have the unique opportunity

to follow family violence offenders closely and expedite offender accountability by bringing violations back before the court or paroling authority for increased supervision, other intermediate sanctions, and/or incarceration (National Council of Juvenile and Family Court Judges, 1990).

Both judicial and prosecutorial education are vital for the successful supervision of family violence cases. Judges and prosecutors must understand the tenacity with which many family violence offenders pursue their victims and the association between technical violations and future re-offending. They also need to embrace the primary goal of victim protection as they approach these cases.

An effective working relationship between community corrections agencies and the court is vital for holding family violence offenders accountable for violations of probation or parole. Klein (1996) recommends an arrangement whereby only one judge hears violation cases. With this method, offenders are likely to be dealt with more consistently. A single judge can view a particular case in the context of all other family violence cases. This judge would be more familiar with typical behavior patterns and better able to respond to violators.

## Trained Staff

Supervising family violence cases is difficult work and requires skills and dedication from officers. The New Jersey Conference of Chief Probation Officers (1992, p. 3) delineated the requirements of personnel as follows:

The supervision of domestic violence cases should be assigned to a limited number of officers who specialize in this function. The officers assigned should, when possible, have the following qualifications:

- Experience in supervision.
- Senior probation officer status, or eligible to be.
- Experience and/or training with substance abuse.
- Interest in taking on the assignment.
- Experience in child support enforcement.

Probation or parole officers' responsibilities generally include those listed in Figure 5-8. Some agencies have a staff member whose responsibilities solely are to work with victims. If so, some recommended tasks and responsibilities are included in Figure 5-9. However, even if a specialized victims' services worker is available, line officers supervising family violence offenders also should have contact with victims.

### ***Figure 5-8: Line Officer Responsibilities***

- Conduct presentence investigations and make recommendations to the court.
- Assess offenders' level of risk, individual needs, and resources.
- Develop appropriate case plans.
- Initiate and maintain contact with victims.
- Provide or refer victims to needed services.
- Hold offenders accountable for their behavior and comply with court orders by implementing sanctions when necessary.
- Check with other components of the justice system to learn of new charges, and new restraining or protective orders.
- Maintain contact with third party sources (*e.g.*, treatment providers, neighbors, associates) to learn of ongoing abusive behavior.
- Provide or refer offenders to appropriate treatment services.
- Maintain appropriate case documentation.
- Monitor attendance and participation of offenders in treatment programs.
- Monitor offenders for drug use.
- Collect or arrange for the collection of any payments the offender is ordered to make (*e.g.*, child support, restitution, victim resettlement costs).
- Arrange for and monitor the offender's compliance with special conditions of release, such as apologizing to the victim and performing community service.
- Monitor or search the offender and his/her dwelling and vehicles for weapons and signs of victim contact (*e.g.*, children's toys; a partner's belongings).
- Enforce child (or other family) visitation requirements.
- Challenge offenders' attempts to deny, rationalize, minimize or externalize their abusive behavior.
- Provide a role model of prosocial behavior.

**Figure 5-9: Victim's Services Worker**

- Maintain contact with the victim.
- Notify victims of new offenses by their abuser and/or changes in the status of the offender (*e.g.*, release from incarceration).
- Help victims develop a safety plan.
- Help victims assess their needs and refer them to appropriate services and resources.
- Prepare and support victims during court procedures, such as revocation hearings.
- Communicate with all parts of the criminal justice system and community services to maintain cooperative working relationships on behalf of clients.
- Educate other staff on the jurisdiction's victims' rights requirements.

In Quincy, Massachusetts, the probation department has a policy that states the following victim contact requirements, "The probation officer shall inform the victim that the probation officer will be in periodic contact with the victim to ensure that everything is going okay, whether the probationer is living with her or not." (Klein, 1996, p.11).

Qualifications for staff in a program to intervene in family violence also should be carefully considered. Requirements for staff may vary depending on the program model, agency mission, community needs and many other factors. Clearly delineating job expectations and staff qualifications in the program planning process is important. A careful selection procedure for choosing staff to take part in the program should be undertaken. Desirable qualifications include the following:

- Demonstrated commitment to the purpose and goals of the program.
- Prior successful experience working with community corrections offenders and victims.
- Specialized training in family violence.

- Necessary skills to perform the job duties.

The community corrections professional needs to emphasize constantly the offender's responsibility for his or her behavior, thus reinforcing the notion that accountability is vital to the change process (Black, 1995). The probation or parole officer's attitude and behaviors are as important as the sentences and conditions of release. Many abusers receive reinforcement for their criminal behavior from peers, relatives, and society-at-large. This reinforcement allows offenders to believe their behavior really is not criminal and is the victim's fault. The probation or parole officer may be the first person they encounter who challenges these beliefs (Klein, 1996).

Probation and parole professionals must challenge every attempt on the part of offenders to deny, minimize, rationalize, or externalize their behavior. They must be wary of offenders' attempts to manipulate them into fraternizing and colluding with them about the abuse. Sexist jokes, derogatory comments about the victim, and attempts to portray themselves as the



victims must be confronted with factual information about the criminal nature of their behavior. Only through changing both the attitudes and behaviors of offenders will the violence be ended.

Education and sensitization training about family violence are important for all professionals within the criminal justice and community service delivery systems. **All** community corrections personnel should receive fundamental training, including the dynamics of all types of family violence and recognition of indicators of abuse in probationers and parolees and in the family members of offenders. Probation and parole officers should appreciate the potential lethality of family violence and should understand their agency's position about intervention when abuse is suspected.

For example, agents selected for Maryland Division of Probation and Parole Family Assault Supervision Team (F.A.S.T.) receive a 2-day training session. Training segments include dynamics of domestic violence, legal remedies (including Maryland's new Protective Order), intervention strategies, victim safety planning, and offender supervision. In addition to agents assigned to F.A.S.T., the training session is attended by other Division staff and representatives of Baltimore City Pre-Trial Release Services (Family Assault Supervision Team, n.d.).

Those who work with specialized caseloads of family violence offenders, or all community corrections staff if these cases are assigned throughout the agency, must receive more comprehensive training. Hofford and Harrell (1993) list several topics that should be addressed in training for justice system personnel:

- Dynamics of family violence.
- Battered-spouse and battered-child syndromes.

- The correlation between spouse abuse, child abuse, and delinquency.
- Impact of arrest.
- Evidence gathering and prosecution techniques.
- Victim safety issues.
- Proper courtroom treatment of victims, offenders, and witnesses.
- Impact of personal attitudes and gender bias on the demeanor and actions of justice system personnel.
- Sanctions available and treatment standards for offenders.
- Elements of a good protection order.
- Shelter and support services available for victims.
- Effectiveness of coordinating and consolidating cases and services.

Cross training between community corrections staff and other professionals in the justice system and in community service agencies is recommended highly. A coordinated community response to family violence is essential. Therefore, the development of a common knowledge base and commitment to collective goals among all persons in the community (or State) who will be involved in working with victims and offenders is required.

## Conclusion

Hofford (1991, p. 16) provides a good description of the role of probation (and parole) in supervising family violence cases:

Probation departments and individual probation officers can play a pivotal role in improving not only the response of the probation department, but of the entire

court system. By setting and enforcing new standards of behavior between family members, the court system not only responds more sensitively and fairly to victims of abuse, the court also promotes an intolerance of violence in the community which will reduce future

violence and make homes safer for millions of victims. In addition, the court and probation officers have the unique opportunity to break the self-replicating pattern of violent behavior which condemns the children to learned domestic violence and crime.

# Responding to Workplace Violence and Staff Victimization<sup>1</sup>

*“You only work in this business because you know it’s (staff victimization) going to happen to someone else — not you!”*

— A correctional officer who was held hostage in a critical incident resulting in the murder of his coworker by an inmate.

## Introduction

Violence in the workplace — including assaults, sexual assaults, robberies, and murders — has escalated to the point where the U.S. Department of Justice recently proclaimed the workplace to be the most dangerous place in America (Anfuso, 1994). Workplace homicide has tripled in the last decade, making it the fastest growing category of murder in America (Baron, 1993), as well as the leading cause of workplace death for women (Bureau of Labor Statistics, 1994).

A review of the latest data from the Bureau of Justice Statistics annual crime survey reveals startling statistics about workplace violence:

- Nearly 1 million people become victims of violent crime in U.S. workplaces every year.

<sup>1</sup> This chapter is derived from *Responding to Workplace Violence and Staff Victimization in Correctional Settings* (1997), developed for the *Promising Practices and Strategies in Corrections* project, sponsored by the National Center for Victims of Crime, with support from the U.S. Department of Justice, Office for Victims of Crime.

- An estimated 8 percent of rapes, 7 percent of robberies, and 16 percent of all assaults occurred while victims were on duty or working.
- Overall, one out of every six violent crimes experienced by U.S. residents age 12 or older happens at work.
- Over 30 percent of victims who were working during a violent victimization faced armed offenders (Bachman, 1994).

Greater protection for our nation’s workforce, along with timely and sensitive responses for employees who are victimized on-the-job, have become priorities for many public and private sector employers in the United States — including corrections — as a direct result of the drastic increase in workplace violence.

This chapter describes the scope and characteristics of workplace violence in community corrections; discusses the process for developing a post-trauma program protocol; identifies unwritten expectations of community corrections staff who are victimized; and identifies strategies for victims and survivors of workplace violence/victimization.

## Corrections and the Scope of Workplace Violence

People who seek careers in corrections are usually aware that they are entering into a high-risk profession. The supervision of criminal and delinquent offenders with histories of violent behavior alone increases the likelihood of potential victimization. In 1996, the National Institute for Occupational Safety and Health (1996) identified ten factors that may increase a worker’s risk for workplace assault as described in previous research:

1. Contact with the public.
2. Exchange of money.

3. Delivery of passengers, goods, or services.
4. Having a mobile workplace such as a taxicab or police cruiser.
5. Working with unstable or volatile persons in health care, social services, or criminal justice settings.
6. Working alone or in small numbers.
7. Working late at night or during early morning hours.
8. Working in high-crime areas.
9. Guarding valuable property or possessions.
10. Working in community-based settings.

*Most*, if not *all*, of these factors are part of the daily work experience of many community corrections professionals.

Various surveys of probation and parole agencies in the United States have found that significant numbers of employees have been victimized in their career, as depicted in Figure 6-1 (Parsonage, 1990):

Hostage-taking incidents also are occurring at a higher rate. In the Federal Bureau of Prisons alone, there have been 157 employees held hostage in 9 separate incidents since 1987. Remarkably, none of those employees was seriously injured physically, but significant emotional trauma resulted from such victimization in many cases (Digman and Fagan, 1996).

### **Violence in Correctional Workplaces: Characteristics Unique to Correctional Personnel Who Are Victimized**

The issues of violence and victimization in correctional settings — including institutions, jails, youth detention centers, probation and parole — can differ significantly from similar issues in the general population. Due solely to the nature of correctional clientele, the risk of being victimized on-the-job is greater for correctional professionals than for most other jobs. Many agencies lack policies and procedures on how staff *can* and *should* report workplace violence, and how the agency will respond to them.

**Figure 6-1: Percentage of Probation and Parole Employees Who Have Been Victimized in Their Career**

State	Percentage of Career Victimization
Texas Board of Pardons and Parole	41%
Virginia Division of Probation and Parole	39%
New York State Probation	55%
Pennsylvania Statewide Survey	38%

The scope and breadth of community-based victim services provide a fairly good “safety net” for citizens who are victimized while, for community corrections employees, the availability of agency-sponsored victim services may be limited or, in some cases, nonexistent. The typical process for dealing with violent crimes perpetrated against community members involves investigations, arrests, and criminal prosecutions. For community corrections, some matters that would otherwise be considered “criminal” may be handled administratively, depending on agency policies and procedures.

A basic element of crisis intervention for victims is assuring them that the crime “is not their fault.” For community corrections employees, there are occasions when a staff member’s oversight, negligence, or failure to follow established procedures contribute in some way to his or her victimization. As a result, “victim blaming” for incidents of workplace violence involving community corrections employees becomes a barrier to crisis intervention and followup supportive services for the victimized staff. Victim assistance may be accompanied by disciplinary actions. In addition, other staff may harbor feelings of resentment toward a victimized colleague who failed to follow procedures.

For community members, victims often exercise options to completely remove themselves from “the scene of the crime,” *e.g.*, leaving their homes and communities, getting a new job, changing identities, etc. In corrections, victimized staff are, in many cases, expected to “return to the scene of the crime” — often very soon after the incident occurs. Rapid re-integration into the workplace without extensive supportive services can be a “trigger” for severe psychological reactions. In some cases, the victimizer (probationer or parolee) continues to remain in, or report to, the

same field office, while the victim (the community corrections professional) is transferred to another site “in his or her best interests.” Such actions can be considered punitive, and erroneously support the concept that the victim was to blame.

The responsibility of supervising or monitoring a known “correctional staff victimizer” can add tremendous stress to those who must assume this job. Probationers and parolees with histories of victimizing staff must continue to be supervised. These differences between general community response and the corrections/workplace community response may affect the scope and sufficiency of the agency’s services for staff who fall prey to workplace violence. Recognizing and understanding these unique characteristics are two of the most important steps toward formulating an appropriate agency response that best meets the special needs of community corrections employees.

### **Key Elements for Responding to Workplace Violence in Community Corrections**

The overall increase in workplace violence in America, coupled with the fact that community corrections is a high-risk profession in itself, comprise a “double-edged” sword for agency administrators, as well as for employees. Staff safety issues should be addressed within planning, policy development, training, and evaluation and research. Agencies and practitioners must recognize that violence in the workplace can occur at the hands of offenders under supervision. In addition, critical incidents are fast becoming increasingly prevalent in the general population of the United States, such as violence perpetrated by family members, friends, coworkers, and strangers. Such incidents include the following:

- Intimidation or harassment (including sexual harassment) by persons known to employees (including coworkers) or by people committing behaviors that fall under the criminal definition of “stalking” (including strangers).
- Crimes resulting from escalating domestic violence situations in employees’ homes.
- Retaliatory crimes committed by family members or friends of offenders who are under some form of correctional supervision but who are unknown to the correctional employee at the time of the crime.
- Assaults or criminal incidents, involving complete strangers who are unaware of a correctional employee’s position, are committed while employees are either on- or off-the job or are perpetrated against a family member of the employee. Criminal incidents include physical assaults, rapes, robberies, drunk driving crimes, and homicide.

In order to practice *preventive*, as well as *responsive*, approaches to inappropriate behaviors that can lead to workplace violence, community corrections agencies must have policies that state “no tolerance” for any inappropriate behavior that intimidates, harasses, or threatens any of its employees. (The Federal Bureau of Prison’s *Staff Workplace Violence Prevention Program Statement* is included in Appendix F.) Agencies must also provide an environment that is conducive to reporting any such incidents, along with policies that clearly state *that* — and *how* — the agency will respond, and whether or not victims’ complaints will be confidential, if such protection is provided. Employees must feel confident that any interactions they have, resulting from a critical incident, will remain confidential, if such protection is provided. Factors that agencies should consider in developing their threat incident

reports, developed by the International Association of Chiefs of Police, are included in Appendix F. In addition, the agencies should incorporate training on appropriate behavior in the workplace for all employees as part of both orientation training and continuing education and implement supervisor’s training on how to identify and intervene in situations where inappropriate behavior is evident.

Also, the development of a mission statement, goals, and objectives for post-trauma response efforts can contribute to a comprehensive agency response. Last, there should be a coordinated response within the criminal justice system, as well as followup with staff, when incidents occur.

### **Developing a Mission Statement, Goals, and Objectives for Post-Trauma Response**

It is helpful for community corrections agencies to develop a mission statement, goals, and objectives that clearly define its vision for, and approach to, responding to staff victimization, critical incidents, and workplace violence. A workgroup should be convened that includes the following personnel and allied professionals:

- Representative of the agency administration.
- Director of the employee assistance program.
- Director of victim services.
- A site supervisor/administrator.
- A member of the agency’s critical incident response team (where applicable).
- Representative(s) from the agency’s Victim Advisory Council.
- Representative from line staff or the employees’ union.

The workgroup should consider two crucial issues prior to writing the mission statement, goals, and objectives:

- Defining the various types of workplace violence, victimization, and critical incidents to which the agency will respond.
- Defining the scope of the agency's response.

### Developing a Mission Statement

The program mission statement should provide an overview of the ideals and values upon which the post-trauma response program is based. Two examples of a mission statement that can serve as a foundation for workgroup discussion and actions is as follows:

The mission of the (agency's) post-trauma response program is to implement timely and sensitive policies, procedures and protocols for both short- and long-term support of employees, their families, and any witnesses who are detrimentally affected emotionally, physically or financially by crimes committed against them on- or off-the-job, in order to promote a supportive environment for them to reconstruct their lives in the aftermath of a crime.

The mission of the (agency's) program is to establish a safe and professional environment in which employees and their families recognize the importance of reporting traumatic and/or critical incidents, and understand the need to address such incidents through a variety of interventions and debriefing protocols and services.

Another example of an agency mission statement from the Texas Department of

Criminal Justice (TDCJ) Parole Division's Post-trauma Staff Support Program is as follows:

To establish and maintain uniform procedures for providing immediate peer support to employees who are traumatized emotionally or physically in a critical incident in an effort to reduce subsequent problems.

### Developing Program Goals and Objectives

An agency's post-trauma program can benefit from the development of goals and objectives that clearly reflect the program's overall mission and provide a "road map" for the development of policies and protocols. Examples of program goals include the following:

- To provide a supportive environment where employees feel comfortable reporting any traumatic or critical incident, and confident that they will receive comprehensive, quality assistance, information and referrals to help them cope in the aftermath of such incidents.
- To reduce the detrimental effects of crimes committed against department employees or their loved ones, either on- or off-the-job, through immediate crisis intervention, as well as short- and long-term supportive services offered by the agency, or by qualified professionals in the community.
- To provide assistance and services, including group debriefings, for any agency employees who may be traumatized by witnessing, working at the site of, or being otherwise detrimentally affected by any incident of workplace violence.

Post-trauma response program objectives should match the program goals developed

by the agency, and more clearly delineate the agency's response to traumatic incidents. The TDCJ Parole Division established seven program objectives that can provide a model for other correctional agencies, which are to accomplish the following:

- Provide an immediate, accessible, and planned response to employees involved in a trauma-related incident.
  - Establish a management initiative team of employees readily available on a daily/on-call basis for the purpose of providing support to employees involved in a serious or traumatic incident.
  - Establish a post-trauma response team comprised of employees and volunteers within a region who will be available to respond, when called upon, to critical incident situations, and who will offer employees a means of dealing with the multitude of feelings associated with these situations.
  - Assist and facilitate an employee's access to community resources, as may be needed, to enable return-to-duty at the earliest possible date.
- Promote confidentiality and trust for employees receiving support.
  - Provide information to employees that will assist them in assessing and meeting their needs as it relates to trauma-related incidents.
  - Provide an opportunity for the Post-Trauma Staff Support Program Coordinator to meet with the Staff Support Team Leader to discuss the program and share information to enhance the program's effectiveness.

### Defining a Traumatic Incident

The Texas Department of Criminal Justice Parole Division, as stated in the

*Post-Trauma Staff Support Program Operations Manual* (1996), offers a comprehensive definition of a "traumatic incident" that is worthy of consideration and replication:

A traumatic incident is 'an incident that significantly affects one's life, perhaps causing feelings of total loss of control, fear of loss of limb or life, or fear of permanent change to one's integrity. A traumatic incident is often unexpected, unpredictable, or of sudden onset, and it may generate severe panic. Such incidents include, but are not limited to, the following: physical assault; sexual assault; death of a staff member, volunteer, close work associate, or inmate/releasee; psychological assault or death threat; hostage or riot situation; natural disaster or fire; exposure to a potentially life-threatening disease; or witnessing of a suicide or an attempted suicide of a staff member, volunteer, close work associate, or inmate/releasee.'

Correctional agencies can use this definition as a foundation upon which to build their own detailed description of a "traumatic incident" to which the agency will respond with post-trauma response and support.

### Developing an Agency Policy to Guide Post-Trauma Response

Little in corrections happens without a detailed policy to guide it. Yet in 1996, there were still a significant number of correctional agencies that did *not* have written policies concerning how to handle critical incidents in which personnel become either victims or witnesses, including 78 percent of adult correctional agencies, 71 percent of juvenile



correctional agencies, and 33 percent of paroling authorities. A *Prototype Administrative Policy on Staff Victimization* that is designed to augment an agency's mission, goals, objectives, and overall policies related to how it responds to workplace violence is included in Appendix F. In addition, detailed policy guidelines and post-trauma protocol from the California Department of Corrections are also in Appendix F.

## Developing an Agency Post-Trauma Program Protocol

In addition to developing policies for post-trauma response activities, community corrections agencies should create a protocol that clearly defines the following:

- When the program will be implemented.
- Which staff will be involved in the program, and who makes decisions related to staff participation.
- Examples of specific incidents that will result in the implementation of any agency's post-trauma response.

The California Department of Correction's protocol, found in Appendix F, offers a promising practice worthy of consideration and possible replication by other correctional agencies.

## Victim Reconstruction: The Challenge for Community Corrections

It is misleading to speak of a victim's "recovery" from a very traumatic event. "Recovery" suggests that the wound is gone, the patient is cured, everything is back to normal. It is more helpful to think

of the process of getting better as one in which the emotional roller-coaster stops lurching so much, with lower high points, and higher low points. Moreover, for most, getting better means that victims are constructing a new and different equilibrium for themselves. They are somewhat different people with a somewhat different outlook, with a somewhat different (and usually sadder) range of normal emotional swings. That *reconstruction* process can be very difficult and take a long time — often much longer than the victim, their loved ones, or the correctional agency expects. It involves living through bad days and good days and, for some, becoming satisfied if they can count more good days than bad at the end of the process.

Community corrections agencies, through their policies, procedures, and staff training, must recognize and allow ample time for victimized employees to reconstruct their lives in the aftermath of a crime, whether it is committed on- or off-the-job. Some examples of related issues are as follows:

- The "tough" culture of community corrections can pose barriers to staff reporting incidents, as well as the agency's response.
- Often, there is a tendency to get back to "business as usual," an approach that can be difficult (or impossible) for traumatized staff, including victims of and witnesses to a critical incident.
- The coworkers of the victimized staff may resent having to "pull double duty" or otherwise cover for that employee's absence, especially if his or her time off from work is prolonged. Such feelings must be validated and discussed.
- *Reconstruction takes time*, so agencies must adhere to policies that allow for a reasonable amount of time for this process.

## Responses of Individuals and Agencies

The attitudes of coworkers and administrators affect the progress of someone working on reconstructing his/her emotional life after a trauma. The influence of colleagues, for good or bad, is greater if the trauma was job-related. Unfortunately, high-risk professions, like corrections, tend to have unwritten expectations of staff that work against the victim.

### A “Tough” Job

First, community corrections personnel may tend to think of themselves as “tough” — people who can face difficult situations and survive. Stress is not a negative factor in life — it is valued. Normal emotional reactions to victimization are viewed as a sign of weakness. Anger may be acceptable as a response, but fears, tears, confusion, or self-blame may be denied or suppressed. Even anger must be controlled.

### The Stigma of Victimization

As Dr. Morton Bard has repeatedly pointed out in his lectures and writing, victims are seen as “losers” in our society. The criminal is the “winner” and the victim is the “failure” in a fight the victim did not pick. Victims are further stigmatized because coworkers and others want to distance themselves from the victimization. The closer a colleague is to a victim, the more vulnerable the colleague may feel. By blaming or isolating the victim, coworkers can continue to believe that they won’t be victimized themselves.

### Gender Bias

As a male-dominated profession, “toughness” is a highly valued personal trait. For women in community corrections who may feel they “don’t fit” the traditional model of a probation or parole officer, a victimization and ensuing coworker perceptions of “weakness” may be pronounced.

### “Business as Usual”

There is an organizational imperative, often driven by a lack of resources, to keep staff working on the job. This fuels the tendency to re-establish routines and to conduct business as usual as quickly as possible following a critical incident or staff victimization. Some victimized staff complain of having been asked to immediately fill out incident reports, prior to having their physical and/or emotional trauma addressed. The frustration of having to do everyday tasks by an individual who has felt vulnerable, in danger, and perhaps suffered an injury or property loss is often overwhelming. Community corrections agencies can help victimized employees by providing “emotional first-aid” and assigning another staff member to help the victim complete the necessary paperwork related to the critical incident. Ongoing inservice training is also important.

### Involvement in the Criminal Justice System

The department’s internal disciplinary system may give some sense of justice or vindication to a victimized staff member. If not, the staff member at least has a chance to voice his or her displeasure. This is less true if the case deserves prosecution, in the staff member’s eyes, and little or nothing happens.

In many jurisdictions, the criminal justice system is still unresponsive to victims’ issues, most particularly the emotional costs of crime that victims must endure. Many of the new “victims’ rights” seek to answer the victim’s emotional needs even more than they seek to influence decisions. Thus, the right to be consulted over a charging decision, or to sit in the courtroom during a trial, or to file a victim impact statement may help victims feel they had some control, that they got their stories told, even if the results were the same as if the victim had been denied all these rights.

Unfortunately, victimized community corrections officers may not be afforded even these protections. Assaults may be dismissed as not worthy of further investigations or prosecution. It may be considered a waste of resources to pursue prosecution against offenders who already are serving sentences. Or, internal investigation with administrative hearings may be substituted for criminal proceedings. In such cases, victims' right to information, notification, and participation in the criminal justice system may not be required (or even allowed) in administrative hearings.

### Worker Culpability

In some instances, a community corrections employee may have violated agency policies or procedures — actions that, in some way, could have contributed to a

critical incident. Community corrections agencies must conduct investigations and, in some cases, initiate disciplinary actions against the employee. In addition, other staff may rightfully resent that employee's error that makes them feel vulnerable.

Community corrections agencies can benefit from policies that *immediately address any victim trauma* the employee is going through, *prior* to initiating any disciplinary actions.

### Workers' Compensation and Victim Compensation

Workers' compensation is sometimes available for staff who are victimized on-the-job, although 1996 survey data indicated that there appears to be a lack of knowledge as to the extent of such coverage, as depicted in Figure 6-2 (Seymour, 1996b).

**Figure 6-2: Workers Compensation Coverage**

#### ADULT CORRECTIONS

Type of Coverage	Fully Covered	Partially Covered	No Coverage	Not Sure — Don't Know — Refused
Workers Compensation	19%	33%	—	47%
Victims Compensation	14%	31%	11%	44%

#### JUVENILE CORRECTIONS

Type of Coverage	Fully Covered	Partially Covered	No Coverage	Not Sure — Don't Know — Refused
Workers Compensation	45%	21%	3%	32%
Victims Compensation	3%	45%	18%	34%

#### PAROLING AUTHORITIES

Workers' Compensation	25%	13%	—	63%
Victim Compensation	—	35%	13%	53%

The compensation application process may be complicated, and the subsequent decisionmaking process is not always smooth. A Washington, D.C. teacher was denied workers' compensation a few years ago after she had been raped in a school on the grounds that rape was a danger that was inherent to the job; it was a risk she assumed when she took the job.

Moreover, some workers' compensation programs are not well schooled in the emotional injuries victims suffer, and don't underwrite needed counseling or therapy. In many departments, such services are available only through an Employee Assistance Program; many of these are only now learning to add trauma counseling to their bank of skills.

Community corrections agencies should *always* assign the supervisor or a coworker of the victimized staff to help that individual through the process of applying for workers' compensation. This includes completing forms; providing guidance on the types of records that the employee will need to maintain; and serving as staff liaison, if the employee requests, to the agency's EAP.

While victim compensation is available in virtually all States, it is a "resource of last resort" for victims. Most compensation programs exclude coverage to correctional staff. Administrators may want to check this out, especially if their employee benefit package does *not* pay for stress-related counseling that victim compensation might cover.

### **Appropriate Treatment for Victims and Survivors of Workplace Violence/ Victimization**

While this chapter contains a variety of strategies and promising practices about how to provide appropriate treatment for victims and survivors of workplace violence and critical incidents, agencies can lay a

strong foundation upon which strategies can be implemented by clarifying employees' rights when they are victimized. Just as crime victims in all 50 States and at the Federal level have a "victims' bill of rights" that guides how the criminal justice system should treat them, and how their cases will be handled, so should community corrections agencies articulate similar rights for the fair treatment of staff who are victimized by violence in the line of duty.

### **Guidelines for Community Corrections Employees Who Are Victimized in the Line of Duty**

The following guidelines, modeled after "Victims' Bills of Rights" adopted in most States, provide community corrections agencies with ideas for appropriate treatment of community corrections staff who are victimized in the line of duty\* and offers employees a "checklist" of supportive services that can be provided by the agency:

"As a victim of a serious crime committed while you were performing your duties, you will:

- Be treated with dignity and respect by the Department and all of its employees.
- Be provided with direct assistance and support from the Department's Office of Victim Services for both you, your family and coworkers.
- Be informed in writing of your rights, stated here, by Department management within 48 hours following the critical incident.
- Receive timely information about the status of the administrative and/or criminal proceedings related to the critical incident.

\* The rights in criminal proceedings must be defined by individual correctional agencies in accordance with State (or Federal) law.

- Receive timely disposition of your case, including administrative or disciplinary actions involving the offender.
- Be allowed to be present, upon request, at any administrative proceedings related to the critical incident, or to have a representative of your choice present at such proceedings; and to be present at any criminal proceedings related to the critical incident, pursuant to State law, with time away from work to attend proceedings provided by the agency.
- Have the opportunity to submit a victim impact statement — either written, oral, audio taped or videotaped — prior to the administrative disposition of the case, and to have a record of your victim impact statement maintained in a case file separate from the offender’s case file; and to be afforded this right in the event of a criminal prosecution, pursuant to State law.
- Be notified about the final disposition of the case in a timely manner.
- Be encouraged to enroll in the Department’s Victim Notification Program, regardless of whether your case is pursued as an administrative or criminal matter, in order to be kept informed of the offender’s status and location, pursuant to State law and agency policy, and to have your notification request and related information kept confidential from the offender.
- Receive reasonable protection from the accused.
- Not be required to continue supervising the accused.
- Receive restitution from the offender, either monetarily or as an appropriate form of community service within the corrections community, based upon a recommendation from you.
- Receive workers’ compensation and/or victims’ compensation, and to receive assistance with completing the applications and other associated requirements.
- Receive a timely referral to the agency’s Employee Assistance Program.\*\*
- Receive mental health counseling, upon request, for both you and members of your immediate family from a competent professional who is qualified in providing crisis intervention, sensitive trauma response, and ongoing therapy or counseling, as appropriate.
- Receive information about and a referral to supportive victim services and assistance in your community.”

—  
\*\*Where applicable.

### **Developing a Brochure for Community Corrections Staff**

The California Department of Corrections wanted to ensure that all of its employees were aware of the programs and services the agency offers to staff who are victimized in the line of duty. The Department’s Victim Services and Restitution Branch developed a comprehensive 10-page brochure that describes in detail how the agency responds to workplace violence. The brochure, a truly promising practice for correctional agencies, includes the following information:

- Employee rights as a victim and related service available, both within the Department and externally.
- Overview of the Department’s Employee Post-Trauma Program (EPTP).
- Resources available from the Employee Assistance Program.
- Information about and a toll-free number to contact the State Board of Control (Victims of Crime Compensation) Board.
- Information about workers’ compensation and the agency’s return-to-work policies.

- Overview of the “catastrophic time bank,” through which agency employees can donate their vacation days, annual leave, etc. to a fellow employee who is injured in a catastrophic incident.
- Contact information for internal and community-based services to assist victimized staff.

Single copies of *Helping Staff Victims* are available free by writing to California Department of Corrections, Victim Services and Restitution Branch, P.O. Box 942883, Sacramento, CA 95283-0001.

### Confidentiality

One of the most significant barriers to community corrections employees seeking mental health assistance in the aftermath of a critical incident is *the fear of others finding out*. In corrections, where mental health consultation could be viewed as a sign of weakness or vulnerability, it is essential to provide victimized employees with protection of their privacy through both a written policy and training programs such as the following:

- Written information about confidentiality issues in the aftermath of a workplace violent incident will be incorporated into orientation training for all agency personnel. Any revisions in confidentiality provisions will be presented as part of the agency’s continuing education program for all employees.
- If a community corrections employee seeks mental health assistance or a referral from the agency’s EAP, the employee will be offered the opportunity to consult with an EAP representative at a site that is away from the agency.
- Any employee who voluntarily seeks mental health supportive services in the aftermath of a workplace violent incident will be guaranteed complete confidentiality, both for the request for assistance, as well as for any ensuing activities related to

treatment, unless there is a duty to warn a third party.

- All records of mental health treatment, provided either internally or by a qualified professional outside of the agency, will be privileged, except information given to a mental health professional that constitutes the admission of a crime in violation of the laws (of the State).
- Records of any mental health consultations sought by a community corrections employee who is victimized *shall not be sought or admissible* in any disciplinary hearings related to the critical incident.
- For record keeping purposes, information about requests for mental health assistance and/or referrals will contain the following information without divulging the name of the employee seeking assistance: descriptive summary of the nature of the critical incident that preceded the request for assistance; number and type of contacts relevant to an employee; and types of assistance and/or referral(s) provided to the employee.
- Community corrections agencies should also research any State laws relevant to client–counselor confidentiality, both for employee interactions with the agency’s EAP, as well as with outside referrals.

### Utilizing Victim Services in the Community

Community corrections agencies should be supportive of services for victims “off the job” and using those services when victimized employees need short- and/or long-term support and assistance.

While probation and parole agencies may provide in-house crisis intervention and crisis response teams, it is also appropriate to provide support for employees who are victimized in their area. Agencies should do the following:

- Inventory existing services: The program database of either the National Center for Victims of Crime (NCVC) or the

National Organization for Victim Assistance (NOVA) can be used to identify local resources, but such programs should be examined more closely to determine types of victims served, eligibility requirements, and any other distinguishing features that may either enhance or limit service.

- Establish a Victim Advisory Council which, among many duties, can serve as the liaison to community-based victim service providers.
- Develop agreements for referrals so that employees can be served quickly and effectively when necessary.
- Develop supplementary programs within the corrections arena to assist victims of crime with information and referral, counseling, and advocacy where services do not exist.
- Promote the expansion of victim services to serve all types of crime victims in the community.
- Refer victimized employees to programs on an as-needed basis.

The agencies can develop a close working relationship with the staff of local victim services programs by doing the following:

- Develop a policy statement that states why “outside” victim services are important to augment the agency’s internal programs for assisting victimized staff.
- Invite outside crisis counselors to help plan the inhouse program, train the agency’s volunteer crisis intervenors, and serve as an ongoing resource.
- Invite outside counselors to do staff trainings (and mini-trainings) on the normal reactions to abnormal events. This may help staff better cope with the

frightening events they experience as part of their daily job, and add to a supportive environment when very traumatic things happen to staff members.

- Explore with them the idea of a regional crisis response team. More and more victim service and mental health professionals are creating such voluntary, interagency teams, for a number of practical reasons: while no one agency is likely to use such a team very often, if all community agencies use it for every multi-victim crisis, the team will get experience and acceptance; also, it helps to pool all the available, skilled crisis intervenors into a key, community resource.
- Although the local correctional facility or work site may never need such a team, if it ever does, the scale of the disaster may be very broad. Thus, it makes sense for the agency to contribute staff to the team, and make the staff available for any community crisis.

### **Other Sources of Basic Support for Victimized Staff**

Agencies should provide basic employment-related support. Agencies should make sure that mental health counseling is a part of the employees’ benefit package and that such counseling is available for all crime victims. Agencies should also allow an appropriate number of days off following victimization and time off to participate in the criminal justice system to the full extent of the victim’s rights and duties. Management should show support by providing inhouse crisis intervention programs by making referrals to local victim service providers and other programs that support victim rights and services. Also, agencies can sponsor training programs about victims’ issues for correctional employees on a regular basis, as part of both orientation and continuing education.

## Providing Appropriate Mental Health Referrals and Assistance

For victims of crime, there are numerous barriers that sometimes prevent them from seeking and receiving appropriate mental health treatment. Dr. Dean Kilpatrick, Director of the National Crime Victims Research and Treatment Center at the Medical University of South Carolina, has identified *lack of knowledge* and *lack of resources* as the two most significant barriers:

### Lack of Knowledge

- About the long-term mental health impact of crime.
- That effective mental health treatment exists for many crime-related mental health problems.
- About how to find mental health professionals with specialized expertise in treating crime victims.
- That workers' compensation and victims' compensation will cover certain types of mental health treatment.
- About how to determine whether claims to compensation for mental health treatment are appropriate.

### Lack of Resources

- All levels of the criminal justice system lack sufficient resources to provide adequate levels of services to all crime victims.
- Victims lack access to mental health services due to the following reasons:
  - Insurance coverage generally discriminates against those with mental health treatment needs.
  - The public mental health treatment sector is under considerable pressure to

provide treatment to the chronically mentally ill, and has few resources to devote to the treatment of crime victims.

- The private mental health sector has virtually abandoned treatment of patients without money.
- There are insufficient numbers of mental health professionals with specialized expertise in the treatment of crime victims. (*NOTE:* This is particularly true relevant to treatment for correctional employees who are victimized on-the-job.)

### Should Post-Victimization Incident Review/Treatment Be Mandatory?

This is perhaps one of the most challenging questions facing community corrections administrators today. Some staff could have very good personal reasons for not wanting to receive mental health assistance. In addition, the issue of *choice* is very significant. When dealing with victims, who do not *choose* to be victimized, giving them choices in the aftermath of a crime forms the very foundation of crisis intervention and victim assistance. Providing victims with choices gives them control over decisionmaking, and helps them in the efforts to reconstruct their post-victimization lives.

However, in light of the many barriers that preclude community corrections staff from receiving appropriate mental health assistance, it is the recommendation of *Promising Practices and Strategies* that staff who are victimized on-the-job be mandated to attend *at least one* incident review session. Such an agency policy would eliminate the "taint of weakness" that is often a perception of peers. It would also offer victims an opportunity to receive support that they may need *and* appreciate, and allow them to make an educated choice as to whether or not to continue receiving mental health supportive services.



## Employee Assistance Program Referrals for Victimized Staff

Many employee assistance programs maintain rosters of competent mental health professionals who provide a variety of services, including counseling for alcohol and other drug abuse, occupational stress, and family dysfunctions. However, the needs of individuals who are victimized are unique, and require the services of mental health professionals who have specialized knowledge and training.

