

CR sent  
1-13-89

MPI

accreditation

# BLUEPRINT FOR CORRECTIONS

102944

U.S. Department of Justice  
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Commission on Accreditation for  
Corrections

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

102944



COMMISSION  
ON ACCREDITATION  
FOR CORRECTIONS

# *accreditation*

## BLUEPRINT FOR CORRECTIONS

### *contents*

Applicable Standards	1
The Accreditation Process	3
Participation in Accreditation	3
Eligibility Criteria	5
Applicant Status	6
Correspondent Status	6
Candidate Status	9
Standards Compliance Audit	9
Accreditation Hearing	13
Accredited Status	14
Reconsideration Process	14
Revocation of Accreditation	15
Reaccreditation	15
Additional Information	16
Glossary	17
Publications and Services	20
Board of Commissioners and Staff	22

This edition of *Accreditation Blueprint for Corrections* supersedes all previous editions.

Copyright February 1986  
Revised February 1986  
Commission on Accreditation for Corrections

The Commission on Accreditation for Corrections is a private, not-for-profit, independent organization which administers the only national accreditation program for all components of adult and juvenile corrections. Established in 1974, the purpose of the Commission is to promote improvement in the management of correctional agencies through the administration of a voluntary accreditation program and the on-going development and revision of relevant, useful standards in conjunction with the American Correctional Association.

Over 550 correctional facilities and programs are involved in accreditation, a process which began in 1978. Approximately 80 percent of all state departments of corrections and youth services are active participants. Also included are programs and facilities operated by the Federal Prison System, the U.S. Parole Commission, The Correctional Service of Canada and the District of Columbia.

For these agencies, the Commission's accreditation program offers the opportunity to evaluate their operations against national standards and to remedy deficiencies and upgrade the quality of correctional services. The recognized benefits from such a process include improved management, a proven defense against lawsuits through documentation and the demonstration of a "good faith" effort to improve conditions of confinement, increased accountability and enhanced public credibility for administrative and line staff, a safer and more humane environment for personnel and offenders, and the establishment of measurable criteria for upgrading programs, personnel and physical plants on a continuous basis.

The purpose of this publication is to explain the accreditation process as it is administered by the Commission on Accreditation for Corrections.

## APPLICABLE STANDARDS

The standards used in accreditation address services, programs and operations essential to sound correctional management, including administrative and fiscal controls, staff training and development, physical plant, safety and emergency procedures, sanitation, food service, rules and discipline, and supervision.

The following standards manuals are used in the implementation of the accreditation program:

*Standards for Adult Parole Authorities* (July 1976; revised June 1980)  
*Standards for Adult Community Residential Services* (April 1977; revised August 1980)  
*Standards for Adult Probation and Parole Field Services* (July 1977; revised March 1981)  
*Standards for Adult Correctional Institutions* (August 1977; revised January 1981)  
*Standards for Adult Local Detention Facilities* (December 1977; revised April 1981)  
*Standards for Juvenile Community Residential Facilities* (April 1978; revised January 1983)  
*Standards for Juvenile Probation and Aftercare Services* (July 1978; revised January 1983)  
*Standards for Juvenile Detention Facilities* (November 1978; revised January 1983)  
*Standards for Juvenile Training Schools* (January 1979; revised January 1983)  
*Standards for the Administration of Correctional Agencies* (April 1979)

These standards are under continual revision to reflect changing practice, current case law, new knowledge and agency experience with their application. Periodically, *Commission Policy Memos* are published to reflect standards changes made jointly by the Commission and the ACA Committee on Standards. Each year, these changes are published by the ACA in the *Correctional Standards Supplement*.

Commission policy addresses the impact of the standards revisions on agencies involved in accreditation. Agencies signing contracts after the date that a *Correctional Standards Supplement* is published are held accountable for all standards changes in the *Supplement*. Agencies are not held accountable, however, for changes made after the contract is signed. After this point, agencies may elect whether or not to apply changes to the standards issued following the program's entry into accreditation. Agencies must, though, notify the Commission of their decision prior to the conduct of the standards compliance audit.

Although accreditation is based only on the ACA standards, Commission policy provides for recognition of accreditations earned from the American Medical Association and the Joint Commission on Accreditation of Hospitals. This covers the AMA accreditation of medical services in local detention facilities and JCAH accreditation of institutional hospital programs.

