

## CHAPTER 5

# Corrections

The field of corrections addressed in this section includes the adult and juvenile justice agencies responsible for the incarceration, detention, supervision, and surveillance of those accused or convicted of committing crimes. The corrections system encompasses institutional corrections—our nation’s prison system—and facilities such as jails that temporarily confine those accused or convicted of crime. Community corrections includes probation, an alternative sentence to jail or prison/detention, as well as paroling authorities which have responsibility for hearings on releasing offenders from incarceration or detention and supervision following release.

There is no standard organizational model defining the relationships between correctional agencies on the state or federal level. In some states, the institutional correctional agency not only manages the prisons but has responsibility for parole release decisions and parolee supervision. In other states, the paroling authority is separate from the state’s institutional correctional agency. For purposes of this section, *institutional corrections* refers to prisons and jails, and *community corrections* refers to probation and parole.

In recent years, America’s correctional population has grown 7 to 8 percent annually and is now triple the 1980 population, with approximately 3.8 million individuals under some form of correctional supervision.<sup>1</sup> Of the total correctional population, about 75 percent is under supervision within the community.<sup>2</sup> Of those incarcerated, about two-thirds are in federal and state prisons, and one-third are in local jails.<sup>3</sup>

The *Final Report* of the President’s Task Force did not include recommendations for institutional corrections or probation, and made only four recommendations for parole.<sup>4</sup> The Task Force urged parole boards to:

- Notify victims of crime and their families in advance of parole hearings, if names and addresses have been previously provided by these individuals.
- Allow victims of crime, their families, or their representatives to attend parole hearings and make known the effect of the offender’s crime on them.

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*We have had a tendency in corrections really not to give a priority level to victims of crime. For so long, it was secondary to other considerations. In more recent years, we have realized that victims should be at the top of our agendas and part of all of the efforts we are involved in.*

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Morris Thigpen,  
Director, National  
Institute of Corrections

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*We have been in denial in essence about the role of the victims in corrections itself. Corrections has probably been the last major entity in the criminal justice system to really get involved with victims issues. So as President, I really want the American Correctional Association to embrace the notion of victims' issues, victims' rights, and the role of victim survivors.*

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Reginald A. Wilkinson,  
Director, Ohio Department of  
Rehabilitation and Correction,  
President, American Correctional Association

- Take whatever steps are necessary to ensure that parolees charged with a crime while on parole are immediately returned to custody and kept there until the case is adjudicated.
- Not apply the exclusionary rule to parole revocation hearings.

The narrow scope of the Task Force recommendations was largely a reflection of the times. In the early 1980s, victims' rights and services in corrections were virtually nonexistent. Reforms to increase victim participation largely addressed the front end of the criminal justice system, affecting the roles and responsibilities of law enforcement, prosecution, and the judiciary. With the exception of enacting rights for victims to submit victim impact statements at parole hearings, victims' rights and services within adult and juvenile corrections were largely ignored.

## **The Role of Victims in Institutional and Community Corrections**

Over the past decade, the basic philosophy of correctional agencies has undergone radical change. Traditionally, correctional agencies viewed their role as limited to punishing and attempting to rehabilitate offenders. Today, serving crime victims is also widely accepted as an important part of the mission of correctional agencies. This new role is reflected in their governing laws and internal policies and procedures, as well as in the attitudes of correctional personnel.

Legislative reforms mandating that correctional agencies provide specific services to victims of crime have substantially increased the scope of victims' rights and services in corrections. As a result, many correctional agencies have gained an understanding of crime victims' needs and developed policies and procedures sensitive to those needs. These agencies now interpret their responsibility to "protect the public" as including individual crime victims.

### **Prisons**

The increasing number of offenders in the nation's correctional systems since 1982, when the President's Task Force *Final Report* was issued, has had an enormous impact on institutional corrections. In 1982, there were a little more than 400,000 inmates in federal and state prisons in the United States.<sup>7</sup> By 1996, this number had quadrupled to 1.6 million.<sup>8</sup>

Increasingly, correctional institutions are realizing that victims are important clients. Two significant steps toward this goal were the incorporation of service to crime victims in mission statements and the creation of victim advisory boards, both of which help guide the overall operation of correctional agencies. Correctional agencies now provide a

## Chronology of Corrections' Response to Crime Victims

It is noteworthy that the many accomplishments in the area of corrections-based victim services have been achieved through strong leadership emerging from national corrections associations. The partnerships they have forged with victim service organizations have been critical to promoting an agenda for victims' rights and services throughout the nation's correctional system.

A new sensitivity to crime victims emerged in the mid-1980s with the following events:

- In 1986, the American Correctional Association published a landmark policy statement pronouncing that victims have the right to be treated with dignity and respect and the right to notification of their offenders' status.
- In 1987, the American Correctional Association established a victims' task force which published 15 recommendations to improve correctional-based victims' services.<sup>5</sup> These recommendations provided a comprehensive national foundation for victims' rights and services in corrections.
- From 1990 to 1994, the Office for Victims of Crime supported the first national crime victims and corrections training and technical assistance project. Subsequently, more than 40 states, as well as the federal and military corrections systems, have received training, technical assistance, and support in developing policies and procedures to initiate and enhance corrections-based victim services.
- In 1990, the first national conference on corrections-based victim services, sponsored by the Office for Victims of Crime, was held in Sacramento, California, with 150 participants from 40 states.
- In 1991, both the American Probation and Parole Association and the Association of Paroling Authorities, International, established victim issues committees.
- In 1995, the American Correctional Association Victims Committee issued the landmark *Report and Recommendations on Victims of Juvenile Offenders*, recommending that the rights of victims of juvenile offenders mirror those of adult offenders.<sup>6</sup>
- In 1995, the Office for Victims of Crime initiated four projects as a continuation of the work started in 1990: two grants to fund promising practices in victim services in corrections and jails and in probation and parole, and two training-for-trainers projects on work-related violence and victim services in corrections.
- In 1996, the Association of State Correctional Administrators formed a victims committee that works closely with the Office for Victims of Crime to integrate victim service programs into correctional agencies and work sites across the country.
- In 1997, the Federal Bureau of Prisons formed a Crime Victims Working Group to develop a long-range plan on how the Bureau can better address victims' needs.

variety of services to victims including victim notification of offender status, restitution collection, protection from intimidation and physical harm, and innovative victim impact programs to help educate offenders about the impact of the crimes they have committed.<sup>9</sup> These creative programs and services are discussed in detail later in this section.