Furthermore, mental health professionals to whom the agency refers victimized staff should possess an understanding of the corrections community. What is it like in the workplace environment? What are some of the special issues that should be considered when dealing with probation or parole officers who supervise high-risk offenders? Are there considerations related to the victimized staff member returning to work which was “the scene of the crime?”

The California Department of Corrections requires *all* mental health professionals who provide services to victimized staff to actually visit and tour an institution. This is an excellent approach that can increase the mental health professional’s understanding of corrections, as well as related issues that might affect their treatment of the correctional employee.

As one correctional officer who was held hostage in an Ohio institution noted, “Corrections needs to provide resources because there are not enough counselors in the entire State that understand what goes on in prison.”

The agency’s EAP should carefully assess mental health professionals *prior* to making referrals for any staff who are victimized on-the-job. EAP staff should use the type of information found in Figure 6-4 that describes types of mental health professionals to ascertain the professional

credentials of any mental health professionals to whom they refer staff who have been victimized on-the-job.

The following 10 questions provide a basis for determining the appropriateness of mental health referrals, and also serve to ensure that victimized staff receive competent, appropriate care:

- What are the provider’s professional credentials?
- Does the professional have any direct experience in assisting victims of violent crime, such as rape survivors, battered women, assault victims, and/or victims or surviving family members of DUI crashes and homicides?
- Is the professional trained in disorders common to many survivors of crime and critical incidents, such as Posttraumatic Stress Disorder (PTSD), Rape Trauma Syndrome, or Battered Women’s Syndrome?
- What are the professional’s credentials relevant to continuing education training on victim-related issues (a vitae can provide this information)?
- Has your State’s Crime Victim Compensation Program reimbursed the services of this professional in the past?
- Does the professional actively participate in any local, State or national victim assistance or victim service coalitions?
- Does the professional belong to or have any affiliation with organizations that specialize in mental health, trauma response, or victimization?
- What has been the experience of correctional employees who have received supportive services from this professional in the past? Do you have any official mechanism to obtain this type of personal evaluation feedback?

- Does the professional accept payment from workers' compensation and/or victim compensation, and are services rendered on a sliding fee scale?
- Does the professional have a standardized process for getting feedback from victim clients regarding their satisfaction with treatment?

### Coordinating with Law Enforcement and Prosecution When Staff Are Victimized

All probation and parole agencies have regular and longstanding relationships with local (or State) law enforcement and prosecution agencies. Sometimes the relations are strained, as when the agencies cannot get assaults committed against their staff treated seriously. More often, the relations are good, with the agency doing some of its own screening, and the outsiders respecting these judgments on how to proceed. Whatever the circumstances of a particular agency or faculty, the "victims'

movement" is, in effect, encouraging a new kind of compact among these three agencies — one that puts the victimized staff member in a more meaningful position. That compact might have these characteristics:

- The guidelines for supportive services for community corrections employees who are victimized on-the-job (described earlier in this text) should be enforced in all cases.
- All staff members will be required to report all incidents of threats and violence; the policy will not necessarily mean an increase in disciplinary or criminal actions, but it will serve to track the level of stress affecting employees so that appropriate help can be given them.
- Victimized employees will be fully consulted on how the department will proceed with the case. Guidelines will help govern whether disciplinary or criminal sanctions will be sought, and the staff member's views on this issue, and on which charges to file, will be considered.

### Figure 6-3: Types of Mental Health Professionals

There are three major types of mental health professionals:

1. *Psychiatrists* (M.D. degree) have attended 4 years of medical school, have completed 1 year of internship, and have completed at least 2 years of residency.
2. *Clinical psychologists* (Ph.D or Psy.D degree) have completed at least 4 years of graduate training, including supervised assessment and treatment, along with a 1-year internship. They have usually had at least 1 additional year of postdoctoral training prior to being licensed.
3. *Clinical social workers* (M.S.W. degree) have completed 2 years of graduate training, including classes and field

work. Sometimes, additional years of postgraduate training is required for licensing.

Two other types of mental health professionals include the following:

1. *Marriage and family therapists* must have at least a master's degree in a behavioral science field and 2 years of supervised clinical practice with couples and families.
2. *Clinical mental health counselors* must have a master's degree, 2 years of training (including internship), and certification by the National Academy of certified clinical mental health counselors.

- Law enforcement and prosecutorial authorities will contribute to the guideline-writing so that referrals for investigation and prosecution will lead to predictable results.
- In both disciplinary and criminal proceedings, employees will be given all the rights accorded by State law to “civilian” crime victims.
- Status of the alleged murderer (*i.e.*, detained, detained with injuries, deceased, or still-at-large, etc.).
- Any witnesses.
- Status of witnesses.
- Any information relevant to the investigation (both internal/administrative and external/law enforcement).
- Any information regarding the status of the work site (*i.e.*, office closed, etc.).

## Death Notification

The ultimate violation of a community corrections professional — murder — requires a well-planned, sensitive, and collaborative approach in the aftermath of such tragedy. Coworkers may experience severe psychological or physical reactions to the violent death; increased vulnerability is often a collective outcome. Not only are *individuals* prone to overwhelming distress but also *entire agencies*, such as the correctional facility, work site, or other agency offices, can experience collective fear, anxiety, and anger as a result of the murder of a fellow employee.

One of the first priorities of the community corrections agency is to provide sensitive, timely notification to the murdered employee’s next-of-kin. While death notification procedures are among the most difficult and taxing duties an agency ever faces, proper planning and careful implementation of a sensitive approach can help make this difficult task both compassionate and efficient.

## Immediate Issues

The facts of the murder must be determined as quickly as possible, with these data provided immediately to the agency’s administration. The following data should be noted:

- Cause of death.
- Time of death.
- Both primary and secondary contacts provided by the employee.
- Addresses and telephone numbers where they can be reached 24-hours-a-day, 7 days a week, at both home and office.
- In work situations, the contact’s immediate supervisor.
- Medical information pertaining to the primary and secondary contacts.

Agencies must designate personnel who assume responsibility for death notification to next-of-kin in the event of a murder of a community corrections employee. In an institution or jail, the *watch commander* holds this responsibility while in a probation/parole office, the *office director* or *supervisor* is responsible. All agency personnel must understand that it is the aforementioned officers’ responsibility, and theirs alone, for death notification. Close friends or colleagues of the deceased employee may think it would be helpful for them to go directly to the next-of-kin. While such support is appropriate, it must only occur *after* an official notification from the agency has occurred.

It is imperative that the agency has complete and accurate information about whom to contact in the event of a murder. An *Emergency Response Form* included in Appendix F provides the following data:

- Contact information for the primary physician for both the primary and secondary contacts that is updated biannually.

Emergency response forms for all employees should be updated biannually in order to maintain the most current contact information.

### Rumor Control

Agencies must have “rumor control” procedures in place to deter innuendo, gossip or “second guessing” by any personnel in the case of a critical incident involving a violent death. The following issues should be considered:

- Sending a brief memorandum, via e-mail or fax, to *all* work sites within the agency that describes the basic facts of the critical incident, to the degree they are known and verified.
- Developing a policy that clarifies the process, procedures, and professionals involved in death notifications from the agency (this is particularly essential for well-meaning colleagues or friends of the deceased, whose initial reaction is to rush to the home of next-of-kin).
- Establishing policies that prevent any employees from discussing the critical incident/murder with the news media or with surviving family members prior to official notification.
- Centralizing the agency’s response within the Public Information Office.

### Death Notification Procedures

Mothers Against Drunk Driving, the nation’s largest victim advocacy organization, has developed a comprehensive protocol for death notification, *Death Notification:*

*Breaking the Bad News with Concern for the Professional and Compassion for the Survivor.* It was developed in 1996 with support from the Office for Victims of Crime. The complete curriculum for death notification developed by MADD is available free by calling the Office for Victims of Crime Resource Center at 1-800-627-6872.

### Some Considerations to Develop a “Culture of Compassion”

The community corrections agency can show continued compassion for surviving family members through the following responses:

- The agency director or a high-level representative should attend the funeral of the murdered employee.
- A representative of the agency’s Employee Assistance Program should contact the victim’s immediate survivors *within 7 days of the murder* to offer information, assistance, and referrals to appropriate supportive services.
- A staff member should be designated to assist surviving family members with workers’ compensation, death benefits, victims’ compensation, and related issues.
- The agency should provide a direct linkage (in person or via telephone, *and in writing*) with a contact name, address, and telephone number of a victim advocate or justice professional involved in the adjudication of the case who can provide ongoing information to the surviving victims.
- Many agencies sponsor memorial efforts (*i.e.*, scholarship funds for the victim’s children, memorial funds to a charity in which the victim was involved, etc.), which provide a fitting tribute to a colleague killed in the line-of-duty.

- In Illinois, the front hallway of the Department of Corrections is lined with photo plaques of employees who have been killed in the line of duty. This is a most fitting and lasting tribute that can be replicated in other agencies.
- Perhaps most important, the agency should develop a plan that ensures the surviving victims will be provided with continued support, not only at the crisis stage, but in years to come:
  - An agency representative should contact the immediate surviving victims *at least once a month* for the year following the murder. It is important to determine if they are receiving appropriate support, are being provided information about the status of any criminal proceedings, and are aware of the concern and compassion from the agency.
  - The agency director/administrator *and* murdered employee's immediate supervisor should develop an automated calendar that provides "flags" of anniversaries of violent deaths of correctional employees, and send a personal note to surviving family members. Correctional employees who were close to the victim should also be reminded of the anniversary of his/her death. Anniversaries of murders are particularly painful for victims; any acknowledgment from the agency and personnel is appropriate and can be very comforting to survivors.
  - Support groups and related activities that involve other families of murdered correctional employees, including an annual national commemoration each year in May, can provide comfort, as well as an outlet for positive action for survivors.

## Media Coverage of Critical Incidents

Critical incidents involving community corrections personnel are, without a doubt, newsworthy. Violent assaults against staff, and hostage taking incidents all constitute "headline news" in the eyes of the media.

In violent incidents involving multiple victims and/or offenders, propensity for media interest heightens. Such cases often, unfortunately, give rise to inaccurate information "leaked" to the press. Some such leaks are inaccurate; *all* can be traumatic to the families and friends of correctional personnel involved.

The first and foremost task of any administration is to centralize the dissemination of information to the news media. Some agencies accomplish this objective through a media specialist on staff at the agency, while others work through a Public Affairs Office.

In any of these cases, the key to decreasing possibilities of misinformation is to *coordinate* efforts in dealing with the news media. Critical incidents require media experts who are trained to deal with crisis events; eliminating multiple spokespersons will also help decrease the chances of rumors, innuendo, and inaccurate statements being released to the news media.

## Consideration of Victims' Families and Friends

Often, the news media will be alerted to critical incidents before the agency can notify the families and friends of the staff victimized by assaults or hostage incidents. The trauma of families and friends is greatly increased by the first hearing of critical incidents on television, on the radio, or in the newspaper.

Therefore, the priority of the agency administration should be prompt

notification of the victimized personnel's immediate family. Such prompt action will reduce chances of inappropriate notification of staff victimizations by the news media. It will also allow the agency to inform family members of protocols for dealing with the media, and present the facts that are known relevant to the critical incident.

Many victim service providers are well-trained to help crime victims and survivors deal with news media inquiries at the crisis state of a crime. Often, victims' families receive a measure of comfort when they have someone willing to field media inquiries and coordinate such inquiries with the criminal justice or corrections agency dealing with the crime. Administrators should immediately access and utilize the services of such victim service providers during and after critical incidents involving community corrections employees.

The National Center for Victims of Crime has developed comprehensive guidelines for crime victims to help them understand and exercise their rights when dealing with the news media. A summary of victims' "rights" when dealing with the news media is included in Appendix F and should be made available to the families of community corrections personnel when they are notified of a critical incident involving a loved one. A recommended policy for dealing with the media during critical incidents of staff victimizations also can be found in Appendix F.

### **Recommended Policy for Dealing with the Media During Critical Incidents of Staff Victimization**

- The agency shall stipulate clearly (and in writing) the name of the personnel who will coordinate media relations during critical incidents such as follows:
  - Agency director.

- Public information officer at the institution.
- Public affairs director of the agency.
- Any combination of the above.
- Personnel assigned to media relations during critical incidents shall have a plan-of-action prepared in writing prior to such incidents. The plan shall include the following:
  - Name of agency/institution spokesperson during critical incidents.
  - Contact information for the spokesperson (including address, telephone number, fax number, and e-mail address).
- A 24-hour "media hotline" will be available to journalists to receive up-to-date, accurate information about the critical incident.
- A pre-established number of daily press briefings will be determined, including the following information:
  - When the briefing will be held (hourly, three times a day, etc.).
  - Where the briefing will be held.
  - A list of accommodations the media may require, including electrical outlets, telephones, modems, fax machines, etc.
  - Guidelines for the media's access to any special accommodations they may require.
- A "contingency plan" will allow for additional or more infrequent press briefings, depending on the nature of the critical incident.
- All immediate family members of correctional personnel involved in the critical incidents will be notified of such incidents prior to any publicity in the news media.

- In cases where news of critical incidents “leaks out” prior to notification of family members, the agency will immediately notify families by telephone (or preferably in person) of the details known of the incident.
- An information hotline for family members of correctional personnel involved in critical incidents will be established to provide them with accurate, up-to-date reports of the incident.
- An information hotline for family members of all personnel employed (and on shift) at the institution will be established.
  - Correctional personnel at each institution will be advised of both hotline numbers noted above for reference, as needed.
  - The information hotline for families of all personnel employed at the institution shall also serve as an instrument for “rumor control.”
- Depending on the nature and scope of the critical incident, the agency shall prepare written press releases and/or briefings which detail key information related to the incident.
- Guidelines for media coverage shall be made available to news media representatives who arrive in person at the institution at which the critical incident is occurring. The following questions should be considered:
  - Will media be allowed in or near the institution itself?
  - If they are allowed, do any restrictions apply?
  - If no filming or photography is allowed, will the agency provide photographs or film footage of the critical incident?
  - Will the names, addresses, and telephone numbers of family members of personnel involved in critical incidents be withheld from the news media?

The agency shall establish a policy relevant to inmates’ requests for media coverage of the critical incident, *i.e.*, publicity airing demands in hostage incidents or hostages, initiating press conferences to “bargain” with correctional or criminal justice officials, etc. This agency policy regarding publicity of inmates’ demands shall be clearly stated on a regular basis to both inmates and correctional personnel.

## Conclusion

A 14-year veteran probation officer was victimized off-the-job by an assailant who placed a brick on the gas pedal of a van loaded with hazardous materials and sent the vehicle roaring through her living room when she, her husband, and child were at home. She shared her personal experiences with the *Promising Practices* project, and she was asked how correctional agencies should respond to their employees being victimized, whether or not it is on- or off-the-job. Her response follows:

*Whether or not it is work related is really not important. They must understand that when someone becomes a victim, their views on crime and all criminals change, as does their view of the criminal justice system.*

*When choosing a trauma team, put great emphasis on who is on it. Ours is comprised mainly of appointed supervisors. Why not let staff have input into this? We know whom we trust and whom we are comfortable talking with. Even better would be professionals outside of the agency, and providing us with a list so we can choose who we use.*

*The trauma team needs to be easily accessed; everyone should have the phone number and be able to place a call to send out a team. No member of management should be able to refuse an incident report. I was more apt to talk to my coworkers than management about my feelings. Yet my coworkers saw a need for me to seek counseling, but were unable to point me in the right direction. Don't assume once an arrest is made that the employee needs no further counseling.*

*I may know the justice system from a probation officer's view but not as a victim. Help the victim with the court system. Don't say "if there is anything I can do, call." They won't! Call them just to see how it's going.*

*I heard too many times in the past 6 months, "You're strong; you'll make it." Don't assume this. The strongest person becomes weak when traumatized. If they have a strong face, assume they have a good poker face and err on their side.*

*To do nothing so as to not incur any liability incurs the biggest liability ever. The first time that (victimized employees) return to their "normal" job duties, go with them — this enhances their safety. When you know your officers have been traumatized, don't expect them to act rationally.*

*Don't tell me "you understand my reality" because you don't. My reality is someone almost killed my 6-year-old. . .*



# Staff Training

## Introduction

Two of the most essential components of community corrections-based victim service programs are staff training and development. Due to the traditional offender-directed nature of probation and parole, there has been limited emphasis on victim-related education as components of college/university education, orientation training, or continuing education. Opportunities for staff training on victim services and related issues prove beneficial to the staff, agency, and persons with whom the agency interacts.

When provided with practical victim services training, probation and parole staff are able to begin to understand a significant clientele of probation and parole agencies crime victims. Practical information on victim issues helps to improve staffs' work skills and contributes to their professional career development. Many of the skills and knowledge gained from victim-related training — including sensitivity typologies, policy analysis, and interpretation and enforcement of the law — are applicable to other job elements beyond victims' rights and services.

This chapter includes a description of various training formats that can be used to educate staff on victim services and related issues, a discussion of training priorities, and identification of topics to include on victims' services in a training curricula for probation and parole officers.

## Key Elements for Developing Staff Training on Victim Services

For community corrections professionals to be able to provide effective services to

victims of crime, it is critical that they have an understanding of the needs, rights, and legal interests of crime victims. The following are key elements that should be considered when developing a training curriculum for probation and parole staff:

- All staff should receive mandatory training on victim services and related issues as part of their preservice training. Inservice training opportunities also should be made available. When possible, agencies should incorporate innovative formats and methods (*e.g.*, distance learning) for training delivery.
- Probation and parole agencies should have victim services training curricula that addresses topics such as victim sensitivity, major needs of crime victims, victims' rights legislation, services available for victims in the community, and services provided to victims within the agency.
- Victim and victim service providers should be used as facilitators and trainers.

## Training Formats

### Internal On-Site Training

Internal training on victim-related issues should be incorporated into annual agency planning for staff development. Training formats include the following:

- Orientation training for new staff.
- Continuing education for existing staff.
- Cross-training among community corrections, allied justice agencies, and victim service organizations.

Depending upon the amount of time the agency makes available for these types of training, training curricula should be geared to be adaptable for a 2-hour overview of agency policies, procedures, and services

relevant to victims of crime. Also, 8-hour training that incorporates the above, along with a general overview of victims' rights and how to interact with victims (as described in the "Internal Needs Assessment" section of this chapter) should be included. The agency should also design specialized training to address a specific type of victim population (such as domestic violence or stalking victims); specific victim issues related to enforcement of laws (such as restitution or protection); and agency-sponsored victim-related programs (such as victim impact panels or mediation). Annual training conducted during National Crime Victims' Rights Week in April, often in conjunction with local and/or State victim service agencies also maintains victim awareness among staff.

### Professional Association Training

Many community corrections professionals belong to local and State professional associations that conduct annual training conferences. With victim services gaining credibility as a core program in many probation and parole agencies, professional associations should consider sponsoring workshops or training tracks on victim-related issues.

In 1996, the Pennsylvania Association on Probation, Parole and Corrections (PAPPC) took this concept one step further and devoted its entire State-level training agenda to "Incorporating Victim Services into Probation, Parole, and Corrections" for its 75th Annual Training Institute. Over 400 community and institutional corrections professionals, crime victims, and service providers joined forces for 3 days to promote mutual understanding and address how to better serve victims of crime in Pennsylvania. Topics included the following:

- A victim impact panel to promote "understanding of the victim experience as the first step to developing policies and

designing programs which are responsive to the needs of victims."

- An overview of rights and services for crime victims in Pennsylvania.
- Staff victimization: probation, parole, and corrections officers as victims.
- Restorative justice.
- Impact of crime classes for inmates and juvenile offenders.
- Technological services in probation and parole.

In addition, enforcement of new victim-related laws and the needs of specific types of crime victims were addressed.

### Training-for-Trainers

The concept of "training-for-trainers" is designed to maximize limited human and programmatic resources to reach the widest audience possible. In developing a new program, training activity, or technical assistance, probation and parole agencies can, with substantial time and costs, duplicate training and program materials and conduct numerous conferences or other forums to disseminate important information. The most cost- and time-effective approach, however, is to develop "training-for-trainers" packages in which a core group of probation and parole professionals, including training personnel, receives intensive training on not only the subject materials, but also cutting-edge training techniques.

A "training-for-trainers" package would include the following:

- A comprehensive curriculum with annotations, references, and information accessing additional resources to augment the curriculum.
- Ideas for "icebreakers" to commence each training-for-trainers session.

- Suggested learning activities.
- Overhead transparencies that correspond with the curriculum and that are accompanied by specific page references and speakers' notes for the trainers.
- Detailed guidelines, experiential exercises on training techniques (*i.e.*, how adults learn, group-work, use of audio/visual aids such as overhead transparencies, Power Point presentations, videotapes, flip charts, etc.), and how to make "dry" subject matters more interesting.
- Modular training segments the following:
  - Section goals and learning objectives
  - Section overviews.
  - Self-tests (either pre-tests, post-tests, or a combination of both).
  - Guidelines for trainees to "train back" in 10–15 minute segments to their peers.
- Guidelines for maximizing training outreach activities (*i.e.*, conducting training programs or additional "trainings-for-trainers" via satellite at college campuses or correctional agencies, tying into existing training conferences with training sessions within, or adjoining to such conferences, etc.).
- Standardized national resources that are applicable to all four training-for-trainers sessions:
  - National toll-free information and referral numbers for victim assistance and criminal justice.
  - Information on the OVC Training and Technical Assistance Center.
  - Information on the OVC Resource Center.
  - NCJRS registration form and a list of relevant resources available free with NCJ order numbers.
  - Resources available electronically from the U.S. Department of Justice (*i.e.*, Web sites, search engines, gophers, etc.).
- A comprehensive evaluation format and strategy, including immediate on-site evaluations of the "training-for-trainers" program, as well as a 90-day or 180-day follow-up evaluation to determine if and how the program and resources were utilized.

### Distance Learning

Technological advances have greatly increased opportunities to reach larger numbers of students without the usual expenses associated with travel and accommodations. Distance learning, which includes compressed video, video teleconferencing, and satellite hookups, accommodates students and lecturers at different geographical sites.

For example, the National Institute of Corrections sponsored a national teleconference on restorative justice in 1996 that linked over 100 sites nationwide together for 2 hours. A panel of expert practitioners discussed the principles of restorative justice with questions from remote sites made possible through satellite linkages. Similarly, in 1996, the National Victim Assistance Academy sponsored by the Victim Assistance Legal Organization (VALOR) and the Office for Victims of Crime (OVC) linked 120 students, including probation and parole professionals, together at three university sites for 1 week, incorporating 16 hours of compressed video within the 48-hour training program. In 1997 and 1998, VALOR and OVC linked four university sites together for the Academy. As of 1998, approximately

700 participants have attended the Academy, including participants from all U.S. States, one American Territory, and three foreign countries.

In Georgia, the Department of Corrections (DOC) utilizes satellite training for continuing staff development. In 1997, in partnership with the National Center for Victims of Crime and Office for Victims of Crime, the DOC conducted a satellite training-for-trainers on responding to staff victimization and critical incidents.

Many departments of corrections and universities possess distance learning technology that can be accessed cost effectively. Probation and parole agencies should determine existing technology in their regions, and utilize it for internal and cross-training purposes.

### Getting Started: Determining Training Priorities

What do the agency and personnel hope to achieve through victim-oriented training for staff? The answer to this crucial question comprises a vision or mission statement for the training program. An example of a vision/mission statement may be found in Figure 7-1.

### Establishing Training Goals

Every training program should establish goals that clarify the training vision. By addressing the following seven issues, agencies can develop goals to guide training program development and implementation:

- Time frame for training.
- Types of training (*i.e.*, orientation, continuing education, cross-training, on-site, association training, distance learning, interactive computer training, etc.)
- Identification of those to be trained.
- Identification of those who will participate as trainers.
- The training topics to be addressed.
- As a result of the training, what improvements agencies and personnel expect to see or implement.
- How training will be evaluated.

Goals also should focus on how the training will translate to improved programs and services for victims of crime. The Texas Department of Criminal Justice (TDCJ), which incorporates divisions responsible for community justice assistance, institutions,

#### *Figure 7-1: Sample Vision/Mission Statement*

(Agency) will provide orientation and continuing education for our staff on victim-related issues including victim sensitivity, victims' rights and needs, and our roles and responsibilities in enforcing those rights. Our scope and quality of victim services will improve

with an increased understanding of victims' rights and needs, as will our staff's professional development. Crime victims, offenders, our agency, and our community all benefit from victim-related training within our agency.

State jails, and parole, established 10 program goals that can be obtained through comprehensive training. These goals are as follows:

1. Ensure that victims are treated with respect and dignity by all TDJC personnel.
2. Ensure that victims are provided with accurate information in the most expedient manner possible.
3. Ensure victims are aware of their rights in the criminal justice process regarding notification and parole protest procedures.
4. Ensure that TDJC personnel are trained in victim sensitivity issues.
5. Develop and assist a statewide professional victim liaison network in each Community Supervision and Corrections Department, District Parole Offices, and Institutional Division prison units.
6. Create a Crime Stoppers program “behind the walls” of the Texas Department of Criminal Justice Institutional Division facilities.
7. Provide victims of violent crime the opportunity to have a structured, face-to-face meeting with their offender(s) in a secure, safe environment, in order to facilitate a healing recovery process.
8. Develop a staff victimization and crisis response program for the TDCJ.
9. Provide for the creation of a library for victims, victim advocates, and TDJC staff on a statewide-access basis.
10. Provide opportunities for the greatest possible access and use of volunteers within TDCJ Victim Services.

When a mission and goals have been established for a victim-related training

program, the next step is to conduct a needs assessment. The determination of training needs can be accomplished with input from a variety of sources including management staff, line staff, allied victim service providers, and crime victims who have accessed services from the agency.

### **Internal Needs Assessment**

An internal needs assessment can be conducted either in writing or by a focus group-type meeting of key personnel. In either case, a “menu” of possible training topics should be offered, with assessment participants ranking the importance of each topic and offering additional topics that they believe are important. For example, when the District of Columbia developed new policies for parole notification and input, the D.C. Parole Board sought training on victim issues for 150 parole and corrections staff. An initial meeting was held with eight agency managers, including the training director, who met with the victim advocate trainer. During these meetings, they accomplished the following:

- Reviewed new agency policies and procedures.
- Discussed the types of victims most frequently served by parole and corrections.
- Discussed how parole and corrections personnel most interacted with victims (*i.e.*, over the telephone and at institutions and parole hearings).
- Agreed upon the importance of “training-for-trainers” so that victim-related training could be incorporated into ongoing staff development efforts.

A 6-hour basic training program was developed to meet the District’s special needs and included review of agency policies relevant to victims and related staff

responsibilities; an overview of the victims' rights discipline; agency response to staff victimization and critical incidents; overview of the rights and needs of victims of domestic violence, sexual assault, elder abuse, gang-related crimes, and child abuse; the major needs of victims in the post-sentencing phases of their cases; effective communication skills, in writing, in person, and over the telephone; and victim information and referral. In addition, the Chief of the Victim/Witness Unit of the U.S. Attorney's Office in D.C. concluded each training day with a 1-hour overview of local programs and services.

### External Needs Assessment

Victims and service providers are very knowledgeable about the strengths and weaknesses of community corrections' services to victims. It is crucial to gain input from these agency stakeholders about what they perceive to be the most salient training needs. An additional benefit is that victims and advocates who participate in the needs assessment also may be willing to serve as trainers, and provide information and resources to augment training efforts.

Another excellent tool to guide the development of training topics is the ongoing implementation of victims' assessments of their interactions with the agency and of the services they receive. A one-page victim evaluation/assessment form, provided randomly on an ongoing basis, will help the agency identify areas of weakness in service delivery. It will also highlight agency strengths and identify victim-sensitive personnel who can be utilized as potential trainers.

### Developing Training Resources

It is important for probation and parole agencies to be aware of the many existing resources that can augment their training

efforts. Don't reinvent the wheel! There are myriad comprehensive training curricula on victim-related issues, many of which were written specifically for probation and parole. While these standardized curricula require agencies to "personalize" the content to be applicable to laws, agency policies, and victims' specific rights and needs in each jurisdiction, they provide an excellent foundation for any training program.

At the national level, promising practices in training for probation and parole are available from the following sources:

- **American Probation and Parole Association (APPA)** has developed curricula on enhancing victim services within probation and parole, and domestic violence geared specifically toward community corrections.
- **Mothers Against Drunk Driving (MADD)** makes available a handbook and videotape on how to implement victim impact panels in court, probation, parole and/or diversion settings.
- **National Center for Victims of Crime (NCVC)**, whose 800-page curriculum entitled *Crime Victims and Corrections: Implementing the Agenda for the 1990s* addresses topics such as corrections-based victims' rights and services, victim-offender programs, and staff victimization. The NVC also has curricula on workplace violence, victim impact statements, and other topics relevant to probation and parole.
- **National Organization for Victim Assistance (NOVA)** has published *Responding to Communities in Crisis* and other curricula that address a wide variety of victim issues.
- **Victim Assistance Legal Organization (VALOR)** has published a 700-page training notebook that incorporates over

30 topics relevant to victims' rights and needs, and the criminal justice system's related responsibilities. *The National Victim Assistance Academy Curriculum* is designed for a comprehensive, intensive 48-hour training program.

Federal resources to help develop victim-related curricula include the following:

- **The Office for Victims of Crime (OVC)**, within the U.S. Department of Justice, has a Training and Technical Assistance Center (TTAC) that provides funding for trainers and training resources on victim-related issues for a variety of constituencies, including probation and parole. A TTAC application is included in Appendix G.
- **The OVC Resource Center** maintains databases and resources in both paper and electronic formats on hundreds of topics relevant to victims' rights and needs. A summary of OVCRC and other Justice Department reference service resources available by telephone, electronically, and in paper format is included in Appendix G.
- **The National Institute of Corrections (NIC)**, within the U.S. Department of Justice, Federal Bureau of Prisons, provides training, technical assistance, informational services, and policy/program development assistance (which includes information related to restorative justice, community justice, and enhancement of victim services) to Federal, State, and local government agencies.

Examples of effective State and local training resources include the following:

- *The Violence Against Women Law Enforcement Training Program* is in a training-for-trainers format developed by the **Governor's Justice Commission** in Rhode Island.

- *The Impact of Crime on Victims: Teachers and Students Manuals* were developed by the **California Youth Authority** to help youthful offenders understand the impact their crimes have on their victims, their families, communities, and themselves.
- **The Tarrant County Community Supervision and Corrections Department's Crime Victims Handbook**, which addresses a wide range of victims' rights, resources, and services, and is available in electronic format for easy adaptation from APPA.

These comprise just a few examples of existing resources available for probation and parole agencies. A roster of national victim service and allied justice organizations is included in Appendix G for additional information and resources.

### Identifying Training Facilitators

Most communities have service providers who assist different types of victims and survivors, from property crimes to child abuse and domestic violence, sexual assault and elder abuse, DUI crimes and homicide. Some States and local jurisdictions have coalitions of victims, advocates, and allied professionals. The best approach to obtain knowledgeable trainers from the victims' field is to become involved in State- and community-based victim activities including the following methods:

- Serving as advisors to local victim service agencies and providing their representatives with the opportunity to participate in an advisory capacity to probation and parole agencies.
- Joining State and local victim service coalitions, for which training, including cross-disciplinary training is often a key activity.

- Sponsoring victim–offender programs, such as victim impact panels and “impact of crime on victims” classes, which provide an excellent source of victims and service providers who can augment staff training efforts.

### Building a Resource Library

Staff training and development efforts can be enhanced by the creation of an internal agency library on victim-related issues, which should be made available to staff on an ongoing basis. Agencies such as the Texas Department of Criminal Justice and the Pennsylvania Board of Probation and Parole maintain small libraries that include the following:

- Information on agency policies, protocols, programs, and services for victims.
- A wide variety of standardized victim-related curricula.
- The latest statistics and resources on crime and victimization in America.
- Contact information for national, State, and local victim services, and State and local victim services in probation and parole.
- Vitae and credentials of experts who can serve as trainers in victim-related issues.

The latest national resources on crime and victimization are available at no charge from the National Criminal Justice Reference Service (NCJRS) within the U.S. Department of Justice. A roster of print publications and ordering information, along with an NCJRS registration form, are included in Appendix G. Information also is available on the World Wide Web.

### Developing Training Curricula

The best approach to developing training outlines and curricula is to think, plan, and

execute in “layers,” which means create levels of training based upon time allotted, existing level of staff knowledge, and agency resources. The first level of training described below should be considered “basic training” applicable to all agencies and personnel. Additional levels can be added on when most appropriate, based upon the results of the agency’s training needs assessment, resources, and other relevant factors. Once the parameters of staff training have been determined, the agency should develop training outlines that include topics, learning goals and objectives, time allotment, relevant resources and curricula, and potential trainers (*e.g.*, internal staff and allied professionals, such as victims, service providers, judges).

### Principles of Adult Learning

When developing training classes and materials, consideration should be given to basic principles of adult learning. (For an example, see *National Victim Assistance Academy: Faculty Development Training Guide*, Victim Assistance Legal Organization (n.d.), McLean, VA, p. 16.):

- Adults want to know how training will benefit them.
- Adults understand new concepts much faster if you can relate new information to their past experiences.
- Adults consistently rate training sessions much higher if there are opportunities for participation and interaction with other members of the audience.
- Adults want to be listened to and have their opinions respected.
- Adults should be encouraged to be resources to training faculty and each other.
- Adults want to be treated like adults.



## Level One Training

There are seven core components that should comprise mandatory training for all agency staff. These topics can be taught in 2–6 hours, depending on the level of detail desired and the time allotted. Core components include the following:

- History of victims' rights and services in America.
- Overview of crime-related psychological trauma:
  - Fear and anxiety.
  - Depression.
  - Difficulty dealing with important relationships.
  - Shattering of precrime assumptions ("just world theory").
  - Post-traumatic stress disorder.
- Victimization Theory
  - Stress theory (developmental, chronic, and acute stressors).
  - Classical conditioning.
  - Second-order conditioning.
  - The criminal justice system and victim stress (with an emphasis on stressors related to probation and parole).
- Responding to probation/parole staff victimization and critical incidents.
- The major needs of victims when dealing with probation and parole.
  - Safety and security.
  - Ventilation and validation.
  - Prediction and preparation.
  - Information and education.

- How to effectively communicate with victims.
- Local, State, and national resources for victim information and referral (a roster of national toll-free information and referral services for victims is included in Appendix G).

## Victim-Specific Training Segments

There are many types of victims with whom probation/parole agencies and personnel interact. One- to sixteen-hour training modules can be developed that address specific victim populations, including victims and survivors of the following offenses:

- Property crimes (burglary, larceny, theft).
- Child abuse and neglect.
- Elder abuse and neglect.
- Domestic violence.
- Hate violence.
- Sexual assault and rape.
- Gang-related crimes.
- Juvenile offenders.
- Drunk and drugged driving.
- Homicide and manslaughter.

Topics that should be included in all of the aforementioned training modules include the following:

- An overview of statistics relevant to the scope and nature of this type of crime and victimization.
- General victim typologies.
- Reactions and experiences that are specific to this type of victim.

- Offender typologies.
- Agency policies relevant to the implementation of these victims' rights.
- Any agency programs and/or services that assist these victims.
- How to implement a multidisciplinary approach among justice agencies, victim service organizations, and allied professional agencies to better serve these victims.
- Local, State, and national resources available to provide information and assistance.

### Law and Policy-Related Training Segments

Today in America, there are almost 30,000 Federal and State statutes relevant to crime victims' rights and services. In addition, as of November 1998, 32 States had a State-level constitutional amendment providing for a range of participatory rights for victims in the criminal, and in some States, juvenile justice system(s). In both cases, many of the rights pertain directly to community corrections.

Training segments on victim-related law and policies should focus on what the law states; who is responsible for enforcement; any relevant remedies for noncompliance; interdisciplinary efforts to assure a "seamless" enforcement of victims' rights across law enforcement, courts, community corrections, and institutional corrections; and practical application of relevant laws and policies in the agency's jurisdiction.

Relevant topics include the following:

- **Victim notification**, including junctures in probation and parole at which victims have the right to notification (*i.e.*, offender status, bail release, parole hearings, probation/parole revocation, etc.);

responsibility for notification; sample notification processes, (*i.e.*, letters, forms, voice response, etc.); community notification (*i.e.*, "Megan's Law" and sex offender notification); and providing appropriate information relevant to notification (*i.e.*, what the victim might expect to happen, the process of parole hearings, timelines for notification, etc.)

- **Victim participation**, including junctures in probation and parole at which victims have the right to participate (*i.e.*, parole hearings, revocation hearings, etc.) and how to accommodate victim participation in a timely, sensitive manner.
- **Victim impact statements (VIS)**, including assessing victim impact; VIS as part of presentence investigations; methods of securing VIS, including allocution, written, audio tape, videotape, teleconferencing, and satellite audio/video/telephone hookups; and sample victim impact statements (for property crimes, violent crimes, children, and neighborhoods).
- **Restitution**, including assessing victim restitution needs through victim impact statements and presentence investigations; ordering, monitoring, collecting, and disbursing restitution payments; developing interagency agreements to promote a seamless enforcement of restitution collection and disbursement; technology to automate and enhance restitution enforcement; and any relevant civil remedies available to victims.
- **Protection**, including policies and protocols for victims to report and receive protection from intimidation, harassment, and/or harm; civil protection and restraining orders; antistalking statutes and related remedies for victims; and technology to enhance

victim protection, including electronic monitoring, automated voice response victim notification of offender status, and antistalking electronic units that warn victims, law enforcement agencies, and a central monitoring office when an offender under an order of protection comes within 500 feet of the victim's residence.

### **Training Program Evaluation**

All training programs should be evaluated to determine the effectiveness of the trainer and resources, applicability to their personal and professional development, and value of training resources, including curricula and audio/visual tools. Participants also

should be provided with the opportunity to recommend topics for future training.

### **Conclusion**

For agencies as a whole, well-trained staff can increase the agency's and officials' compliance with victims' rights as afforded by Federal or State statutes, or constitutional amendments. Orientation and continuing education on victim-related issues also can help the agency fulfill its obligations to key stakeholders. In addition, increases in employee satisfaction due to systematic staff development and positive learning experiences go a long way toward improving agency morale, as well as overall operations.



# Community Relations and Outreach

## Introduction

Community relations and outreach activities have the capacity not only to educate victims, citizens, and various other service providers, but to garner the public support and assistance so desperately needed by community corrections agencies across the country. Victims should be viewed by the profession as a main constituent group or customers deserving of services. An agency's mission statement should rank victim services as a high priority. A work plan with measurable objectives and specifically assigned duties should map out the department's commitment to meeting the objectives.