Relative to the physical plant standards, it is the Commission's policy that the edition of the standards which was used in the

design, building and/or renovation of a facility shall be applicable for purposes of accreditation and all reaccreditations. The Commission reserves the right to add physical plant standards for reaccreditation if such standards can be met without major modification to the design and/or building of the facility, e.g., accessibility for handicapped staff and inmates. For accreditation purposes, any new architectural design, building and/or renovation of the institution would have to be in accordance with the edition of the standards current at the time of such design, building and/or renovation. If that occurred, then different physical plant standards would be applied to separate parts of the institution accordingly.

## THE ACCREDITATION PROCESS

The process remains constant for every type of correctional program or facility involved in accreditation. The timelines, requirements and outcomes of the process are the same for a state prison and training school, local detention facility, private halfway house and group home, probation and parole field service agency or paroling authority. All programs and facilities sign a contract, pay accreditation fees, conduct a self-evaluation and have a standards compliance audit by trained Commission consultants prior to an accreditation decision by the Board of Commissioners. Once accredited, all programs and facilities submit annual certification statements to the Commission. Also, at the Commission's expense and discretion, a monitoring visit may be conducted during the initial three-year accreditation period to ensure continued compliance with the appropriate standards. The following flow chart shows the steps an agency takes to become accredited.

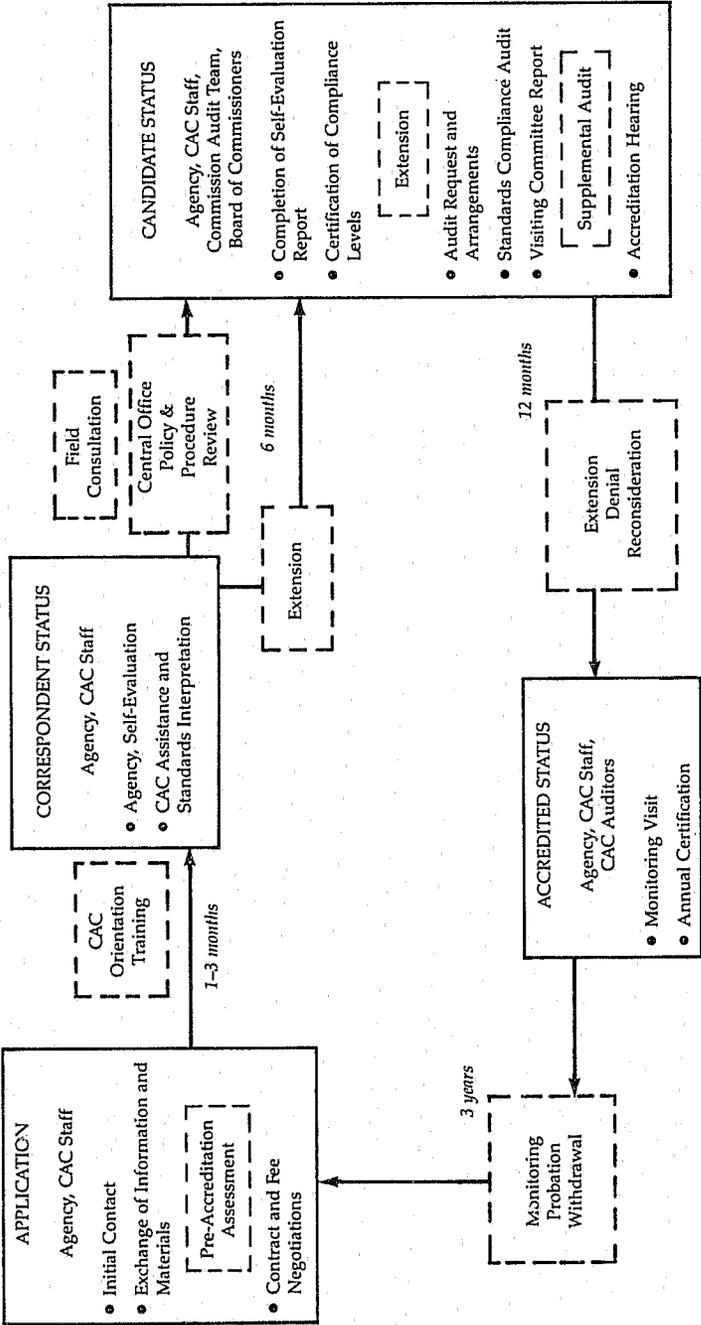
### *Participation in Accreditation*

Invitations to participate in the accreditation process have been extended to all adult and juvenile agencies for which standards have been developed and published. Over 550 programs and facilities are involved in the process, including more than 400 that have been accredited and reaccredited. Participating agencies include:

- public and private agencies
- federal, state and local agencies
- United States and Canadian correctional agencies

It is a voluntary decision by correctional administrators to initiate accreditation activities. When an agency elects to pursue

# THE ACCREDITATION PROCESS



accreditation, Commission staff provides to the agency the appropriate information and application materials, including a contract, the applicable standards, a policy and procedure manual and an organization summary.