## Jails

In the United States, jails typically hold men and women who are awaiting trial or serving sentences of one year or less. In 1996, local jail authorities held or supervised an estimated 591,459 men and women, of whom 12 percent (72,977) were supervised through such programs as community service, work release, weekend reporting, electronic monitoring, and other alternatives to incarceration.<sup>10</sup>

With more jails being used as longer term incarceration facilities for convicted offenders, it is paramount that jails also provide basic services for crime victims such as notification of changes in offender status and collection of court-ordered restitution. Jail personnel also have a responsibility to protect the safety of victims by notifying them of the pending release of an alleged or convicted offender. When victims or witnesses complain to jails about harassment or retaliation by alleged or convicted offenders under their supervision, jail personnel must respond immediately.

A 1996 survey of jails in mega, large, and medium jurisdictions nationwide found, however, that implementation of basic victims' services, while improving, is still far from an acceptable level. Of the jails responding to the survey, less than 50 percent have specifically assigned a staff member to handle inquiries from crime victims or witnesses and to provide information to them. In addition, 30 percent of jails do not notify victims and witnesses about the status of offenders or of an offender's scheduled release from incarceration, and 50 percent do not notify victims and witnesses of an offender's early release or escape.<sup>11</sup>

## Community Corrections

The underlying philosophy of community corrections is also changing significantly. Providing rights and services for crime victims at this critical juncture of the criminal and juvenile justice processes is taking on increasing importance because probation is now the most widely used correctional tool, and its use is increasing at a faster rate than any other form of corrections.<sup>12</sup> In 1994, of the estimated 3.8 million individuals under some form of corrections in the United States, 75 percent were under community corrections. Of those under community corrections, 60 percent were on probation and 15 percent were on parole.<sup>13</sup> Moreover, as the rate of incarceration in our nation's prisons dramatically increases, community corrections increasingly is used as a spillway for prisons.<sup>14</sup>

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*The number of probation and parole professionals that 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 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.*

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American Probation and Parole Association, *Promising Victim-Related Practices for Probation and Parole*, February 14, 1997

Not only has the use of probation expanded, but the type of offender currently sentenced to probation is starkly different from the probationer of 30 years ago. Today, the supervised population tends to be more violent, substance abusing, and transient. Professionals in the field of community corrections face tremendous challenges in working with these offenders, who can pose an increasing threat to their victims and to the community at large.

Victims' rights in the parole process have improved substantially in the past decade. As of 1995, 43 states have enacted laws allowing victims to give input at parole hearings through victim impact statements; 29 states provide, upon request, victim notification of offender release; 28 states allow crime victims to attend and testify at parole hearings; and 10 states have "opened" their parole board hearings to the general public.<sup>15</sup>

Today, 38 percent of paroling authorities have a staff member designated to accompany victims, witnesses, and their families to any hearings related to the offender's release.<sup>16</sup> To reduce potential intimidation and confrontation between victims and offenders at parole hearings, 75 percent of paroling authorities have taken some type of action such as separating victims and offenders by one-way glass or offering victims the opportunity to meet with the parole board separately.<sup>17</sup> However, less than half of parole agencies provide waiting areas for victims that are separated by sight and sound from the inmate or inmate's family.<sup>18</sup> Regarding victim notification of the outcome of parole hearings, there has been significant progress. A recent survey found that 88 percent of paroling authorities now inform victims of hearing outcomes by letter.<sup>19</sup>

## How Correctional Agencies Are Responding to Crime Victims

Increasingly, correctional agencies are recognizing that victims are important clients who need vital services. Correctional agencies are now more committed to protecting victims from intimidation and harassment, notifying them of offenders' status and scheduled release, providing avenues for victim input into release decisions, and collecting restitution.

Correctional agencies are also recognizing the important role that victims can play in helping them develop policies, procedures, and programs that benefit victims as well as correctional staff and offenders. Across the nation, crime victims are being asked to join advisory committees and agency boards, become official members of parole commissions, and serve as teachers in innovative classes that sensitize offenders to the human impact of their offenses.

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*I also feel that I should be allowed at the parole hearings or be allowed to send a representative. I think it would be very difficult for me to attend them, but I feel that it should be my right to have the option.*

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A victim, *Final Report of the President's Task Force on Victims of Crime*, 1982

Correctional agencies are also beginning to acknowledge the needs of victims in their mission statements. In 1996, only 40 percent of adult institutional corrections, 51 percent of juvenile institutional corrections, and 66 percent of paroling authorities included service to crime victims as an important part of their mission.<sup>20</sup> In Oregon, the state's board of parole has adopted the following mission statement:

The Board's mission is to work in partnership with the Department of Corrections and local supervisory authorities to protect the public and reduce the risk of repeat criminal behavior through incarceration and community supervision decisions based on applicable laws, victims' interests, public safety, and recognized principles of offender behavioral change.

A mission statement addressing victims has also been adopted by the Maine Department of Corrections:

Restorative justice challenges us to design and administer a system that places the needs of the victims and the harm done by the offending behavior at the center of the process by which we sanction and hold the offender accountable; and, prevention is our moral obligation. We will promote, support, and facilitate prevention activities by working with families and communities to address these factors which put children at risk, and to protect children from those risks.

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*A number of years ago we decided that victims' rights and the need to meet victims' needs would be a part of our mission.*

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Elaine Little,  
Director, North Dakota Department of Corrections  
and Rehabilitation

Crime victims can help ensure that victim safety and services are priorities for correctional agencies by serving on victim advisory committees or boards. The Virginia Parole Board is one of a number of parole boards across the country that have invited victims to be members. According to the Director of Virginia's Department of Corrections, "by having victims on the board we have individuals that can talk to other parole board members about what the impact of the crime was on the victim and the consequences on the victim of their decision."<sup>21</sup>

## **Victim Notification**

Victim notification of the release of alleged or convicted offenders is a critical service for victims. Without notification, they are denied the ability to take precautions for their safety. The importance of providing offender release information to crime victims has long been recognized. In 1982, it was one of the primary recommendations of the President's Task Force on Victims of Crime for parole. In the *Final Report*, the Task Force recommended that parole boards notify victims and their families in advance of parole hearings if victims provide the paroling authority with their name and address. In addition, the Task Force called on parole boards to allow victims of crime, their families, or their representatives to attend parole hearings and to provide information about the impact of the crime.

According to the 1996 *National Victim Services Survey of Adult and Juvenile Correctional Agencies and Paroling Authorities*, a five-year update of the nation's first survey of correctional-based victims' rights and services, marked improvements have occurred in this area.<sup>22</sup> The survey found that from 1991 to 1996, the percentage of adult correctional agencies notifying victims of changes in offender status increased from 66 to 78 percent; the percentage of juvenile correctional agencies notifying victims of changes in juvenile offenders status increased from 18 to 55 percent; and the percentage of paroling authorities notifying victims of changes in offender status increased from 70 to 80 percent.<sup>23</sup>

There is, however, no consistent notification on a state-by-state basis or at the federal level. Some correctional agencies notify victims of only certain types of inmate releases. Others notify victims of changes in classification of offenders. Some notify victims of an inmate's escape, while others notify victims of an inmate's clemency or death. On the federal level, the Federal Bureau of Prisons has created one of the nation's first comprehensive victim notification programs, which has served as a model to the states for the past decade.