This chapter provides an examination of key elements to a comprehensive community relations and outreach strategy. Chapter 8 will include a discussion of the following issues:

- Various formal and informal strategies for informing and educating victims and the public about probation and parole and its services.
- Two probation and parole agencies that have established advisory committees on victim services and related issues.
- The value of developing partnerships with other agencies and advocating for victims' rights.

## Key Elements for Community Relations and Outreach Activities

Traditional public relations methods involve using the media and developing

written materials to inform victims and the public about the agency's mission, operations, and services. More innovative public relations strategies involve probation and parole personnel developing partnerships and volunteering for community projects and causes outside the direct scope of community corrections. Agencies must employ various strategies to reach wide-ranging segments of the community.

Key elements of a comprehensive community relations and outreach strategy include the following:

- Informing and educating victims, victim service providers, allied justice agencies, and the general public about the probation and parole process and services provided to victims.
- Establishing an advisory committee or internal task force to seek ways to address victim services and related issues within the department.
- Having an agency representative(s) serve on victim service organizations' advisory committees.
- Having membership in relevant city, county, State, and national coalitions.
- Forming partnerships for prevention.
- Having an awareness of State laws concerning victims and participating in legislative advocacy for victims' rights and services.

## Informing and Educating Victims and the Public

Strategies probation and parole agencies can use to inform and educate victims and the public about the services they provide include the following:

- Developing and distributing written materials such as brochures, telephone rolodex cards, fact sheets, and handbooks describing departmental services.
- Producing audio tapes, videotapes, and slides for distribution and for use during presentations.
- Creating and distributing promotional items such as posters, pencils, pens, pins, bookmarks, buttons, and bumper stickers that display the agency's victim services program contact information.
- Using radio, television, and print media.
- Organizing open houses and public forums.
- Making presentations and providing training about departmental services.
- Participating in National Crime Victims' Rights Week activities during April each year.

### Written Materials

Written materials should be clear, concise, and written at an appropriate reading level so readers will easily understand the message. Written materials also should be available in different languages for those who do not speak English. The California Youth Authority includes a statement in Spanish on the bottom of all forms and materials so that if a victim needs a form in Spanish, s/he can request it.

Agencies may find that organizations such as private marketing companies and marketing departments of local universities are willing to donate their time and talent in helping to develop a brochure or other public relations materials. Also, if approached, local printing companies may be willing to donate the paper and printing services needed to mass produce the materials.

Creating an agency logo and slogan that can be displayed on the department's outreach materials may serve to remind the community of victims' rights and services. Private companies spend millions of dollars developing logos and slogans because they work in getting the message out.

### Brochures

Many victims, citizens, and even victim service providers don't fully understand correctional systems, how they work and integrate with other justice agencies, the differences between community and institutional corrections, and the differences between probation and parole. All victim service programs should have a brochure (see Appendix H for a sample brochure from the Victim Services Program within the California Department of Corrections) that provides the following information:

- Description of the agency.
- Victims' rights and services available from the agency, and how they are accessed, *e.g.*, victim notification enrollment requirements, upon request only, by completing certain forms, etc.
- How (or if) the agency interacts with allied justice agencies.
- The most common questions victims ask about rights and services.
- Confidentiality provisions (if applicable).
- Contact information (address, telephone number (toll-free, if applicable), fax, e-mail address, and agency Web site address).
- Contact information for supporting victim services at the State and community level (*e.g.*, victim compensation, statewide coalitions).

When developing a brochure, information that changes such as supervision guidelines,

program staff names, and contact information for county or regional probation and parole offices can be listed on a separate “brochure insert” or pocket size card so the information can be updated quickly with minimal cost. Brochures should be developed in conjunction with the agency’s communications or public information office, and can be designed to have a “family look.” In addition, some States such as Kansas, Washington, Pennsylvania, and South Carolina have a brochure panel dedicated to victim notification requests that are detachable and can be mailed to the victim services program for enrollment for this service.

### Telephone Rolodex Card

A rolodex card that includes contact information for the agency’s victim service program, including address, telephone number, and e-mail information, is an excellent outreach tool for crime victims, service providers, and allied professionals. An example of a rolodex card from the Ohio Department of Rehabilitation and Correction is included in Appendix H.

### Informational Bulletins and Fact Sheets

The Victims’ Service Program of the California Department of Corrections periodically issues informational bulletins and memoranda to field staff and community-based victim service providers on issues concerning crime victims and the California Department of Corrections. The program also assists in the search for missing children by distributing posters and information to institutions and parole offices throughout the State.

In South Carolina, the Department of Juvenile Justice has created a series of one-page fact sheets describing various programs that are placed in a sleeve folder. These materials are distributed at public forums, criminal justice and victim service

conferences, civic and volunteer meetings, and to targeted private organizations.

### Handbooks for Crime Victims

The Tarrant County (Texas) Community Supervision and Corrections Department has created a *Crime Victims Handbook*. This 34-page *Handbook* includes the following information:

- Important phone numbers for crime victims.
- General information on probation services.
- Explanations of standard and supplemental conditions of probation.
- Information on how restitution orders are handled by the department.
- Information on victim services provided by the probation department.
- Information for contacting the probation department.
- Sample conditions of probation.
- A copy of the Texas Crime Victims’ Bill of Rights.

The *Handbook* is easy to read and is written in terms that can be understood by persons unfamiliar with the criminal justice system. Victims can refer to the *Handbook* for information throughout the time their perpetrator is on probation, thus reducing the amount of time spent by the victim services staff of the department answering general questions.

The format used for this *Handbook* is available in diskette and photocopied formats through the American Probation and Parole Association. Agencies can follow the format provided and easily adapt the general information to fit their jurisdiction’s specific practices.

## Posters

Posters are a cost-effective and useful public relations and marketing tool. They can be displayed at various meetings, conferences and special events, as well as placed on community bulletin boards and in public areas such as libraries, grocery stores, gas stations, malls, shopping centers, and local offices. Some national victim service organizations (*e.g.*, National Center for Victims of Crime, National Organization for Victim Assistance) have excellent display-ready materials that are generic enough to fit any agency's needs.

## Audio and Video Educational Tapes and Slide Presentations

Audio tapes, videotapes, and slide presentations can be excellent training and educational tools. The California Department of Corrections (CDC) Victim Services Program has developed a "Helping Crime Victims" brochure and videotape to inform crime victims of their rights concerning offenders who are under the jurisdiction of CDC. Copies of the video and brochures also are sent to community-based victim service providers, institutions, and parole regions.

In South Carolina, the Office for Victim Services of the Department of Probation, Parole and Pardon Services has used slide presentations as a cost-effective way to depict the program's services. In addition to pictures relevant to the program's services, graphs, charts, and bulleted statements can be easily converted to slides and incorporated into the presentation for variety. The Office for Victim Services has a script that goes along with the slides so that any representative from the department (*e.g.*, line officer, administrator) can make a presentation on the program's services.

## Promotional Items

Promotional items provided at conferences, meetings, and special events are useful

marketing devices and serve as daily reminders to recipients of the programmatic efforts in which an agency is involved. The California Department of Corrections has created a comprehensive package of pencils, pens, pins, buttons, rulers, and bumper stickers that are distributed to internal staff, related external service providers, the general public, and victims to promote victim services within the department.

## Television, Radio, and Print Media

Television, radio, and print media can be excellent vehicles for reaching a wide segment of the population. A monthly or quarterly newsletter can update staff, educate allied service providers and interested profit and non-profit organizations about the department's services and current issues. It also can profile specific articles that address victim services. Many probation and parole departments' victim service divisions (*e.g.*, Oklahoma Department of Corrections, Pennsylvania Board of Probation and Parole's Office of the Victim Advocate) have created special issue newsletters that focus entirely on victim services. Submitting articles and information to be published in other organizations' publications (*e.g.*, national, State, and local newsletters, professional association journals, and magazines) about departmental services and promising victim-related practices and programs of the agency is another way to "spread the word" about probation and parole-based victim service programs.

The media tends to focus their attention on negative aspects of community corrections. Consequently, it is incumbent upon probation and parole agencies to proactively seek out the media to help promote and educate the public about the positive things community corrections does for victims and the community. For example, press releases



that describe services or new programs for victims can be developed and mailed to all radio, television, and print media sources on a regular basis. Also, department staff can offer to be on local radio and television programs to tout the benefits of their victim services program or prevention efforts in the community.

Billboard advertisements are another visual way to get the word out about probation- and parole-based victim services. In South Carolina, the Department of Corrections has received Federal funding to create billboards regarding crime prevention and victim services.

### **Open Houses and Public Forums**

When a new program or service is offered that serves the interest of victims or the general public it should be profiled. For example, prior to a new prison accepting inmates, the South Carolina Department of Corrections sponsors a “spend the night in prison” program to educate those interested in learning what an inmate experiences in prison. In addition, the South Carolina Department of Probation, Parole, and Pardon Services routinely holds “open house events” for their Restitution Centers, Community Control Centers, and community service work sites.

The American Probation and Parole Association’s Victims Issues Committee periodically holds public hearings on victim issues during its annual training conferences. Victims are invited to come and speak about their experiences with the criminal justice system as a victim of crime. These powerful events offer an opportunity to sensitize criminal justice professionals to the plight of victims and also provide a chance for service providers, criminal justice practitioners, victims, and legislators to offer ideas and recommendations on how victim services in community corrections can be improved.

Recognizing that the holidays can be a difficult time for crime victims, in 1996, the Tarrant County Supervision and Corrections Department (CSCD) in Texas held an impromptu holiday reception for local victims of crime. CSCD staff bought the food for the reception, the police and fire departments donated space for the party, and local businesses donated party decorations. Victims and staff from various criminal justice agencies (*e.g.*, probation, juvenile corrections, State parole) attended the informal gathering.

### **Presentations and Training Opportunities**

Educational information and training to victims, victim service providers, criminal justice professionals, and the general public can be provided through many different types of forums — both formal and informal. One way to provide cross-training and information to other professionals involved in victim services within a community is to establish a victim service provider training network. Participants in the network should include the following:

- Law enforcement.
- Prosecutors/court personnel.
- Community and institutional corrections.
- Private attorneys.
- Juvenile justice system representatives.
- Representatives from the faith community.
- Domestic violence, rape, and crisis victim service staff.
- Professionals who provide social service assistance.
- Medical and psychological professionals.
- Educators.
- News media.

- Volunteer professionals.
- Substance abuse professionals.
- Personal advocacy groups for offenders, children, and victims.
- Social and civic community organization members.
- State and local service providers (Beatty, Frank, Lurigio, Pappozzi, Seymour, and Macgargle, 1994).

Initially, the training network participants can provide formal presentations about their agency's services to victims at the network's periodic meetings. Presentations should allow time for questions and discussion of the agency's practices. Ideas for enhancements and modifications of an agency's services also can be discussed (Beatty *et al.*, 1994).

The network does not have to limit itself to formal meetings. Informal methods of sustaining communication can include telephone conference calls, luncheon meetings, and networking during shared social events (Beatty *et al.*, 1994).

Cross-training is another effective way to educate and provide information on victim issues and services across agencies, as well as promote coordination and collaboration. In South Carolina, the victim services staff in the Department of Probation, Parole, and Pardon Services (DPPPS) provide training to every new victim services employee (*i.e.*, paid staff and volunteers) hired by the prosecutor's Victim Advocacy Program in designated jurisdictions. In return, the DPPPS victim services paid volunteer staff who received training by the prosecutor's victim advocate (Beatty *et al.*, 1994).

In addition, on a local level, social clubs, churches, corporations, and professional

groups are always looking for presenters who have interesting ideas to share. All public relations materials should provide appropriate contact information and indicate the agency's ability to provide speakers on relevant issues. Presentations on victim services provided by the department at State and national victim or criminal justice organizations' conferences and training symposiums also offer an avenue for disseminating information to a wide audience.

### Web Sites

Some departments, such as the Texas Department of Criminal Justice (TDCJ) and the Ohio Department of Rehabilitation and Correction, have developed Web sites on the Internet that inform victims of services available through the agency.

TDCJ's Web site (<http://www.TDCJ.Capnet.state.tx.us./victimse.html>) provides an overview of the services to crime victims as well as descriptions of some of the specialized services such as the crime victim clearinghouse, victim offender mediation/dialogue, victim impact panels, and prison tours. The Web site also includes the bill of rights for Texas crime victims and contact information for State and national victim organizations.

The Ohio Department of Rehabilitation and Correction's Web site (<http://www.drc.ohio.gov>) has a victim services section that provides background information on the types of services available through its Office for Victim Services as well as who to contact at the Department for further information. The Web site also offers information on national victim service organizations, State coalitions, State of Ohio government agencies, and on-line victim resources.

## National Crime Victims' Rights Week

One of the most important recognition events for crime victims is National Crime Victims' Rights Week (NCVRW), which is held in April each year. NCVRW provides an opportunity to reflect upon the rights and needs of crime victims, to commemorate the accomplishments of the victims' rights movement, and to reemphasize the need to ensure justice for victims of crime. Probation and parole agencies should be actively involved in NCVRW by hosting activities and providing a combination of informational and community participation events to increase public awareness and to educate the community about the rights and needs of crime victims. The Office for Victims of Crime within the U.S. Department of Justice develops resources, such as standard posters and display materials for use during the week. The *NCVRW Resource Guide* is available free to criminal justice agencies, and departments can affix their agency's name, address, phone number, and other helpful information to the materials.

### Tarrant County (Texas) Community Supervision and Corrections Department

In Texas, the Tarrant County Texas Community Supervision and Corrections Department (CSCD) has hosted and participated in the following types of activities during National Crime Victims' Rights Week:

- CSCD held a department-wide clothing drive and donated the materials to local women's shelters.
- CSCD produced 3,000 book markers that contained victim assistance information and toll-free phone numbers and distributed them to all county employees.
- Staff volunteered their time to answer phone calls for the National Center for Victims of Crime in Ft. Worth, Texas.

- Staff adopted a local school and assisted them in a multitude of activities.

For these types of exemplary victim services, the CSCD was given an award during the Texas Governor's Annual Conference in 1994.

### California Department of Corrections

The Victim Services Program of the California Department of Corrections celebrates National Crime Victims' Rights Week and Child Abuse Prevention Month, which is also held in April. The following activities were sponsored by the Victim Services Program:

- Distributing informational packets and posters to field staff.
- Hosting a training forum.
- Honoring staff and community-based victim service providers with awards.

Many of the institutions and parole regions also conduct training and hold fundraising activities to benefit crime victims during the month of April.

### Oklahoma Department of Corrections

In Oklahoma City, Oklahoma, the first statewide exhibit of artwork produced by victims/survivors of violent crime was displayed at the State Capitol Building during National Crime Victims' Rights Week in 1996. The exhibit was sponsored by Institution Programs, Inc., State Arts Council of Oklahoma, Oklahoma Crime Victims Center in Shawnee, and the Oklahoma Department of Corrections.

## Establishing Advisory Committees

Many departments have solicited help in program, policy, and practice development

and assessment by creating advisory committees comprised of departmental staff, victim service providers, and victims of crime. Agencies also may want to consider including loss prevention personnel on these types of committees.

### **Pennsylvania Department of Corrections**

In Pennsylvania, the Department of Corrections (DOC) has created a Victim Services Advisory Committee, directed by agency policy, which is established to advise and make recommendations to the DOC, and the Board of Probation and Parole (PBPP). In the policy, the Committee is directed to address the following issues:

- The development and implementation of the educational program entitled, “Impact of Crime Classes” for offenders.
- The Victim Input and Notification Program.
- DOC and PBPP policies and program initiatives which impact crime victims.
- Victimization within the department.
- Legislative and public policy issues affecting crime victims.
- Victim Offender Reconciliation and Mediation.

Efforts are made to ensure geographic and cultural representation on the Committee. In addition to the director of the Office for Victim Services and the victim advocates for the PA Board of Probation and Parole and the prosecutor’s office, committee members are comprised of individuals from the following entities: PA Coalition Against Domestic Violence, PA Coalition Against Rape, PA Mothers Against Drunk Driving (MADD), Prosecutor’s Victim Advocate, community-based victim service providers, and victims of crime.

### **Tarrant County Community Supervision and Corrections Department, Texas**

The Tarrant County Community Supervision and Corrections Department’s (CSCD’s) Victim Advisory Committee was established in 1995 to provide a continual assessment of the Department’s victim services, including their restitution procedure, use of victim impact panels, community service program, outreach activities, and staff training on victim issues. The committee holds quarterly meetings. In the past, the committee has included representation from victims of crime and CSCD staff. Recently, in an effort to broaden the range of victim input and promote communication and coordination between the adult and juvenile justice systems, CSCD has invited representatives from juvenile probation and parole and victims of juvenile offenders to be involved on the committee.

### **Texas Department of Criminal Justice**

To ensure that input from victims and victim services providers are accounted for when deciding what types of victim services are needed, the Texas Department of Criminal Justice has instituted a Victim Advisory Council. The Council consists of approximately 30 representatives from victim advocate groups, State agencies, and local victim service providers. The group meets quarterly to assess needs that are not being addressed, approve and comment on various TDCJ Victim Service programs, and relay information back to statewide organizations represented. The members volunteer to serve 2-year terms.

### **Developing Partnerships with Other Agencies and Advocating for Victims’ Rights and Services**

Developing partnerships with other agencies that provide services for victims of crime is an ideal way to (1) share and

receive information about services being provided to victims, and (2) create a powerful base for advocating for victims' rights and services.

Many States have Victim Assistance Networks that are designed to represent victims and all related victim service providers. These types of networks offer a means for accomplishing the following:

- Providing support in establishing a solid funding base for agencies and nonprofit organizations that serve victims.
- Lobbying for victim-specific legislation.
- Providing opportunities to cross-train various providers through workshops, conferences, and training institutes.
- Serving as the central-State collector of research and literature regarding victimization.
- Serving as a central communications link throughout the associated profession of victim services.
- Establishing a statewide talk-group through e-mail and Internet services where providers can share information.
- Collecting information and developing a statewide victim service resource directory.

Key staff from community corrections agencies should be actively involved in these networks. Ideally, staff should be on the network's board of directors and volunteer for key positions.

### Ohio Department of Rehabilitation and Correction

In Ohio, the Office of Victim Services of the Ohio Department of Rehabilitation and Correction collaborates with other State and local agencies to ensure the delivery

of effective services to crime victims. For example, the Ohio Attorney General's Office, the Court of Claims of Ohio, and the Department of Rehabilitation and Correction work together to develop marketing strategies for all statewide victim services available within the agencies. In addition, the Office of Victim Services participates in following victim service coalitions:

- ACTION-OHIO (domestic violence network).
- CASA (Court Appointed Special Advocates for Children).
- MADD (Mothers Against Drunk Driving).
- OCOSA (Ohio Coalition on Sexual Assault).
- OCPA (Ohio Crime Prevention Association).
- ODVN (Ohio Domestic Violence Network).
- OPAA (Ohio Prosecuting Attorney's Association).
- OVWA (Ohio Victim Witness Association).
- POMC (Parents of Murdered Children).

### California Department of Correction

The Victim Services Program staff of the California Department of Corrections are involved in a variety of activities to advocate for better services for crime victims. For example, the Youth and Adult Correctional Agency (YACA) in California, convened a Summit in 1993 for the purpose of reviewing the state of victim services in corrections and developing recommendations for addressing the unmet needs of victims. Approximately

75 representatives from victim/witness centers, victims of homicide support groups, law enforcement, the judiciary, and affected State agencies participated in the Summit. Their recommendations focused on five issues: restitution, allocution, notification, offender programming, and system improvements. YACA compiled the recommendations and sent a report to the Governor for review and consideration. Victim Service Program staff of the California Department of Corrections have been instrumental in developing legislation to implement several of the recommendations from that report.

### South Carolina Probation, Parole, and Pardon Services

The South Carolina Department of Probation, Parole, and Pardon Services (SCDPPPS) understands that victims and victim groups can be powerful allies in helping them attain needed resources. Departmental staff have made a point of getting involved, and remaining involved, with various victim service organizations throughout the State. Over time, the increased understanding of victims and victim groups to the constraints SCDPPPS must contend with, along with their witness of the concerted efforts being made by the

Department to provide more effective and efficient services to crime victims, has led these individuals and groups to lend their support to the Department. This support has even extended to victims and victim organizations speaking to legislative bodies on behalf of probation and parole. This type of support in front of the legislature has enabled the Office for Victim Services staff of SCDPPPS to grow from two grant-supported positions to its current level of eight State appropriated positions. The department plans to ask for an additional four positions in the 1997 legislative session.

### Conclusion

To counteract the negative personae of probation and parole, community corrections agencies must take a proactive approach to educating and informing victims and the public of the mission of probation and parole work. The provision of services to victims of crime must be included within that mission. This chapter provided an overview of various elements and strategies that can be employed in community relations and outreach efforts. By implementing the types of approaches discussed, probation and parole can begin to transform and enhance its image within the community.

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# Appendix A

## Chapter on Supporting Crime Victims

### CHAPTER SEVEN

#### SUPPORT CRIME VICTIMS

**GOAL:** The Anytown, USA Community Corrections Department will support crime victims by remaining sensitive to their concerns and by addressing their needs and interests throughout the processing, supervision and termination of a case.

*One of the most neglected subjects in the study of crime is its victims...*

The President's Commission on Law Enforcement and the Administration of Justice, 1967

#### Introduction

The emphasis on victims' rights in the criminal justice system has increased significantly over the past few years due to the powerful voice of victim advocacy groups. Courts and parole boards are beginning to recognize the need to address victims' concerns in the sentencing and release processes. Prosecutors' offices often provide a comprehensive range of victim services. Still, community corrections practices are largely offender-directed and tend to ignore the concerns of crime victims. As seen in the preceding goal-specific chapters, supervision strategies are aimed at protecting the public as a whole from further victimization. Unfortunately, however, the interests of individual victims are often lost among the burgeoning caseloads of offenders and the accompanying paperwork.

This chapter offers several compelling reasons for probation and parole agencies to transform these *offender-directed* practices into those that are also *victim-centered*. More importantly, perhaps, it advocates for practices that are *principle-centered* and address issues common to all sides such as accountability, rationality, efficiency, and fairness. Assessing and addressing the informational needs and interests of

victims is a critical function of community corrections agencies. This chapter will discuss specific activities related to supporting the rights of victims and corresponding performance-based measures which demonstrate that services to victims and services to offenders do not have to be mutually exclusive.

#### Rationale for Goal

As public service agencies, and a key component of the criminal justice system, community corrections should concern themselves with justice for *all* citizens. While the primary avenue for achieving this justice may be through the provision of supervision and services to offenders, it does not have to be at the exclusion of serving others impacted by crime. Specifically, community corrections agencies can, and often do, provide valuable services to victims of crime.

Throughout the prosecutorial stage of the criminal justice system, victim services are generally provided by the prosecutor's office or victim-witness programs. Many victims, however, contend that the trial phase does not bring closure to the pain and suffering caused by the criminal. Loss of property and fear for personal safety are issues with which victims still must grapple. Furthermore, many victims suffer a

"secondary victimization" resulting from their experience with the criminal justice system; this complex experience can be disconcerting as victims often feel as if their needs and concerns are left unheard and unaddressed (APPA, 1994b). Community corrections agencies can help victims cope with the pains of primary and secondary victimization by carefully assessing their needs and interests and providing them with information and services that address those needs and interests.

But why should this responsibility fall within the purview of community corrections? In addition to it being the "right thing to do" there are several practical reasons for making the provision of services to victims a priority. First, probation and parole have access to both general and offender-specific information that could address victims' informational needs and concerns. Just knowing how probation and parole work and that offenders will be held accountable for their actions (e.g., through the payment of restitution and other supervisory conditions) is often enough to ease the fears and frustrations of victims. Additionally, probation and parole professionals are familiar with the services available within the community to address offender needs. Victims have many of these same needs and could, therefore, benefit from this information.

Second, there is a continuing need for the profession to identify victims as consumers of probation and parole services. Many times victims are seen as being at odds with community corrections. Agencies such as South Carolina's Probation, Parole and Pardon Services have implemented comprehensive victim services and have come to recognize that victims groups can be powerful allies of community corrections if given the opportunity. Once invited into the folds of the system and educated on the mission of community corrections, victims groups have, in fact, provided support for probation and

parole services and spoken on their behalf in front of legislative bodies.

Third, victims groups can be effective in educating the general public about the mission of community corrections and, therefore, in enhancing their public image. The nature of the services provided by probation and parole, and the nature of the persons directly served are viewed negatively; probation and parole are not in the business of serving "deserved" constituents. This often alienates probation and parole agencies, keeping them literally estranged from the majority of people to whom they provide their service of ensuring public safety. The public typically hears about probation and parole only after an offender under their supervision commits a heinous crime. Providing victim services increases awareness of community corrections programs and demonstrates a true commitment to protecting public interests.

Fourth, in addition to being allies of community corrections at a policy level, victims may be helpful therapeutic agents in individual cases. Victim-offender mediation programs bring an offender and the victim together for a face-to-face meeting to discuss possible resolutions for victim losses such as a payment schedule for restitution, a letter of apology, or the performance of community service (Sinclair, 1994). Involvement in mediation programs may help both the victim and the probationer to realize things about each other that reduces their respective rationalizations (e.g., offenders' perception that "no-harm" was caused, and victims' misconceptions of offenders-as-demons).

Lastly, across the nation, many probation and parole agencies are being *required* to provide victim services because of legislative mandates. By this point, the manner in which these services are provided are not left to the discretion of these professional agencies, but are defined from the outside. This often leads to resentment and



overburdened agencies. Community corrections agencies often cast themselves as victims of the system, at the mercy of judicial and parole board constraints, political powers, and legislative mandates. The constraints are very real. But it is the way that community corrections manages them that will determine their fate. The louder the voices of crime victims, the more these constraints will be felt, particularly in the form of legislative mandates. Instead of waiting for the hammer to fall, agencies can be proactive and develop victim services in a systematic and logical fashion, incorporating these extra duties in a manner that compliments, rather than complicates, existing services and responsibilities.

As can be seen, there are several compelling reasons for community corrections agencies to incorporate victim services into their mission and programs. The next section will discuss probation and parole activities that support the rights of crime victims and bring benefits to all those involved.

### Probation and Parole Activities

#### Assessment of the Impact of the Crime upon the Victim

The Final Report of the President's Task Force on Crime published in 1982 included a key recommendation that "judges should allow for, and give appropriate weight to, input at sentencing from victims of violent crimes." Victim impact statements are a critical component of the process. A victim impact statement allows the victim to express how the criminal act has affected their life and allows the financial, emotional, physical, and psychological effects to be considered in the sentencing procedure.

The responsibility for issuing the victim impact statement and collecting the information frequently falls within the responsibilities of proba-

tion departments as part of the pre-sentence investigation activities. This information is then included in the pre-sentence investigation report. The extent to which probation agencies are involved with the victim at this stage is largely determined by departmental policies and the nature of the crime and varies from jurisdiction to jurisdiction. Some probation agencies determine the amount of restitution owed. Some agencies interview the victim to gather more detailed information regarding emotional or physical harm caused by the crime. At the parole stage, victim information is updated by institutional officers and presented to the parole board for consideration in the release decision. In any case, the complete and accurate assessment of victim losses is a critical activity performed by probation and parole agencies. The extent to which this is accomplished will impact the quality of services provided to victims.

#### Victim Notification

Victim notification, as a service within probation and parole, is much less prevalent than those services designed to assess the impact of crime. This service, however, is critically important to victims of crime. Victim notification refers to:

- advising the victim of the offender's custody status (e.g., is the offender incarcerated, being released on parole, in a residential setting);
- notifying victims of arrangements for the payment of restitution;
- informing victims of the offender's supervisory conditions; and
- notifying victims of potential danger.

The ongoing supervision and assessment of offenders and their established community-based network makes probation and parole agencies the

logical unit of the criminal justice system to keep victims informed of the case status. This notification can occur in the form of telephone calls or letters. The confidential nature of probation and parole records and activities often causes a hesitancy to provide this information. Most of this information, however, is a matter of public record and can, therefore, be provided to victims without concern.

The specific informational interests of the victim should be carefully considered in the notification process. In some cases, such information can contribute to a victim's peace of mind; in others, victims may prefer not to be reminded of their experience. This sensitivity to the individual needs of crime victims demonstrates probation and parole's commitment to protecting their rights.

#### Managing Restitution Collection

The extent of officer involvement in the collection and disbursement of restitution depends upon local policies. In many jurisdictions officers are directly responsible for both of these activities and for establishing payment schedules with the offender. The most common role assumed by probation and parole, however, is to monitor restitution payments.

Just as with any other court/parole board-ordered condition of probation/parole, the officer is responsible for facilitating, monitoring and enforcing compliance with the payment of restitution. When the conditions have not been met, the officer should be responsible for notifying the appropriate individuals including the court, parole board, and victim. The collection of restitution is a tangible and common means for probation and parole agencies to support the rights of victims.

#### Referrals to Services

There are a number of services available to crime victims through the criminal justice system and through other community resources. To inform victims of these services, many agencies have developed one-page fact sheets, or brochures, which include the names, addresses and telephone numbers of various organizations and a brief description of the nature of their services. This is a fairly simple method for providing a valuable service to victims.

#### Education about Community Corrections

The criminal justice system is extremely complex. One of the best services probation and parole agencies can provide to victims is education about the system, and particularly about community corrections. A common request of victims is that they be educated about the operations of the community corrections agency, explanations of the rules by which offenders must abide, and guidance regarding who to contact for answers to victims' questions (Sinclair, 1994). By removing some of the mystery, community corrections can dispel some of the related fears.

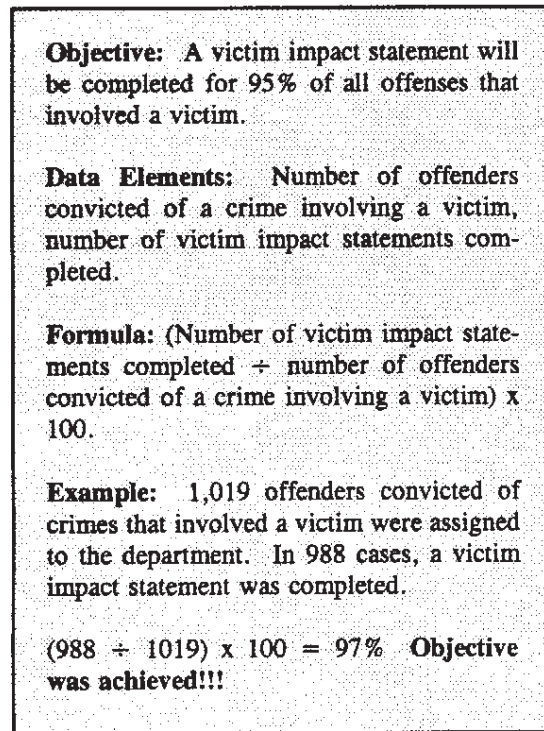
#### Performance-Based Measures

Process and outcome measures are particularly important when initiating new programs and practices that are very different in nature from those typically performed. Following are examples of performance-based measures that can be used to determine if victim services are being implemented as designed, and how effectively these services are meeting informational and other needs and interests of crime victims.

#### Process Measures

Percent of Victim Impact Statements Completed. A victim impact statement provides the

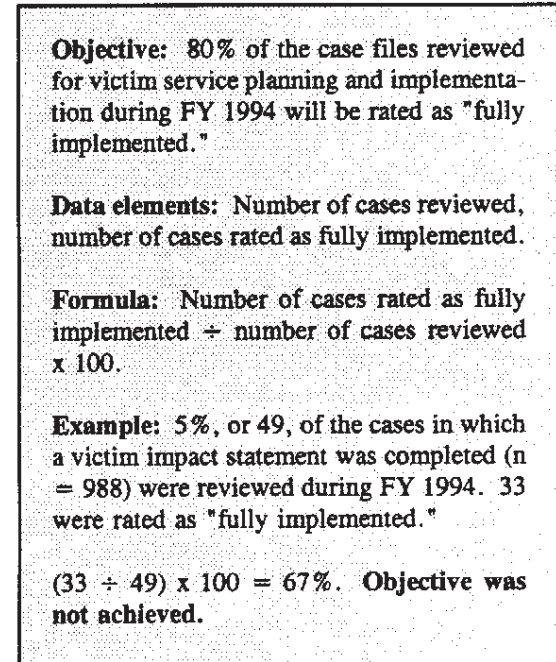
*Figure 54 - Percent of Victim Impact Statements Completed*



opportunity for the victim to express how the criminal act affected their life. Information is requested regarding the financial, emotional, physical, and psychological impacts of the crime. Probation/parole officers often evaluate the victim's statements and provide the information to decisionmakers for consideration. Additionally, officers sometimes make recommendations for ways in which a victim's needs and interests can be met including the payment of restitution, the performance of community service, or the imposition of protection orders. By documenting the number of victim impact statements completed, agencies can demonstrate their commitment to addressing the needs and concerns of crime victims.

Extent to which Plans and Services Are Implemented to Address Victims' Needs. An agency may choose to take the above process

*Figure 55 - Extent of Planning and Implementation to Address Victims' Needs*



measure one step further and evaluate the extent to which plans and services are actually implemented to address victims' needs as identified through victim impact statements. Just as offender case plans should be individualized, so should services designed to meet victims' specific needs. Some victims want to be notified about offender movement through the system, while others do not want to be reminded. Some victims may desire information on available treatment and services to address issues related to their victimization. Some victims may qualify for state funded compensation and need information on application procedures. Some victims may have particular requests regarding arrangements for the payment of restitution. These diverse factors should lead to diverse strategies for meeting victim needs. To determine the extent to which plans and services are implemented to meet victims' needs, supervisors could use a case audit procedure similar to that used to determine the extent to which case plans

and supervision addresses an offender's risks and needs. Such a process would reinforce the agency's goal of remaining sensitive to victims' concerns and informational needs.

### Outcome Measures

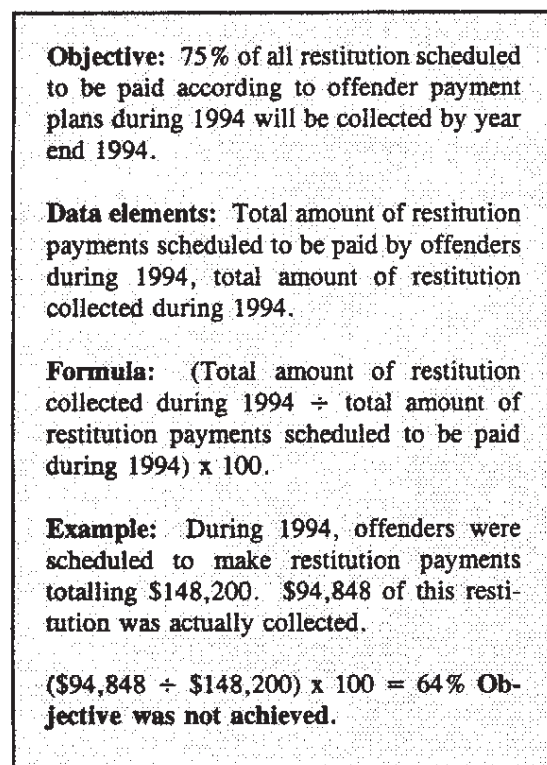
**Proportion of Restitution and/or Court Fees Collected.** Agencies often report the dollar amount of restitution that is collected. To say that jurisdiction A collected \$100,000 in restitution last year does not communicate the extent to which victims' losses were recovered or the extent to which offenders kept pace with payment schedules. A better outcome measure is the *proportion* of restitution collected. The total amount of restitution collected could be reported in conjunction with the proportion of restitution

collected. Reporting that Jurisdiction A collected \$100,000 in restitution last year, representing 75 percent of the restitution ordered by judges in the jurisdiction, places the figure in perspective.

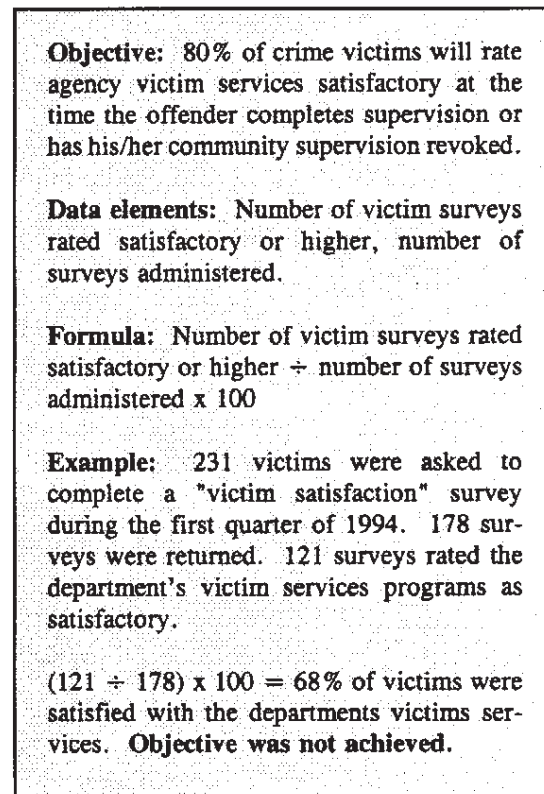
The amount of restitution ordered and/or collected is only part of the picture. The amount of restitution ordered is often based on the offender's ability to pay and not the amount of loss sustained by the victim. To compensate for this discrepancy between the amount of actual loss and the amount of restitution ordered, an agency may elect to establish a goal to increase the percent of victim losses recovered.

**Extent of Victim Satisfaction with Services and Department.** Victims are key stakeholders

*Figure 56 - Proportion of Restitution Collected*



*Figure 57 - Extent of Victim Satisfaction with Agency Victim Services*



in community corrections. As with all stakeholders in the system, the extent of satisfaction with services and the department should be assessed. The results of this effort will assist administrators in improving the services that are provided to crime victims.

The department could develop a survey to be completed by the victim at the time an offender completes supervision requirements. The responses from such an instrument will provide information on the degree of victim satisfaction and other information that can be used to improve victim services in the agency.

### Conclusion

Victim services are likely to become an integral component of community corrections agencies. Providing victim services reflects a comprehensive approach to addressing the problems of crime within communities. It assists probation and parole officers in remaining sensitive to victims' needs *and* in making offenders understand the negative impacts of their behavior. The collection of restitution is just one example of how instrumental community corrections agencies can be in compensating victims for their losses. By acknowledging victims' needs and concerns, notifying them of important case activity, and educating them about community corrections' mission, agencies can alleviate some of the fear and confusion associated with their victimization.