### *Eligibility Criteria*

To be eligible for accreditation, an agency must be part of a governmental entity or conform to the applicable federal, state and local laws and regulations regarding corporate existence. The agency must (1) hold under confinement pretrial or presentenced adults or juveniles who are being held pending a hearing for unlawful activity; (2) hold under confinement sentenced adult offenders convicted of criminal activity or juveniles adjudicated to confinement; and/or (3) supervise in the community sentenced adult or adjudicated juvenile offenders, including youth placed in residential settings. Finally, to participate in accreditation, an agency must have a single administrative officer responsible for agency operations. It is this administrative officer who makes formal application for admission to accreditation.

It is the Commission's policy that nonadjudicated juveniles should be served outside of the juvenile correctional system. Training schools housing status offenders must remove them before or as a condition of accreditation. Detention facilities may house status offenders who have violated valid court orders by continued commission of status offenses. In such instances, the following conditions apply: status offenders are separated by sight and sound from delinquent offenders; facility staff demonstrate attempts to mandate removal of all status offenders from detention centers; and, special programs are developed for status offenders.

The Commission does not prohibit the participation in accreditation of community programs that commingle adjudicated delinquents with status offenders in *nonsecure* settings. However, the Commission actively supports and seeks ultimate exclusion of status offenders from the criminal and juvenile justice systems. Residential and institutional programs and facilities that commingle adults and juveniles may become accredited although the Commission may stipulate removal of juveniles as a condition of accreditation.

### *Pre-Accreditation Assessment*

Prior to signing an accreditation contract, an agency may request a pre-accreditation assessment. The assessment entails a visit to the agency by a Commission consultant who will assess strengths and areas for improvement vis-a-vis the standards, measure

readiness for application for accreditation and identify steps required to achieve accreditation. A confidential written report is provided for the agency to assist in making the decision to apply for accreditation.

### *Applicant Status*

When the agency enters accreditation, the administrator requests an information package from the Commission. In order to confirm eligibility, determine appropriate fees and schedule accreditation activities, the agency in turn provides the Commission with certain information.

Both the completed *Organization Summary*, which provides a written description of the facility/program, and the signed contract must be returned to the Commission in order for an agency to initiate the process. The Commission notifies the agency of its acceptance into the accreditation process within 30 days of receipt of the necessary application materials. A member of the Commission's Field Operations staff is assigned as a permanent liaison to the agency. Concurrently, the agency appoints an accreditation manager to organize and supervise agency resources and activities to achieve accreditation.

As delineated in the contract, the fees for the accreditation period cover all services normally provided to an agency by Commission staff, consultants and the Board of Commissioners. The cost of supplemental audits, if required, is in addition to the basic fee which is designed to provide the financial resources necessary to cover the costs of the audit and the administrative operations of the Commission.

Accreditation fees are based on the number of auditors per day required to audit the program or facility. Experience indicates that, on the average, two consultants for two days are needed to audit a parole authority or a community residential program; three consultants for three days are required to audit a correctional institution, training school or detention facility. The fees are determined during the application period and are included in the contract signed by the agency and the Commission.

The fees for probation, parole and aftercare field service agencies depend on the size, number and locations of the field offices. The central office and a stipulated number of field offices are audited, with the fee determined by the number of consultant days required to complete the audit.

### *Correspondent Status*

When the application is accepted, the agency enters into Correspondent Status during which time the staff conducts a self-

assessment of their operations and completes a *Self-Evaluation Report* which specifies the agency's level of standards compliance. The agency has a maximum of six months to conclude the evaluation and complete the *Report*.

At the agency's request and expense, an on-site accreditation orientation for staff and/or field consultation is scheduled. The objective of the orientation is to adequately prepare agency staff to complete the requirements of accreditation, including an understanding of self-evaluation activities, compilation of documentation, audit procedures and standards interpretations. A field consultant provides information on accreditation policy and procedure, standards interpretations and/or documentation requirements. Agency familiarity with standards and accreditation is the key factor in determining the need for these services.