Innovative technologies have emerged in recent years that augment victims' access to both notification and information. At least 10 state correctional agencies utilize automated voice response notification systems that place telephone calls to victims, upon request, and inform them of offenders' pending release or release hearings. Victims can also contact a centralized call center 24 hours a day, 7 days a week. Live operators at the center confirm offender status updates and referrals to community-based victim services. Many state correctional agencies are following the example of the Illinois Department of Corrections, which incorporates current updates on inmates' status, location and relevant upcoming hearings that are available to victims and the general public via the Internet.

In most jurisdictions, victims need to be told about their right to certain types of notification because state and federal laws require that crime victims must *request* that they be notified. Too many victims of crime do not request notification simply because they have not been informed that they have a right to do so.

### **Victim and Witness Protection**

Every day in the United States, victims and witnesses are harassed, intimidated, and retaliated against by incarcerated offenders. Many correctional agencies have responded creatively to this problem. Today, 37 states revoke an offending inmate's privileges, 36 transfer the inmate to a more restrictive level, 28 allow the filing of a new criminal charge, and 21 allow enhancement of the inmate's sentence. In

addition, 40 state correctional agencies document such harassment and threats in the offender's case file, 35 recommend investigation for additional prosecution, and 31 recommend revocation of parole when a parolee harasses, intimidates, or retaliates against a victim.<sup>24</sup> In California, the state is using an innovative method to stop the increasing number of instances in which inmates use telephones or letters to threaten and harass victims. The California Department of Corrections has created a program to block victims' phone numbers from inmate access and check inmates' outgoing mail.

In managing offenders who are ordered by the court to community supervision or released early from prison with supervision, probation and parole officers need to ensure the safety of victims and the public. Officers should use surveillance to identify offenders who pose a continued threat and improve monitoring efforts such as checking with contacts at the offender's home, employment, and neighbors to ensure that they are meeting the conditions of their probation or parole.

Just as there are special units in law enforcement and prosecutors offices, probation and parole departments have begun to establish special units, such as sex offender and domestic violence units, to provide intensive probation or parole to reduce the safety risks to victims and society as a whole. Agents in these units carry smaller case loads and have received specialized training in intensive supervision of the type of offenders assigned to the unit.

Correctional agencies are also using intermediate sanctions to heighten victim safety. Such sanctions include electronic monitoring, house arrest, random alcohol and other drug testing, parole to a location other than the victim's community, mandatory restitution, and increased surveillance.

### **Community Notification**

By mid-1997, most states had passed laws that either provided for notice to communities of released sexual offenders, or authorized the general public or certain individuals or organizations to access the sexual offender registry. Often referred to as "Megan's laws" in memory of 7-year-old Megan Kanka, who was murdered by a twice-convicted sex offender paroled to her neighborhood, community notification laws recognize that a community has a compelling interest in being informed of offenders' whereabouts. At the federal level, in 1996 Megan's Law amended the community notification provisions of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require states to release relevant registration information when necessary to protect the public.<sup>25</sup>



To be truly effective, community notification laws require significant coordination among law enforcement officials, courts, correctional agencies, victim service providers, the news media, and other key stakeholders. Correctional agencies play a major role in providing this service by determining when and to where sex offenders will be paroled conducting community outreach and public education projects.

A promising practice in planning and implementing community notification programs emerged in 1990 in the state of Washington. This truly collaborative approach takes into consideration the rights and interests of victims, the community, and offenders. The strategy incorporates the following elements: establishing requirements for registration, requiring registration information for offenders, implementing guidelines for failure to register, implementing guidelines for a preliminary offender risk assessment, compiling an “end of review” information packet for each offender for distribution to the prosecutor in the county where the offender plans to reside; distributing special bulletins to law enforcement, developing notification policies based upon three levels of offenders (low, moderate, and high risk), creating guidelines for who should have access to sex offender registry information, and conducting community outreach efforts including community meetings and public education resources that involve victims and address their rights and needs.

In addition, the automated voice notification technology described earlier in this chapter has been modified by the Wisconsin Department of Corrections to provide both automated registration for convicted sex offenders and notification to designated parties.

### **Victim Impact Statements**

Today, victims provide input about the impact of crime at parole (and sometimes parole violation) hearings in person, via audiotape or videotape, by teleconferencing, or in writing. Their statements give the paroling authority crucial information about crime’s financial, physical, and emotional impact. Victim input into the parole process is one of the few areas of victims’ rights in which most states have enacted legislation. In the past two decades, the passage of laws requiring victim input at parole has been one of the greatest advances in victims’ rights, with 43 states now providing this right.<sup>26</sup> To make this right meaningful, however, paroling authorities must notify victims of crime and their families of hearings in advance and schedule time during the hearing to allow them to describe the crime’s impact on their lives as required by law in 45 states.<sup>27</sup>

New state laws requiring victim notification and input into the decisions of parole boards have helped to ensure that victims have a meaningful voice in these decisions.

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*I think that a victim impact statement balances the scales of justice. For once the victim has a victim advocate . . . his own words.*

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A victim,  
Impact Statements:  
A Victim's Right to Speak,  
a Nation's Responsibility  
to Listen

Patricia Pollard was kidnaped, beaten, and raped in 1974. Her attacker, Eric Mageary, was sentenced by the state of Arizona to 25 years to life, but was paroled in 1989 without the required notice to Ms. Pollard. He was later reincarcerated for a parole violation. In 1990, Arizona passed a state constitutional victims' bill of rights, along with implementing legislation, which guaranteed victims the right to notice of and to be heard at hearings, including parole hearings. State law also provided a remedy if a victim's rights were ignored. In 1993, again without required notice to Ms. Pollard, Mageary was granted release to home arrest. Her right to notification having been violated, Ms. Pollard exercised the remedies allowed her under state law, and a rehearing was ordered. After Ms. Pollard testified, the board reversed its decision and denied Mageary's release.<sup>28</sup>

In Wisconsin, the chairman of the state parole board personally visits with victims in their homes to obtain victim impact information, bringing a personal touch to what is often an intimidating process.