Reaching out to victims represents a specific attempt to involve citizens in the mission of community corrections. The next chapter discusses another avenue for broadening the spectrum of individuals and agencies involved in community corrections – the coordination and promotion of community services as a means of addressing offender needs.



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# Appendix B

## Sample Model Victim Impact Statement Forms

### Victim Impact Statement

If you need more space to answer any of the following questions, please feel free to use as much paper as you need, and simply attach these sheets of paper to this impact statement. Thank you.

Your Name

Defendant's Name(s)

1. How has this crime affected you and those close to you? Please feel free to discuss your feelings about what has happened and how it has affected your general well-being. Has this crime affected your relationship with any family members, friends, co-workers, and other people? As a result of this crime, if you or others close to you have sought any type of victim services, such as counseling by either a licensed professional, member of the clergy, or a community-sponsored support group, you may wish to mention this.

*(please turn the paper over)*

*National Victim Center*  
*Source: Alexander and Lord, 1994.*

## Victim Impact Statement

2. What physical injuries or symptoms have you or others close to you suffered as a result of this crime? You may want to write about how long the injuries lasted, or how long they are expected to last, and if you sought medical treatment for these injuries. You may also want to discuss what changes you have made in your life as a result of these injuries.

3. Has this crime affected your ability to perform your work, make a living, run a household, go to school or enjoy any other activities you previously performed or enjoyed? If so, please explain how these activities have been affected by this crime.



## Victim Impact Statement

If you need more space to answer any of the following questions, please feel free to use as much paper as you need, and simply attach these sheets of paper to this impact statement. You do not have to use this form. If you prefer, feel free to write a letter to the judge. This form is only offered to provide you with an example of what you may wish to write about. Thank you.

Your Name

Your Loved One's Name

Defendant's Name(s)

1. How has the loss of your loved one affected you and those close to you? Please feel free to discuss your feelings about what has happened and how it has affected your general well-being. Has this crime affected your relationship with any family members, friends, co-workers, and other people? As a result of this crime, if you or others close to you have sought any type of victim services, such as counseling by either a licensed professional, member of the clergy, or a community-sponsored support group, you may wish to mention this.

*(please turn the paper over)*

▪ *National Victim Center*

## Victim Impact Statement

2. Has this crime affected your ability to perform your work, make a living, run a household, go to school, or enjoy any other activities you previously performed or enjoyed? If so, please explain how these activities have been affected by your loss.

3. Only if you feel comfortable in doing so should you use this space to tell the judge anything you would like him or her to know about your loved one and the kind of person he or she was. If you wish, you can write about any special memories you have of your loved one, times you shared together, what his or her hopes and dreams were, and any other information you would like to share with the judge.

## **Victim Impact Statement** *For Parents of Child Victims*

*Name of parent or guardian*

*Name of child*

*Name of Defendant*

1. Has your child been emotionally affected by this crime? If yes, you may wish to discuss how the crime may have affected your child's relationships with you, family members, and those close to you. If your child received any form of victim services such as counseling by either a licensed professional, member of the clergy or a community-support group, you may wish to mention this. Please use additional paper as necessary.

2. Was your child physically injured or hurt as a result of this crime? If yes, you may wish to write about the type of injuries your child had, what medical treatment your child received, and how long these injuries lasted or are expected to last. Please use additional paper as necessary.

*(please turn the paper over)*

*National Victim Center ■*

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## **Victim Impact Statement** *For Parents of Child Victims*

3. Has this crime affected the way your child relates to his or her friends, either at school or in your neighborhood? Has this crime affected your child's school work in any way? Please use additional paper as necessary.

4. How has this crime affected you, your family and those close to your child? You may wish to write about changes that may have occurred in your family, in your ability to perform your work, make a living, run a household or enjoy any other activities you enjoyed before the crime. You may also wish to include any victim services or counseling that you and those close to your child have received. Please use additional paper as necessary.

## **Victim Impact Statement** *For the School-Aged Child*

What is your name?

How old are you?      What grade are you in?

1. Please write or draw anything you would like the judge to know about how you feel because of what has happened to you. You may want to write about anything that has changed in your life or in your family. You can even tell a story or write a poem if you would like. You can add more paper if you run out of room.

*(please turn the paper over)*

*National Victim Center* ■

## **Victim Impact Statement** *For the School-Aged Child*

2. Please write or draw anything you want the judge to know that may be different at school, in your neighborhood or with your friends because of what has happened to you. You can add more paper if you run out of room.

## Victim Impact Statement

# just for little kids

To parents: if your child is too young to read or is just learning to read, you will want to help your child fill out the victim impact statement. when helping your child, you will want to read the directions aloud to your child, talk about what feelings are (happy, sad, mad, scared, or any other feelings you think are appropriate), and what your child may want to think about when they are drawing or writing on the statement. please do not tell your child what to draw or write. This is your child's chance to tell the judge how he or she is feeling about what has happened. if your child would rather draw a picture of a bird, a boat or write a story about bumblebees, this is okay as well. Should your child become uncomfortable in any way while filling out the victim impact statement, reassure your child that he or she does not have to fill out the form unless he or she wants to.

What is your name?

\_\_\_\_\_

(it's okay if your parents help you write your name)

How old are you? \_\_\_\_\_

If you go to school, what grade are you in? \_\_\_\_\_

How do you feel about what happened to you? (you can circle as many as you like.)



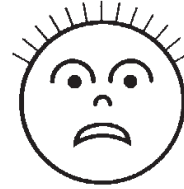
Happy



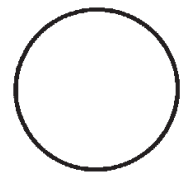
Sad



Mad



Scared



Other

Turn the page over now

## Victim Impact Statement

If you were the judge, what would you do to \_\_\_\_\_?

(circle as many as you like)

- A. send to jail
  - B. pay some money
  - C. go to a doctor to get help
  - D. nothing
  - E. Stay away from kids
  - F. What else?? Put your own idea here!!
- \_\_\_\_\_

If you want to, you can use this page to draw a picture, write a poem, tell a story, or anything else you would like to do to tell the judge about how you are feeling about what has happened to you. If you don't want to write or draw anything here, that's okay too!



# Financial Impact Statement Worksheet

Please use this portion of the form to list any expenses you have had or paid as a result of this crime. Some of the sections may not apply to you. If possible, please attach copies of bills, receipts, estimates of value, replacement costs, or other evidence of the costs listed below. Please attach additional pages as necessary.

**A. CRIME RELATED COSTS**

- List any personal belongings or personal property lost, destroyed or damaged as a result of this crime and the value. This would include damage to your home, business or other real estate. (Examples of losses are: loss or damage to personal belongings such as televisions, clothing, jewelry, and automobiles. You also may wish to include expenses for installing deadbolts, repairing locks, and/or any crime scene cleanup.)

	\$
	\$
	\$

- List any medical expenses incurred as a result of this crime. (You may wish to include expenses for doctors, medications, hospital stays, physical or occupational therapy, counseling, medical supplies, wheelchair rental, glasses, hearing aids, etc.)

	\$
	\$
	\$

- Please describe any future medical or counseling expenses your doctor or therapist anticipates and attach an estimate of their costs.

	\$
	\$

- If you had any funeral expenses, please list them.

	\$
	\$

- Please list any other expenses you incurred. (You may wish to list items such as child care during court appearances, transportation costs for medical treatment or court appearances, installing new locks or security devices, fees incurred in changing banking or credit card accounts, moving expenses, etc.)

	\$
	\$

- If you lost wages or income because you were unable to work because of the crime, had doctor or therapy visits, or attended court, please indicate the total amount of money you lost in wages. (Where possible, please attach a letter from your employer verifying the amount of lost wages or income.)

Amount of lost wages or income	\$
<b>TOTAL OF CRIME RELATED COST</b>	<b>\$</b>

*(please turn worksheet over and continue)*

# Financial Impact Statement Worksheet

**B. MONEY YOU WERE PAID BY INSURANCE, VICTIM COMPENSATION OR OTHER SOURCES**  
(Whenever possible, attach copies of receipts or insurance payments.)

1. If you have already received or expect to receive any payments or benefits from the sources below, please indicate any amounts received, name of insurance company and claim number.

**Property, Auto or Homeowners Insurance**

Amount Received \_\_\_\_\_

Name of Company \_\_\_\_\_

Claim Number \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

**Medical Insurance**

Amount Received \_\_\_\_\_

Name of Company \_\_\_\_\_

Claim Number \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

**Other** (list sources and amount and please use additional paper if necessary.)

Amount Received \_\_\_\_\_

Name of Company \_\_\_\_\_

Claim Number \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone Number \_\_\_\_\_

2. Have you applied for Crime Victim Compensation benefits?

Yes  No

If you received any compensation as a result of your claim, please list the amount.

\$ \_\_\_\_\_

\*If you have not filed for Crime Victim Compensation benefits and would like to receive further information on requirements for filing a claim, please contact:

**TOTAL MONEY RECEIVED FROM INSURANCE, CRIME VICTIM COMPENSATION, AND OTHER SOURCES**

\$ \_\_\_\_\_

Please write any additional information you would like the judge to know about the money this crime has cost you.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of law that the above information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

■ *National Victim Center*

## Sentencing Recommendation

*Answer only those questions you wish to answer. Please feel free to use additional paper if necessary.*

1. What are your thoughts regarding the sentence the Court should impose on the defendant?

*(please turn the paper over)*

National Victim Center ■

## Sentencing Recommendation

2. Would you like the judge to issue a “no-contact” or restraining order instructing the defendant to stay away from you and your family?  Yes  No Your comments:

3. Would you like to be told about further developments in this case including parole, early release hearings, community placements, furloughs, changes in prison classification, and any actions taken by the Parole Board or probation officer while the defendant is in jail or under probation supervision?

Yes  No

**If you answer yes, it is very important that you keep the Department of Corrections, Probation and Parole Offices advised everytime you change your address, otherwise they will not know how to contact you. Please do not list your address on this form. You should mail your current address to:**

Signature

Date

*(place address and contact information  
for the department of corrections,  
probation and parole here)*

**Please return your victim impact statement to:**

■ *National Victim Center*

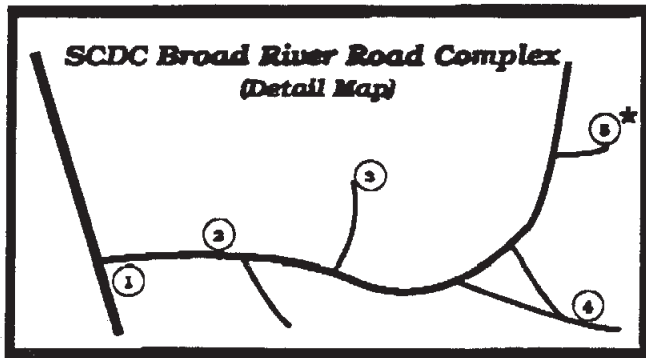
Sample Victim Information Sheet for Attending Parole Hearings:  
South Carolina Department of Probation, Parole and Pardon Services

**IMPORTANT INFORMATION RELATIVE TO  
PAROLE HEARINGS AT THE BROAD RIVER CORRECTIONAL INSTITUTION**

1. The Board will allow up to five (5) victims and witnesses to speak regarding an inmate's potential parole. Limitations or exceptions to this guideline will be considered on an individual basis.
2. Parole Hearings, by law, are open to the public and the entire proceedings are audiotaped and become part of the public record which can be obtained for a fee.
3. At all times during the hearing process, inmates and victims/witnesses are physically separated. The Parole Board hears all parties who appear in support of or in opposition to an inmate's parole, but their testimony occurs at separate times during the hearing process.
4. Anyone appearing at a Parole Board Hearing enters Broad River Correctional Institution as a visitor and is subject to all rules and regulations as they pertain to visitors. All visitors must pass through several check-points, one of which will be a metal detector.
5. For security purposes, the following guidelines must apply to all visitors entering the Broad River Correctional Institution:
  - a) Visitors wearing jeans of any type or white pants will not be admitted;
  - b) Visitors will not be allowed to bring pocketbooks or purses into the facility (wallets are acceptable);
  - c) Visitors must present an identification document which bears the visitor's picture and name (a valid driver's license is an excellent source of identification.)
  - d) Visitors will not be allowed to bring any type of medication into the facility.
  - e) Please note that Broad River Correctional Institution is a smoke-free facility.
5. If you plan to attend the hearing, please arrive at Broad River Correctional Institution by 10:00 a.m. and park in the STAFF PARKING LOT located on your right. Also, if you are attending to oppose parole, please enter the line on the right side of the walk-in gate. The South Carolina Department of Corrections authorities will appreciate your cooperation and patience during this process, and their staff will attempt to facilitate the entry of all visitors as quickly as possible.
7. If you wish to OPPOSE the parole of an inmate and plan to ATTEND the Parole Hearing in person, it is essential that you contact, either in writing or by phone, the Victim Services Liaison prior to the scheduled hearing date. Any questions you have regarding the hearing process can be directed to the Victim Services Liaison at that time.

Melody Whetstone, Victim Services Liaison  
Department of Probation, Parole, and Pardon Services  
PO Box 50666  
Columbia, South Carolina 29250  
Telephone: (803) 734-9367 or 1-888-551-4118 if you live outside the Columbia area.

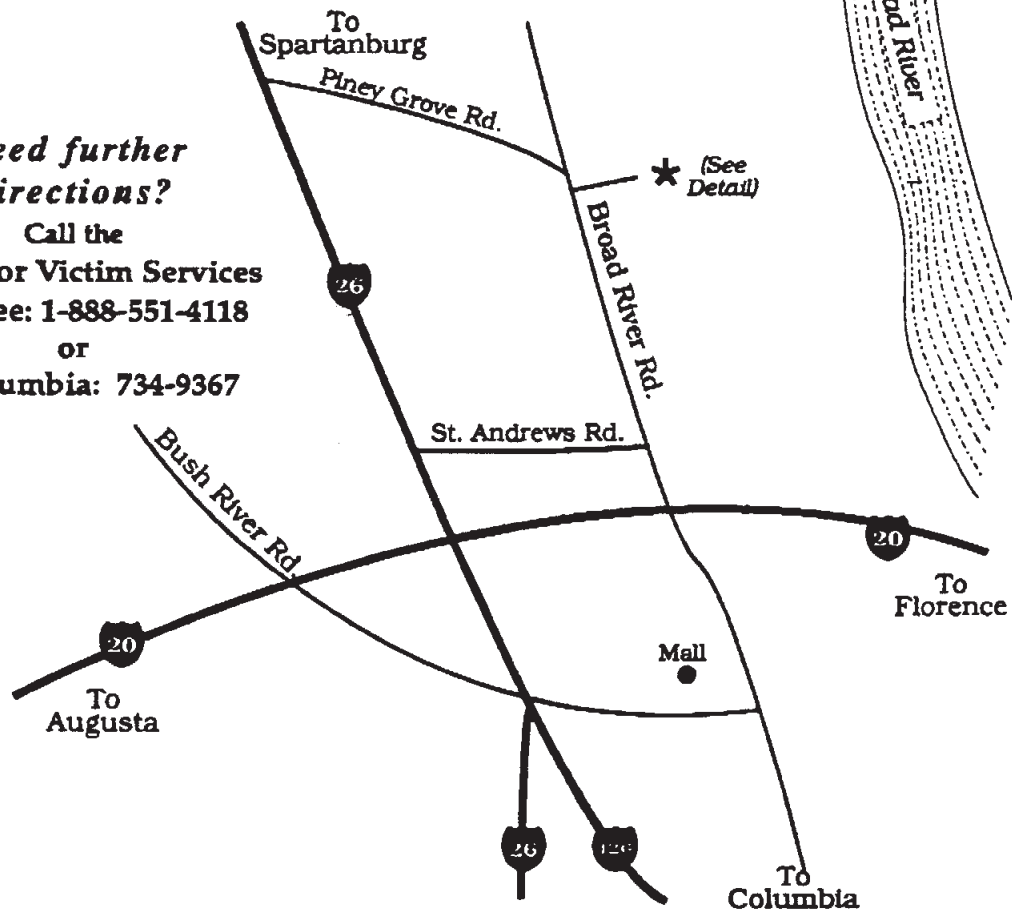
\*For directions to Parole Board Hearing, see back of page.



1. SCDC Headquarters
2. Front Gate
3. Stevenson C.I.
4. Kirkland C.I.
5. Broad River C.I.\*

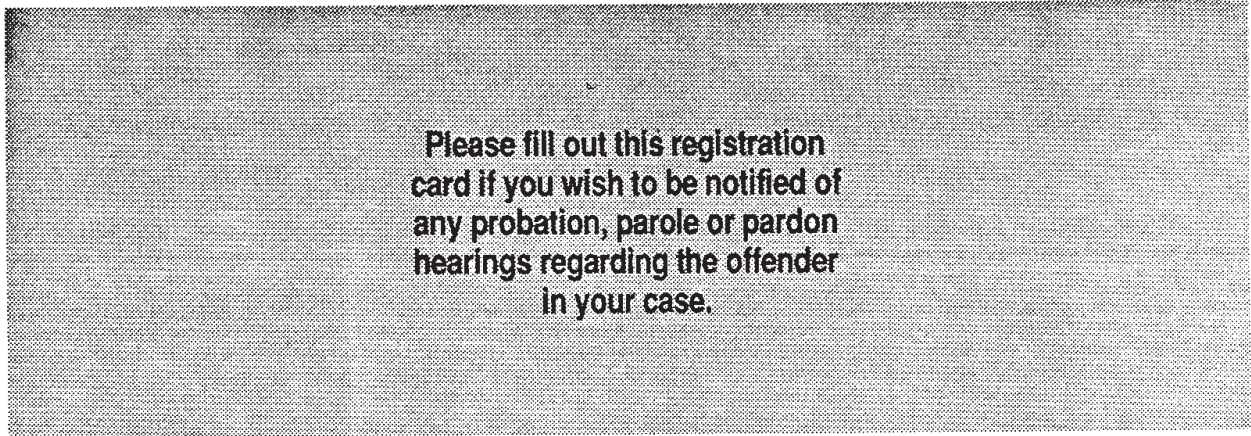


**Need further directions?**  
 Call the  
**Office for Victim Services**  
 Toll Free: 1-888-551-4118  
 or  
 In Columbia: 734-9367



**BROAD RIVER CORRECTIONAL INSTITUTION**  
 4464 Broad River Road  
 Columbia, South Carolina

## Sample Registration/Notification Request Card (SC Department of Probation, Parole, and Pardon Services)



Fold along this line for mailing

Fold along this line for mailing

Fold along this line for mailing

S.C. Department of Probation, Parole, and Pardon Services  
**OFFICE FOR VICTIM SERVICES**  
**REGISTRATION CARD**

PLEASE PRINT — USE BALL POINT PEN

All Information Listed On This Card Is Confidential And Will Be Safeguarded

NAME OF OFFENDER		SCDC NUMBER (if known)
COUNTY OF CONVICTION	SENTENCE	
OFFENSE(S)		SENTENCE DATE
OFFENDER IS CURRENTLY: In Prison <input type="checkbox"/> Under Probation Supervision <input type="checkbox"/> Under Parole Supervision <input type="checkbox"/>		PHONE NUMBER (Day)
NAME OF PERSON REQUESTING NOTIFICATION (Your Name: Last, First, Middle)		PHONE NUMBER (Night)
STREET OR MAILING ADDRESS		PHONE NUMBER (Message)
CITY	STATE	ZIP <span style="float: right;">Check Box ONLY If New Address <input type="checkbox"/></span>
YOUR RELATIONSHIP TO VICTIM	SIGNATURE	DATE

I understand that if my address and/or phone number changes, I am responsible for notifying the DPPPS Office for Victim Services.

## Sample Victim-Sensitive Notification Letter

### SAMPLE NOTIFICATION LETTER

Dear Mr./Ms. [Name]:

Thank you for registering for victim notification services from the [state/name of agency]. I am very sorry that you were victimized, and assure you that my Department and staff will do everything we can to assist you.

You will receive notice of [list types of notice that the victim is eligible for here].

We have determined that the prisoner's earliest possible release from confinement, which might include [list here — intensive supervision, parole, supervised community confinement, etc.] is [month/day/year], based upon information known at this date, and assuming current laws and policies remain in effect during [his/her] sentence.

It is important that you notify the Department of any change in your address, telephone number, or other relevant contact information, so that we can notify you in an efficient manner. I have enclosed a card with the Department's address, as well as our toll-free telephone number for the Department's Victim Services Program.

If the Department can provide you with additional information, answer any questions, or offer referrals to victim services in our state, please contact [name], [title] in our Victim Services Program at [area code/telephone number].

I appreciate your consideration of this information, and hope we can continue to meet your needs as much as possible.

Sincerely,

[NAME]  
Director/Commissioner of Agency





# Vine™ Brochure: Kentucky Department of Corrections

## What if I wish written notification of an Inmate's release?

If the inmate is in the custody of the Department of Corrections and you wish to receive written notification of an inmate's release, please notify the Records Office Branch Manager at the following address: Offender Records, Attention: Victim Information, 5th Floor, State Office Building, Frankfort, KY 40601. The office telephone number is 1-502-564-2433. If you wish to be notified of a Corrections inmate's release on furlough, written requests must be made to the Warden of the institution where the inmate is housed.

## How can I have input into Parole Board Decisions?

The Kentucky Parole Board has, since 1986, notified victims of crime and Commonwealth's Attorneys throughout the state pending parole hearings 45 to 90 days prior to the inmate hearing. The Board is provided with the names of victims by local probation and parole officers when

they prepare the Pre-Sentence Investigation Report. In the event the victim's address changes after the court proceedings, it is essential that the victim notify the Board of the change of address. The Board has a toll-free victim number: 1-800-221-5991. The Board's regular number is 502-564-3620.

The Board's notification process is designed to provide the name of the offender, parole eligibility date and a Victim Impact Statement (VIS). Victims are encouraged to complete the VIS promptly and return it to the Parole Board. Two very important questions on the VIS are:

1. Do you wish to appear before the Parole Board for a hearing?
2. Do you wish to be notified of the Parole Board's decision?

The law requires that anyone who wishes to meet with the Board for a victim hearing before the inmate's hearing advise the Board in writing not less than seven days prior to the inmate's hearing.

Victim Impact Statements should be returned to the Board at the following address: Kentucky Parole Board, Attention: Victim Coordinator, 5th Floor, State Office Building, Frankfort, KY 40601.

## Why was this system started?

The 1993 tragic death of Mary Byron in Louisville, Kentucky, brought to light the need for a 24 hour-a-day notification service. Jefferson County officials recognized this need and established the first local automated system. These officials gave seed money to implement the state wide system.

This project was supported by Federal Grant No. 5334-N18-2/94 awarded through the Kentucky Justice Cabinet by the Office of Justice Programs.



**VINE™**

**Victim Information and Notification Everyday**

**1-800-511-1670**

is provided by the



**Paul E. Patton**  
**Governor**



**VINE™**

**1-800-511-1670**

My PIN Number is:



## What is VINE™?

Kentucky is the first state in the nation to provide an automated, statewide victims notification system. Through this computerized system, critical information is available about inmates housed in local jails and adult correctional facilities as well as certain juvenile offenders. This information can be accessed 24 hours a day, seven days a week. Through a computer generated telephone calls, all registered persons will be contacted at a predetermined telephone number when an inmate is scheduled for release or if an inmate escapes from custody. In addition to victims, law enforcement agencies and the general public will have access to housing locations and release information through the 24 hour telephone service.

## What inmate information is available through VINE™?

- (1) **Status:** If not in custody, the date the inmate was released will be given.
- (2) **Location:** Current jail or institutional address and telephone number will be given for inmates currently in custody.
- (3) **Parole Eligibility:** The next hearing date will be given, where applicable.
- (4) **Sentence Expiration:** The tentative release date will be given, where applicable.

## How does a victim call VINE™?

A person requesting to be notified should call the toll-free VINE™ number (1-800-511-1670) using a touch-tone telephone, to register for notification. The system will begin to call a victim for an established period of time or until the requesting party acknowledges the receipt of the release information.

## How often will the system call?

Notification regarding the release of an inmate from jail will be made every 30 minutes for a 24 hour period or until notification is acknowledged by the registered person. Notification regarding the release of an inmate from a state institution will be made to the extent possible, 72 hours before the inmate's release. In cases of parole, changes in sentences due to immediate time credits, court ordered discharges or escapes, the system will begin to call once the inmate is released.

## How can I make sure that I get the notification and not someone else?

The VINE™ system allows each person to register two telephone numbers. To ensure the person receives the release information, the system requires the victim to leave a four digit, personal identification number (PIN). A familiar number is recommended for this PIN because, in some cases, it may be several years before the inmate is released. A number that is not readily familiar may be forgotten. Use of the PIN is the only way to halt the notification calls. You may wish to record your PIN on the detachable card. Retain it in a safe place.

## If I don't have a touch-tone phone, will I be notified?

Registered victims with rotary dial telephones are able to receive the notifications and be provided with a way to use their PIN to confirm receipt of the notification.

## How can I locate the correct inmate?

A person may search for the inmate by institutional number or inmate name. The system recognizes inmate numbers as a six digit code. If you know the inmate's number you must enter a six digit number. If the inmate number is less than six digits, zeroes must be entered preceding the number to make it a six digit number. For example, and inmate number of 2222 must be entered as 002222. If number is unknown, you may enter the name by the telephone keypad.

## Will the inmate know I registered for notification?

**NO!** This system provides an opportunity to register anonymously.

## What do I do if the inmate is going to be released?

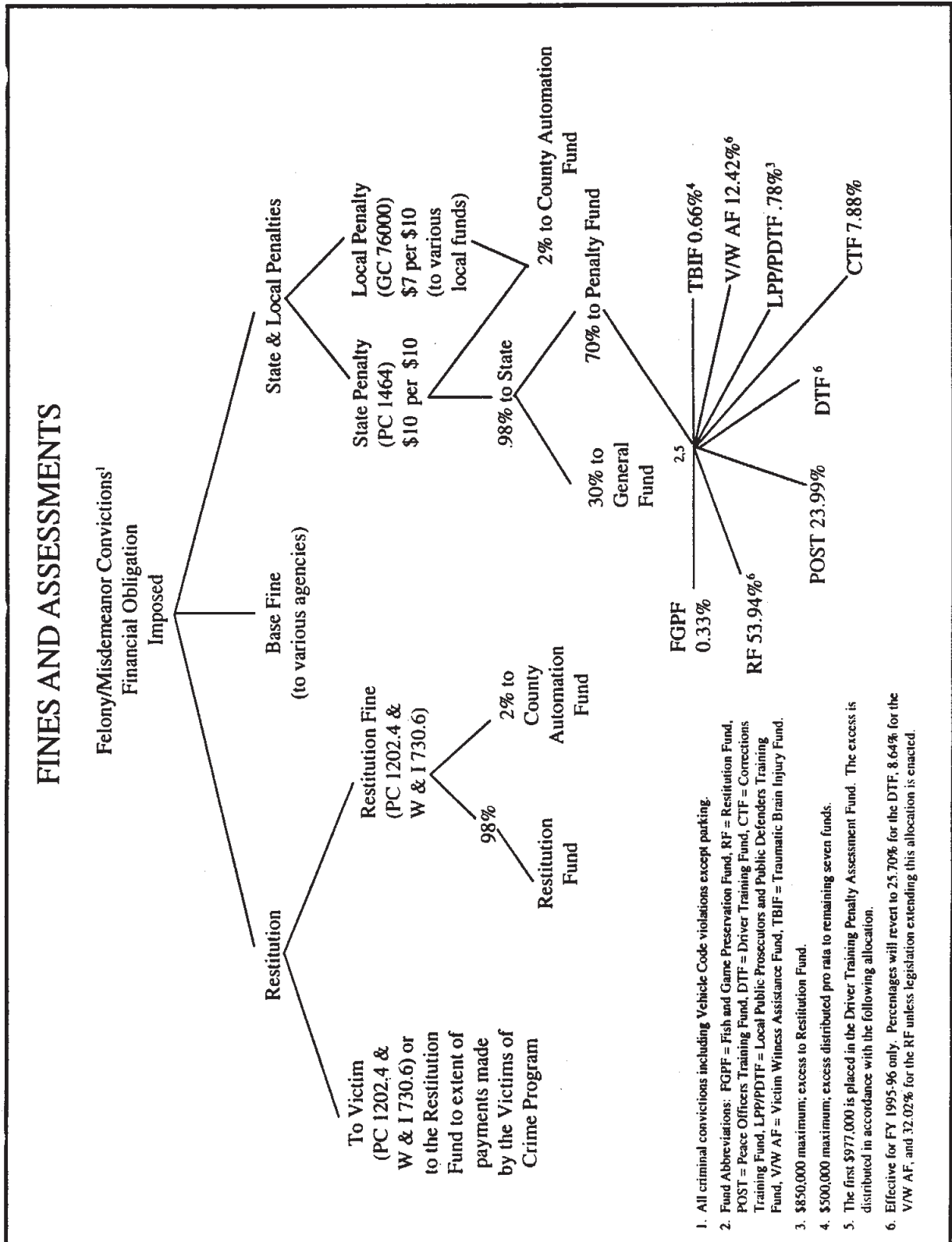
If you fear for your safety, do not depend on this or any other service for your only protection. Take precautionary measures as if the inmate is already released.

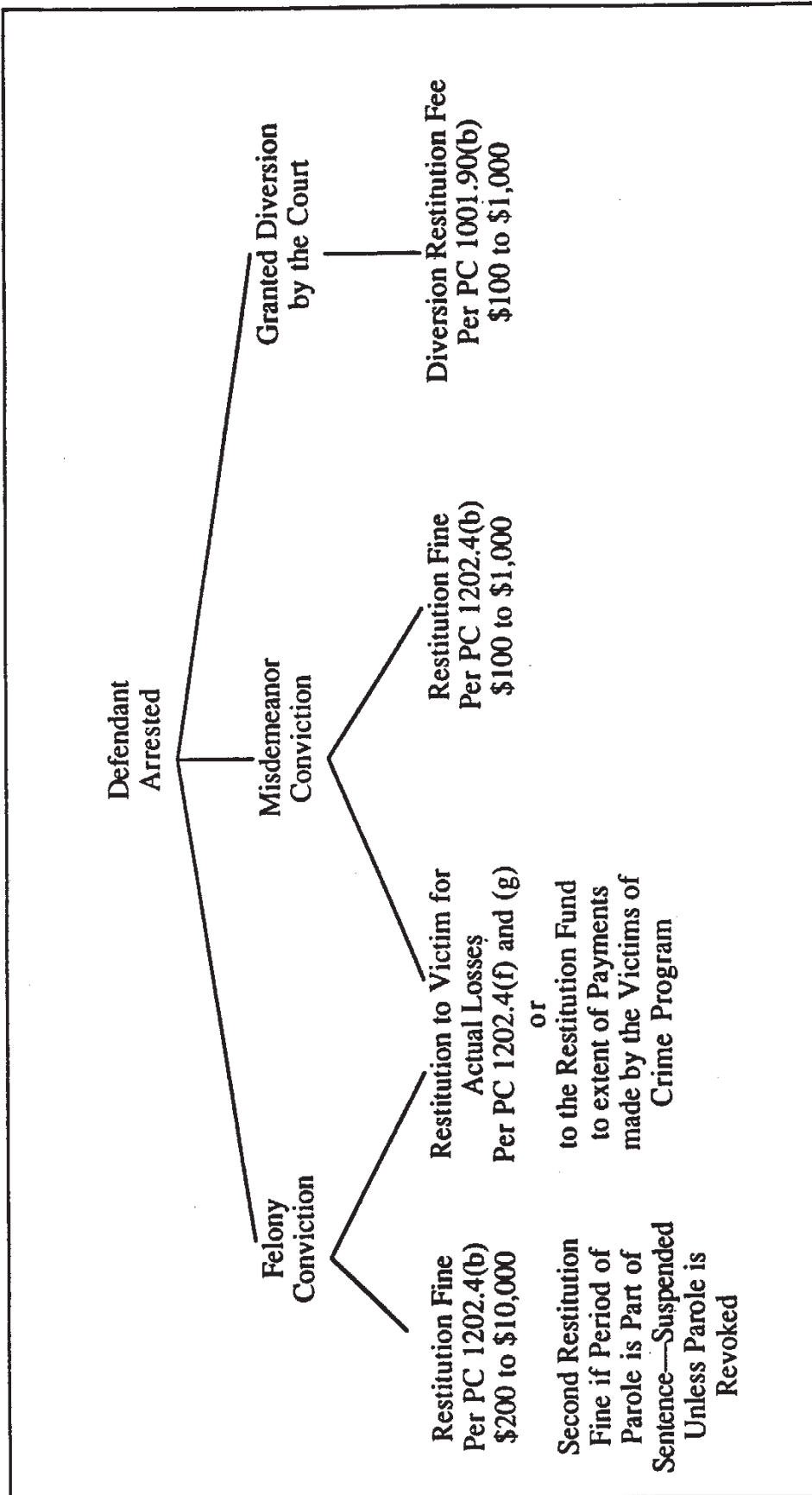
1. Call the toll-free VINE™ # (1-800-511-1670).
2. When asked, provide the information requested to identify the inmate for whom you wish information.
3. You will receive immediate information regarding the inmate.
4. If you choose, you may register up to two telephone numbers to be called when an inmate is being released.
5. Create your own Personal Identification Number (PIN) using four numbers that you can remember and write them on the reverse side of this card.
6. Detach this card and keep it in your wallet or purse.

The following are responsible for the implementation of Kentucky VINE™: Office of the Governor, Office of the Attorney General, Justice Cabinet, Corrections Department, Kentucky Parole Board, and Kentucky Jailers' Association.


# Appendix C

## Flow Chart: Restitution Process, CA State Board of Control





## Restitution Policies and Procedures: Tarrant County CSCD

 <p style="text-align: center;">COMMUNITY SUPERVISION AND CORRECTIONS OF TARRANT COUNTY</p> <p style="text-align: center;">POLICY AND PROCEDURES MANUAL</p>	<p>MANUAL NUMBER 4.4.1</p>	<p>PAGES 1 of 7</p>	<p>REVISED DATE 04/19/94</p>
	<p>Related CJAD Standards:</p>		
<p>Chapter:</p> <p style="text-align: center;">SUPERVISION FUNCTION</p>	<p>Subject:</p> <p style="text-align: center;">Probationer Payments</p>		

**I. AUTHORITY:**

For the purpose of providing adequate probation services, Article 42.131 Texas Code of Criminal Procedure states that the District Judges trying criminal cases shall appoint a Director to oversee the work of the **Community Supervision and Corrections Department of Tarrant County in the 8th Administrative Judicial Region** and provide direction for its operation. The County Criminal Court Judges are entitled to participate in the management of the Department. The Director shall be responsible for the administration, interpretation and enforcement of these policies and procedures.

**II. PURPOSE:**

To document the steps which should be taken to ensure prompt collection of fees by the probationer as assessed by the Court.

**III. APPLICABILITY:**

To all officers supervising a caseload of probationers and their supervisors.

**IV. DEFINITION:**

**V. POLICY:**

- A. Probation Conditions that require payment of fees are of equal importance to any other conditions that Court may order. The supervision officer is responsible for monitoring the probationer's payments and using the casework process and supervision plan to motivate and impel the probationer to take the steps necessary to make payments as ordered by the Court.

## 4.4.1 Probationer Payments

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- B. Ideally, every probationer would pay all fees on time. In reality, probationers are not likely to do so. Therefore, to maximize collection of fees, all supervision officers must accept their responsibilities, be determined to enforce probation conditions and be willing to invest the effort in their casework. Each probationer, regardless of how many different supervision officers may supervise or contact him, should experience their universal diligence in collection of fees. The supervision officer, who shuns or is casual about the responsibility to collect fees, thwarts the efforts of the Department and those who take the responsibility seriously.
- C. Each probationer is required to report and make the entire monthly payment assessed by the Court.
1. The supervision officer must not indicate or imply that the probationer is excused from making payments.
  2. The supervision officer must emphasize the probationer's responsibility to report on time each month even if he fails to make the required payment at the time he reports.
  3. The supervision officer must enforce these conditions of probation beginning with the very first month.
- D. Collection of court-ordered restitution for crime victims should be viewed as the leading payment priority.

VI. **PROCEDURES:**

- A. The supervision officer will document each payment accurately:
1. In the probationer's case file chronology, and
  2. On the probationer's monthly report form when the probationer submits payment with the report.
- B. If the probationer does not submit full payment with the monthly report, the supervision officer will document in the chronology:
1. The full payment was not made,
  2. The reasons the probationer gave for not making full payment,

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4.4.1 Probationer Payments

3. The date by which the probationer indicated he will make or complete the payment for the month (the supervision officer will follow-up and document whether or not payment was made as promised).

C. Whenever the probationer falls behind on making payments, the supervision officer will:

1. Discuss the matter with the probationer:
  - a. Allow the probationer to express himself regarding his attitude toward making payments as well as his perception of his ability to make payments.
  - b. Note for further investigation and action any obstacles that may limit the probationer's ability to pay (e.g., unemployment, underemployment, low earnings, disability, heavy expenses, inadequate budgeting, etc.).
  - c. Answer any of the probationer's questions, clarify any uncertainty and correct any misconceptions he may have regarding the payment of fees. This is especially important during the early months of probation.
  - d. Counsel the probationer regarding his responsibility to make payments ordered by the Court. This counseling should be motivational and should convey the Department's expectation that the probationer will pay court ordered fees on time each month.
  - e. If appropriate confront the probationer for the purpose of dispensing with any fabrications, game playing, testing of the supervision officer, or other nonsense that might obstruct a genuine meeting of the minds as to what the probationer must do.
2. The supervision officer will then, as part of the casework process:
  - a. Investigate as necessary and address in the supervision plan what the probationer must do to overcome any obstacles and pay fees.
    1. The Budget Worksheet (CSC 182) can be very useful at this point.
    2. When applicable, the income and expenses of the probationer's

## 4.4.1 Probationer Payments

Page 4 of 7

entire household should be taken into account.