The *Self-Evaluation Report* includes a brief narrative description of the agency; completed Standard Compliance Checklist for each standard in the applicable manual of standards; a compliance tally; and preliminary requests for waivers of plans of action.

The following sample Standard Compliance Checklist illustrates the considerations made by agency personnel in determining applicability, compliance or noncompliance with each standard.

In completing the *Self-Evaluation Report*, the agency checks compliance, noncompliance or not applicable on each checklist. Checking compliance means the agency complies completely with the content of the standard at all times and has documentation, primarily written documentation, available to support compliance. Many standards also require sight confirmation and/or interviews with staff and offenders to determine compliance. A noncompliance response indicates less than complete compliance for which no credit is given. A not applicable response means that the standard is clearly not relevant to the situation being audited. A written statement supporting nonapplicability of the standard is required.

At this time, the agency may request a plan of action waiver for one or more standards provided that overall agency programming compensates for the lack of compliance. The waiver request is accompanied by a clear explanation of such compensating conditions. The agency applies for a waiver only when the totality of conditions safeguards the life, health and safety of offenders and staff. Waivers are not granted for standards designated as *Mandatory*. Also, the granting of a waiver does not change the conclusion of noncompliance or the agency's compliance tally. When a plan of action waiver is requested during the self-evaluation phase, the Commission staff renders a preliminary judg-



mission staff, primarily to verify agency understanding of accreditation requirements. The documentation which the agency staff has compiled to support its findings of standards compliance remains at the agency where it will be examined by Commission consultants who conduct the standards compliance audit.

It is the generation and compilation of written documentation that requires the most time and effort during Correspondent Status. A separate documentation file, which explicitly proves compliance, is prepared for each standard.

In order to request an audit, an agency must comply with 100 percent of the standards designated as *Mandatory* and 90 percent of all the remaining applicable standards. At this stage, the *Self-Evaluation Report* does not necessarily need to reflect these levels of compliance.

If an agency requires more than the six months allotted to complete the *Self-Evaluation Report*, a letter is forwarded to the Executive Director requesting an extension.

#### *Candidate Status*

The agency enters into Candidate Status with the Commission's acceptance of the *Self-Evaluation Report* or agency certification of its completion. Candidate Status continues until the agency meets the required levels of compliance, has been audited by a Visiting Committee composed of Commission consultants and has been awarded or denied a three-year accreditation by the Board of Commissioners. Candidate Status lasts up to 12 months.

An agency may request, in writing, an extension of Candidate Status, stating the reasons for the request. The Executive Director of the Commission considers and renders a decision on the request. It is the Commission's policy that extensions of Candidate Status do not exceed 12 months.

The agency requests a standards compliance audit when the administrator believes they have met or exceeded the compliance levels required for accreditation.

#### *Standards Compliance Audit*

The agency's request for an audit is made at least six weeks in advance of the desired audit dates. The purpose of the audit is to have the Visiting Committee measure the agency's operation against the standards, based on the documentation provided by the agency.

A Visiting Committee composed of two or more consultants completes the audit and prepares a *Visiting Committee Report* for

submission to the Commission. The Commission designates a Visiting Committee Chairperson to organize and supervise the Committee's activities.

Prior to arrival at the audit site, each member of the Visiting Committee reviews the agency's descriptive narrative and any additional information that the Commission staff may have provided, including pending litigation and court orders submitted by the agency and inmate correspondence. The Visiting Committee Chairperson makes audit assignments to each consultant. For example, one consultant may audit the administrative, fiscal and personnel standards, while another audits standards for physical plant, sanitation and security.

Upon arrival, the Visiting Committee meets with the administrator, accreditation manager and other appropriate staff to discuss the scope of the audit and the schedule of activities. This information exchange provides for development of an audit schedule that ensures the least amount of disruption to routine agency operation.

The exact amount of time required to complete the audit depends on agency size, number of applicable standards, additional facilities to be audited and the accessibility and organization of documentation. To expedite the audit, all documentation should be clearly referenced and located where the Visiting Committee is to work.

The accreditation manager's responsibilities include making standards compliance documentation and release of information forms for personnel and offender records readily available to the Visiting Committee. Also, staff are notified beforehand to ensure their availability to discuss specific issues or conduct tours of the facility for the Visiting Committee.