### **Restitution**

Restitution is an important part of an offender's sentence. It increases accountability by holding the offender financially responsible for the crime, and it compensates the victim for at least a portion of the costs caused by the offender's actions. Correctional agencies play a pivotal role in ensuring that offenders are held accountable to their victims through the collection of restitution. Today, 43 correctional agencies and the Federal Bureau of Prisons have the authority to collect restitution from offenders sentenced to prison terms.<sup>29</sup> The Federal Bureau of Prisons created an effective restitution collection program in the late 1980s, and just over half of state correctional agencies have used this model to develop similar programs.

The reluctance of offenders to pay restitution has led states to be creative in monitoring and collecting restitution. Sources of restitution payments now include inmates' work wages, trust accounts, state and federal income tax returns, lottery winnings, and inheritances. In California, the state department of corrections has statutory authority to attach all deposits in inmate trust accounts and take up to 50 percent for direct victim restitution and court-imposed fines. Today, 50 percent of working inmates in the state are paying restitution.<sup>30</sup> Furthermore, some states allow bail payments to be automatically applied to fulfill restitution orders. (For a more in-depth discussion of restitution, see Chapter 15 of this report.)

## Violations of Conditions of Supervision

In 22 states, victims are allowed to give input prior to or during parole violation hearings.<sup>31</sup> However, when a parolee is charged with violating the conditions of supervision, only six states routinely notify victims of the violation and the impending revocation hearing.<sup>32</sup> In 14 states, victims of the original offense for which the offender was on parole are notified of subsequent parole violations.<sup>33</sup> In 23 states, victims of a new offense resulting in a parole violation are notified of the fact that the offender was a parolee and the crime was a violation of the conditions of parole.<sup>34</sup> Any victim who so requests should be notified of violations of conditions of supervision and provided the opportunity to provide input prior to or at any relevant hearings.

## Classes for Offenders on the Impact of Crime on Victims

Over the past decade, the number of educational programs in correctional institutions that involve both offenders and victims has increased greatly. The purpose of such programs is to help offenders understand the devastating impact their crimes have on victims and their families and friends, on their communities, and on themselves and their own families. For victims, participation in programs with offenders is useful because although they cannot undo the harm they have suffered, they may prevent others from being victimized. Studies indicate that participation in impact panels can help victims heal emotional scars.<sup>35</sup>

- Most notable among victim-offender programs is the Impact of Crime on Victims (IOC) program initiated by the California Youth Authority in 1986, and since replicated in over 20 juvenile and adult correctional agencies and numerous diversion programs. IOC programs include a 40-hour educational curriculum designed to educate offenders about how different crimes affect victims and society as a whole.
- The U.S. Department of the Navy, Corrections and Programs Division, took an important step in integrating victims into its corrections process when it issued guidelines in 1996 instructing U.S. naval correctional facilities to implement impact-of-crime classes for prisoners prior to their release from custody. Information from both inmates and correctional staff indicate that offenders have a greater appreciation of the impact of their criminal conduct after completing the classes.
- The Federal Bureau of Prisons has piloted victim awareness classes on drug and domestic violence crimes for offenders in halfway houses in Baltimore, Maryland, and Tampa, Florida.

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*You really need to get the criminal to understand that they are not the issue, the victim is the issue, society is the issue.*

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Larry Meachum,  
Director, Corrections  
Program Office,  
Office of Justice Programs,  
U.S. Department of Justice

## **Victim-Offender Dialogue**

During the past two decades, a number of victim-offender dialogue programs have been developed in juvenile and criminal justice agencies, predominantly in juvenile probation agencies. These programs, which primarily work with property crime cases, give victims an opportunity to engage in a structured dialogue with their offenders, who have already admitted their guilt or been convicted/adjudicated. When conducted with sensitivity to the victim and with care to ensure that participation by both victim and offender is fully voluntary, the victim-offender dialogue process has been found to be a very effective tool to help victims overcome their feelings of trauma and loss. The program gives victims greater satisfaction with the justice system, increases their likelihood of being compensated, and reduces fear of future victimization.

In recent years, correctional agencies have begun to experiment with the use of victim-offender dialogue in violent crime cases.

- In 1995, the Texas Department of Criminal Justice initiated a victim-offender mediation/dialogue program for victims of severe violence and their incarcerated offenders. The program was implemented with careful procedures to ensure that all cases are initiated by the victim and are appropriate for this form of intervention. The program has been so popular that more than 230 cases are currently waiting to enroll.

## **The Victimization of Correctional Staff**

Correctional agencies have begun to recognize the impact of victimization on their employees. Correctional professionals are exposed to a wide range of victimization including verbal harassment by inmates, sexual harassment by inmates or colleagues, physical or sexual assaults, hostage-taking incidents, and even murder. To respond to the acute and chronic trauma this violence has on employees, 32 adult correctional agencies have developed written policies and procedures to respond to staff victimization and critical incidents.<sup>36</sup>

When correctional staff are victimized, procedures should be followed that deal with the effects of victimization. Most agencies have focused their attention on preventing, not responding to, these critical incidents. There is still little known about model community supervision protocols that prevent and respond to staff victimization. Many departments that manage prisons, including the California, Texas, and South Carolina Departments of Corrections, have developed solid procedures to assist victimized staff. These programs could be implemented in the field of community supervision. Guidelines for responding to correctional employees victimized in the line of duty have been developed under a national training and technical project funded by the Office for Victims of Crime.<sup>37</sup> It provides a comprehensive model for correctional agencies to follow in accordance with victims' rights laws within their state or on the federal level.

## The Emergence of Restorative Justice

The criminal justice system as a whole, and corrections in particular, is undergoing a shift from an exclusive focus on offenders to a broader concern for the interests of victims and the community. When they seek restorative justice, agencies hope to repair some of the harm to the victim and the community through service and support. An important part of restorative justice is actively bringing offenders into the process of addressing the harm they have caused by both holding them directly accountable and helping them become productive, law abiding members of their community.

Correctional agencies are uniquely situated to ensure that offenders are held accountable to their victims and to the community. Many correctional agencies are initiating victim-offender programs because of their restorative potential and placing renewed emphasis on traditional practices such as restitution which exemplify the restorative tenet of holding an offender accountable for the financial losses suffered by their victim.

Numerous correctional agencies have created restorative justice staff positions, developed victim-offender programs, and refocused agency policies and programs on restorative principles. National correctional associations have initiated restorative justice committees that include victims and advocates as members. Many corrections professionals feel that this new perspective offers unique opportunities for improving the effectiveness of their work and allowing them to positively contribute to the safety and well-being of society.

## Recommendations from the Field for Corrections

Correctional agencies now provide a variety of victim services and creative new programs to make offenders more aware of and responsible for the consequences of their crimes. Many agencies regularly incorporate victim impact information into presentence investigation reports, collect and disburse restitution, and notify victims of and allow their participation in parole hearings. Nonetheless, much work remains to involve victims in correctional decisions as fully as their legislative and constitutional rights allow. The following recommendations offer specific steps to move correctional agencies toward that goal.