- b. Communicate the supervision plan, including specific instructions, to the probationer.
- D. If the probationer falls behind an amount equal to three monthly payments and reports an income source, the supervision officer will refer the probationer to the Personal Budgeting Course.
1. The Personal Budgeting Course is a resource provided by the Department for the purpose of assisting probationers to improve their budgeting and thereby pay court ordered fees as well as meet other essential obligations. The course is not intended to punish probationers, nor should it be thought of as an inconsequential drill. The supervision officer will include the course in the supervision plan and will follow-up and document the probationer's attendance and participation.
  2. To enroll a probationer in the Personal Budgeting Course the supervision officer will:
    - a. Direct the probationer to attend the next course and provide necessary instructions, e.g., dates, times, place.
    - b. Complete the Budget Worksheet (see sample in Appendix C) carefully and accurately with the probationer.
    - c. Forward a copy of the probationer's completed Budget Worksheet to Education Unit. This copy will be made available for use by the probationer and the instructor during the course (retain the original in the probationer's case file).
  3. The secretary of the Education Unit will notify the officer and the officer's supervisor in regard to attendance:
    - a. The day following the first session of the budgeting course the secretary will phone the officers and inform them if the probationer referred attended the class.
    - b. The day following the completion of the class the supervisor will receive copies of the budget forms to distribute to the officers along with an attendance record for the class.

**REV. 04/19/94**



4.4.1 Probationer Payments

4. If the probationer did not attend the Budgeting Course:
  - a. The officer, upon receiving initial notice of nonattendance, will contact the probationer no later than five (5) working days to establish the reason for nonattendance and to document in the case file.
  - b. The supervisor will review the case file to ensure that the probationer has been contacted and that additional steps are being taken.
  - c. The Court should be notified and a Court conference requested when:
    1. The second referral has been made to attend the Course and the probationer has failed to attend.
    2. It is established through the Budgeting Course that the probationer has the means to pay but refuses to pay.
5. During the Personal Budgeting Course, the probationer will establish a schedule for payment of past due fees.
  - a. The course instructor will forward the schedule to the supervision officer.
  - b. The supervision officer will update the case supervision plan to reflect the payment schedule determined through the budget course.
- E. If a probationer claims that payments were not or cannot be made because of a medical condition, whether temporary or permanent, the supervision officer will:
  1. Instruct the probationer to furnish a physician's statement which substantiates the probationer's medical condition and indicates the extent and expected duration of any disability.
  2. File in the chronology any such documents furnished by the probationer.
  3. Avoid stating or implying that the probationer, upon furnishing such documentation, is, thereby, relieved of the responsibility to pay court ordered fees.
  4. Investigate and examine, as part of the casework process, all relevant facts including the probationer's income and expenses. Bear in mind, the

## 4.4.1 Probationer Payments

Page 6 of 7

probationer's medical condition or disability, alone, should not lead to the conclusion that the probationer is unable to pay fees. Keep in mind, also, that while a disabled probationer may be unable to pay fees at present, changing circumstances such as improved physical condition or additional income, may enable him to make payments in the future.

- F. If a probationer is able to work, but is unemployed, the supervision officer will take appropriate measures regarding employment (see Policy and Procedure 4.4.2 Probationer Employment).
- G. Working with the probationer who fails to make payments can be very frustrating. Therefore, the supervision officer should avoid the temptation to threaten the probationer with jail or revocation. Empty threats will be counterproductive. Moreover, to jail or revoke a probationer is a decision of the Court, not the supervision officer. The supervision officer should continue to emphasize that the probationer's compliance with the probation conditions will assure successful completion of probation. The supervision officer should also make use of privileges (e.g., travel permits, mail-in reports, etc.) to encourage probationers to comply with probation conditions and should withhold privileges from probationers who are not in compliance.
- H. If a probationer continues to fail to make payments, the supervision officer will:
  - 1. Document carefully and in detail:
    - a. The actions the supervision officer has taken to bring about the probationer's compliance with the court order.
    - b. The probationer's specific action or inaction in response to the court order and case supervision plan.
    - c. Other facts relevant to the probationer's failure to pay fees.
  - 2. If the probationer's failure to pay fees results from this unwillingness to comply with Conditions of Probation and the case supervision plan, the supervision officer will:
    - a. Take further measure designed to alert the probationer to the seriousness of his situation and motivate him to make the effort needed to make payments.
    - b. If the probationer fails to respond to the measures taken by officers

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4.4.1 Probationer Payments

Page 7 of 7

as set out in these and other referenced procedures, the supervision officer should make an appointment with the Judge through the court officer to discuss the status of the case and discuss other alternatives (e.g., community services restitution, etc.) which may include additional sanctions through amending the Conditions of Probation.

# Budget Worksheet: Tarrant County CSCD

**BUDGET WORKSHEET**

1. **TOTAL INCOME FOR HOUSEHOLD LAST MONTH:**

	NAME	SALARY	S.S./RET.	WELFARE	DISABILITY	OTHER	TOTAL	CONTRIBUTION TO HOUSEHOLD (\$)
A								
B								
C								
D								
E								
F								

G Number of Dependent Children: \_\_\_\_\_ TOTAL INCOME (Add A thru F) \_\_\_\_\_

2. **LIVING EXPENSES FOR MONTH:**

		<u>CURRENT</u>		<u>CURRENT</u>	
		Yes	No	Yes	No
A.	HOUSE				
	1) Rent.....\$	_____	_____		
	2) Own.....\$	_____	_____		
B.	UTILITIES				
	1) Water.....\$	_____	_____		
	2) Gas.....\$	_____	_____		
	3) Electricity..\$	_____	_____		
	4) Phone.....\$	_____	_____		
	5) Other.....\$	_____	_____		
C.	LAUNDRY.....\$	_____	_____		
D.	FOOD.....\$	_____	_____		
E.	TRANSPORTATION....\$	_____	_____		
F.	ENTERTAINMENT.....\$	_____	_____		
G.	CLOTHES/MISC.....\$	_____	_____		
H.	DOCTOR/MEDICINE...\$	_____	_____		
I.	INSURANCE.....\$	_____	_____		
J.	CHILD SUPPORT.....\$	_____	_____		
K.	CT. ORDERED FEES..\$	_____	_____		
L.	MONTHLY CREDIT....\$	_____	_____		

PAYMENTS (list on back)

3. **LIST OTHER PAYMENTS/EXPENSES:**

_____	\$ _____
_____	\$ _____
TOTAL EXPENSES.....\$	_____

(Add #2 & 3#)

4. **EMPLOYMENT:**

- A.  I AM CURRENTLY EMPLOYED
- B.  I AM PHYSICALLY AND MENTALLY CAPABLE OF BEING EMPLOYED AND HAVE MADE AN EARNEST EFFORT TO FIND A JOB DURING THE PAST \_\_\_\_\_ DAYS.
- C.  I AM NOT EMPLOYABLE AT THIS TIME BECAUSE \_\_\_\_\_ WILL FURNISH THE TARRANT COUNTY SUPERVISION OFFICER WITH A PHYSICIAN'S STATEMENT TO THAT EFFECT.

5. **COMMITMENT:** MY CURRENT ARREARAGE IS \$ \_\_\_\_\_ . I WILL MAKE A PAYMENT OF \$ \_\_\_\_\_ ON \_\_\_\_\_, AND A PAYMENT OF \$ \_\_\_\_\_ EACH \_\_\_\_\_ UNTIL MY ACCOUNT IS CURRENT. IF I AM UNABLE TO FULFILL THIS AGREEMENT, I WILL IMMEDIATELY CONTACT MY SUPERVISION OFFICER AND DISCUSS MY FAILURE TO PAY.
6. **BASIC PERSONAL BUDGETING:** I WILL ATTEND THE BASIC PERSONAL BUDGETING CLASS ON \_\_\_\_\_ LOCATED AT \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ IF I AM UNABLE TO FULFILL THIS AGREEMENT, I WILL IMMEDIATELY CONTACT MY SUPERVISION OFFICER AND DISCUSS MY FAILURE TO ATTEND. I ALSO UNDERSTAND THAT FAILURE TO ATTEND COULD EFFECT THE STATUS OF MY COMMUNITY SUPERVISION.

**MONTHLY CREDIT PAYMENTS**

	NAME	ADDRESS	BALANCE DUE	MONTHLY PAYMENT	CURRENT	
					YES	NO
1.	_____	_____	_____	_____	_____	
2.	_____	_____	_____	_____	_____	
3.	_____	_____	_____	_____	_____	
4.	_____	_____	_____	_____	_____	
5.	_____	_____	_____	_____	_____	
6.	_____	_____	_____	_____	_____	
7.	_____	_____	_____	_____	_____	
8.	_____	_____	_____	_____	_____	

I FURTHER STATE THAT ALL QUESTIONS HAVE BEEN ANSWERED TRUE AND CORRECT. I ALSO UNDERSTAND THAT ANY FALSE STATEMENT COULD BE GROUNDS FOR REVOCATION OF MY COMMUNITY SUPERVISION.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PROBATIONER

\_\_\_\_\_  
SUPERVISION OFFICER



# Appendix D

## Reparative Probation Boards

### Reparative Probation Boards

by Michael J. Dooley, Program Director, Vermont Department of Corrections

#### Introduction

With the support of a Bureau of Justice Assistance Correctional Options Grant awarded in Spring of 1994, the Vermont Department of Corrections has undergone state-wide restructuring. This restructuring charts a radically new course for corrections in Vermont. This course is based on historical and scientific principles alike -- historical in that according to Article 64 of the Vermont Constitution, reparation of injury to victims and the community dates back to 1791 as an explicit expectation for handling criminal offenses (see Exhibit V-18); scientific in that there is a rich literary and research base that defines good, sound and rational correctional practice. Using risk prediction, for example, as a means to sort and match the correctional population with an array of sanctions and services will ensure that our scarce correctional resources are used in a cost efficient way that is more likely to positively impact recidivism.

#### Exhibit V-18

#### Vermont Constitution, Chapter II, Section 64, 1791

"To deter more effectually from the commission of crimes, by continued visible punishments of long duration, and to make sanguinary punishments less necessary, means ought to be provided for punishing by hard labor, those who shall be convicted of crimes not capital, whereby the criminal shall be employed for the benefit of the public, or the reparation of injuries done to private persons: and all persons at proper times ought to be permitted to see them at their labor."

The programs offered through the reorganization, can best be described as a three dimensional matrix of Programs, Service Tracks and Sanctions. The Courts are given a variety of new sentencing choices consisting of programs and associated services, organized within two service tracks (Risk Management and Reparative), and tied to one of four legal sanctions (Probation, Supervised Community Sentence, Pre-Approved Furlough, and Incarceration). The "Risk Management Service Track" contains programs that target offenders who have

committed felony crimes and who represent a higher risk to re-offend. Intensive treatment and supervision is the focus of services in this track. The "Reparative Service Track" targets offenders who commit non-violent offenses and who represent a relatively lower risk to re-offend. The focus of this track is to require the offender to make reparation to the victim and the community. It is this track that features a program called *Reparative Probation* -- and involves the *community* in the justice process.

#### Program Overview

The central theme of the Reparative Probation program is for an offender to come face to face with the *community* to negotiate ways for an offender to make reparation to the victims and the community.

The Reparative model is based on a shifting paradigm that moves from a "retributive" to a "restorative" form of justice. A retributive focus promotes an adversarial process whereby guilt for a violation against the state is established, and punishment is seen as a "debt to society" resulting in an impersonal relationship between the state and the offender. The community is sidelined, and victims are often ignored. A restorative model defines crime as a violation of one person by another, promotes a problem solving focus based on "dialogue" that brings offender and victim (i.e., the community) together to negotiate a "restorative" resolution. The community plays a facilitative role in the restorative process of righting the harm and injuries caused by the offender. "Debt" in this sense is seen as being held accountable and liable for injuries caused to victims and communities.

**Public Support.** Advancing a restorative model of justice in the delivery of correctional services is strongly favored by Vermonters. This was validated during the late spring of 1994 when public opinion research was conducted to survey Vermont citizens' opinions with regard to crime and justice issues. The results of the survey showed strong support for programs with a reparative emphasis, and which involved the community and citizens in the process. Below are some highlights of the results of the survey with respect to using community members in the justice process.

- ◆ Vermonters strongly (75%) believe the whole criminal justice system needs to be reviewed and overhauled.
- ◆ Vermonters overwhelmingly (92%) endorse the idea of making property offenders pay back the victims of their crimes, and overwhelmingly endorse the idea that non-violent offenders should do unpaid work to pay back the community.
- ◆ Vermonters overwhelmingly favor using community work service instead of jail, for drunk drivers, drug users, shoplifters, bad check writers, and young offenders in general.
- ◆ Vermonters overwhelmingly favor the use of *Community Reparation Boards* to oversee the sentence of non-violent offenders.
- ◆ Vermonters, after learning about Community Boards, strongly favor the use of community-based sentences, rather than incarceration, for a wide variety of non-violent offenders, even repeat offenders.
- ◆ Vermonters do NOT favor using Community Sentences for violent offenders, even on the first offense.

In short, Vermonters want to be actively involved and want punishment to focus on opportunities and means for offenders to repair injuries and damages they caused. It is from the interest of Vermont's citizens, along with the need for community involvement to help the DOC and the criminal justice system to process offenders, that the *Reparative Probation* program was born.

**Program Purpose.** The Reparative Probation program is a first level program within the Reparative Service track. It is a program that provides Vermont's Courts with a sentencing option for offenders to make reparation to victims and the community. The intent is to have a probation sanction that responds to crime without unduly burdening the Courts, Corrections and other partners in the criminal justice system. It will provide the offender with a reparative experience without expending needed correctional resources that can be more effectively used for serious criminal offenders. By design, the Reparative Probation program will bring members of the community actively and formally into the justice process. The emphasis of programs and services, which are traditionally

#### Exhibit V-19

### Program Goals

- 1) Involve the community in the criminal justice process.
- 2) Achieve a high rate of program completions by offenders.
- 3) Provide meaningful consequences and accountability that reduces criminal justice processing time.
- 4) Increase the use of community resources to serve the target population.
- 5) Provide opportunities for victims and community citizens to confront offenders for the purpose of promoting victim empathy.
- 6) Effect a high degree of victim and community compensation, resolution, and satisfaction with the criminal justice process.

targeted at the offender, are now focused on victims and the community. Here, the emphasis is on the offender accepting responsibility with the central focus on making victims and communities whole again. It is this priority, responding to Vermont communities and the criminal justice system, that defines the goals of the program (see Exhibit V-19).

**How The Program Works.** The Reparative Probation program is intended to be used for offenders convicted of non-violent offenses. Offenders are referred to the program through the traditional sentencing process. Following sentencing, a brief intake is completed with the offender. The offender is then scheduled to appear before a Reparative Board consisting of five (5) citizens from the offender's respective community.

The next step, meeting the Reparative Board, is the innovation of this program which distinguishes it from other traditional programs. The specifics of the sentence are now in the hands of a board of community citizen volunteers and the offender. The offender and the board members meet to discuss the details and impact of the offender's behavior. The result is an agreement between the Board and the offender stipulating specific activities that the offender must complete (see Exhibit V-20). This interaction and resulting agreement is directed by the four offender activity areas listed in Exhibit V-21.

Reparative activities that meet the four areas may consist of, but are not limited to, the following:



**Exhibit V-20**

**Sample Reparative Agreement**  
*Offense: Petit Larceny*

<u>Specified Activity</u>	<u>Date Due</u>
1. Make amends to the victim as follows: <b>Write and deliver a letter of apology to victim.</b>	5-6-95
2. Make amends to the community as follows: <b>Provide 20 hours of community service work at the Barre Vocational Center</b>	8-8-95
3. Understand the impact of your crime on the community as follows: <b>Meet with the Empathy Panel</b>	8-8-95
4. Learn about ways not to commit the same crime as follows: <b>Make an appointment and participate in an evaluation at Vocational Rehabilitation Department.</b>	
<b>Complete a tour of the Chittenden County Correctional Facility.</b>	8-8-95

**Exhibit V-21**

**Four Offender Activity Areas**

**Restore and make whole the victims of crime.** The offender will be expected to make restitution if ordered by the court, and participate in victim offender mediation if requested by the victim.

**Make amends to the community.** The offender will complete community work service, preferably a work service activity related to the criminal conduct.

**Learn about the impact of crime on victims and the community.** The offender will appear before a Victim Empathy panel composed of community members who know the impact of crime on their community. Members may be past victims of crime, members of groups like Students Against Drunk Driving, or Mother Against Drunk Driving, merchants familiar with crimes such as shoplifting, or they may be former offenders.

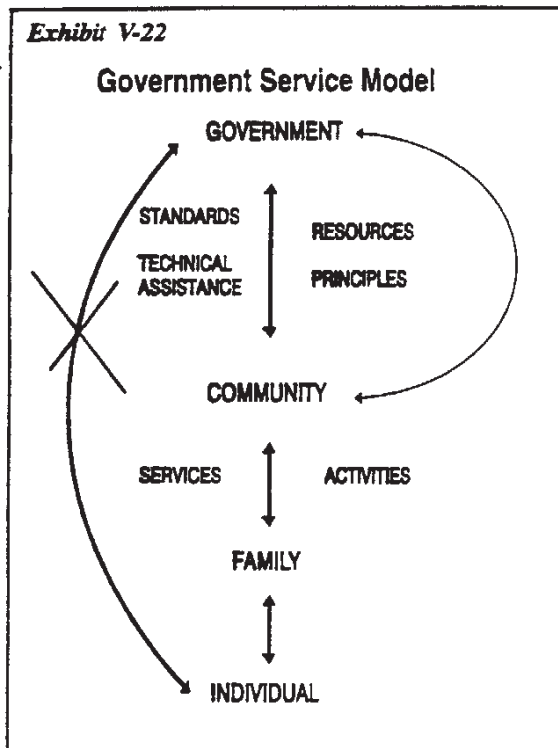
**Learn ways to avoid re-offense in the future.** Offenders will complete short educational programs designed to give them knowledge, skills and techniques to help them avoid reoffending in the future.

- ◆ restitution to victims;
- ◆ community work service;
- ◆ victim offender mediation;
- ◆ cognitive skills development sessions
- ◆ victim empathy programs;
- ◆ decision making programs; and
- ◆ driver improvement courses.

Offenders on Reparative Probation are not under traditional supervision. Compliance with the terms and agreement is the responsibility of the offender, including adequate verification and documentation of activity completion. Once an agreement has been reached regarding the appropriate sanctions the offender has 90 days to fulfill the agreement and complete the program. Upon completion, the Board may recommend discharge from probation. If the offender fails to successfully complete the program activities within the 90 day period, he or she may be returned to the Court for further action. The offender's relationship with the Reparative Board would end at this point.

**Using Community Reparative Boards in the Justice Process.** Another paradigm shift taking place pertains to government's role in providing services. The model (see Exhibit V-22) shifts the paradigm of government serving individuals to *government serving community serving family serving individual*. This movement shifts responsibility back to the communities and families who are perceived to be in a better position to serve (and supervise) individuals. Thus, our Reparative Services will focus to a large extent on facilitating and providing services to communities who will then work with offenders. Using community boards is the beginning of this process.

Six Boards have been established and are operative in four of thirteen sites around the state with many more to follow. On a state-wide level we have been recruiting various members of the public to serve on the Boards. This was done by asking select community leaders to nominate people to serve on the Board. We received over 200 nominations, and people are still calling to express interest and ask questions. The overwhelming interest in this program validates the public opinion survey revealing citizens' support of the Reparative concept.



Local managers establish the Boards from the pool of nominations by first providing an educational briefing about the program and issues around serving on the Board. The most frequently asked questions are, "What is the time commitment, and when and how long will we meet?" The average time commitment required to date is 2-4 hours every two weeks. Members are assessed as to their interest and commitment, and then recommended to the Commissioner of Corrections for appointment. The goal for Board membership is to have a diverse group of people who represent various aspects of the community from local businesses to educational leaders.

The Boards are an invaluable asset to continued public information, marketing and gaining public support for this correctional options initiative.

**Role of the Reparative Board (Community).** The Reparative Board functions as an extension, of the corrections process, yet to a certain extent is independent. The Court chooses the "general" sanction of Probation with the "Reparative Probation" condition imposed. The specifics of the activities are determined and assigned by the Board consistent with the four offender activity areas. The

authority to deal with the offenders can best be described as a partnership between the Court and the Community with Corrections being a facilitator between the two. Specifically, the Board is responsible for the following functions:

- ◆ to select reparative activities from the four program activity areas;
- ◆ to determine satisfactory completion of reparative activities;
- ◆ to recommend discharge to the Court; or
- ◆ to recommend violation to the Court.

### **Operational Framework**

The new structure of the Vermont Department of Corrections places the Reparative Probation program under the Court and Reparative Services Unit (CRSU) which is managed by Department staff. The managers of these units are responsible for coordinating and providing administrative support to the Boards and for ensuring that a quality program and process is established. CRSU's focus services on court needs and coordinating community involvement (Reparative Boards). Probation Officer roles within CSRUs changed from traditional monitoring to administratively supervising large caseloads, facilitating community involvement, and providing services to the court in the CRSU's.

**Staffing and Resources.** The Program is currently supported by a Correctional Options Grant from the Bureau of Justice Assistance. Through the Grant, eight Reparative Coordinator positions were established and funded to assist CRSU managers at various locations.

The general duties of the Reparative Coordinator include:

- ◆ providing consultation to the Court, State Attorneys, and Defense Attorneys regarding referrals to Reparative Probation program;
- ◆ preparing cases to present before the Reparative Board;
- ◆ verifying offender contract compliance;
- ◆ managing and facilitating administrative matters and case processing for the Board;
- ◆ coordinating orientation and training for the Board; and
- ◆ arranging for community resources and service providers.

These positions will terminate by design at the end of the grant period. Their functions will be turned over to other corrections staff under the direction of the CRSU manager.

At the onset traditional corrections staff expressed resistance and concern about working with volunteers and doing correctional business through community boards. This way of doing business, in fact, is very foreign to a staff who are rooted in a traditional style of delivering correctional services (supervision and monitoring offenders). However, once staff began working with the community to establish the boards, the experience proved to be very rewarding. Two long-tenured staff managers claim that they are having the best time of their careers, while at the same time being challenged with a whole new way of doing business. Roger Brown, a CRSU manager states, "I've worked in this business for 20 years, doing every aspect — and this is the best time I think I have ever had. It's fun. There are a lot of interesting people out there." Maggie Hawksworth, also a CRSU manager, says that "I'm having the greatest time of my life — working with my boards."

**Legal/Liability Issues.** While many concerns over the use of community citizen boards are beginning to emerge, no hard legal challenges or concrete issues have been raised. This is predominantly due to the early stages of program implementation. Anticipated issues have been raised and discussed with the Legal Division of the Department of Corrections including:

- ◆ formal signing of documents (e.g., the Board/offender agreement);
- ◆ responsibility for probation violation proceedings if the offenders fails to complete the program;
- ◆ member representation when subpoenaed to testify;
- ◆ meeting format and rules regarding Public Meeting Laws in Vermont;
- ◆ need for adequate training for Board members;
- ◆ formal authority for the Board (at this point it is delegated by the Commissioner of Corrections); and
- ◆ board member protection against libelous claims by the offender.

### Exhibit V-23

#### The First Case

"Our first Reparative Probation case was a 19-year-old who was caught driving while in possession of malt beverage. The newly-created Board was eager and enthusiastic to get a case from the Court. I was probably the most excited of all after the months of preparation that preceded this meeting. This offender could never know how much we all anticipated seeing him. We had sold the concept of restorative justice to the court, had informed, recruited and oriented community volunteers who had committed their time and energy, and had been practicing mock cases with correctional staff behaving as a "typical" offender would behave.

Trevor, the young man sentenced to the probation program, was quiet and nervous. I guess that he didn't know what to expect — would this interaction be a joke, or tougher than dealing with the usual probation officer? The Board heard his case. They asked him a number of simple and straightforward questions, but they were relaxed and inviting. They deliberated and then explained the four conditions of his contract: 1) to begin to work to pay off his traffic tickets; 2) to complete a state police defensive driving course; 3) to undergo an alcohol assessment; and 4) to write a 3-page paper on how alcohol has negatively affected his life.

I had supervised Trevor on previous convictions. As we met to discuss the process of fulfilling his contract, he said, "You know, they were fair," and walked out of my office. I can tell you that if I had given him those rather time-consuming reparative tasks, he would have had a few choice words for me — because I represented the Department of Corrections. Even though the Board was firm, I saw a mutual respect in that Board meeting room that morning, and a sense of satisfaction on the part of both the offender and the Board members who represented the community's side. It's pretty wonderful.

The impact was apparent. The Board made it clear to Trevor that they really cared and wanted him to change his behavior. Trevor was somewhat surprised at their sincerity in wanting to give him this opportunity."

*Reported by Maggie Hawksworth and Karen Wheatley*

## Program Outcomes

Again, the purpose of the Reparative Program is to bring Vermonters' actively into the justice process, and to build a better system that is more responsive to victims and communities through a restorative justice process. The program is also designed to address system needs and the interests of Vermonters who desire to participate in the process. Exhibit V-24 represents the stated outcomes for the program.

For each outcome, measurable indicators are developed around which data will be collected. The program's effectiveness will ultimately be measured against these outcomes. For example, the first outcome, "victim/community compensation and confidence . . ." will be measured by doing a second public opinion survey compared against the first "base-line" survey done last March.

Several obstacles are anticipated in starting and maintaining the Reparative Program. Defense attorneys are opting to get offenders placed on a more predictable and less demanding "Administrative Probation." There remains a question as to the feasibility of sustaining the program without the position of the Reparative Coordinator which will terminate after the grant has expired. Adapting to the technical changes associated with the new program remains a difficult task due to different governmental/judicial and administrative systems involved. Also, there has been a natural resistance from many in the criminal justice system to change from old to new sentencing practices. Managing and coordinating reparative activities so that they can be completed within the 90 day time frame is a tall task. Our ability to maintain board interest and board retention is a common challenge in this type of program. Finally, working with and managing inconsistent philosophies and practices among and between boards around the state will probably be the biggest challenge for staff in their new roles.

## Keys to Success

Based on the feedback and experience so far, the following factors have been identified as keys to the success of the program:

- ◆ marketing the program effectively to the criminal justice system (judges, prosecutors and defense attorneys);

## Exhibit V-24

### Program Outcomes

- Victims and communities are adequately compensated and express confidence in the purpose and process of the Reparative program.
- Offenders are held accountable, have realized the impact of their crime on others, and do not return as repeat offenders.
- Citizens and volunteers play an active and substantial role in the Reparative Probation program.
- Reparative Probation is a cost effective sanction for the targeted offender population.
- Overcrowding is reduced by diverting short term "jail-bound" offenders to Reparative Probation.
- Resources are focused on dangerous and higher risk offenders.
- Court workload is expedited and reduced.

- ◆ having strong staff commitment and understanding;
- ◆ making case processing expeditious and simple to understand;
- ◆ facilitating a positive experience for the citizen boards;
- ◆ quality training for the citizen boards;
- ◆ adequate resourcing (space, time, staff, etc.) with reparative activities well organized, scheduled and planned;
- ◆ ensuring that there are initial successes for both offenders and victims/community in the restorative process;
- ◆ getting support from judges in limiting the time the offender is in the program and on probation; and
- ◆ a well organized and executed public information initiative.

## Future Plans

The program is still in its infancy. There are many possibilities for this sentencing option. The current thinking is to allow and support the development and evolution of independent boards through private non-profits and municipal governments.

The Boards would be self-governing, but would provide technical assistance and support from the Corrections Department.

Another possibility relates to an indirect, yet powerful and credible, public information and education program. This would be achieved by cycling many citizens through the boards for limited

terms. Through these people, a vast education and information network will be established, and a phenomenal amount of information disseminated. Community education about corrections and the sentence process will take place through a natural process. This will go a long way to enhancing public relations with Vermont's communities.

**Administrating agency:** Vermont Department of Corrections

**Contact:** Michael J. Dooley, Program Director

**Address:** 103 South Main Street, Waterbury, Vermont 05671-1001; (802) 241-2796

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# Appendix E

## Sample Initial Victim Contact Letter for Domestic Violence Cases

### SAMPLE VICTIM CONTACT LETTER: DOMESTIC VIOLENCE CASES

The following letter is an example of one that could be sent to **adult** victims. This should supplement, not substitute for, personal contact with victims - particularly partner abuse victims. This letter is very general and should be modified to fit the specific situation of the victim and offender.

\_\_\_\_\_  
[Date]

Dear \_\_\_\_\_,

On \_\_\_\_\_ [date], \_\_\_\_\_ [offender's name] was sentenced to probation supervision for a term of \_\_\_\_\_ [years] \_\_\_\_\_ [months]. As the victim of the crime(s) for which the offender was found guilty, I am writing to provide you with information you may need and to let you know what you may expect while s/he is on supervised release in the community.

My name is \_\_\_\_\_ [Probation Officer's Name]. I can be reached at \_\_\_\_\_ [Phone Number]. If you ever need to reach me when I am not available, please ask to speak with my supervisor, \_\_\_\_\_ [Supervisor's Name].

I am enclosing a list of the conditions the offender must follow while on probation. These conditions include that s/he commit no further acts of abuse and have **no contact** with you. S/he is not to see you or have someone else see you or contact you for him/her. This no-contact order is in effect until a Judge changes it. Even if you drop a restraining order, the offender is not allowed to have contact with you until s/he goes back before the Judge. There is a brief explanation of each of the other conditions the judge ordered, but if you need more information about any of them, please call me.

If you ever feel that you are in immediate danger or you are being threatened, harassed or abused, please call **911 first** and ask for assistance from the police. They are available to respond to any emergency on a 24-hour basis. When you are safe, I will appreciate it if you will call and let me know about the incident.

During the time the offender is on probation s/he will be required to attend a treatment program. Although we firmly believe s/he can learn new behaviors, participation in treatment is no guarantee that s/he will change. You must continue to be concerned for your safety and that of your children. Enclosed is a safety plan you should read; please be prepared to implement these suggestions if your abuser should threaten you.

Enclosed is a list of community resources that can provide services and assistance for concerns or problems victims often have. I strongly encourage you to contact these programs if you have needs that correspond to the services they offer.

No one has the right to abuse you. I am concerned for your safety. I will be contacting you to ask about your safety and your needs throughout the period that the offender is on probation. Please call me if you have any questions or concerns about his/her probation supervision.

Sincerely,

\_\_\_\_\_  
Probation Officer  
enclosures

## Sample Domestic Violence Safety Plan

The following safety plan was developed by the Cambridge, Massachusetts Police Department and is used with permission.

### DOMESTIC VIOLENCE SAFETY PLAN

**Everyone has a right to be safe!**

#### **I. Safety During an Explosive Incident**

- A. If an argument seems unavoidable, try to have it in a room or area that has access to an exit and not in the bathroom, kitchen, or anywhere near weapons.
- B. Practice how to get out of your home safely. Identify which doors, windows, elevator or stairwell would be best.
- C. Have a packed bag ready and keep it in an undisclosed but accessible place in order to leave quickly.
- D. Identify a neighbor you can tell about the violence and ask that they call the police if they hear a disturbance coming from your home.
- E. Devise a code word to use with your children, family, friends, and neighbors when you need the police.
- F. Decide and plan for where you will go if you have to leave home (even if you don't think you will need to).
- G. Use your own instincts and judgment. If the situation is very dangerous, consider giving the abuser what he wants to calm him down. You have the right to protect yourself until you are out of danger.
- H. Always remember - **You don't deserve to be hit or threatened!**

#### **II. Safety When Preparing to Leave**

- A. Open a saving account in your own name to start to establish or increase your independence. Think of other ways in which you can increase your independence.
- B. Leave money, an extra set of keys, copies of important documents and extra clothes with someone you trust so you can leave quickly.
- C. Determine who would be able to let you stay with them or lend you some money.
- D. Keep the shelter phone number close at hand and keep some change or a calling card on you at all times for emergency phone calls.
- E. Review your safety plan as often as possible in order to plan the safest way to leave your batterer. Remember - **Leaving your batterer is the most dangerous time.**



**III. Safety in Your Own Home**

- A. Change the locks on your doors as soon as possible. Buy additional locks and safety devices to secure your windows.
- B. Discuss a safety plan with your children for when you are not with them.
- C. Inform your children's school, day care, etc., about who has permission to pick up your children.
- D. Inform neighbors and landlord that your partner no longer lives with you and that they should call the police if they see him near your home.

**IV. Safety with a Protective Order**

- A. Keep your protective order on you at all times. (When you change your purse, that should be the first thing that goes in it.)
- B. Call the police if your partner breaks the protective order.
- C. Think of alternative ways to keep safe if the police do not respond right away.
- D. Inform family, friends, neighbors that you have a protective order in effect.

**V. Safety on the Job and in Public**

- A. Decide who at work you will inform of your situation. This should include office or building security (provide a picture of your batterer if possible).
- B. Arrange to have someone screen your telephone calls if possible.
- C. Devise a safety plan for when you leave work. Have someone escort you to your car, bus, or train. Use a variety of routes to go home by if possible. Think about what you would do if something happened while going home (i.e., in your car, on the bus, etc.).

**VI. Your Safety and Emotional Health**

- A. If you are thinking of returning to a potentially abusive situation, discuss an alternative plan with someone you trust.
- B. If you have to communicate with your partner, determine the safest way to do so.
- C. Have positive thoughts about yourself and be assertive with others about your needs.
- D. Read books, articles, and poems to help you feel stronger.
- E. Decide who you can call to talk with freely and openly to give you the support you need.
- F. Plan to attend a women's or victim's support group for at least 2 weeks to gain support from others and learn more about yourself and the relationship.

**VII. If You Are a Teen in a Violent Dating Relationship**

- A. Decide which friend, teacher, relative or police officer you can tell.
- B. Contact an advocate at the court to decide how to obtain a restraining order and make a safety plan.

**CHECKLIST - What You Need to Take When You Leave**

- |  |                              |
|--|------------------------------|
| _____ Identification                         | _____ Social security card   |
| _____ Driver's license                       | _____ Welfare identification |
| _____ Children's birth certificates          | _____ School records         |
| _____ Your birth certificate                 | _____ Work permits           |
| _____ Money                                  | _____ Green card             |
| _____ Lease, rental agreement, house deed    | _____ Passport               |
| _____ Bank books                             | _____ Divorce papers         |
| _____ Checkbooks                             | _____ Jewelry                |
| _____ Insurance papers                       | _____ Children's small toys  |
| _____ House and car keys                     | _____ Other                  |
| _____ Medications                            |                              |
| _____ Small saleable objects                 |                              |
| _____ Address book                           |                              |
| _____ Medical records for all family members |                              |

**YOUR COMMUNITY'S REFERRAL INFORMATION HERE****Shelters****Social Services:**

- **Child Protective Services**
- **Adult Protective Services**
- **Legal Aid**
- **Health Department**

**Hotline Numbers****Police****Prosecutor's Office****Other Community Groups**

# Assessment Instrument and Classification System: Family Intervention Unit, Connecticut

STATE OF CONNECTICUT  
**SUPERIOR COURT**  
FAMILY DIVISION

**FAMILY VIOLENCE INTERVENTION UNIT  
INTERIM ASSESSMENT REPORT**      JD-FM-101 Rev. 5-87 C.G.S. § 46b-38c      **DISTRIBUTION: WHITE-Judge  
YELLOW-Family Div. File**

CASE INFORMATION			
COURT LOCATION		DEFENDANT'S NAME	DOCKET NO.
JUDGE		STATE'S ATTORNEY	ATTORNEY FOR DEFENDANT
DATE ASSIGNED	DATE COMPLETED	SUBMITTED BY	TITLE

DEFENDANT INFORMATION			
EMPLOYER	OCCUPATION	LENGTH OF EMPLOYMENT	ANNUAL INCOME
KIND AND LENGTH OF RELATIONSHIP TO VICTIM(S)			
1. CURRENT LIVING ARRANGEMENTS			
2. PRIOR HISTORY OF VIOLENCE			
3. ATTITUDE TOWARD INCIDENT			

VICTIM INFORMATION			
NAME(S)	CONTACT WITH VICTIM(S):	YES NO	IN COURT TELEPHONE
1. CURRENT LIVING ARRANGEMENTS			
ATTITUDES AND DESIRES			

NATURE OF INCIDENT	
1. TYPE OF VIOLENCE	<input type="checkbox"/> Psychological <input type="checkbox"/> Property Damage <input type="checkbox"/> Sexual <input type="checkbox"/> Physical Violence
2. EXTENT OF VIOLENCE	PHYSICAL INJURY (describe)
	PROPERTY DAMAGE (describe)
3. CONTRIBUTING FACTORS (Alcohol, Drugs, Etc.)	USE OF WEAPONS (describe)
	Actual/Threat: <input type="checkbox"/> Yes <input type="checkbox"/> No

RECOMMENDATIONS	
<input type="checkbox"/> REFERRAL FOR CASE ASSESSMENT REPORT (FAM. DIV.)	<input type="checkbox"/> ACCELERATED REHABILITATION
<input type="checkbox"/> PROTECTIVE ORDER (specify terms below)	<input type="checkbox"/> DISMISSAL
<input type="checkbox"/> ASSESS ELIGIBILITY FOR OFFENDERS EDUCATION PROGRAM	<input type="checkbox"/> NOLLE
<input type="checkbox"/> REFERRAL TO ALCOHOL COUNSELING	<input type="checkbox"/> FURTHER PROSECUTION
<input type="checkbox"/> REFERRAL TO DRUG COUNSELING	<input type="checkbox"/> OTHER (specify below)

SIGNATURE \_\_\_\_\_

**FAMILY VIOLENCE  
INDIVIDUAL CASE REPORT  
OF VICTIM ADVOCATE**  
JD-FM-102 Rev. 9-87 C.G.S. § 46b-38c, 54-220

**STATE OF CONNECTICUT  
SUPERIOR COURT  
FAMILY DIVISION**

FAM DIV CASE NO
REFERRAL DATE
COURT DOCKET NO
TELEPHONE
TELEPHONE

To: Family Violence Intervention Unit

CASE <small>(Last, First, Middle)</small>	COURT LOCATION	COURT DOCKET NO
State v. NAME (Last, First, Middle) AND ADDRESS OF VICTIM		TELEPHONE
NAME AND ADDRESS OF VICTIM'S EMPLOYER		TELEPHONE
LEAVE MESSAGE WITH	AT (Address or Telephone)	

A. CONTACT-VICTIM	<input type="checkbox"/> Unable to contact/locate	<input type="checkbox"/> Refused Services	<input type="checkbox"/> Accepted Services	DATE OF CONTACT
	<input type="checkbox"/> Emergency Shelter	<input type="checkbox"/> In-person counseling	<input type="checkbox"/> Support Groups	/ /
B. SERVICES PROVIDED	<input type="checkbox"/> Telephone Counseling	<input type="checkbox"/> In-court assistance	<input type="checkbox"/> T.R.O.	<input type="checkbox"/> Services to Children
				<input type="checkbox"/> Referral for Services

Other (specify):

**C. STATEMENT OF VICTIM**

1. HISTORY OF VIOLENCE (Include reaction of children; prior violence; prior police intervention; physical injury)

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2. RELATIONSHIP WITH OFFENDER (Include marital status; child visitation and custody issues; support and economic issues)

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**D. VICTIM ADVOCATE ASSESSMENT**

- Victim receiving Continuing Services  Yes  No
- Victim Advocate Assessment (Risk Assessment; Cooperation with Prosecution)

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NAME AND ADDRESS OF VICTIM ADVOCATE	TELEPHONE	DATE
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DISTRIBUTION:      WHITE Return to Family Violence Intervention Unit      YELLOW Retained by Victim Advocate

FAMILY VIOLENCE INTERVENTION UNIT  
INFORMATIONAL LETTER JD-FM 36 Nov 11 85

STATE OF CONNECTICUT  
SUPERIOR COURT  
FAMILY DIVISION

The criminal case of State of Connecticut vs. \_\_\_\_\_  
pending at the Superior Court at \_\_\_\_\_  
has been referred to the Family Violence Intervention Unit for evaluation and report to the court. The  
case has been continued to \_\_\_\_\_  
for another hearing.