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*The unprecedented partnerships between correctional agencies, crime victims, and those who serve them have increased and improved corrections-based victim services. Perhaps most important, crime victims are now validated as clients of corrections. This is justice at its finest.*

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Anne Seymour,  
Project Manager,  
Promising Practices  
and Strategies for Victim  
Services in Corrections

**CORRECTIONS RECOMMENDATION FROM THE FIELD #1**

**Adult and juvenile correctional agencies should open channels of communication with the community and with crime victims. As a first step, every state department of corrections and paroling authority should establish a victim advisory committee that includes victims and service providers to guide and support victim-related policies, programs, and services.**

One of the most effective ways correctional agencies can become more responsive to crime victims' needs is engaging the community. Increased communication among corrections professionals, victim advocates, and crime victims will foster better understanding of their respective roles in the justice system and help repair longstanding misunderstandings that fuel mutual distrust. This dialogue must involve all cultural and ethnic groups in the community. The hiring of multicultural and multilingual staff for correctional agencies should become a priority to meaningfully achieve this end.

Following the lead of a number of state correctional agencies, all state departments of corrections and paroling authorities should create victim advisory committees or boards to guide the development of departmental policies and programs. These committees should review and comment upon a wide range of victim-related issues, including the agency's mission statement, victim notification procedures, parole procedures, policies regarding protection of victims from offender intimidation, victim-offender programming, and informational materials for victims. Crime victims, particularly those whose cases have been through the criminal or juvenile justice system, have a great deal to contribute to making the correctional system more sensitive and accessible to victims. Their expertise should be used as part of victim advisory committees to review all issues that affect victims. Similarly, some correctional officials serve in leadership capacities within state victim coalitions and victim service organizations. These mutual efforts to increase awareness and understanding of the respective needs of victims and corrections are commendable and should be expanded.

Correctional agencies should have a working knowledge of the range of victim service providers and resources in their local community, and pursue opportunities for enhancing collaboration with them through interagency agreements and joint projects such as the development of victim service resource directories.

## CORRECTIONS RECOMMENDATION FROM THE FIELD #2

**Correctional agencies should designate staff to provide information, assistance, and referrals to victims of crime.**

The majority of adult corrections and paroling authorities have designated staff to assist victims of crime, while only a handful of juvenile correctional agencies have done so. Correctional agencies should have centralized units that provide a range of services to enforce victims' rights, coordinate and implement internal training for staff, external training for victims' organizations, and cross-training for allied justice professionals. In addition, every work site within correctional agencies should designate a staff member to serve as liaison to victims and service providers in the community.

## CORRECTIONS RECOMMENDATION FROM THE FIELD #3

**Mission statements guiding adult and juvenile correctional agencies and paroling authorities should recognize victims as an important constituency and address victims' rights and services.**

Mission statements articulate an agency's philosophy and guide the implementation of the agency's goals, yet the majority of adult and juvenile correctional agencies' mission statements are silent about their responsibility to crime victims. Including crime victims in mission statements sends a strong message that victim safety and well-being is part of the agency's public safety mission, that victims are important clients of the agency, and that the agency balances its philosophy to be both offender-directed and victim-centered. This philosophy embodies the principles of restorative justice, an approach that incorporates the rights and needs of the community and the victim in offender management.

## CORRECTIONS RECOMMENDATION FROM THE FIELD #4

**Correctional agencies should notify victims, upon their request, of any change in the status of offenders, including clemency or pardon, that would allow them to have access to the community or to the victims themselves.**


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*We cannot behave as though we are islands unto ourselves. We exist to protect the public, and if we can isolate the victims in the community and bring them in to tell us how we can better serve them, I think that is the way to go.*

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Harold W. Clarke,  
Director, Nebraska Department  
of Correctional Services

To augment victims' safety, corrections and custodial agencies must notify victims well before any planned or scheduled changes in an offender's status to give them sufficient time to take precautions for their safety and prepare to participate in related hearings. Timely notice also gives victims an opportunity to exercise their right to submit a victim impact statement or attend and testify at parole or other postconviction proceedings. Notices should be provided in languages common to the community, and they should be designed to reach victims with limited literacy as well as households that do not have telephones.

Upon request, victims should be notified of all significant changes in inmate status. These status changes include early, educational, work, and curfew release, and release for overcrowding, funeral and holiday furlough, discharge, parole, medical emergency, escape and apprehension, clemency, reincarceration due to revocation of parole, less restrictive classification, commutation, pardon, death, and death penalty proceedings.

In addition, victims should be notified if an offender on probation or parole does any of the following: fails to comply with a special condition ordered by the court or releasing authority; is rearrested; violates bond or bail conditions; absconds; or is transferred or released from supervision. In states where there are no parole hearings, victims should be notified of the name and telephone number of the parole agent and of all conditions attaching to the supervised release.

At a minimum, correction officials should provide victims with the following information and assistance regarding the release of an offender:<sup>38</sup>

- The date and time of the release at least 60 days prior to release.
- Conditions of the release, if any, including no-contact provisions.
- Procedures for contacting officials when violations of release conditions occur and for reporting acts of harassment, intimidation, and violence.
- Name, address, and phone number of the parole or probation officer assigned to supervise the offender.
- Name of the offender if different from the name under which the offender was originally charged, convicted, and incarcerated.
- Known address, city, and county where the offender will be released or supervised.
- Recent picture and general description of the offender upon release.
- Assistance with the development of a victim "safety plan" if the victim or authorities believe that the release of the offender threatens the safety of the victim or their family.



- Notification of any violation of the offender's conditions of release, and notification of the victim's right to attend and provide information orally and in writing at any parole or probation revocation hearing.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #5**

**Correctional agencies should place a high priority on ensuring the protection of victims from inmate intimidation, threats, or physical or other harm from offenders under their supervision.**

Correctional agencies should use the measures available to them to limit contact between inmates and victims and respond quickly to incidents of intimidation or harassment. These measures include blocking telephone access to victims' phone numbers through devices such as Caller ID, screening inmates' outgoing mail, revoking inmate privileges, transferring inmates to more restrictive confinement, and in more serious cases, filing new criminal charges. Where necessary, legislative authority should be sought to facilitate the use of these measures. In addition, all correctional agencies should follow the lead of the 31 states that recommend revocation of parole when a parolee in any way harasses, intimidates, or retaliates against a victim.

Special attention should be given to protecting special types of victims from threats of intimidation and harm, including victims of domestic violence, sexual assault, child abuse and neglect, elder neglect and abuse, and stalking. Due to the high risk of further victimization in these cases, protective orders should be a routine condition of release. Offenders who have committed serious violent crimes and have great potential to revictimize, such as sex offenders and batterers, should be placed under intensive supervision. Officers should make frequent contacts with these offenders and their victims to ensure the victim's safety. Probation and parole agencies should ensure that they have sufficient multicultural and multilingual staff to communicate effectively with victims and the offenders they supervise.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #6**

**Correctional agencies should make information about offender status and victims' rights accessible to crime victims through multilingual, toll-free numbers and printed materials.**

All states should develop a statewide, multilingual, toll-free information line for crime victims to receive timely information about offender status, location, release dates, parole hearing dates, conditions of parole, and other relevant information. The Washington State Department of Corrections, for example, has established a toll-free number for victims, witnesses, and concerned citizens to call for information and assistance. This innovative approach ensures accessibility of information to *all* victims, regardless of where they live or whether they can afford to make a long-distance telephone call.

Correctional agencies should develop and distribute brochures about victims' rights and services to victims of offenders they are incarcerating or supervising. Materials should be multilingual and explain the basic components and processes of the postconviction criminal and juvenile justice systems. As part of the sentencing process, victims should be given specific information about their rights and the services available to them while the offender is under community supervision or surveillance.

Providing timely information to crime victims is extremely important. Most crime victims have a much better understanding of the "front end" of the criminal and juvenile justice system than corrections and parole. Victims and service providers who do not come into regular contact with the correctional system find it confusing. It is important for victims to understand how the process works, particularly how offenders are processed and the different program and surveillance activities correctional agencies provide.

Victims especially need to know about their rights. The American Correctional Association strongly recommends that correctional agencies develop and make available to victims and their representatives easy-to-read descriptive materials about victims' rights within the correctional system. The materials should describe the agencies' policies and procedures for victims' rights and services during supervision and surveillance and include the name, telephone number, and address of a supervising officer victims can contact. It is critical that the information be printed in the major languages spoken by the population in that jurisdiction. Where possible, multicultural and multilingual victim liaison officers should be available to ensure that information, assistance, and referrals are provided when needed.

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*The Department of Corrections has the strategic information as well as the statutory obligation to meet the needs of the whole community, not just the offenders, but the people to whom those actions have occurred.*

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Dora Schriro,  
Director, Missouri  
Department of Corrections

**CORRECTIONS RECOMMENDATION FROM THE FIELD #7**

**Correctional agencies should collect and distribute restitution payments consistent with the court's order to ensure that victims receive fair compensation from offenders who are incarcerated or released on probation or parole. Wage-**

**earning opportunities for inmates, wards, and parolees owing restitution should be increased. Restitution and other compensatory sanctions must be enforced, including requiring the timely payment of restitution as an automatic, essential condition of probation and parole. Paroling authorities should have the authority to both order restitution and incorporate a judicial restitution order as a condition of parole. Statutes should be amended to provide that any damages awarded to offenders from civil suits brought against correctional institutions be applied first to any outstanding restitution or civil judgments.**

When required by a court order, the obligation to make financial restitution is part of the sanction of the offender, and its collection should become a high priority in all correctional agencies. The payment of restitution should be the *first* financial obligation ordered by the court. Legislation should be enacted allowing the extension of probation when restitution has not been paid to permit continued supervision and enforcement of payment. Release from correctional supervision should be contingent upon meeting financial obligations to victims as well as balancing the offender's reasonable opportunity to meet these obligations. The absence of offender resources at the time of sentencing should not excuse the offender from the obligation to repay the victim. Rather, reasonable terms of restitution can be put in place to collect future income.

Records indicate that several million dollars are awarded to prisoners every year as a result of civil suits brought against the federal prison system and other correctional authorities. Before these monetary awards are turned over to offenders, they should be used to satisfy any outstanding restitution or civil judgement orders and to pay any outstanding fines or fees.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #8**

**Victims should have input into all decisions affecting the release of adult and juvenile offenders. Input can be provided through oral statements; written, audio- or videotaped victim impact statements; and video teleconferences of postconviction**

**hearings. Victim impact statements should be included in all presentence reports for adult and juvenile offenders.**

Probation personnel should gather victim impact information through personal interviews with victims during the presentence investigation process, and they should ensure that presentence investigation reports address the impact of the crime on the victim, including the victim's financial, psychological, and physical injuries. Victim impact statement forms should be given to crime victims, and assistance should be provided, when possible, to help victims complete the forms. When completed, the statement should be attached to the presentence investigation report and added permanently to the offender's or inmate's file. If the statement is written by the probation officer, the victim should be given the opportunity to read it and file any disagreements on the record.

If community supervision is being considered, specific conditions of supervision should be ordered based on the victim's input. Special conditions to consider include restitution and other financial obligations such as child support, restrictions on offender contact with the victim, victim awareness classes, victim-offender programming, treatment to stop the offender's harmful behavior, treatment for alcohol and other drug abuse, community service with victim service agencies, alcohol and other drug treatment, and letters of apology when requested by the victim.

Victim impact statements and other presentence information should be forwarded to probation, corrections, and parole staff to help them make appropriate recommendations to the court or paroling authority regarding classification, programming, and release decisions, including the timely payment of restitution and no-contact orders as conditions of release. Victims should be given the opportunity to update these impact statements as necessary. Effective (and preferably automated) coordination must be established among the prosecutor, court, probation, corrections and parole.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #9**

**Special consideration should be given to the needs of victims who participate in parole proceedings, especially when these proceedings are conducted within prisons. Correctional facilities should provide victims with an orientation to the proceedings and separate waiting areas away from the offender's family and friends.**

Victim involvement in parole hearings was one of the first rights extended to crime victims in the area of corrections. Over the past decade, victims' rights to participate in the parole process have increased considerably. In 1996, three-fourths of the states allowed victims to attend and testify at parole hearings.<sup>39</sup> However, even though this right has been extended to most victims, parole agencies report that less than half of parole hearing cases filed have victim notification requests, and that victims attend only one-fourth of parole hearings.<sup>40</sup> Research is needed to determine why more victims are not exercising their right to participate in the parole process.

For those who choose to participate in the parole process, 38 percent of paroling authorities have designated a support person to accompany victims, witnesses, and their families to hearings related to the offender's release, although that person varies by state and could be a victim-witness advocate, a hearing officer, a parole board member, or a parole investigator.<sup>41</sup> Moreover, while the majority of paroling authorities provide information on who can attend parole hearings and their date, time, and location, other essential information such as directions to the hearing, guidelines on how to present testimony, and the order of the testimony to be presented is seldom provided.