The State of Connecticut has passed laws recognizing crimes involving family violence as serious matters requiring specialized services. As the victim or complainant in the above case, your participation in these services is strongly encouraged.

In this regard, you will receive notification of an appointment for an interview with a Family Relations Counselor from the Family Violence Intervention Unit. In addition, your name has been provided to a Victim Advocate who will contact you to discuss your concerns and interests relative to the pending criminal case as well as the various services available to victims of family violence. We urge you to cooperate with the Victim Advocate and to take advantage of the services which have assisted other victims.

The purpose of the referral to the Family Violence Intervention Unit is to assist the court in determining the most appropriate judicial response to the crime that has allegedly been committed. A Family Relations Counselor, trained in evaluating the special needs of both defendants and victims, will interview both you and the defendant before submitting a report to the court.

The law has instituted a Pretrial Family Violence Education Program for offenders and the court may be considering referring the defendant to that program if certain eligibility requirements are met. The six week educational program focuses on teaching offenders about the consequences of violent behavior along with ways to better cope with anger and stress in a positive, constructive manner. The Family Relations Counselor assigned to the case may be discussing this option with you.

If there are any further incidents of threats, harassment or violence, you should immediately notify your local police department. If this criminal case is still pending in the court, you should also notify your Family Relations Counselor.

INSTRUCTIONS FOR THE USE OF THE  
NOTICE TO VICTIMS OF FAMILY VIOLENCE CRIMES

The victim in each case of family violence referred to the Family Violence Intervention Unit for an in-depth evaluation should be provided with a Notice to Victims of Family Violence Crimes. If the victim is present in court on the initial court date this can be done personally. If the victim is not present at the time of referral to the Family Violence Intervention Unit the notice should be mailed as soon as possible, along with an appointment letter.

STATE OF CONNECTICUT  
 SUPERIOR COURT  
 FAMILY DIVISION

**DEFENDANT RISK/NEEDS ASSESSMENT** JD FM 103 Rev 5 87 CGS 5 46b 38c

DEFENDANT'S NAME (LAST, FIRST, MIDDLE INITIAL)	DATE
--	------

<u>I. NATURE AND SEVERITY OF MOST RECENT VIOLENCE</u>	NO	YES	SCORE
OBJECTS OR WEAPONS USED	0	5	_____
MINOR PHYSICAL INJURY OF VICTIM	0	3	_____
SERIOUS PHYSICAL INJURY	0	5	_____
THREATS TO KILL	0	3	_____
SEXUAL ASSAULTIVE BEHAVIOR	0	5	_____
PROPERTY DAMAGE	0	2	_____
VERBAL CONFLICT	0	1	_____
<u>II. PRIOR HISTORY AND FREQUENCY OF VIOLENCE</u>			
PREVIOUS ACTS OF FAMILY VIOLENCE	0	5	_____
VIOLENCE HAS INCREASED OVER TIME	0	4	_____
ARRESTS FOR FAMILY VIOLENCE SUBSEQUENT TO OCTOBER, 1956	0	5	_____
PREVIOUS CRIMINAL ACTIVITIES INVOLVING VIOLENCE	0	2	_____
OFFENDER ABUSED AS CHILD	0	3	_____
OFFENDER WITNESSED CHRONIC VIOLENCE BETWEEN OWN PARENTS	0	3	_____
<u>III. PSYCHO-SOCIAL FACTORS</u>			
SUBSTANCE/ALCOHOL ABUSE	0	2	_____
SUICIDE THREATS OR ATTEMPTS	0	4	_____
ISOLATIVE AT WORK, HOME, SOCIALLY	0	1	_____
OBVIOUS PERSONALITY DISORDER	0	1	_____
LIFE STRESSES CONTRIBUTING TO VIOLENCE (FINANCES, UNEMPLOYMENT)	0	2	_____

<b>RISK/NEED CLASSIFICATION</b>		
MINIMUM            0-10	RISK/NEED TOTAL	_____
MEDIUM            11-35	*COUNSELOR ASSESSMENT	_____
MAXIMUM            36 +	TOTAL	_____

\*Add or subtract up to 5 points based on subjective assessment of counselor. Defendant's remorse, motivation to change and other attitudinal factors should be considered. Explain on reverse side. If Risk/Need total is accurate enter 0

# Risk Assessment Form: Maryland

DPP-SUP-18 (Revised 10/92)

STATE OF MARYLAND  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
DIVISION OF PAROLE AND PROBATION

P&P NO.  OFFENDER'S NAME:  LAST NAME  FIRST NAME

OTHER NO.

**RISK ASSESSMENT**

1. PRIORITY CASES (check all that apply; DDMP do not score):  
 • Parole or Mandatory Supervision Case  1.   
 • Child Abuse related offense   
 • Sex related offense   
 • Other   
 a. One or more checks  Enter 15  
 b. None of the above  Enter 0

2. TOTAL LIFETIME FELONY CONVICTIONS (including juvenile and current offense):  
 a. Two or more  Enter 4  
 b. One  Enter 2  
 c. None  Enter 0

3. CONVICTION OR JUVENILE ADJUDICATION FOR (include current offense, add all categories and enter total):  
 a. Domestic Violence related offense (current offense only)  Add 6  
 b. 643B or felony drug or sex offense within past 5 years  Add 6  
 c. 643B or felony drug or sex offense more than 5 years ago  Add 4  
 d. Other assaultive offenses  Add 4  
 e. Fraud, forgery, deceptive practices  Add 2  
 f. Theft, auto theft, B&E  Add 1  
 g. None of the above  Enter 0

4. TOTAL DWI/DUI CONVICTIONS (DWI/DUI cases only):  
 a. Two or more  Enter 4 4.   
 b. One  Enter 2  
 c. None  Enter 0

5. BAL (Blood Alcohol Level) AT TIME OF ARREST (DWI/DUI case only):  
 a. Refused/Unknown  Enter 3  
 b. .14 and above  Enter 3  
 c. .10 to .13  Enter 2  
 d. .09 and below  Enter 1  
 e. Not Applicable  Enter 0

6. AGE AT FIRST CONVICTION OR JUVENILE ADJUDICATION:  
 a. 19 or younger  Enter 4 6.   
 b. 20 to 26  Enter 2  
 c. 27 or older  Enter 0

7. NUMBER OF PRIOR SUPERVISION PERIODS (Parole/Mandatory Supervision/Probation/Monitor/Juvenile):  
 a. Two or more  Enter 4 7.   
 b. One  Enter 2  
 c. None  Enter 0

8. NUMBER OF SUPERVISION PERIODS RESULTING IN UNSATISFACTORY CLOSINGS (Parole/Mandatory Supervision/Probation/Monitor):  
 a. Two or more  Enter 4 8.   
 b. One  Enter 2  
 c. None  Enter 0

9. IMPACT OF DRUG USE ON BEHAVIOR:  
 a. High  Enter 4 9.   
 b. Low  Enter 2  
 c. None  Enter 0

10. IMPACT OF ALCOHOL USE ON BEHAVIOR:  
 a. High  Enter 4 10.   
 b. Low  Enter 2  
 c. None  Enter 0

11. EMPLOYMENT HISTORY FOR PAST 12 MONTHS (Prior to incarceration, if applicable):  
 a. Unemployed and virtually unemployable  Enter 2 11.   
 b. Part-time, seasonal, unstable employment or underemployed  Enter 1  
 c. Full-time employment, no difficulties reported; homemaker; full-time student; retired; or disabled and unable to work  Enter 0

12. IMPRESSION OF OFFENDER RISK:  
 a. High  Enter 5 12.   
 b. Average  Enter 3  
 c. Low  Enter 0

SEX OFFENDER: y  yes n  no

DOMESTIC VIOLENCE OFFENDER: y  yes n  no

Total Score Items 1-12

Instructions: Check appropriate block.

**SCORING AND OVERRIDE**

SCORE BASED CLASSIFICATION:

CRIMINAL  INTENSIVE  STANDARD  ADMINISTRATIVE  
 DDMP  WEEKLY  BIWEEKLY  MONTHLY

CHECK IF THERE IS AN OVERRIDE:  OVERRIDE EXPLANATION IF NEEDED:

FINAL CATEGORY OF CLASSIFICATION:

CRIMINAL  INTENSIVE  STANDARD  ADMINISTRATIVE DATE ASSIGNED:   
 DDMP  WEEKLY  BIWEEKLY  MONTHLY

APPROVED:  DATE:

AGENT MONITOR: LAST NAME, FIRST INITIAL:  DATE:

CHANGE AGENT MONITOR ASSIGNMENT TO: LAST NAME, FIRST INITIAL:

OPERATOR'S INITIALS:  DATE:



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# Appendix F

## Staff Workplace Violence Prevention Program Statement



U.S. Department of Justice  
Federal Bureau of Prisons

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# Program Statement

OPI: CPD  
NUMBER: 3730.04  
DATE: March 17, 1997  
SUBJECT: Workplace Violence Prevention,  
Staff

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1. PURPOSE AND SCOPE. To establish procedures for preventing and responding to acts of violence by staff and to inform all Bureau employees that such behavior is strictly prohibited.

Bureau facilities shall be managed in a manner which permits employees to perform their duties in an environment free from threatening and violent behavior by other employees. Prevention of staff workplace violence begins with a commitment to treat all employees fairly and with respect, regardless of rank or position. It is expected that all employees will interact in ways which promote cooperation and mutual respect.

Although threatening and violent behavior by Bureau employees occurs infrequently, such behavior must never be ignored or tolerated. There must always be an immediate and decisive management response to each incident of staff workplace violence, regardless of severity.

This Program Statement applies to all Bureau employees, including employees of the Public Health Service, and any employee detailed under the Intergovernmental Personnel Act.

Contractors and volunteers who work in Bureau facilities are expected to follow the guidelines and procedures outlined in this policy.

2. PROGRAM OBJECTIVES. The expected results of this program are:

a. Staff safety will be enhanced by curbing violence and threats of violence by other employees.

b. Bureau managers and supervisors will respond to incidents of staff workplace violence in a consistent, fair, and effective manner.

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 March 17, 1997  
 Page 2

### 3. DIRECTIVES AFFECTED

#### a. Directive Rescinded

PS 3730.03      Workplace Violence Prevention Program  
 (08/13/96)

#### b. Directives Referenced

PS 1210.11      Internal Affairs, Office of (09/08/93)  
 PS 3420.08      Standards of Employee Conduct (03/07/96)  
 PS 3792.06      Employee Assistance Program (11/04/93)  
 PS 5558.12      Firearms and Badges (06/07/96)

### 4. STANDARDS REFERENCED.    None.

5. DEFINITION.    Staff workplace violence is any act of violence by a Bureau employee against another employee, another employee's family member, or any visitor to a Bureau work site (e.g., other government employees, inmates' visitors, the general public, etc.). Acts of violence include:

- any intentional infliction of physical harm or attempt to inflict physical harm against another or another's possessions or property, including government property; and
- any verbal, written, or other behavior which a reasonable person would interpret as a threat to inflict physical harm against another or another's possessions or property, including government property.

Any such violent act is considered staff workplace violence if it occurs at the work site or at a work-related event. Any such violent act which occurs elsewhere may also be considered staff workplace violence if a reasonable person would conclude that the motivation of the perpetrator or the precipitant of the violent act was clearly work-related, or if a nexus to work-related events or settings is otherwise established.

Other Bureau directives prohibit staff behavior which is otherwise intimidating, bullying, or harassing. Inasmuch as this behavior often precedes staff workplace violence, it should never be ignored or tolerated.

Other types of workplace violence, such as inmate violence against staff, are addressed in other Bureau directives.

6. PROCEDURES.    Although management's response to any incident of staff workplace violence will depend on the circumstances of the incident, some immediate action shall always be taken. Most incidents of staff workplace violence will involve threats only or other low level violence (e.g., pushing). The following steps are required in those instances:

a. Initial Report. Anyone who observes, or is a target of, threatening or violent behavior by another employee shall notify the CEO immediately, via the proper chain of command or directly, and shall submit a written report of the incident.

If the reporting employee's immediate supervisor is the alleged perpetrator, notification shall be made at the next higher supervisory level.

Information about reported incidents should be disclosed only to those with a legitimate need to know.

b. Internal Affairs Notification. As with any report of staff misconduct, management shall report the incident immediately to the Office of Internal Affairs (OIA) via telephone.

c. Threat Assessment. The Chief Executive Officer (CEO) shall make a judgment regarding the level of threat posed by the employee(s) in question and determine what action, if any, is necessary to protect staff and the institution/work site. The process by which this judgment is made is left to the CEO's discretion.

For serious incidents or if the CEO deems it necessary, a "threat assessment team" should be convened to assist in making this judgment. The team's composition may vary from incident to incident, but depending on the specific circumstances, the following staff shall be considered as potential team members:

- local Executive Staff members,
- Supervisory Correctional Services staff,
- the supervising department head of the employee(s) in question,
- the Human Resources Manager,
- attorney or paralegal, and
- a psychologist or other mental health professional.

Threat assessment guidelines which CEOs and teams may wish to use to focus their deliberations can be found in the Threat Assessment Guidelines (Attachment A).

d. Employee Notification. The alleged perpetrator shall be informed or instructed consistent with any immediate action determined to be necessary or appropriate. At a minimum, he/she shall be instructed to cease any threatening or violent behavior and reminded that such behavior is prohibited and will not be tolerated. Documentation of this instruction is recommended.

e. Other Responses. The range of other possible actions is left to the CEO's discretion. If it is determined that an employee does constitute a potential threat to the safety of staff or the Bureau work site, or if there is doubt as to the severity of the threat posed, the employee in question shall be

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March 17, 1997  
Page 4

removed from the immediate work site. In such cases, employees identified as potential targets shall also be notified as to the actions taken and the nature of any threat(s).

Pending further investigation in such cases, the alleged perpetrator shall not be admitted to Bureau property without the CEO's prior approval.

f. Employee Assistance Program (EAP). Finally, the employee(s) in question shall be referred to the EAP in accordance with established procedures. If other employees involved demonstrate any distress about the alleged incident, it is advisable to refer them to the EAP as well.

It is improper to use the EAP as a means of obtaining a fitness for duty or other formal evaluation for use by management. Also, referral to the EAP is not to be construed as a substitute for appropriate disciplinary action.

Federal regulations strictly prohibit disclosure of information learned while providing federally assisted EAP services unless exceptional circumstances exist (e.g., an employee is judged by the EAP provider to pose an imminent threat of serious harm to others) or unless certain conditions are met (e.g., the employee provides written consent to release information). Thus, if a psychologist is an official provider of EAP services for the employee(s) in question, a conflict of interest exists and that psychologist shall not be a member of the threat assessment team.

It is the responsibility of the psychologist or EAP counselor to clarify for all parties involved the limits of and exceptions to confidentiality in any individual case. At those work sites which contract with outside EAP providers, this problem is minimized significantly.

7. CRITICAL INCIDENTS. In the unusual event of an incident in which the potential for significant danger to others or serious threats to the security of the institution/work site exist, such as a threat of or actual use of dangerous weapons, other steps shall precede the procedures listed above. Although the unique circumstances of any incident shall be considered in determining what specific actions to take, the following guidelines shall be used:

a. The situation shall be contained to the extent possible to minimize danger to others and/or escalation of violence.

b. Local law enforcement, federal investigative authorities, and/or the FBI authorities shall be contacted for possible assistance.

c. The use of force, up to and including lethal force, may be necessary to prevent loss of life or serious physical injury, or

to otherwise maintain or restore control of a correctional institution.

Circumstances under which firearms may be used are outlined in the Program Statement on Firearms and Badges.

It may be necessary to provide emergency medical assistance through Health Services or other outside sources in the unusual event of a seriously violent or disruptive incident. Also, the CEO shall consider deploying the local Family and Employee Assistance Team (FEAT) or teams from other Bureau locations to provide counseling, debriefing, and other support to staff, families, and others who may be traumatized by an incident.

8. TRAINING. Staff workplace violence prevention information has been incorporated into the Standards of Employee Conduct. lesson plans for Annual Refresher Training (ART) and Institution Familiarization (IF). This shall be presented at all future ART and IF classes to educate all staff about provisions of this Program Statement.

A staff workplace violence prevention training package for managers and supervisors shall be distributed to all agency components. CEOs shall ensure that all managers and supervisors receive this training within one year after the issuance of this Program Statement. Specialty training for new supervisors and managers shall be revised to incorporate this information.

9. STATISTICS. OIA shall establish a centralized tracking system to generate management data/statistics on the incidence of staff workplace violence in the Bureau.

\s\  
Kathleen M. Hawk  
Director

## Factors to Consider When Developing Threat Incident Reports

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March 17, 1997  
Attachment A, Page 1

### THREAT ASSESSMENT GUIDELINES ("RE-VIEW")

The following series of questions may be used as a guide in threat assessment deliberations after a reported incident of staff workplace violence. They are grouped into five categories, generally arranged from most to least important in terms of judging potential threat, using the acronym, "RE-VIEW". The first category of questions is about the reported incident; the remaining questions pertain to the alleged perpetrator(s) of threatening or violent behavior. They are guidelines only and do not necessarily constitute an exhaustive list of relevant factors to consider in every incident of staff workplace violence.

#### 1) **RE**PORTED INCIDENT

##### ■ Severity

- Did any staff or others suffer actual physical harm?
- How much potential danger/harm were staff exposed to?
- Did staff or others feel threatened or in danger?

##### ■ Motivation

- What precipitated or "triggered" this incident?
- Are the same or similar triggers likely to reoccur?

##### ■ Aftermath

- Has the original precipitant or situation been resolved?
- Do all parties agree that the situation is resolved?
- Does the alleged perpetrator(s) continue to exhibit threatening or intimidating behavior?
- Do any staff or others continue to feel threatened or in danger?

#### 2) **V**IOLENCE HISTORY

- Is there any evidence of previous violence or threatening behavior, either on or off the job?

##### ■ Frequency/Recency/Severity

- How often has violent or threatening behavior occurred?
- Has violent or threatening behavior occurred recently?
- Did past violence result in actual physical harm to others?

- How much potential danger or harm were others exposed to?
- Do others continue to feel threatened or in danger?

■ Targets

- Who or what were the "target(s)" of previous violent or threatening behavior?
- Do the same or similar target(s) exist in the work environment?
- If yes, does the alleged perpetrator(s) exhibit threatening or intimidating behavior in relation to the target(s)?

■ Motivation

- What precipitated or "triggered" past violent behavior?
- Are the same or similar triggers likely to (re)occur in the work environment?
- Is there any reason or evidence to suggest that past triggers are no longer relevant?

3) **I**NDIVIDUAL FACTORS

- Is there any evidence of alcohol or other substance abuse?
- Is the individual known to be preoccupied with weapons or other violent "themes"?
- Is there any evidence of a past or present psychiatric condition?
- Has there been a recent, abrupt change in the individual's behavior
- Does the individual....
  - tend to think that s/he is treated unfairly?
  - tend to blame others, hold grudges, or brood?
  - tend to display moral righteousness/indignation?

4) **E**NVIRONMENTAL FACTORS

- Are there any known stressors or negative changes in the individual's life?
- Is quality social support (friends, family) available?
- If available, does s/he tend to rely on supportive others?

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Attachment A, Page 3

5) **W**ORK PERFORMANCE/CONDUCT

- Do other interpersonal difficulties or conflicts with coworkers or supervisors exist?
- Do other performance or conduct problems exist?
- Have there been any previous investigations or adverse actions taken against the individual?
- Does s/he have poor work habits or a "negative" attitude?



## ***Threat Incident Report***

Company policy should require employees to report all threats or incidents of violent behavior which they observe or are informed about to the Designated Management Representative (DMR). The DMR should take the steps necessary to complete a threat incident report as quickly as possible, including private interviews of the victim(s) and witness(es). The report will be used by the Threat Management Team (see box on page 12) to assess the safety of the workplace, and to decide upon a plan of action. The following facts should be included in the threat incident report:

- Name of the threat-maker and his/her relationship to the company and to the recipient
- Name(s) of the victims or potential victims
- When and where the incident occurred
- What happened immediately prior to the incident
- The specific language of the threat
- Any physical conduct that would substantiate an intention to follow through on the threat
- How the threat-maker appeared (physically and emotionally)
- Names of others who were directly involved and any actions they took
- How the incident ended
- Names of witnesses
- What happened to the threat-maker after the incident
- What happened to the other employees directly involved after the incident
- Names of any supervisory staff involved and how they responded
- What event(s) triggered the incident
- Any history leading up to the incident
- The steps which have been taken to ensure that the threat will not be carried out
- Suggestions for preventing workplace violence in the future

Elements of the threat incident report and any subsequent actions relating to the incident should be recorded in a tracking system for use by the DMR and the Threat Management Team. Such systems range from simple card files to commercially available relational databases. The tracking system as well as all investigative files, should be kept secure and maintained separately from other records.

## Prototype Administrative Policy on Staff Victimization

### **PROTOTYPE ADMINISTRATIVE POLICY ON STAFF VICTIMIZATION<sup>1</sup>**

*The following sample administrative policy is designed to augment the agency's mission, goals, objectives, and overall policies related to how it responds to workplace violence.*

It is already the policy of [name of department] that all staff promptly report every instance of threatening and assertive behavior to the appropriate departmental authorities, as described in [cite appropriate documents]. Those policies are properly concerned with issues of custody and control, with disciplinary actions and procedures, and with referring injured staff for appropriate medical assessment and treatment. This supplementary policy is concerned with the emotional well-being of staff members who are the victims of such misconduct by inmates.

It is the policy of the department to treat every threat or assault as potentially harmful. Thus, it is the responsibility of supervisors receiving reports of inmate misconduct to assess them not only in terms of possible disciplinary action or medical referrals, but also in regards to the staff member's emotional health and, whenever appropriate, to refer that staff member for emotional support. It is expected that most of those referrals will result in a one-time consultation. But in recognition that continual acts of even "minor" threats or assaults may in time produce negative consequences in all normal people, and that correctional staff are naturally reluctant to recognize or report such stresses, it is the responsibility of supervisors to make such referrals as a routine, preventative measure.

#### **Administrative Procedures**

##### ***Reports of Hostile Statements Directed at, or "Minor Touching" of, a Staff Member***

The supervisor receiving such a report shall determine what if any reports shall be filed about the incident, according to departmental policy, and shall ask the staff member to describe how the incident affected him or her. In cases when the staff member describes strong feelings or anger or fear, or demonstrates strong emotional reactions to the event, the supervisor is encouraged to indicate such responses are normal and that it is often helpful to discuss those reactions with a trained victim advocate. That referral is discretionary, as is the supervisor's decision whether to permit the staff member to see the victim advocate immediately or at some other time during work hours. Likewise, the staff member has the option whether to accept the supervisor's offer of permission to contact and see the victim advocate immediately or during work hours, or whether to

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<sup>1</sup> This Prototype Administrative Policy on Staff Victimization was derived from *Responding to Workplace Violence and Staff Victimization in Correctional Settings* (1997), published in conjunction with the National Victim Center's Promising Practices and Strategies for Corrections Project, sponsored by the U.S. Department of Justice, Office for Victims of Crime.

initiate such a contact at any other time. The same procedures are available to supervisors and staff members whenever it comes to the supervisor's attention that a staff member or a staff member's relative has experienced a potentially-traumatic event outside the workplace.

***Reports of Significant Threats or Assaults That Require Medical Assessment or Treatment, or Which Had the Potential of Escalating Into a Dangerous Confrontation***

In these cases, the presumption is that the staff member will be required to speak to the victim advocate either immediately or at the end of the shift, at the supervisor's discretion. Among these "Class 2" incidents -- where there is limited discretion as to whether to order the referral to the victim advocate -- are all cases where a weapon was involved, where sexual harassment of the staff member took place, where it comes to the supervisor's attention that the staff member or a member of the staff member's family has become a victim of a serious crime outside the workplace, or whatever the nature of the incident, the supervisor believes a consultation with the victim advocate is required for the well-being of the staff member. In "Class 2" incidents, whenever the supervisor chooses to recommend rather than order such a meeting with the victim advocate, the supervisor shall explain that choice in writing.

***Critical Incidents***

In all disturbances considered "critical incidents" by senior institutional or departmental staff, all staff members involved with the incident shall be required to attend such meetings with the Crisis Response Team, as further set out in [name the appropriate document].

***Meetings Between Staff Members and the Victim Advocate***

Except when ordered to do so for one meeting, all meetings between staff members and the victim advocate are voluntary. Meetings during regular workings hours are subject to supervisory permission, other meetings are at the mutual convenience of the staff member and the victim advocate. All such meetings shall be private, and all departmental staff are expected to cooperate in providing private meeting space when needed and asked for by the victim advocate. The victim advocate is required to keep confidential all matters discussed in the meetings, and explain that policy at the first meeting with a staff meeting, as well as these three exceptions:

If in the judgment of the advocate, the staff member requires supportive or other counseling beyond the ability of the advocate to supply, the advocate may require that the staff member consult with a named person or agency, inside or outside the department.

- If that person or agency indicates that no such appointment had been kept within a certain period of time, the advocate will report that fact to appropriate departmental officials.
- If in the judgment of the advocate, the staff member poses an imminent danger to him or herself or to someone else, that judgment will be immediately reported to appropriate department officials.

### ***Time Off From Work***

The department's policy regarding compassionate leave [cite reference] now also includes a supervisor's authority to excuse a staff member from further duties for the balance of the shift after a Class 2 or critical incident, if requested by the staff member. If the staff member does not wish to be excused from the duty, the preference will be honored unless the supervisor deems it necessary to require the staff member to be relieved of duty under the department's administrative leave policy [cite reference]. Up to two additional days of managerial discretionary leave, in addition to such leave already available, may be granted to the staff member upon request by the staff member and the victim advocate, to help cope with the Class 2 or critical incident, bearing in mind two considerations: the department's ongoing staffing needs, and the understanding that it is often helpful to victimized staff for them to return to work for a day or two, if possible, before taking a break from work. In critical incidents, time off should be mandatory *at least for the current shift*, or the supervisor should explain in writing why time off was not authorized.

## Emergency Response Form

# EMERGENCY RESPONSE FORM

The Department is committed to providing timely, sensitive services to its employees and their families in the event of an emergency. To fulfill this important obligation, it is essential to have current information about whom to contact 24 hours a day, seven days a week.

Please complete this form, and return it to (                      ).

### EMPLOYEE'S PRIMARY CONTACT:

Name: \_\_\_\_\_  
*First*
*Middle*
*Last*

Home Address: \_\_\_\_\_  
*Street Address*

Home Telephone: \_\_\_\_\_  
*City*
*State*
*Zip Code*

Home Telephone: \_\_\_\_\_  
*(A/C)*
*Number*

Work Address: \_\_\_\_\_  
*Name of Company*

Work Address: \_\_\_\_\_  
*Street Address*

Work Address: \_\_\_\_\_  
*City*
*State*
*Zip Code*

Work Shift/Hours: \_\_\_\_\_  
*Day(s)*
*Hours (please note a.m. and p.m.)*

Contact's Immediate On-site Supervisor: \_\_\_\_\_  
*Name/Title*

Supervisor's Telephone: \_\_\_\_\_  
*(A/C)*
*Number*

Does your primary contact have any medical conditions?     Yes     No

If yes, please describe briefly: \_\_\_\_\_  
 \_\_\_\_\_

Contact's Primary Care Physician: \_\_\_\_\_  
*Name*

Physician's Address: \_\_\_\_\_  
*Street Address*

Physician's Address: \_\_\_\_\_  
*City*
*State*
*Zip Code*

Physician's Telephone: \_\_\_\_\_  
*(A/C)*
*Number*

-- over --

<b>EMERGENCY RESPONSE FORM (CONTINUED)</b>
--

### EMPLOYEE'S SECONDARY CONTACT:

Name: \_\_\_\_\_  
*First*
*Middle*
*Last*

Home Address: \_\_\_\_\_  
*Street Address*

Home Telephone: \_\_\_\_\_  
*City*
*State*
*Zip Code*  
*(A/C)*
*Number*

Work Address: \_\_\_\_\_  
*Name of Company*  
*Street Address*  
*City*
*State*
*Zip Code*

Work Shift/Hours: \_\_\_\_\_  
*Day(s)*
*Hours (please note a.m. and p.m.)*

Contact's Immediate On-site Supervisor: \_\_\_\_\_  
*Name/Title*

Supervisor's Telephone: \_\_\_\_\_  
*(A/C)*
*Number*

Does your primary contact have any medical conditions?     Yes     No

If yes, please describe briefly: \_\_\_\_\_  
 \_\_\_\_\_

Contact's Primary Care Physician: \_\_\_\_\_  
*Name*

Physician's Address: \_\_\_\_\_  
*Street Address*

Physician's Telephone: \_\_\_\_\_  
*City*
*State*
*Zip Code*  
*(A/C)*
*Number*

**THANK YOU VERY MUCH!**

## Summary of Victims' Rights When Dealing with the Media

### Guidelines for Victims Who Choose to Deal With the Media

A brochure published by the National Victim Center in 1987 entitled "Victims' Rights and the Media" offers valuable guidelines to crime victims whose cases are covered by print and broadcast news media. While the "rights" enumerated in this brochure are not mandated by statute or policy, they should be considered guiding principles provided by all service providers to crime victims prior to dealing with the news media:

#### **You have the right:**

1. To say "no" to an interview.
2. To select the spokesperson or advocate of your choice.
3. To select the time and location for media interviews.
4. To request a specific reporter.
5. To refuse an interview with a specific reporter even though you have granted interviews to other reporters.
6. To say "no" to an interview even though you have previously granted interviews.
7. To release a written statement through a spokesperson in lieu of an interview.
8. To exclude children from interviews.
9. To refrain from answering any questions with which you are uncomfortable or that you feel are inappropriate.
10. To know in advance the direction the story about your victimization is going to take.
11. To avoid a press conference atmosphere and speak to only one reporter at a time.
12. To demand a correction when inaccurate information is reported.
13. To ask that offensive photographs or visuals be omitted from broadcast or publication.
14. To conduct a television interview using a silhouette or a newspaper

interview without having your photograph taken.

15. To completely give your side of the story related to your victimization.
16. To refrain from answering reporters' questions during trial.
17. To file a formal complaint against a journalist.
18. To grieve in privacy.
19. To suggest training about media and victims for print and electronic media in your community.



# Appendix G

## OVC Training and Technical Assistance Center Fact Sheet and Application

U.S. Department of Justice  
Office of Justice Programs



Office for Victims of Crime

March 1999

# OVC Fact Sheet

Advocating for the Fair

Treatment of Crime Victims

## Office for Victims of Crime Training and Technical Assistance Center

*The mission of the Office for Victims of Crime Training and Technical Assistance Center (OVC TTAC) is to make comprehensive, quality technical assistance and training resources available to victim service providers and allied professionals to increase our Nation's capacity to provide skilled, capable, victim-sensitive assistance to crime victims.*

### Overview

The purpose of the OVC Training and Technical Assistance Center (formerly the OVC Trainer's Bureau) is to serve as a centralized access point for information about OVC's training and technical assistance resources to Federal, State, Tribal, and local agencies and special emphasis organizations involved in providing services to crime victims. TTAC's activities focus on the following four main areas:

**Technical Assistance**—Provide expert, focused support and mentoring in areas, such as program management, program evaluation, and policy/procedure development to facilitate long-term, systemic change to improve services to crime victims.

**Training**—Establish an annual training calendar and ensure that training materials developed by OVC, in partnership with its discretionary grantees, are available to the victim services field. For more information about available training curricula, please contact TTAC or visit OVC's Web site at <http://www.ojp.usdoj.gov/ovc/>.

**Speakers Bureau**—Supply speakers for conferences, focus groups, and other meetings. TTAC's Speakers Bureau contains an array of professionals who can offer expertise on a wide range of criminal justice and victim-related topics.

**Consultant Pool**—Maintain a pool of experts capable of providing effective on-site technical assistance to address operational problems and needs. This pool can be drawn upon for skilled trainers to present curricula developed under OVC's discretionary grant programs and for speakers to conduct workshops at conferences and meetings.

### Guidelines for Seeking TTAC Assistance

To obtain TTAC assistance, applicants must adhere to the following eligibility and match requirements, application process, and selection criteria:

#### Eligible Applicants

- Public agencies and private nonprofit organizations.
- Victim service, criminal justice, and allied professionals (e.g., mental health, medical, clergy, etc.).

#### Available Assistance/Match Requirements

- Assistance—Available assistance includes the provision of an on-site trainer (may include travel, lodging, meals, and consultant fee). Assistance is in-kind.
- Match—Purchase or on-site reproduction of materials, meeting room space, etc. A match of other resources is not required in order to receive assistance.

#### Application Deadline/Process

- Deadline—Open.
- Process—Complete a TTAC Request cover page indicating your interest in obtaining technical assistance, training, or a speaker through the speaker's bureau. Include your agency's name, address, and other contact information. Note whether a previous request has ever been submitted to TTAC. Answer all questions

listed on page 2 of the TTAC Request Form regarding technical assistance, training, or speakers bureau. Submit the completed form to the Training and Technical Assistance Center. (The contact information is provided below.) TTAC will mail a confirmation that your request has been received upon receipt of your application. You will be informed of an award determination within 4 weeks unless otherwise notified.

### Selection Criteria

- Clarity of the request, including the description of the problem.
- Potential impact of the assistance (i.e., systemic change, policy/procedure development, etc.).
- Commitment of resources from other sources to support the technical assistance request.
- Need for Federal Government to provide the assistance.
- Special consideration will be given to requests where the assistance will have statewide or regional impact and those which will build interagency or multidisciplinary service delivery capacity.

### About the Office for Victims of Crime

The Office for Victims of Crime provides Federal funds to support victim assistance and compensation programs around the country and advocates for the fair treatment of crime victims. OVC administers formula and discretionary grants to provide training for professionals who work with victims and to develop projects to enhance victims' rights and services.

OVC's Mission is to advocate for crime victims by doing the following:

- Administering the Crime Victims Fund.
- Supporting direct services.
- Providing training and technical assistance programs that reach diverse audiences across America and throughout U.S. Territories.
- Sponsoring demonstration projects with national impact.
- Publishing and disseminating publications that highlight promising practices in the effective treatment of victims that can be replicated throughout the country.
- Developing and analyzing public policies.

OVC's Community Crisis Response and Mentoring Programs also are supported by TTAC. For more information about these programs contact TTAC.

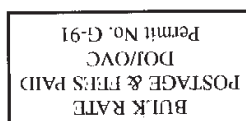
### Contact Information

To receive information or to enroll as a consultant, please contact TTAC at the following address:

Office for Victims of Crime  
 Training and Technical Assistance Center  
 2277 Research Boulevard  
 Rockville, MD 20850  
 Telephone: 800-627-6872  
 Fax: 301-519-5533  
 E-mail: [TTAC@ovcttac.org](mailto:TTAC@ovcttac.org)  
 OVC Web site: <http://www.ojp.usdoj.gov/ovc/>  
 OVC Resource Center 1-800-627-6872

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## Office for Victims of Crime Training and Technical Assistance Center OVC Fact Sheet



U.S. Department of Justice  
 Office of Justice Programs  
 Office for Victims of Crime  
 Washington, D.C. 20531  
 Official Business  
 Penalty for Private Use \$300

## Summary of OVCRC and Other U.S. Department of Justice Resources

# Accessing Information: OVC Resource Center And Other Services

### VICTIMS' RESOURCES IN THE INFORMATION AGE

The development of new information technologies -- most notably the growth of the Internet -- has dramatically changed the way in which information on crime victims' issues is being made available to researchers, advocates, and practitioners. As recently as a dozen years ago, the availability of this information was greatly limited by the lack of centralized collection and distribution. Moreover, the form of the information was generally limited to paper documents that required considerable effort to locate and obtain. Today, however, victims and victim service providers can instantly access an enormous store of information specific to the entire range of their personal and professional concerns -- information that includes statistics; model programs and protocols; grant funding sources; and local, state and national referrals to professional organizations in the victim-serving community. Importantly, this information is available wherever and whenever it is needed -- in homes, shelters and offices; in the middle of a trial; or in the middle of the night. For victims and victim service providers, this new information access begins with the Office for Victims of Crime Resource Center and the National Criminal Justice Reference Service.

Established in accordance with recommendations of the 1982 President's Task Force on Victims of Crime, the United States Department of Justice's Office for Victims of Crime (OVC) serves as the chief advocate for our nation's crime victims, promoting fundamental rights and comprehensive services for victims of crime throughout the United States. OVC's information clearinghouse, the Office for Victims of Crime Resource Center (OVCRC), a component of the National Criminal Justice Reference Service (NCJRS), is on the forefront of these new information technologies, and is aggressively using them, as well as the NCJRS Catalog of publications and videotapes, to deliver timely and relevant information to the victim-serving community. Since coming "online" in 1994, NCJRS and OVCRC have developed a variety of online services to benefit the victim assistance professional -- World Wide Web page; Justice Information (*JUSTINFO*) Electronic Newsletter; and E-Mail Information and Help Line. Together with other electronic access features -- including telephone and online document ordering, and fax-on-demand -- NCJRS and OVCRC have truly made a "quantum leap" forward in fulfilling their mission of "bringing the right information to the right people . . . right now."

### ACCESSING NCJRS AND OVCRC ONLINE

NCJRS Online can be accessed in the following ways:

#### *NCJRS World Wide Web Homepage*

The homepage provides NCJRS information, as well as links to other criminal justice resources from around the world. The NCJRS Web page provides information about NCJRS and OJP agencies; grant-funding opportunities; full-text publications; key-word searching of NCJRS publications; access to the NCJRS Abstracts Database; the current *NCJRS Catalog*; and a topical index. The address for the NCJRS Homepage is <<http://www.ncjrs.org>> .