To help protect victims who come forward to attend parole hearings, 75 percent of parole agencies have established procedures to limit or control face-to-face confrontations between the victim and offender.<sup>42</sup> However, unwanted confrontations between the victim and the offender's family and friends are still a concern and it is essential that facilities provide waiting areas that separate victims and their offenders by sight and sound.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #10**

**Information regarding the rights and needs of crime victims should be incorporated into education for correctional staff at all levels, including administrative and line staff. When possible, interdisciplinary training programs should be conducted with other victim service providers. All agency staff and parole board members should be educated on the impact of victimization and victim services as part of their job orientation and in ongoing inservice training. This training should include issues of cultural sensitivity.**

Without adequately trained staff, the provision of victims' rights and services within corrections will never be fully realized. Across the broad field of corrections, training for new and experienced staff in victim services is needed. Curriculums have been developed by some states, including Washington, Utah, and South Carolina, that outline the dynamics of victimization, applicable victim rights laws and regulations, and how to respond to victims' needs and concerns. In addition, to help protect victims from intimidation, harassment, and revictimization by their offenders, probation and parole training should include supervision and surveillance techniques.

Finally, agencies should provide interagency training and support public awareness efforts to educate other service providers about community supervision, and they should seek out opportunities and forums to accomplish this goal. Victim service conferences and seminars provide many opportunities for training throughout the year. Myriad resources, including training curriculums, have been developed through the leadership and support of the Office for Victims of Crime. Among them are *Promising Practices and Strategies for Victim Services in Corrections* (National Victim Center, 1997); *Promising Strategies for Victim Services in Probation and Parole* (American Probation and Parole Association, 1997); and *Responding to Workplace Violence and Staff Victimization* (National Victim Center, 1997).

**CORRECTIONS RECOMMENDATION FROM THE FIELD #11**

**Each correctional agency should establish written policies and procedures for responding to correctional staff who are victimized on or off the job, as well as for responding to critical incidents within correctional institutions. Correctional agencies should provide training on the impact of crime for staff and supervisory personnel, beginning with basic academy training.**

Every correctional agency should have policies, procedures, and programs to deal with staff who are victimized on or off the job and to assist their families. Support services must include short- and long-term counseling; peer support groups; group crisis intervention after critical incidents for victims, witnesses, and any agency employee who is traumatized by the incident; referrals to victim services, counseling, and support groups in the community; referrals to criminal and juvenile justice agencies in cases involving prosecution; and assistance with completing victim compensation and

workers compensation forms. Programs should also address the special needs of staff who witness executions or who provide death notifications.

Special training courses should be provided for supervisors on victimized staff in the workforce. Protocols should be developed to prevent and respond to offender victimization of officers and staff. Work-related violence is treated either as a criminal or an administrative matter depending on the nature of the offense. Regardless of the sanction, victimized staff and their families should be automatically notified of all major decisions regarding their victimization.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #12**

**To increase offender awareness of the consequences of their actions on victims' lives, correctional agencies for both adult and juvenile offenders should use victim impact panels and conduct courses about the effects of crime on people's lives.**

Victim impact awareness efforts should be a basic component of the educational and treatment program of correctional agencies in diversion, probation, prison, detention, and parole settings. Resources should be allocated to maximize the number of participating offenders. Victim impact classes within correctional agencies should be expanded nationwide, using victim and community volunteers to speak to the classes. Victim impact panel volunteers should include individuals from culturally diverse communities and persons with bilingual speaking skills.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #13**

**Victim-offender dialogue programs that ensure voluntary victim involvement, protect and support victims, and use highly trained facilitators and mediators should be available for victims upon their request.**

Mediated dialogue between victims and offenders allows victims to ask questions about how and why they committed their crimes. It allows offenders to learn more about the impact of their crimes and to express remorse when possible. Offender accountability is an important goal of this process but the needs of victims should be the central focus. Participation must be voluntary for both parties, and programs must carefully screen and prepare victims and offenders

prior to arranging for meetings. Meetings should be conducted by a trained facilitator who is well schooled in the basic tenets of victim issues and sensitive to the multicultural and multilingual needs of the victim. Victims should be offered counseling support before and after meetings and allowed accompaniment to the meetings, if requested.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #14**

**Crime victims should be notified of any violation of the conditions of an offender's probation or parole and should be allowed to provide input prior to or during the probation or parole violation hearing.**

The victim of the original crime, as well as the victim of any new crime that is the basis of a revocation hearing, should be notified of the rearrest of the offender and should have an opportunity for input into the revocation hearing.

**CORRECTIONS RECOMMENDATION FROM THE FIELD #15**

**When a sex offender is released, uniform community notification practices should be developed and implemented to promote public awareness and provide consistent protection for citizens from state to state.**

As of mid-1997, most states had enacted laws providing for community notification of released sex offenders or authorizing access to sex offender registration by the general public or to certain community organizations and officials.<sup>43</sup> Considering that few states had implemented such a law prior to 1994, great legislative progress has been made to improve the safety of victims and our communities.

However, while the federal Megan's Law amendment that took effect in May 1996 requires states to release relevant information on registered sex offenders as necessary for public protection, each state is allowed to determine how such notification will be accomplished. As a result, while virtually anyone in the nation can find out where registered offenders reside in every county in Kansas, for example, through the website of the Kansas Bureau of Investigation,<sup>44</sup> registration information in Connecticut may be released only to governmental agencies conducting background checks or to an individual citizen when it is determined that disclosure is necessary to protect that individual's safety.<sup>45</sup> In California, citizens can view a listing of



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registered offenders in the state via CD-Rom at their local law enforcement agency,<sup>46</sup> while individuals in North Carolina must provide pertinent information about the person they are checking on in order to obtain a copy of an offender's registration form.<sup>47</sup> Massachusetts permits inquiries on whether any sex offenders live or work within a one-mile radius of a specific address or street.<sup>48</sup>

Such wide disparity in the way community notification laws are implemented defeats the intent of the federal mandate. As Congressman Dick Zimmer, the legislation's primary sponsor, testified at a hearing of the House Subcommittee on Crime, "Our communities have the right to know if there is a potential threat to their children's safety. But that safety is jeopardized if every state has different notification procedures. We must strengthen the existing law and ensure that a strong, uniform Megan's Law is in effect in every state."<sup>49</sup> To create a community notification system that is effective across state lines, states must adopt policies and procedures that are consistent with those in other states. Information sharing among the officials responsible for sex offender registration and notification programs in each state is critical to developing the most effective notification strategy possible. In 1996, in response to a Presidential directive, the Attorney General developed a plan for a national database to track convicted sex offenders; shortly thereafter, Congress mandated the establishment of such a database.<sup>50</sup> The database has been operational since early 1997, and a growing number of states participate by providing sex offense conviction information. The database can be accessed by law enforcement officers from all jurisdictions, and alerts them to individuals' sex offense convictions in states that participate in the database. States should be encouraged to participate in the national database. Furthermore, as community notification strategies are implemented and improved, victims and advocates should be involved in all planning, outreach, and education efforts.

Additionally, public education and awareness of the proper use of the information obtained through community notification must be integrated into the notification process, not only to inform members of the public how to access such information but also to warn of the consequences of taking criminal action against an offender.

The recommendations in this chapter were based upon input from participants at public hearings and reaction and working groups, as well as papers submitted by experts in the field, identified in Appendix A. The recommendations do not necessarily reflect all of the views of the contributors, nor do they necessarily represent the official views of the Department of Justice.

## Endnotes

- 1 Beck, A. J., and D. K. Gillard, *Prisoners in 1994: BJS Bulletin*, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, August 1995; *Searching for Answers: Criminal Justice Research, Development and Evaluation*, Annual Report to Congress, Washington, D.C.: U.S. Department of Justice, National Institute of Justice, 1995, NCJ 162042.
- 2 *Id.*
- 3 *Id.*
- 4 President's Task Force on Victims of Crime, *Final Report*, Washington, D.C.: U.S. Government Printing Office, December 1982:83-85 (discussing the recommendations for parole boards).
- 5 American Correctional Association, *Task Force on Victims of Crime: Final Report*, Fort Worth, TX: National Victim Center, June 1988:3-4. In 1989, the Task Force became a standing committee of the American Correctional Association.
- 6 American Correctional Association Victims Committee, *Report and Recommendations on Victims of Juvenile Crime*, American Correctional Association Victims Committee, 1995.
- 7 *Id.* at 1.
- 8 "Nation's Jail and Prison Incarceration Rate Almost Doubled During Last Decade," DOJ Press Release, Washington, D.C.: U.S. Department of Justice, January 19, 1997:1 (press release citing D. K. Gilliard and A. J. Beck); Bureau of Justice Statistics, *Prison and Jail Inmates at Midyear 1996*, Bulletin, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, NCJ 162842.
- 9 *Id.*
- 10 Beck and Gillard, *Prisoners in 1994*, 3.
- 11 Seymour, A., *National Victim Services Survey of American Jails 1996*, Arlington, VA: National Victim Center, April, 1997.
- 12 Champion, D. J., *Probation and Parole in the United States*, Merrill Publishing Company, 1990:27.
- 13 Camp, G. and C. Camp, *The Corrections Yearbook 1994*, South Salem, NY: Criminal Justice Institute, Inc., 1994.
- 14 Brown, R. H., *Statistical Abstract of the United States*, Washington, D.C.: U. S. Department of Commerce, September 1994.
- 15 National Victim Center, *1996 Victims' Rights Sourcebook: A Compilation and Comparison of Victims' Rights Laws*, Arlington, VA: National Victim Center, 1997:§9 (discussing the right to input at parole hearings).
- 16 Seymour, A., *National Victim Services Survey of Adult and Juvenile Correctional Agencies and Paroling Authorities 1996*, Arlington, VA: National Victim Center, April 1997:15.
- 17 *Id.* at 15, 16.
- 18 *Id.* at 16, 17 (48% of paroling authorities provide separate waiting areas).
- 19 *Id.* at 17.

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- 20 *Id.* at 1.
- 21 This statement was made in January of 1997, at the American Correctional Association's winter conference by Ron Angelo, Director of Virginia's Department of Corrections.
- 22 Seymour, *National Victim Services Survey of Adult and Juvenile Correctional and Paroling Authorities 1996*.
- 23 *Id.* at 25.
- 24 Seymour, *Crime Victims and Corrections*, 5.
- 25 Megan's Law, Pub. L. No. 104-145, 110 Stat. 1345, amended subsection (d) of section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Pub. L. No. 103-322, 108 Stat. 1796, 2038 (codified at 42 U.S.C. § 14071), which contains the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act.
- 26 National Victim Center, *1996 Victims' Rights Sourcebook*.
- 27 *Id.*
- 28 State ex rel. *Hance v. Arizona Board of Pardons and Paroles*, 875 P.2d 824 (Ariz. Ct. App. Div. 1, 1993) review den. 1994.
- 29 Seymour, *Crime Victims and Corrections*, 5.
- 30 Seymour, A., *California Department of Corrections Evaluation of the Victim Services Program*, June 1995.
- 31 Seymour, *Crime Victims and Corrections*, 5.
- 32 *Id.*
- 33 *Id.*
- 34 *Id.*
- 35 For example, in a three-year study funded by the National Institutes of Mental Health to measure the effect of victim impact panels on victims who speak at them, data indicated that over 80 percent of the victims were helped by speaking, ten percent were neither helped nor hurt, and eight percent were hurt. Mercer, Dorothy, R. Lord, and J. Lord, *Sharing Their Stories: What are the Benefits? Who is Helped?*, paper presented at the Annual Meeting of the International Society for Traumatic Stress Studies, Chicago, Illinois, November 8, 1994. The victims who were hurt by speaking apparently were pushed into speaking before they were ready.
- 36 Seymour, *Crime Victims and Corrections*.
- 37 Seymour, A., et al., *Promising Practices and Strategies for Victim Services in Corrections: Responding to Workplace Violence and Staff Victimization*, Arlington, VA: National Victim Center, 1997:53-54.
- 38 Drawn from: Seymour, *Promising Practices and Strategies for Victim Services in Corrections*.
- 39 National Victim Center, *1996 Victims' Rights Sourcebook*.
- 40 Seymour, *National Victim Services Survey of Adult and Juvenile Correctional Agencies and Paroling Authorities 1996*, 14.
- 41 *Id.* at 14-15.
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42 *Id.* at 15.

43 States which prohibit access to sex offender registration information except to criminal justice officials are Hawaii, Kentucky, Missouri, Nebraska, and New Mexico.

44 KAN. STAT. ANN. § 22-4909. Registered offenders can be checked at [www.ink.org/public/kbi](http://www.ink.org/public/kbi).

45 CONN. GEN. STAT. § 54-102r.

46 CAL. PENAL CODE § 290.4.

47 N.C. GEN. STAT. § 14-208.9.

48 MASS. GEN. LAWS ANN. ch. 6§§ 178c et seq.

49 *Hearing on Megan's Law Before the Subcomm. On Crime of the House Committee on the Judiciary*, 104th Cong., 2d Sess., Testimony of Rep. Zimmer (Mar. 7, 1996).

50 Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. No. 104-236, 110 Stat. 3093.