***Justice Information (JUSTINFO) Electronic Newsletter***

This free, online newsletter is distributed to your Internet e-mail address on the 1st and 15th of each month. JUSTINFO contains information concerning a wide variety of subjects, including news from all Office of Justice Programs (OJP) agencies and the Office of National Drug Control Policy; criminal justice resources on the Internet; criminal justice funding and program information; and announcements about new NCJRS products and services. To subscribe, send an e-mail to <[listproc@ncjrs.org](mailto:listproc@ncjrs.org)> with the message *subscribe justinfo your name*.

***E-Mail: Information and Help***

Users requiring technical assistance or having specific questions on criminal and juvenile justice topics can send an e-mail to <[askncjrs@ncjrs.org](mailto:askncjrs@ncjrs.org)>. To place an order for publications, users may send an e-mail to <[puborder@ncjrs.org](mailto:puborder@ncjrs.org)>.

***Partnerships Against Violence Network (PAVNET)***

PAVNET Online is a searchable database containing information about hundreds of promising programs and resources, providing users with key contacts; program types; target populations; location; project startup date; evaluation information; annual budget; sources of funding; and program description. Users may go directly to the site at <[www.pavnet.org](http://www.pavnet.org)>.

**OTHER NCJRS ELECTRONIC INFORMATION SERVICES*****Fax-on-demand***

NCJRS has established a "fax-on-demand" service which allows the user to obtain copies of selected NCJRS documents directly through their own fax machine, using a toll-free telephone number. To access the fax-on-demand menu, simply call 1-800-851-3420, and follow the prompts.

***CD-ROM and Online Access to the Abstracts Database***

Users with CD-ROM capability can also obtain the NCJRS Abstracts Database on CD-ROM. This disc features citations and abstracts of more than 140,000 criminal justice books, research reports, journal articles, government documents, program descriptions, program evaluations, and training manuals contained in the NCJRS Research and Information Center library collection. The disc also contains search software that supports retrieval using any combination of words to search individual fields or all fields globally. The disc can be searched using "free text" methods, or in combination with the National Criminal Justice Thesaurus. In addition, the NCJRS Abstracts Database is available on the NCJRS Homepage at <<http://www.ncjrs.org/database.htm>>. Details are available by calling NCJRS at (800) 851-3420.

**VICTIM-RELATED INTERNET SITES**

Crime victims and victim service providers have witnessed a remarkable growth in the amount of information available to them, through the continued development of the Internet -- especially the World Wide Web. Now, victim-serving agencies and advocacy organizations have the ability to reach around the corner or around the world with information about new issues, services, and promising practices designed to improve the welfare of victims of all types of crime. In an effort to present the most comprehensive and timely information available through this vast medium, the Office for Victims of Crime has substantially revised its World Wide Web homepage. OVC

encourages crime victims and victim service providers alike to visit this comprehensive resource, located at <http://www.ojp.usdoj.gov/ovc/> .

Many other agencies and organizations are now providing victim-related information through the World Wide Web. The following is a list of sites on the Web that contain information on selected crime victimization topics. Please note that this list is intended only to provide a sample of available resources, and does not constitute an endorsement of opinions, resources, or statements made therein.

### Federal Agencies/Resources

Bureau of Justice Assistance (BJA)	<a href="http://www.ojp.usdoj.gov/BJA">http://www.ojp.usdoj.gov/BJA</a>
Bureau of Justice Statistics (BJS)	<a href="http://www.ojp.usdoj.gov/bjs/">http://www.ojp.usdoj.gov/bjs/</a>
Community-Oriented Police Office (COPS)	<a href="http://www.usdoj.gov/cops/">http://www.usdoj.gov/cops/</a>
Dept. of Health and Human Services Grantsnet	<a href="http://www.os.dhhs.gov/progorg/grantsnet/index.html">http://www.os.dhhs.gov/progorg/grantsnet/index.html</a>
Department of Justice	<a href="http://www.usdoj.gov">http://www.usdoj.gov</a>
Department of the Solicitor General	<a href="http://www.gov.nb.ca/solgen/index.htm">http://www.gov.nb.ca/solgen/index.htm</a>
FBI Uniform Crime Reports - Statistical Data	<a href="http://www.lib.virginia.edu/socsci/crime">http://www.lib.virginia.edu/socsci/crime</a>
Federal Bureau of Prisons	<a href="http://www.bop.gov">http://www.bop.gov</a>
Federal Judicial Center	<a href="http://www.fjc.gov/">http://www.fjc.gov/</a>
Government Information Online, GovBot	<a href="http://bacchus.fedworld.gov/Search_Online.html">http://bacchus.fedworld.gov/Search_Online.html</a>
National Archive of Criminal Justice Data	<a href="http://www.icpsr.umich.edu/NACJD/home.html">http://www.icpsr.umich.edu/NACJD/home.html</a>
National Domestic Violence Hotline	<a href="http://www.usdoj.gov/vawo/new hotline..htm">http://www.usdoj.gov/vawo/new hotline..htm</a>
NCJRS Justice Information Center	<a href="http://www.ncjrs.org">http://www.ncjrs.org</a>
National Institute of Corrections (NIC)	<a href="http://www.bop.gov/nicpg/niccd.htm/">http://www.bop.gov/nicpg/niccd.htm/</a>
National Institute of Justice (NIJ)	<a href="http://www.ncjrs.org/nijhome.htm">http://www.ncjrs.org/nijhome.htm</a>
Nonprofit Gateway	<a href="http://www.nonprofit.gov">http://www.nonprofit.gov</a>
Office of Justice Programs (OJP)	<a href="http://www.ojp.usdoj.gov">http://www.ojp.usdoj.gov</a>
Office of Juvenile Justice Delinquency and Prevention	<a href="http://www.ncjrs.org/ojjdp/">http://www.ncjrs.org/ojjdp/</a>
Office for Victims of Crime (OVC)	<a href="http://www.ojp.usdoj.gov/ovc/">http://www.ojp.usdoj.gov/ovc/</a>
Office of National Drug Control Policy Information Clearinghouse	<a href="http://www.whitehousedrugpolicy.gov">http://www.whitehousedrugpolicy.gov</a>
Partnership Against Violence Network (PAVNET)	<a href="http://www.pavnet.org">http://www.pavnet.org</a>
THOMAS: Federal Legislation	<a href="http://thomas.loc.gov">http://thomas.loc.gov</a>
U.S. Department of Education - Campus Security and Safety	<a href="http://www.ed.gov/offices/OPE/index.html">http://www.ed.gov/offices/OPE/index.html</a>
U.S. Parole Commission	<a href="http://www.usdoj.gov/uspc/parole.htm">http://www.usdoj.gov/uspc/parole.htm</a>
Violence Against Women's Office (VAWO)	<a href="http://www.usdoj.gov/vawo/index.html">http://www.usdoj.gov/vawo/index.html</a>
Violence Against Women Grant Office (VAWGO)	<a href="http://www.ojp.usdoj.gov/vawgo/">http://www.ojp.usdoj.gov/vawgo/</a>

### National Victim-related Organizations

American Bar Association Center on Children and the Law	<a href="http://www.abanet.org/child/">http://www.abanet.org/child/</a>
American Professional Society on the Abuse of Children	<a href="http://child.cornell.edu/APSAC/apsac.home.html">http://child.cornell.edu/APSAC/apsac.home.html</a>
Child Abuse Prevention Network	<a href="http://child.cornell.edu">http://child.cornell.edu</a>
Childhelp USA	<a href="http://www.childhelpusa.org">http://www.childhelpusa.org</a>
Childquest International	<a href="http://www.childquest.org/">http://www.childquest.org/</a>
Concerns of Police Survivors (COPS)	<a href="http://www.nationalcops.org">http://www.nationalcops.org</a>
Family Violence Prevention Fund	<a href="http://www.fvpf.org/fund/index.html">http://www.fvpf.org/fund/index.html</a>
Mothers Against Drunk Driving (MADD)	<a href="http://www.madd.org">http://www.madd.org</a>
National Center for Missing and Exploited Children (NCMEC)	<a href="http://www.missingkids.org/index.html">http://www.missingkids.org/index.html</a>
National Center for Victims of Crime (formerly National Victim Center)	<a href="http://www.ncvc.org">http://www.ncvc.org</a>
National Center on Elder Abuse	<a href="http://www.gwjapan.com/NCEA/">http://www.gwjapan.com/NCEA/</a>

National Children's Alliance	<a href="http://www.nncac.org">http://www.nncac.org</a>
National Clearinghouse on Child Abuse and Neglect Information	<a href="http://www.calib.com/nccanch">http://www.calib.com/nccanch</a>
National Coalition Against Domestic Violence	<a href="http://www.webmerchants.com/ncadv/default.htm">http://www.webmerchants.com/ncadv/default.htm</a>
National Coalition Against Sexual Assault (NCASA)	<a href="http://www.ncasa.org">http://www.ncasa.org</a>
National Court Appointed Special Advocates Association	<a href="http://www.casenet.org">http://www.casenet.org</a>
National Fraud Information Center	<a href="http://www.fraud.org">http://www.fraud.org</a>
National Insurance Crime Bureau	<a href="http://www.nicb.org">http://www.nicb.org</a>
National Children's Alliance	<a href="http://www.nncac.org/">http://www.nncac.org/</a>
National Victims Constitutional Amendment Network (NVCAN)	<a href="http://www.nvcn.org">http://www.nvcn.org</a>
National Organization for Victim Assistance (NOVA)	<a href="http://www.try-nova.org">http://www.try-nova.org</a>
National Victim Assistance Academy (OVC)	<a href="http://ojp.usdoj.gov/ovc/assist/vaa.html">http://ojp.usdoj.gov/ovc/assist/vaa.html</a>
National Victim Assistance Academy (VALOR)	<a href="http://www.nvaa.org">http://www.nvaa.org</a>
Neighbors Who Care	<a href="http://www.neighborswhocare.org">http://www.neighborswhocare.org</a>
Parents of Murdered Children (POMC)	<a href="http://www.pomc.com">http://www.pomc.com</a>
Safe Campuses Now	<a href="http://www.uga.edu/~safe-campus/">http://www.uga.edu/~safe-campus/</a>
Security on Campus	<a href="http://www.soconline.org/">http://www.soconline.org/</a>
Victims' Assistance Legal Organization (VALOR)	<a href="http://www.valor-national.org">http://www.valor-national.org</a>

### **National Criminal Justice- and Public Policy-related Associations**

American Correctional Association (ACA)	<a href="http://www.corrections.com/aca">http://www.corrections.com/aca</a>
American Correctional Health Services Association	<a href="http://www.corrections.com/achsa/">http://www.corrections.com/achsa/</a>
American Jail Association (AJA)	<a href="http://www.corrections.com/aja">http://www.corrections.com/aja</a>
American Probation and Parole Association (APPA)	<a href="http://www.appa-net.org">http://www.appa-net.org</a>
Association of State Correctional Administrators (ASCA)	<a href="http://www.asca.net">http://www.asca.net</a>
Center for Sex Offender Management	<a href="http://www.csg.org/appa/csom.html">http://www.csg.org/appa/csom.html</a>
Correctional Education Association	<a href="http://sunsite.unc.edu/icea">http://sunsite.unc.edu/icea</a>
Council of Juvenile Correctional Administrators	<a href="http://www.csc-scc.gc.ca/">http://www.csc-scc.gc.ca/</a>
Council of State Governments (CSG)	<a href="http://www.csg.org">http://www.csg.org</a>
Higher Education Center Against Violence and Abuse	<a href="http://www.umn.edu/mincava/">http://www.umn.edu/mincava/</a>
National Association of Counties (NACo)	<a href="http://www.naco.org">http://www.naco.org</a>
National Center for State Courts (NSSC)	<a href="http://www.ncsc.dni.us">http://www.ncsc.dni.us</a>
National Conference of State Legislatures (NCSL)	<a href="http://www.ncsl.org">http://www.ncsl.org</a>
National Consortium for Justice Information and Statistics	<a href="http://www.search.org">http://www.search.org</a>
National Council on Crime and Delinquency	<a href="http://www.nccd.com/">http://www.nccd.com/</a>
National Council of Juvenile and Family Court Judges	<a href="http://www.ncjfcj.unr.edu/">http://www.ncjfcj.unr.edu/</a>
National Criminal Justice Association (NCJA)	<a href="http://sso.org/ncja/ncja/htm">http://sso.org/ncja/ncja/htm</a>
National Governors Association	<a href="http://www.nga.org/">http://www.nga.org/</a>
National Judicial College	<a href="http://www.judges.org">http://www.judges.org</a>
National Indian Justice Center	<a href="http://www.nijc.indian.com/">http://www.nijc.indian.com/</a>
National Sheriffs Association	<a href="http://www.sheriffs.org/index.html">http://www.sheriffs.org/index.html</a>
Office of Correctional Education	<a href="http://www.ed.gov/offices.OVAE/OCE/">http://www.ed.gov/offices.OVAE/OCE/</a>
Southern Poverty Law Center	<a href="http://splcenter.org">http://splcenter.org</a>

### **State-level Victim Assistance Agencies**

Arizona Department of Public Safety	<a href="http://www.state.az.us/dps/voca/">http://www.state.az.us/dps/voca/</a>
California Criminal Justice Planning	<a href="http://www.ocjp.ca.gov/index.html">http://www.ocjp.ca.gov/index.html</a>
Colorado Division of Criminal Justice	<a href="http://www.state.co.us/gov_dir/cdps/dcj/ovp.htm">http://www.state.co.us/gov_dir/cdps/dcj/ovp.htm</a>

Delaware Criminal Justice Council	<a href="http://www.state.de.us/govern/agencies/cjc/victim.htm">http://www.state.de.us/govern/agencies/cjc/victim.htm</a>
Florida Attorney General's Office - Crime Victims Services	<a href="http://legal.firm.edu/victims/index.html">http://legal.firm.edu/victims/index.html</a>
Illinois Criminal Justice Information Agency	<a href="http://www.icjia.org/about.html">http://www.icjia.org/about.html</a>
Iowa Department of Justice	<a href="http://www.state.ia.us/government/ag/cva.html">http://www.state.ia.us/government/ag/cva.html</a>
Kansas Attorney Generals Office	<a href="http://lawlib.wuacc.edu/ag/victims.html">http://lawlib.wuacc.edu/ag/victims.html</a>
Kentucky Attorney General's Victims' Advocacy Office	<a href="http://www.law.state.ky.us/victims/Default.htm#Top">http://www.law.state.ky.us/victims/Default.htm#Top</a>
Maryland Office of the Attorney General	<a href="http://www.oag.state.md.us/Victim/rights.htm">http://www.oag.state.md.us/Victim/rights.htm</a>
Massachusetts Attorney Generals Office	<a href="http://www.state.ma.us/ag/ago7.htm">http://www.state.ma.us/ag/ago7.htm</a>
Minnesota Dept. of Public Safety Crime Victim Services	<a href="http://156.98.194.206/cvshome.html">http://156.98.194.206/cvshome.html</a>
[Program forms]	<a href="http://www.state.mn.us/ebranch/corr/vsu/vsuforms.htm">http://www.state.mn.us/ebranch/corr/vsu/vsuforms.htm</a>
Missouri Department of Public Safety	<a href="http://www.dps.state.mo.us/dps/programs/grants.htm">http://www.dps.state.mo.us/dps/programs/grants.htm</a>
New Hampshire Attorney Generals Office	<a href="http://www.state.nh.us/oag/vw.html">http://www.state.nh.us/oag/vw.html</a>
New Mexico Crime Victims Reparations Commission	<a href="http://www.state.nm.us/cvrc/">http://www.state.nm.us/cvrc/</a>
New York Attorney Generals Office	<a href="http://www.oag.state.ny.us/crimevt.html">http://www.oag.state.ny.us/crimevt.html</a>
Ohio Attorney General's Office Crime Victim Services	<a href="http://www.ag.ohio.gov/crimevic/cvassist.htm">http://www.ag.ohio.gov/crimevic/cvassist.htm</a>
Pennsylvania Commission on Crime and Delinquency	<a href="http://www.pccd.state.pa.us/PA_Exec/PCCD/victim/victims1.htm">http://www.pccd.state.pa.us/PA_Exec/PCCD/victim/victims1.htm</a>
South Carolina Ombudsman	<a href="http://www.netside.com/~ae4fa/ombtext.htm">http://www.netside.com/~ae4fa/ombtext.htm</a>
Wisconsin Office of Crime Victim Services	<a href="http://ourworld.compuserve.com/homepages/derene">http://ourworld.compuserve.com/homepages/derene</a>
[Resource Directory]	<a href="http://ourworld.compuserve.com/homepages/derene/referral.htm">http://ourworld.compuserve.com/homepages/derene/referral.htm</a>

### State Crime Victim Compensation Programs

Natl Assoc. of Crime Victim Compensation Program Directory	<a href="http://www.ojp.usdoj.gov/ovc/here/compdir">http://www.ojp.usdoj.gov/ovc/here/compdir</a>
Arizona Department of Public Safety	<a href="http://www.state.az.us/dps/voca/compensa.htm">http://www.state.az.us/dps/voca/compensa.htm</a>
Arkansas Attorney General's Office Outreach Division	<a href="http://www.ag.state.ar.us/division.htm#outreach">http://www.ag.state.ar.us/division.htm#outreach</a>
California Board of Control	<a href="http://www.boc.cahwnet.gov/Victims.htm">http://www.boc.cahwnet.gov/Victims.htm</a>
Colorado Div. of Public Safety Office of Victims Programs	<a href="http://www.state.co.us/gov_dir/cdps/dcj/ovp.htm">http://www.state.co.us/gov_dir/cdps/dcj/ovp.htm</a>
Florida Attorney General's Office - Crime Victims Services	<a href="http://legal.firm.edu/victims/compensation.html">http://legal.firm.edu/victims/compensation.html</a>
[Application]	<a href="http://legal.firm.edu/victims/vic_comp.html">http://legal.firm.edu/victims/vic_comp.html</a>
Illinois Attorney General's Office	<a href="http://www.acsp.uic.edu/~ag/victim/vcva.htm">http://www.acsp.uic.edu/~ag/victim/vcva.htm</a>
Idaho Industrial Commission	<a href="http://www.state.id.us/iic/crimevic.htm">http://www.state.id.us/iic/crimevic.htm</a>
Iowa Dept. of Justice Crime Victim Assistance Division	<a href="http://www.state.ia.us/government/ag/cvcform.htm">http://www.state.ia.us/government/ag/cvcform.htm</a>
Kansas Attorney General's Office	<a href="http://lawlib.wuacc.edu/ag/compensation.html">http://lawlib.wuacc.edu/ag/compensation.html</a>
Kentucky Cabinet for Public Protection and Regulation	<a href="http://www.state.ky.us/agencies/ppc/agency.htm#claims">http://www.state.ky.us/agencies/ppc/agency.htm#claims</a>
Massachusetts Attorney General's Office	<a href="http://www.state.ma.us/ag/ago7.htm">http://www.state.ma.us/ag/ago7.htm</a>
Minnesota Crime Victims Reparations	<a href="http://156.98.194.206/crimevic/crimevic.html">http://156.98.194.206/crimevic/crimevic.html</a>
[Application]	<a href="http://156.98.194.206/crimevic/reclaim/reclaim.html">http://156.98.194.206/crimevic/reclaim/reclaim.html</a>
Mississippi Crime Victim Compensation Program	<a href="http://www.dfa.state.ms.us/crime/letter/letter1.html">http://www.dfa.state.ms.us/crime/letter/letter1.html</a>
Missouri Department of Labor and Industry Relations	<a href="http://www.dolir.state.mo.us/wc/dolir6f.htm">http://www.dolir.state.mo.us/wc/dolir6f.htm</a>
New Hampshire Victim's Assistance Commission	<a href="http://www.state.nh.us/oag/nhvac.html">http://www.state.nh.us/oag/nhvac.html</a>
New Jersey Victims of Crime Compensation Board	<a href="http://www.state.nj.us/victims/">http://www.state.nj.us/victims/</a>
[Application; PDF format]	<a href="http://www.state.nj.us/victims/vccbappl.pdf">http://www.state.nj.us/victims/vccbappl.pdf</a>

New Mexico Crime Victims Reparations Commission [Application; PDF format]	<a href="http://www.state.nm.us/cvrc/">http://www.state.nm.us/cvrc/</a>
New York Crime Victims Board	<a href="http://www.nysl.nysed.gov/ils/cvb1.html">http://www.nysl.nysed.gov/ils/cvb1.html</a>
North Carolina Victim and Justice Services	<a href="http://www.dem.dcc.state.nc.us/vjs/cvcp0.htm">http://www.dem.dcc.state.nc.us/vjs/cvcp0.htm</a>
Ohio Attorney General's Office Crime Victim Services	<a href="http://www.ag.ohio.gov/crimevic/cvout.htm">http://www.ag.ohio.gov/crimevic/cvout.htm</a>
Pennsylvania Commission on Crime and Delinquency	<a href="http://www.pccd.state.pa.us/PA_Exec/PCCD/victim/victims1.htm">http://www.pccd.state.pa.us/PA_Exec/PCCD/victim/victims1.htm</a>
Rhode Island Treasury	<a href="http://www.state.ri.us/treas/vc_info.htm">http://www.state.ri.us/treas/vc_info.htm</a>
[Application]	<a href="http://www.state.ri.us/treas/vc_appl.htm">http://www.state.ri.us/treas/vc_appl.htm</a>
South Carolina Office of Victim Assistance	<a href="http://www.leginfo.state.sc.us/man97/stategov/state172.html">http://www.leginfo.state.sc.us/man97/stategov/state172.html</a>
Tennessee Claims Administration Division	<a href="http://www.state.tn.us/other/dag/compfund.htm">http://www.state.tn.us/other/dag/compfund.htm</a>
Utah Office of Crime Victims Reparations	<a href="http://www.justice.state.ut.us/CVRrept.htm">http://www.justice.state.ut.us/CVRrept.htm</a>
Texas Office of Attorney General	<a href="http://www.oag.state.tx.us/WEBSITE/CRIMINAL/cvc_prog.htm">http://www.oag.state.tx.us/WEBSITE/CRIMINAL/cvc_prog.htm</a>
[Application]	<a href="http://www.oag.state.tx.us/WEBSITE/CRIMINAL/cvc_app.txt">http://www.oag.state.tx.us/WEBSITE/CRIMINAL/cvc_app.txt</a>
Wisconsin Crime Victim Rights (Unofficial)	<a href="http://ourworld.compuserve.com/homepages/derene/cvc.htm">http://ourworld.compuserve.com/homepages/derene/cvc.htm</a>
[Application: PDF;	<a href="http://www.mailbag.com/users/derene/cvcapp.pdf">http://www.mailbag.com/users/derene/cvcapp.pdf</a>
MS Word]	<a href="http://www.mailbag.com/users/derene/cvcapp.doc">http://www.mailbag.com/users/derene/cvcapp.doc</a>
Washington State Department of Labor and Industries	<a href="http://www.wa.gov/lni/workcomp/crime.htm">http://www.wa.gov/lni/workcomp/crime.htm</a>

### **Federal and State Corrections, Victim Service Units, Sex Offender Registries, Etc.**

Alaska Sex Offender Registry	<a href="http://www.dps.state.ak.us/Sorcr/Index.asp">http://www.dps.state.ak.us/Sorcr/Index.asp</a>
California Youth Authority, Prevention and Victim Services	<a href="http://www.cya.ca.gov">http://www.cya.ca.gov</a>
Florida Department of Law Enforcement [links to Sex Predator Locator and Missing Children]	<a href="http://www.fdle.state.fl.us/index.asp">http://www.fdle.state.fl.us/index.asp</a>
Federal Bureau of Prisons Inmate Information	<a href="http://www.bop.gov/inmate.html">http://www.bop.gov/inmate.html</a>
Florida Dept. of Corrections Victim Assistance Page	<a href="http://www.dos.state.fl.us/corrections/security/admission/victasst.html">http://www.dos.state.fl.us/corrections/security/admission/victasst.html</a>
Illinois Department of Corrections Victim Services Unit	<a href="http://www.idoc.state.il.us/pubs/press/970421.htm">http://www.idoc.state.il.us/pubs/press/970421.htm</a>
Indiana Sex Offender Registry	<a href="http://www.ai.org/cji/index.html">http://www.ai.org/cji/index.html</a>
Maine Department of Corrections Victim Services	<a href="http://www.state.me.us/corrections/victim.htm">http://www.state.me.us/corrections/victim.htm</a>
Maryland Department of Corrections Victim Notification Program	<a href="http://www.dpscs.state.md.us/doc/victnot.htm">http://www.dpscs.state.md.us/doc/victnot.htm</a>
North Carolina Department of Corrections Victim Advocacy Services	<a href="http://www.doc.state.nc.us/DAPP/victim.htm">http://www.doc.state.nc.us/DAPP/victim.htm</a>
Ohio Department of Rehabilitation and Corrections	<a href="http://www.drc.ohio.gov/">http://www.drc.ohio.gov/</a>
Washington State Department of Corrections Division of Community Corrections (victim/witness notification program)	<a href="http://www.wa.gov/doc/dcc/dccoverview.htm#Victims">http://www.wa.gov/doc/dcc/dccoverview.htm#Victims</a>
Wisconsin Sex Offender Registry	<a href="http://badger.state.wi.us/agencies/doc/html/sexoffender.html">http://badger.state.wi.us/agencies/doc/html/sexoffender.html</a>

### **State Coalitions and Related Resources**

Idaho: MADD	<a href="http://www.lesbois.com/madd/maddid-1.htm">http://www.lesbois.com/madd/maddid-1.htm</a>
Iowa: Iowa Organization for Victim Assistance (IOVA)	<a href="http://www.netins.net/showcase/i_weaver/iowa/">http://www.netins.net/showcase/i_weaver/iowa/</a>
Michigan: Victim's Rights (State Sen. Wm. Van Regenmorter)	<a href="http://www.gop.senate.state.mi.us/cvr/default.html">http://www.gop.senate.state.mi.us/cvr/default.html</a>
New York: Victim Services Agency	<a href="http://www.victimservices.org">http://www.victimservices.org</a>
North Carolina: Citizens Against Violent Crime (CAVE)	<a href="http://www.webserve.net/iandi/org/cave">http://www.webserve.net/iandi/org/cave</a>



South Carolina: South Carolina Victim Assistance <http://www.netside.com/~ae4fa/>  
 Tennessee: Knowledge is Power (KIP) <http://ourworld.compuserve.com/homepages/Victim>  
 Texas: Texans for Equal Justice <http://www.flex.net/~judge/>  
 Texas: Texas Association Against Sexual Assault <http://www.tsgweb.com/tdcaa/links.htm>  
 Washington State: Wash. Coalition of Crime Victim Advocates <http://ourworld.compuserve.com/homepages/>

**Other Victim Resources**

Action Without Borders - Nonprofit Directory <http://www.idealist.org>  
 APA - American Psychological Association Trauma-related Stress <http://www.apa.org/>  
<http://www.apa.org/ptsd.html>  
<http://www.apa.org/kids.html>  
<http://www.fsu.edu/~crimdo/law.html>  
 Cecil Greek's Criminal Justice Page  
 Communities Against Violence Network (CAVNET) <http://www.asksam.com/cavnet/>  
 Dignity for Victims Everywhere (DOVE) <http://www.eskimo.com/~yaqui>  
 International Society for Traumatic Stress Studies <http://www.istss.com/>  
 Jewish Domestic Abuse <http://users.aol.com/Agunah>  
 Jewish Women International Domestic Violence Page <http://www.jewishwomen.org/awaken.htm>  
 Justice for All <http://www2.jfa.net/jfa/>  
 Microsoft Justice Homepage <http://www.microsoft.com/industry/justice/>  
 MSU Victims and Media Project <http://www.journalism.msu.edu/victmed/>  
 National Crime Victim's Research and Treatment Center <http://www.musc.edu/cvc/>  
 Rape, Abuse and Incest National Network (RAINN) <http://www.soconline.org/ASSISTANCE>  
 Rape Recovery Help and Information <http://www.geocities.com/HotSprings/2402/>  
 Rule of Law Foundation <http://www.rol.org>  
 Search Yahoo for Victims' Rights [http://www.yahoo.com/Society\\_and\\_Culture/Crime/Victims\\_Rights/](http://www.yahoo.com/Society_and_Culture/Crime/Victims_Rights/)  
 Security on Campus, Inc. <http://www.soconline.org/>  
 Sexual Assault Information Page <http://www.cs.utk.edu/~bartley/saInfoPage.html>  
 The Stalking Victim's Sanctuary <http://www.ccon.com/stalkvictim>  
 The Victim Assistance Page <http://www.mnsi.net/~rmccall/homepage.html>  
 Subscribe to the Victim Assistance Mailing <http://www.mnsi.net/~rmccall/vaform.html>  
 The VINE Company <http://www.vineco.com>  
 Violence Policy Center <http://www.vpc.org>

**Legal Research/Resources**

Findlaw <http://www.findlaw.com/>  
 State Law and Legislative Information <http://lawlib.wuacc.edu/washlaw/uslaw/statelaw.html>  
 U.S. Supreme Court Decisions <http://supct.law.cornell.edu/supct/>

**News Resources**

Am. Journalism Review Newslink <http://www.newslink.org/>  
 News Works <http://www.newsworks.com>  
 News Index <http://newsindex.com>  
 Newspapers Online <http://www.newspapers.com>

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## Roster of National Victim Service and Allied Justice Organizations

# NCVRW Resource Guide Co-Sponsors

**American Correctional Association****Victims Committee**

4380 Forbes Boulevard  
Lanham, MD 20706-4332  
Contact: Gail Heller, Chair, ACA Victims Committee  
614-258-6080

Phone: 301-918-1800/800-ACA-JOIN  
Fax: 301-918-1900  
Website: <http://www.corrections.com/aca>

**American Probation and Parole Association**

c/o The Council of State Governments  
P.O. Box 11910  
Lexington, KY 40578-1910  
Contact: Tracy Godwin, Victim Services Specialist

Phone: 606-244-8215  
Fax: 606-244-8001  
Website: <http://www.appa-net.org>  
Email: [tgodwin@csg.org](mailto:tgodwin@csg.org)

**California State University-Fresno, Victim Services Institute**

2225 East San Ramon Avenue  
Fresno, California 93740-0104  
Contact: Harvey Wallace, J.D., Chair  
Criminology Department

Phone: 209-278-4223  
Fax: 209-278-7265  
Email: [harveywallace@csufresno.edu](mailto:harveywallace@csufresno.edu)

**Center for the Study of Crime Victims' Rights, Remedies, and Resources**

University of New Haven  
300 Orange Avenue  
West Haven, CT 06516  
Contact: Mario Thomas Gaboury, J.D., Ph.D., Director

Phone: 203-932-7041  
Fax: 203-931-6030

**Childhelp East**

311 Park Avenue  
Falls Church, VA 22046  
Contact: Iris Beckwith

Childhelp USA National Hotline: 800-4-A-CHILD  
TDD: 800-2-A-CHILD

*National Headquarters:*

Childhelp USA  
15757 North 78th Street  
Scottsdale, AZ 85260  
Contact: Chuck Bolte, Executive Director

Phone: 602-922-8212  
Fax: 602-922-7061  
Website: <http://www.childhelpusa.org>

**Concerns of Police Survivors, Inc.**

P.O. Box 3199  
South Highway 5  
Camdenton, MO 65020  
Contact: Suzanne F. Sawyer, Executive Director

Phone: 573-346-4911  
Fax: 573-346-1414  
Website: <http://www.nationalcops.org>  
Email: [cops@nationalcops.org](mailto:cops@nationalcops.org)

**Family Violence Prevention Fund**

383 Rhode Island, Suite 304  
San Francisco, CA 94103-5133  
Contact: Lisa James

Phone: 415-252-8900/800-End-Abuse  
Fax: 415-252-8991  
Website: <http://www.fvpf.org>  
Email: [fund@fvpf.org](mailto:fund@fvpf.org)

**Mothers Against Drunk Driving**

511 E. John Carpenter Frwy., Suite 700  
Irving, TX 75062-8187

Contact: Stephanie Frogge, National Director, Victim Services

Phone: 800-438-MADD

Fax: 214-869-2206/2207

Website: <http://www.madd.org>

**National Association of Crime Victim Compensation Boards**

P.O. Box 16003  
Alexandria, VA 22302

Contact: Dan Eddy, Executive Director

Phone/Fax: 703-370-2996

**National Center on Elder Abuse**

1225 I Street NW #725  
Washington, DC 20005

Contact: Sara Aravanis, Director

Phone: 202-898-2586

Fax: 202-898-2583

Website: <http://www.gwjapan.com/ncea>

E-mail: [ncea@nasua.org](mailto:ncea@nasua.org)

**National Center for Missing and Exploited Children**

2101 Wilson Boulevard, Suite 550  
Arlington, VA 22201-3052

Contact: Sherry Bailey

Phone: 703-235-3900/800-THE-LOST

TDD: 800-826-7653 (Hotline)

Fax: 703-235-4067

Website: <http://www.missingkids.com>

Email: [74431.177@compuserve.com](mailto:74431.177@compuserve.com)

**National Center for Victims of Crime**

2111 Wilson Boulevard, Suite 300  
Arlington, VA 22201

Contact: Susan Herman, Executive Director

Phone: 703-276-2880/800-FYI-CALL

Fax: 703-276-2889

Website: <http://www.ncvc.org>

**National Children's Alliance**

1319 F Street, N.W., Suite 1001  
Washington, DC 20004-1106

Contact: Nancy Chandler, Executive Director

Phone: 202-639-0597/800-239-9950

Fax: 202-639-0511

Website: <http://www.nncac.org>

**National Coalition Against Domestic Violence**

P.O. Box 18749  
Denver, CO 80218-0749

Contact: Rita Smith, Executive Director

Phone: 303-839-1852

Fax: 303-831-9251

Website: <http://www.webmerchants.com/ncadv/default.htm>

*For legislative information:*

119 Constitution Avenue NE  
P.O. Box 34103

Washington, D.C. 20002

Contact: Juley Fulcher

Phone: 202-544-7358

Fax: 202-544-7893

**National Coalition Against Sexual Assault**

125 North Enola Drive, Suite 205  
Enola, PA 17025

Contact: Beverly Harris-Elliott

Phone: 717-728-9764

Fax: 717-732-1575

Website: <http://www.ncasa.org>

**National Crime Prevention Council**

1700 K Street, N.W., 2nd Floor  
Washington, D.C. 20006-3817

Phone: 202-466-6272

Fax: 202-296-1356

Website: <http://www.ncpc.org>

**National Crime Victims Research and Treatment Center  
Medical University of South Carolina**

165 Cannon Street

P. O. Box 250852

Charleston, SC 29425-0742

Contact: Dean G. Kilpatrick, Ph.D., Professor and Director

Phone: 843-792-2945

Fax: 843-792-3388

Website: <http://www.musc.edu/cvc/>

**National District Attorneys Association**

99 Canal Center Plaza, Suite 510

Alexandria, VA 22314-1588

Contact: Newman Flanagan, Director

Phone: 703-549-9222

Fax: 703-836-3195

Website: <http://www.ndaa-apri.org>

**National Organization for Victim Assistance**

1757 Park Road, NW

Washington, DC 20010

Contact: Marlene A. Young, Ph.D., J.D.

Executive Director

Phone: 202-232-6682/  
800-TRY-NOVA

Fax: 202-462-2255

Website: <http://www.try-nova.org>

**The National Resource Center on Domestic Violence**

6400 Flank Drive, Suite 1300

Harrisburg, PA 17112-2778

Phone: 800-537-2238

TTY: 800-553-2508

Fax: 717-545-9456

**Neighbors Who Care**

P.O. Box 16079

Washington, D.C. 20041

Contact: Lisa Barnes Lampman

Phone: 703-904-7311

Fax: 703-478-0452

Website: <http://www.neighborswhocare.org>

**Parents of Murdered Children, Inc.**

100 East Eighth Street, Suite B-41

Cincinnati, OH 45202

Contact: Nancy Ruhe-Munch, Executive Director

Phone: 513-721-5683

Fax: 513-345-4489

Website: <http://www.pomc.com>

**Police Executive Research Forum**

1120 Connecticut Avenue, NW, Suite 930

Washington, DC 20036

Contact: Cliff Karchmer

Phone: 202-466-7820

Fax: 202-466-7826

Website: <http://www.PoliceForum.org>

11815 East 28th Street

Tulsa, OK 74129

Contact: Drew Diamond

Phone/Fax: 918-627-5700

**The Spiritual Dimension in Victim Services**

P.O. Box 6736

Denver, CO 80206-0736

Contact: Rev. David W. Delaplane, Executive Director

Phone: 303-333-8810

Fax: 303-333-8805

Email: [CZMW35A@prodigy.com](mailto:CZMW35A@prodigy.com)

**Victims' Assistance Legal Organization, Inc. (VALOR)**

8180 Greensboro Drive, Suite 1070

McLean, VA 22101-3823

Contact: Morna A. Murray, J.D., Executive Director

Phone: 703-748-0811

Fax: 703-356-5085

Website: <http://www.valor-national.org>

Email: [valorinc@erols.com](mailto:valorinc@erols.com)

## NCJRS Registration Form

The National Criminal Justice Reference Service (NCJRS) supports all the agencies of the Office of Justice Programs, U.S. Department of Justice:

- National Institute of Justice (NIJ)
- Office of Juvenile Justice and Delinquency Prevention (OJJDP)
- Office for Victims of Crime (OVC)
- Bureau of Justice Statistics (BJS)
- Bureau of Justice Assistance (BJA)

NCJRS also supports the

- Office of National Drug Control Policy (ONDCP)

**Please complete the profile information on the reverse side of this card.**

When you register with NCJRS, you can keep up with the latest information on criminal justice research, policies, and programs that are sponsored by or related to the work of all these agencies.

As a registered NCJRS user in the United States, you will receive **FREE**:

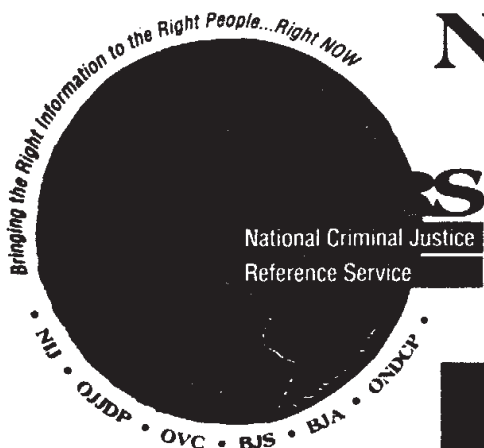
- The **NCJRS User's Manual**, which details all the reference and referral services provided by the clearinghouse and explains how you can reach the clearinghouse 24 hours a day to get help when you need it.
- A **bimonthly catalog** that describes the recent publications and products from these government agencies and NCJRS. This is your primary source of information about new publications and your vehicle for ordering them.
- The **National Institute of Justice Journal**, a publication of criminal justice research and development.

Seal here with tape

Affix  
First  
Class  
Stamp

**National Criminal Justice Reference Service**  
User Services  
PO BOX 6000  
Rockville, MD 20849-6000

U.S. Department of Justice  
Office of Justice Programs



# Need Current Criminal Justice Information?

**...Register Now!**

## National Criminal Justice Reference Service (NCJRS) Registration Form

This data will be used to ensure that you and your organization receive news about the events, research results, programs, and other information that is relevant to your needs. If you have questions, call 800-851-3420 or e-mail askncjrs@aspensys.com

### Organizational Affiliation

Please check *one* box that best describes your affiliation:

- AW Community organization
- YY Community service/restitution agency
- AF Crime prevention organization
- AR Defense (legal) agency
- AX Educational association/university
- AV Executive branch
- CA Health services
- CB Housing services
- CC Indian tribal government
- AG Judicial branch
- AI Juvenile justice agency
- AA Law enforcement agency
- AU Legislative branch
- CD Library
- BA Media organization
- AN Parole and probation agency
- AL Prisons/jails
- BB Private corporation
- AZ Professional association/society
- AS Prosecution agency
- AY Research/statistics organization
- AC Security police/private security agency
- CE Social services
- VV Victim services agency
- ZZ None

Other organizations sometimes request the use of the NCJRS mailing list to send you their criminal and juvenile justice information. If you do *NOT* want to be included, check this box.

### Type of Organization

Please check *one* box:

- E Federal government
- F State government
- H County government
- J Municipal government
- K Private sector
- M General public

### Position

Please check *one* box:

- A Administrator/manager
- C Staff
- G Elected/appointed official
- H Educator
- I Researcher
- J Student
- F Volunteer

### Interest Profile

Please check *one or more* boxes that describe your areas of interest. Although you may not automatically receive relevant publications, you will receive special notifications and other materials related to those areas.

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> A Law enforcement</li> <li><input type="checkbox"/> B Community policing</li> <li><input type="checkbox"/> C Asset forfeiture</li> <li><input type="checkbox"/> D Crime prevention</li> <li><input type="checkbox"/> E Corrections</li> <li><input type="checkbox"/> F Corrections construction</li> <li><input type="checkbox"/> G Probation and parole</li> <li><input type="checkbox"/> H Courts</li> <li><input type="checkbox"/> I Sentencing</li> <li><input type="checkbox"/> J Juvenile justice</li> <li><input type="checkbox"/> K Delinquency prevention</li> <li><input type="checkbox"/> L Missing, exploited, and abused children</li> <li><input type="checkbox"/> M Victims</li> <li><input type="checkbox"/> N Family violence</li> <li><input type="checkbox"/> O Violence</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> P Gangs</li> <li><input type="checkbox"/> Q Drugs and crime</li> <li><input type="checkbox"/> R Criminology</li> <li><input type="checkbox"/> S Health and justice</li> <li><input type="checkbox"/> T Forensics</li> <li><input type="checkbox"/> U White-collar crime</li> <li><input type="checkbox"/> V Information systems</li> <li><input type="checkbox"/> W Criminal history records/privacy and security</li> <li><input type="checkbox"/> X Justice expenditure</li> <li><input type="checkbox"/> Y Federal offenses and offenders</li> </ul> <p>Agency-specific materials such as statistics and funding opportunities:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> NI NIJ    <input type="checkbox"/> OV OVC    <input type="checkbox"/> BA BJA</li> <li><input type="checkbox"/> JJ OJJDP    <input type="checkbox"/> BS BJS    <input type="checkbox"/> OD ONDCP</li> </ul> |
|--|---|

### Outside the United States:

Please enclose registration fee, payable to NCJRS, in U.S. dollars and drawn on a U.S. bank:  
 Canada: \$5.00; Other countries: \$10.00

Please provide the complete mailing address as assigned by your Post Office

FIRST NAME	MI	LAST NAME
AGENCY OR ORGANIZATION (for business address only)		
BUILDING/ROOM/SUITE/APT.		
STREET ADDRESS OR PO BOX		
(U.S. only) CITY	STATE	ZIP CODE
(Other than U.S.) CITY/PROVINCE/ZIP CODE		
(Other than U.S.) COUNTRY		
PHONE NUMBER (include Area Code)	FAX NUMBER (include Area Code)	
E-MAIL ADDRESS		

## Roster of Toll-Free Information and Referral Sources for Victims

### NATIONAL TOLL-FREE NUMBERS

#### INFORMATION AND REFERRALS ON VICTIMS' RIGHTS, SERVICES, AND CRIMINAL & JUVENILE JUSTICE RESOURCES

Bureau of Indian Affairs Indian Country Child Abuse Hotline	800-633-5155
Childhelp USA National Hotline	800-4-A-CHILD
TDD Hotline	800-2-A-CHILD
Family Violence Prevention Fund/Health Resource Center	800-313-1310
Justice Statistics Clearinghouse	800-732-3277
Juvenile Justice Clearinghouse	800-638-8736
Mothers Against Drunk Driving	800-438-MADD
National Center for Missing & Exploited Children	800-843-5678
TDD Hotline	800-826-7653
National Center for Victims of Crime	800-FYI-CALL
National Clearinghouse for Alcohol and Drug Information	800-729-6686
TDD Hotline	800-487-4889
Hearing Impaired	800-735-2258
National Clearinghouse on Child Abuse and Neglect	800-394-3366
National Criminal Justice Reference Service	800-851-3420
National Domestic Violence Hotline	800-799-7223
TTY Hotline	800-797-3224
National Fraud Information Hotline	800-876-7060
National Children's Alliance	800-239-9950
National Organization for Victim Assistance	800-TRY-NOVA
National Resource Center on Domestic Violence	800-537-2238
TTY Hotline	800-553-2508
Office for Victims of Crime Resource Center	800-627-6872
Rape, Abuse & Incest National Network	800-656-4673
Resource Center on Domestic Violence, Child Protection & Custody	800-527-3223
VALOR/National Victim Assistance Academy	877-748-NVAA

Provided as a public service by the Office for Victims of Crime and the VALOR, Victims' Assistance Legal Organization

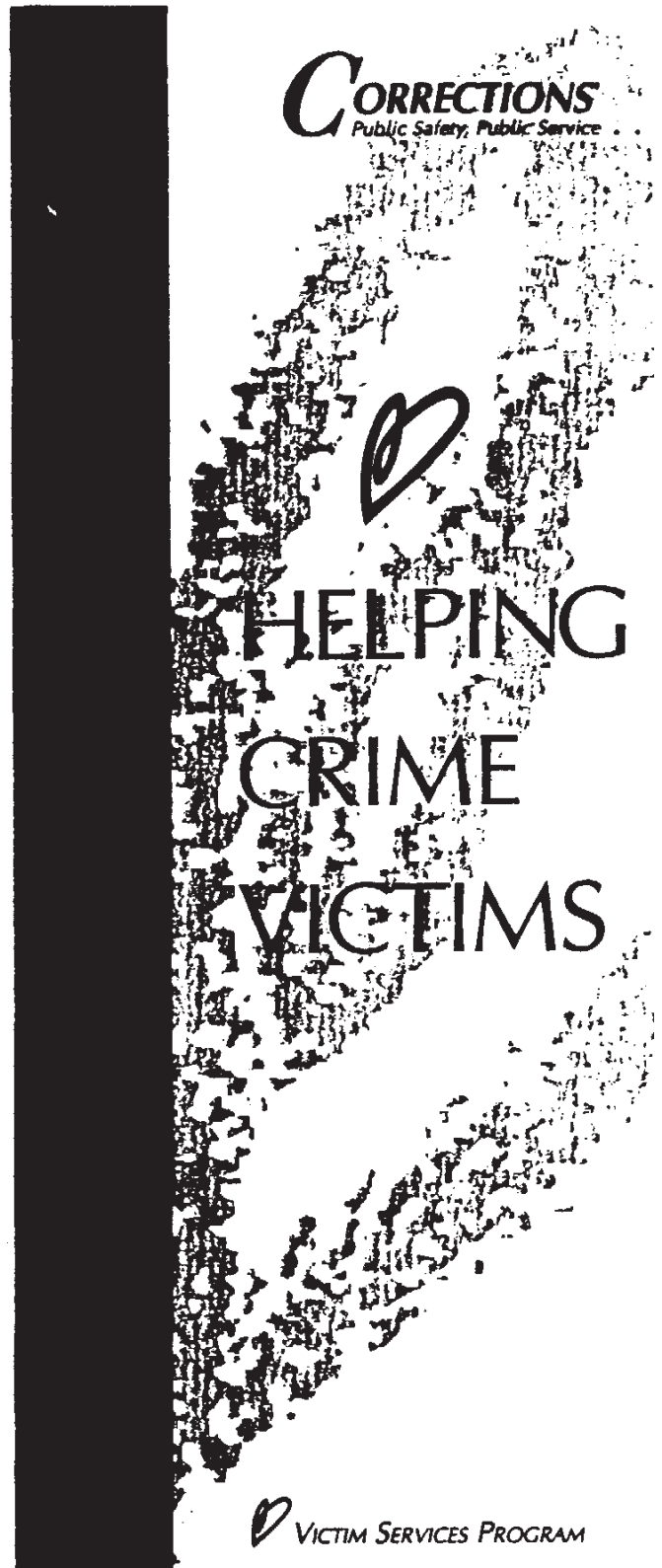




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# Appendix H

Sample Brochure: Victim Services Program — CA Department of Corrections



VICTIM SERVICES PROGRAM  
CALIFORNIA DEPARTMENT OF CORRECTIONS

 VICTIM SERVICES PROGRAM

## WHAT ARE YOUR RIGHTS AS A VICTIM?

- 2 NOTIFICATION
- 2 VICTIM INPUT INTO CONDITIONS OF PAROLE
- 3 VICTIM NOTIFICATION OF BPT HEARING
- 5 RESTITUTION
- 6 DIRECT ORDERS OF RESTITUTION

## WHAT HAPPENS TO SOMEONE ONCE CONVICTED OF A CRIME?

- 6 CALIFORNIA'S SENTENCING LAWS
- 7 WHAT HAPPENS AFTER SENTENCING?
- 8 WHAT HAPPENS TO THE INMATE WHILE IN THE DEPARTMENT OF CORRECTIONS?
- 9 WHAT IS PAROLE?
- 10 HOW DOES A PAROLEE GET OFF PAROLE?

## RESOURCES FOR VICTIMS

**T**HIS BROCHURE WILL PROVIDE YOU WITH VALUABLE INFORMATION IF YOU WERE THE VICTIM OF, OR WITNESS TO, A CRIME AND THE OFFENDER WAS SENTENCED TO THE CALIFORNIA DEPARTMENT OF CORRECTIONS (CDC).

■

**T**HE BROCHURE IS DIVIDED INTO TWO PARTS. THE FIRST PART GIVES YOU INFORMATION ABOUT HOW THE CORRECTIONAL SYSTEM CAN HELP VICTIMS OF CRIME AND THEIR FAMILY MEMBERS. INFORMATION IS PROVIDED THAT TELLS YOU WHAT CDC CAN DO TO HELP YOU. THE SECOND PART DISCUSSES WHAT HAPPENS ONCE AN OFFENDER IS CONVICTED OF A CRIME AND SENTENCED TO STATE PRISON.



# WHAT ARE YOUR RIGHTS AS A VICTIM?

## NOTIFICATION

Victims/next of kin/immediate family members or witnesses to a crime, may request to be notified of the death, release, placement in a re-entry facility or escape of their offender(s). Requests MUST be made in writing (CDC Form 1707 or letter) to CDC's Victim Services Program (see address and phone number at the end of this brochure). If you move, you MUST notify CDC of your new address. *Note:* Information about victims (addresses, phone numbers, etc.) is kept confidential and will not be made available to the inmate unless consent is given by the victim.

## VICTIM INPUT INTO CONDITIONS OF PAROLE

You can have input into the following special conditions of parole:

- ♥ You may request that the parolee be required to live in another county or in

another city within the committing county if you are clearly threatened; or, depending on the commitment offense, you may request parole placement 35 miles from your actual residence.

- ♥ Restrictions may be placed on contact with you. Parolee contact with a victim without prior approval from the parole agent may be justification for revocation and return to custody.
- ♥ Restrictions may be placed on where parolees work. For example, embezzlers may be prohibited from contact with money or checking accounts. Parolees who were sentenced on child abuse/molest cases may be restricted from contact with children.

If you are interested in having input into the conditions of parole, contact the Victim Services Program. Please note that requests made for special conditions of parole will be considered by the Parole Division at the time of the inmate's release.



2



3

## VICTIM NOTIFICATION OF BPT HEARING

When requested, the Board of Prison Terms (BPT) will notify the victim/next of kin/ immediate family member, of the parole consideration hearings conducted for life prisoners.

Requests **MUST** be made in writing as victims are not routinely notified. Notification may also be requested by submitting a CDC 1707 or letter to CDC's Victim Services Program. If you move, you **MUST** notify the BPT of your new address.

After receiving the request, the BPT Executive Officer will send you a form, called a declaration, which you must sign and return stating that you are a victim/next of kin/ immediate family member of the victim. Once the declaration is returned, your request will be kept on file and you will be contacted when the parole hearing is set.

Once the inmate is scheduled for a Parole Consideration Hearing, you will be notified in writing. A victim may request through the BPT Executive Officer to appear before the Board and make a statement. If you cannot attend the

hearing, but would like to make a statement, legal counsel may attend the hearing for you or you may submit a written statement, audiocassette, or videocassette tape recording to the BPT. Further information may be obtained by contacting the BPT (see address and phone number for BPT at the end of this brochure).

## RESTITUTION

There are two types of restitution that a defendant can be ordered to pay by the sentencing court:

### RESTITUTION FINES

Restitution fines are paid to the State Board of Control (BOC) Victims Restitution Fund. The BOC, Victims of Crime Program, is the state agency responsible for administering the Victims Restitution Fund. The restitution fund is for victims of violent crimes who suffer out-of-pocket losses and who may be eligible to apply for financial reimbursement. The fund reimburses eligible victims for lost wages or support, medical or psychological counseling expenses and other related costs. For further information, please contact the BOC (see



address and phone number at the end of this brochure).

While incarcerated, inmates with court ordered restitution fines have a specified percentage deducted from their wages for these fines.

#### DIRECT ORDERS OF RESTITUTION

A defendant can also be ordered to pay restitution to the victim. This type of restitution is referred to as a direct order. CDC cannot currently collect direct orders of restitution. Victims should contact the county district attorney or the Victim Services Program for additional information on how to collect direct orders of restitution.

## WHAT HAPPENS TO SOMEONE ONCE CONVICTED OF A CRIME?

### CALIFORNIA'S SENTENCING LAWS

Most offenders are sentenced to California state prison for a set amount of time under the Determinate Sentencing Law (DSL). Once this time is served, the inmate is released and placed under parole supervision in the community. Those offenders convicted of the most serious crimes such as murder, attempted murder, and kidnapping for ransom can be sentenced to indeterminate (indefinite) terms of life with the possibility of parole. Offenders sentenced to a life term with the possibility of parole cannot be released on parole until the BPT determines that they are ready to be returned to society.

### WHAT HAPPENS AFTER SENTENCING?

Once sentenced to CDC the inmate will first go to a reception center and an evaluation will be made to decide which facility the inmate should be transferred. The evaluation



is based upon factors such as the length of sentence, marital status, age, education, employment history, and military history. Background factors such as previous terms of incarceration; previous walkaways; past disciplinary problems; and outstanding holds, detainers, or warrants also affect the decision. The result of the evaluation is called a classification score.

An inmate's classification score is important because it determines what the inmate's custody level will be. Custody level helps determine where the inmate will be housed. It should be noted that an inmate's classification score can change over time because of length of time served, good behavior, bad behavior, etc. It's possible for an inmate to be moved to a new prison if the classification score changes. Victims are not notified by CDC when an inmate's location changes.

#### WHAT HAPPENS TO THE INMATE WHILE IN THE DEPARTMENT OF CORRECTIONS?

Once assigned to a prison, the inmate is assigned to a work program. All able-bodied inmates are required to work. In accordance a

with the law, an offender participating in the Work Incentive Program can reduce the length of his/her incarceration one day for every day worked, up to half off the original sentence.

Education programs are also offered. These programs can help the offender get a GED diploma or college degree. Education programs also qualify for "day-for-day" credits. Worktime credit is a privilege, not a right. Continued participation is dependent on the offender's good behavior.

#### WHAT IS PAROLE?

When an inmate has completed his/her sentence, he/she is released to parole supervision.

Current law requires that parolees be returned to the county of commitment. If it is in the best interest of public safety or the parolee, CDC may release a parolee to a city other than the city of residence or to a county other than the county of commitment. Such decisions are made on an individual basis and are reviewed carefully.

Once on parole, all parolees are assigned



parole agent. Parole offices are located throughout California. All parolees are required to follow the conditions of parole, including any special conditions such as prohibition against residing in a given location or associating with specific individuals. All sex offenders are required to register with local law enforcement agencies as a condition of parole.

#### HOW DOES A PAROLEE GET OFF PAROLE?

Inmates sentenced under the DSL serve up to a maximum of four years on parole. After being on parole for 12 months, the staff reviews the case. Based on the behavior of the parolee, the parole agent may recommend release from parole supervision.

All life sentences, except life without possibility of parole, have a minimum eligible parole date. Parole is not automatic for inmates with life terms, and the BPT determines if and when the offender is ready for parole.

If paroled, inmates with life terms who committed their crimes prior to November 11, 1978, must complete three years in a row of successful parole before the BPT will review their case for discharge. By law, these inmates

with life terms serve no more than five years on parole. Those who committed their crime after November 11, 1978 will remain on parole for life unless the BPT grants a discharge after five years for second degree murder and seven years for first degree murder.

Parole may be revoked if a parolee is found to be in violation of the conditions of parole or if a new crime is committed. The parole agent can recommend that the offender be returned to custody. A revocation hearing will be conducted by the parole hearing authority to determine if a violation has occurred, whether the violator will be returned to custody, and if so, for how long. Violators can be returned to custody for up to 12 months at a time.



# RESOURCES FOR VICTIMS

## FOR ADDITIONAL INFORMATION AND ASSISTANCE ON MATERIAL COVERED IN THIS BROCHURE:

California Department of Corrections  
Victim Services Program  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 324-6737

## FOR NOTIFICATION OF PAROLE HEARINGS FOR LIFERS:

Board of Prison Terms  
428 J Street, 6th Floor  
Sacramento, CA 95814  
(916) 322-6366

## FOR FINANCIAL ASSISTANCE TO CRIME VICTIMS:

State Board of Control  
Victims of Crime Program  
P.O. Box 3036  
Sacramento, CA 95812-3036  
1-800-777-9229

## FOR ADDITIONAL RESOURCES/ASSISTANCE:

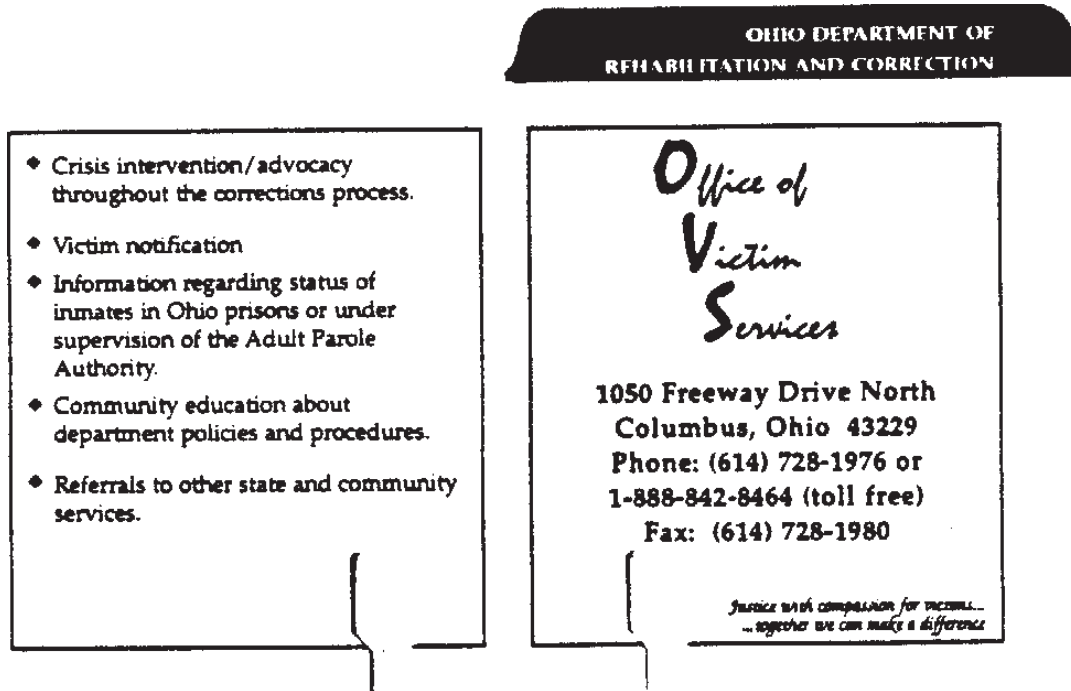
Victims of Crime Resource Center  
McGeorge School of Law  
1-800-VICTIMS

The phone number for your local Victim/  
Witness Assistance Center or District Attorney's  
office can be found in the government pages of  
your phone book.





## Sample Rolodex Card from Ohio Department of Rehabilitation and Correction





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# Appendix I

## Agency Contact and Resource Lists

### AGENCY CONTACT AND RESOURCE LIST

#### Chapter 2: Victim Impact, Notification, and Informational Services

South Carolina Dept. of Probation, Parole and Pardon Services  
Office for Victim Services  
2221 Devine St., Suite 600  
PO Box 50666  
Columbia, SC 29250  
803-734-9220  
Fax: 803-734-9440  
contact: Marian Lindsey

DeWitt County Probation and Court Services  
DeWitt Co. Sheriff's Dept. & Public Safety Complex  
201 W. Washington  
PO Box 439  
Clinton, IL 61727-0439  
217-935-6713  
contact: David Beery

District of Columbia Board of Parole  
300 Indiana Ave., NW, 2<sup>nd</sup> Floor  
Washington, DC 20001  
202-727-0074  
contact: Mike Greene

Georgia Board of Pardons and Parole  
Floyd Veterans Building, E Tower  
2 Martin Luther King Jr. Dr., SE  
Atlanta, GA 30334  
404-656-5651

Maricopa Adult Probation Department  
111 South 3<sup>rd</sup> Ave., 5<sup>th</sup> Floor  
Phoenix, AZ 85003  
602-506-3680  
contact: Ed Mansfield

Ulster County Probation Department  
17 Pearl St.  
Kingston, NY 12401  
914-331-9300

Tarrant County Community Supervision and Corrections Department  
Criminal Justice Building  
200 W. Belknap St.  
Fort Worth, TX 76196-0255  
817-884-1600  
contact: Jim Sinclair or Cheryl McDonald

American Probation and Parole Association  
c/o The Council of State Governments  
PO Box 11910  
Lexington, KY 40578-1910  
606-244-8215  
Fax: 606-244-8001  
contact: Tracy Godwin

Virginia Department of Corrections  
6900 Atmore Dr.  
Richmond, VA 23225  
804-674-3243  
Fax: 804-674-3568  
contact: Becky Sirles

Kentucky Department of Corrections  
State Office Building, Fifth Floor  
Frankfort, KY 40601  
502-564-7023  
Fax: 502-564-5229  
contact: Betsy Coffey

Tennessee Department of Correction  
320 Sixth Ave., N., 4<sup>th</sup> Floor  
Nashville, TN 37243-0465  
615-741-6898  
contact: Connie Klein

National Victim Center  
2111 Wilson Blvd., Suite 300  
Arlington, VA 22201  
703-276-2880  
Fax: 703-266-2889

National Victims Resource Center  
Box 6000  
Rockville, MD 20850  
800-627-6872

New Jersey State Parole Board  
CN862  
Trenton, NJ 08625  
609-292-4257  
contact: Ed Oskay

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**AGENCY CONTACT AND RESOURCE LIST**

**Chapter 3: Restitution**

Tarrant Co. Community Supervision and Corrections Dept.  
Criminal Justice Building  
200 W. Belknap St.  
Fort Worth, TX 76196-0255  
817-884-1600  
Fax: 817-884-1682  
contact: Jim Sinclair or Cheryl McDonald

Westchester County Probation Department  
112 East Post Road  
White Plains, NY 10601  
914-285-3502  
Fax 914-285-3507

Montgomery Community Supervision and Corrections Department  
221 N. Thompson  
Conroe, TX 77301  
409-538-8172  
Fax: 409-538-8181  
contact: Christen Arnold

Florida Department of Corrections  
Probation and Parole Services  
2601 Blairstone Rd.  
Tallahassee, FL 32399-2500  
904-487-2165  
Fax: 904-921-8195  
contact: Larry Hamilton

Utah Department of Corrections  
Field Operations - Region 1  
95 W. 100 South, #240  
Logan, UT 84321  
801-752-1151  
Fax 801-752-1720  
contact: Gary Ogilvie

Maricopa County Adult Probation Department  
111 South Third Ave., Third Floor  
Phoenix, AZ 85003  
602-506-3680  
contact: Ed Mansfield

Iowa Department of Justice  
Crime Victim Assistance Division  
Old Historic Building  
1125 E. Grand Ave.  
Des Moines, IA 50319-0238  
515-281-5044  
Fax: 515-281-8199  
contact: Kelly Brodie

Summit County Probation Department  
Fifth Judicial District  
PO Box 2117  
Breckenridge, CO 80424  
970-453-1029, ext. 11  
contact: Howard Eiden

Texas Department of Criminal Justice  
Community Justice Assistance Division  
PO Box 13401  
Capital Station  
Austin, TX 78711  
512-406-5317  
contact: Rhonda Fashing

California State Board of Control  
PO Box 1348  
Sacramento, CA 95812  
916-327-0345  
Fax: 916-327-2933  
contact: Maureen Dumas

California Department of Corrections  
Victim Services Program  
PO Box 942883  
Sacramento, CA 94283  
916-324-6737  
contact: Sandi Menefee

Lehigh County Juvenile Probation Department  
Lehigh County Courthouse  
PO Box 1548  
455 Hamilton St.  
Allentown, PA 18105-1548  
610-820-3143  
Fax: 610-770-6701  
contact: Tom Ganser

National Victims Resource Center  
Box 6000  
Rockville, MD 20850  
800-627-6872

Victim Assistance Legal Organization (VALOR)  
99 Canal Center Plaza, Suite 510  
Alexandria, VA 22314  
703-684-8310  
Fax 703-836-3195  
contact: Morna Murray



**AGENCY CONTACT AND RESOURCE LIST**  
**Chapter 4: Victim-Offender Programs**

Minnesota Department of Corrections  
1450 Energy Park Dr., Suite 200  
St. Paul, MN 55018-5219  
612-642-0329  
Fax: 612- 642-0547  
contact: Kay Pranis

Vermont Department of Corrections  
103 South Main St.  
Waterbury, VT 05671-1001  
802-241-2297  
contact: Michael J. Dooley or James Spinelli

American Correctional Association  
Victims Issues Committee  
c/o CHOICES for Victims of Domestic Violence  
PO Box 06157  
Columbus, OH 43206-0157  
614-258-6080  
contact: Gail Heller, Chairperson

Texas Department of Criminal Justice  
PO Box 13401  
Austin, TX 78711  
512-406-5411  
800-848-4284

California Youth Authority  
Office of Prevention and Victim Services  
4241 Williamsborough Dr., Suite 214  
Sacramento, CA 95823  
916-262-1534  
contact: Sharon English

Mothers Against Drunk Driving  
511 East John Carpenter Freeway  
Suite 700  
Irving, TX 75062  
800-GET-MADD

Remove Intoxicated Drivers  
PO Box 520  
Schenectady, NY 12301  
518-393-4357

REAL JUSTICE  
PO Box 229  
544 Main St., 3<sup>rd</sup> Floor  
Bethlehem, PA 18016  
610-807-0230  
Fax: 610-807-0423  
contact: Beth Rodman

## **AGENCY CONTACT AND RESOURCE LIST**

### **Chapter 5: Family Violence**

The following list of probation or parole programs includes several that were located during the APPA Intervening in Family Violence Project, sponsored by the Bureau of Justice Assistance. This does not represent a comprehensive list of programs nor has there been any attempt to evaluate these programs. Community corrections professionals wishing to obtain more input on program structures and policies

Domestic Abuse Intervention Project  
Arrowhead Regional Corrections  
Room 319  
St. Louis County Court House  
Duluth, MN 55802  
218-726-2640  
Contact: David Anguist

Domestic Violence Program  
Alameda County Probation Department  
400 Broadway  
Oakland, CA 94607  
510-268-7155  
Contact: Steve Kolda

Domestic Violence Program  
Onondaga County Probation Department  
421 Montgomery St.  
6th Floor  
Syracuse, NY 13202  
315-435-2380  
Contact: Bryan J. Ennis

Domestic Violence Intervention Program  
D. C. Superior Court  
409 E Street, NW  
Room 202 (Building b)  
Washington, DC 20001  
202-508-1843  
Contact: Desiree Dansan

Domestic Violence Unit  
Seattle Municipal Probation Service  
600 3rd Ave., #1400

Seattle, WA 98104  
206-233-2689  
Contact: Sid Hoover

Family Violence Intervention Unit  
Family Division  
State of Connecticut Superior Court  
225 Spring Street  
Wethersfield, CT 06109  
203-529-9655  
Contact: Diana Preice

Intensive Supervision Unit  
Santa Clara County Probation Department  
Adult Division  
2600 North First St.  
San Jose, CA 95134  
408-944-9748  
Contact: Sue Panighetti

Iowa Domestic Abuse Program  
Department of Corrections  
523 East 12th Street  
Des Moines, Iowa 50319  
515-281-4690  
Contact: Anne Hills

Maricopa County Adult Probation Department  
11 West Jefferson, Suite 425  
Luhrs Building  
Phoenix, AZ 85003  
602-506-3871  
Contact: Bonnie Black (Domestic Violence); Lori Scott (Sex Offender Unit)

Maryland Division of Parole and Probation  
Family Assault Supervision Team  
1 East Mount Royal Avenue  
Baltimore, Maryland 21202  
410-333-4680  
Contact: Anita Hunter/Joseph Clocker

Domestic Violence Reduction Program  
Multnomah County Community Corrections  
West District  
412 SW 12th Avenue  
Portland, OR 97205  
503-248-3456  
Contact: Michael Haines

New Jersey Conference of Chief Probation Officers  
Administrative Office of the Courts  
CN-987  
Trenton, NJ 08625  
609-292-8925  
Contact: William Burrell

Office of Special Programs Project  
PASS  
Adult Probation Department  
Philadelphia Court of Common Pleas  
121 N. Broad Street, Ste. 300  
Philadelphia, PA 19107  
215-686-7496  
Contact: Peter Solomon

Pierce County Probation Domestic Violence Project  
901 Tacoma Avenue South  
Suite 200  
Tacoma, WA 98402-2101  
206-591-7595  
Contact: Elaine McNally

Quincy District Court  
Probation Department  
Dennis F. Ryan Parkway  
Quincy, Massachusetts 02169  
617-471-1650  
Contact: Andrew Klein

Rockland County Department of Probation  
Intake Unit  
Allison-Parris County Office Building  
11 Hempstead Rd.  
New City, NY 10956  
914-638-5648  
Contact: Karen Damiani

Stipulated Order of Continuance Program  
Bellevue Probation Department  
PO Box 90012  
Bellevue, Washington 98009  
206-455-6956  
Contact: Dee Dee Spann

Violence Intervention Program  
Community Corrections  
1010 W. Peachtree St., NW  
Atlanta, GA 30309  
404-853-0732  
Contact: Pat Dague

Westchester County Department of Probation  
112 E. Post Road  
White Plains, NY 10601  
914-633-1308  
Contact: Robert Chace

Department of Justice  
Correctional Services  
540 Prince Street  
2nd Floor, Suite 202  
Truro, Nova Scotia  
B2N 1G1  
Phone: 902-893-5995  
Contact: Michael Johnson

**AGENCY CONTACT AND RESOURCE LIST**  
**Chapter 6: Responding to Workplace Violence and Staff Victimization**

Texas Department of Criminal Justice Parole Division  
Posttrauma Staff Support Program  
815 11<sup>th</sup> St.  
Old Administrative Building  
Huntsville, TX 77340  
409-437-1178  
contact: Elaine Smith

California Department of Corrections  
Victim Services and Restitution Branch  
P.O. Box 942883  
Sacramento, CA 95283-0001  
916-324-6737

National Victim Center  
2111 Wilson Blvd., Suite 300  
Arlington, VA 22201  
703-276-2880

National Organization for Victim Assistance  
1757 Park Rd., NW  
Washington, DC 20010  
202-232-6682

Mothers Against Drunk Driving  
511 East John Carpenter Freeway  
Suite 700  
Irving, TX 75062  
800-GET-MADD

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**AGENCY CONTACT AND RESOURCE LIST**  
**Chapter 7: Staff Training**

Office for Victims of Crime(OVC)  
Technical Training Assistance Center (TTAC)  
2277 Research Boulevard  
Rockville, MD 20850  
800-627-6872  
301-519-5533 (fax)  
e-mail: TTAC@ovcttac.org

National Victims Resource Center  
Box 6000  
Rockville, MD 20850  
800-627-6872

National Criminal Justice Reference Service  
Box 6000  
Rockville, MD 20850  
800-851-3420

U.S. Department of Justice  
website: <http://justice2.usdot.gov>

Victim Assistance Legal Organization  
99 Canal Center Plaza  
Suite 510  
Alexandria, VA 22314  
703-684-8310  
Fax: 703-836-3195  
contact: Morna Murray

Georgia Department of Corrections  
Floyd Building, Twin Towers  
Room 756  
2 Martin Luther King Jr. Dr., SE  
Atlanta, GA 20224-4900  
404-651-6994  
contact: Helen Scholes

Texas Department of Criminal Justice  
PO Box 13401  
Austin, TX 78711  
512-406-5411  
800-848-4284



contact: Raven Kazen or Dan Guerra

District of Columbia Board of Parole  
300 Indiana Ave., NW, 2<sup>nd</sup> Floor  
Washington, DC 20001  
202-727-0074

U.S. Attorneys Office  
Victim/Witness Assistance Unit  
555 Fourth St., NW  
Room 1810  
Washington, DC 20001  
202-514-7364  
contact: Catherine Turman

American Probation and Parole Association  
c/o The Council of State Governments  
PO Box 11910  
Lexington, KY 40578-1910  
606-244-8215  
Fax: 606-244-8001  
contact: Tracy Godwin

Mothers Against Drunk Driving  
511 E. John Carpenter Freeway  
Suite 700  
Irving, TX 75062  
800-GET-MADD

National Victim Center  
2111 Wilson Blvd., Suite 300  
Arlington, VA 22201  
703-276-2880

National Organization for Victim Assistance  
1757 Park Rd., NW  
Washington, DC 20010  
202-232-6682  
Fax: 202-462-2255

Governor's Justice Commission  
1 Capital Hill  
Providence, RI 02908  
401-277-4497  
Fax: 401-277-1294

contact: Barbara Tuchon

California Youth Authority  
Office of Prevention and Victim Services  
4241 Williamsborough Dr. Suite 214  
Sacramento, CA 95823  
916-262-1534  
contact: Sharon English

Pennsylvania Board of Probation and Parole  
PO Box 1661  
Harrisburg, PA 17105-1661  
717-787-5699

**AGENCY CONTACT AND RESOURCE LIST**  
**Chapter 8: Community Relations and Outreach**

South Carolina Department of Probation, Parole and Pardon Services  
Office for Victim Services  
2221 Devine St., Suite 600  
PO Box 50666  
Columbia, SC 20250  
803-734-9220  
Fax 803-734-9440  
contact: Marian Lindsey

South Carolina Department of Juvenile Justice  
PO Box 21069  
Columbia, SC 29221-1069  
803- 896-9766  
Fax: 803-896-9767  
contact: Brett Macgargle

Tarrant County Community Supervision and Corrections Department  
Criminal Justice Bldg.  
200 W. Belknap St.  
Fort Worth, TX 76196-0255  
817-884-1600  
Fax: 817-884-1682  
contact: Jim Sinclair or Cheryl McDonald

National Victim Center  
2111 Wilson Blvd., Suite 300  
Arlington, VA 22201  
703-276-2880

National Organization for Victim Assistance  
1757 Park Rd., NW  
Washington, DC 20010  
202-232-6682

California Department of Corrections  
Victim Services Program  
PO Box 942883  
Sacramento, CA 94283  
916-324-6737  
contact: Sandi Menefee

Oklahoma Department of Corrections

PO Box 11400  
Oklahoma City, OK 73136  
405-425-2609  
contact: Robbie Fullerton

Pennsylvania Board of Probation and Parole  
Office of the Victim Advocate  
3101 N. Front St.  
Harrisburg, PA 17110  
717-783-8185

South Carolina Department of Corrections  
4444 Broad River Rd.  
PO Box 21787  
Columbia, SC 29221  
803-896-1733

American Probation and Parole Association  
Victim Issues Committee  
PO Box 11910  
Lexington, KY 40578  
606-244-8215  
Fax: 606-244-8001  
contact: Tracy Godwin, Staff Liaison

Office for Victims of Crime  
U.S. Department of Justice  
810 Seventh Street, NW  
Washington, DC 20531  
202-514-6444

Ohio Department of Rehabilitation and Correction  
Office of Victim Services  
1050 Freeway Dr., North  
Columbus, OH 43229  
614-728-1976  
contact: Karin Ho

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**U.S. Department of Justice**  
Office of Justice Programs  
*Office for Victims of Crime*

**Promising Victim-Related  
Practices and Strategies in  
Probation and Parole**

For copies of this publication and/or additional information, please contact:

**Office for Victims of Crime Resource Center (OVCRC)**  
Box 6000  
Rockville, Maryland 20849-6000  
Telephone: 1-800-627-6872 or  
301-519-5500

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