During the audit, the members of the Visiting Committee tour the facility, review documentation prepared for each standard and interview staff and offenders in order to make reasoned compliance decisions. The Visiting Committee reports its findings on the same Standards Compliance Checklists used by the agency in preparing its *Self-Evaluation Report*. All members of the Visiting Committee review all *Mandatory* standards, all areas of noncompliance and nonapplicability and all requests for waivers, with decisions made collectively.

Interviewing staff members and offenders is an integral part of the audit. In addition to speaking with those who request an interview with the team, the members of the Visiting Committee select other individuals to interview and the issues to discuss. These are voluntary interviews that occur randomly throughout the audit. The confidentiality of those interviewed is ensured.

For residential programs, in addition to auditing standards documentation, consultants will evaluate the quality of life or conditions of confinement. An acceptable quality of life is necessary for an agency to be eligible for accreditation. Factors that the Visiting Committee considers include the adequacy and quality of programs, activities and services available to inmates and their involvement in turn; occurrences of disturbances, serious incidents, assaults or violence, including their frequency and methods of dealing with them to ensure staff and inmate safety; and overall physical conditions, including adequacy of living, support and program space, and institutional maintenance related to sanitation, health and safety.

Prior to leaving the agency at the conclusion of the audit, the Visiting Committee again meets with the administrator, accreditation manager and any others selected by the administrator to discuss the results of the audit. During this exit interview, the Visiting Committee reports the standards compliance tally and all findings of noncompliance, nonapplicability and preliminary decisions on waivers, stating the reasons for each decision. Neither the exit interview nor the *Visiting Committee Report* to the Board of Commissioners includes recommendations for granting or withholding accreditation.

At the close of the audit, if the Visiting Committee finds that the agency is in noncompliance with one or more *Mandatory* standards or does not meet sufficient nonmandatory standards compliance levels to be considered for accreditation, the Chairperson advises the agency that an on-site supplemental audit may be required prior to scheduling an accreditation hearing. The agency is responsible for notifying the Commission when the deficiencies have been corrected and a supplemental audit is desired. The agency bears the cost of the supplemental audit. A Commission consultant, often a member of the original Visiting Committee, returns to the agency to reaudit the appropriate standards. The *Visiting Committee Report* includes the written report from the supplemental audit.

The Chairperson of the Visiting Committee prepares and submits a copy of the *Visiting Committee Report* to the Commission staff within 10 days of the completion of the audit. Commission staff reviews the *Report* for completeness, enters the data into the Commission's management information system and, within 15 days of the audit's completion, submits it to the agency administrator and other members of the Visiting Committee for concurrence. The agency has 15 days to submit to the Commission staff and all members of the Visiting Committee its written response to the *Report*.

Re:  
 Noncompliance  
 Standard No. \_\_\_\_\_

## RESPONSE TO NONCOMPLIANCE

Submit one of the following for the noncompliance standard referenced above. Check one and detail in the space provided below:

- Plan of Action
- Plan of Action Waiver Request
- Appeal of the Visiting Committee Finding

(1) **PLAN OF ACTION**—Detail the deficiencies which resulted in the noncompliance conclusion. (See Manual of Accreditation Policy and Procedure, pages 41, 69–70.)

---



---



---

In order of anticipated completion dates, list the tasks necessary to achieve compliance, the responsible agency (including parent agency), and assigned staff member:

	Task	Responsible Agency	Assigned Staff	Anticipated Completion Date
(a)				
(b)				
(c)				
(d)				
(e)				

(2) **PLAN OF ACTION WAIVER REQUEST**—Indicate why the requirement for total compliance with the standard should be waived. (See Manual of Accreditation Policy and Procedure, pages 42–44 and 70.)

---



---



---

(3) **APPEAL OF THE VISITING COMMITTEE FINDING**—Indicate your reasons for disagreeing with the Visiting Committee's finding of noncompliance. (See Manual of Accreditation Policy and Procedure, pages 67–69.)

---



---



---

Agency Representative Signature

Date

(4) **Commission Visiting Committee comments on the Plan of Action/Plan of Action Waiver Request/Appeal:**

---



---



---

Plans of action for all standards found to be in noncompliance by the Visiting Committee, waiver requests and appeals of non-compliance findings are included in the agency's response. Plans of action demonstrate activities the agency will perform to correct deficiencies and achieve compliance with all standards. Plans of action indicate tasks, responsible staff and timelines for coming into compliance with the standards.

Appeals are made when the agency disagrees with the Visiting Committee's findings of non-compliance. Appeals include justification for reconsideration based on errors or oversights by auditors in reviewing documentation or different interpretations in applying the standards to the agency. Only documentation existing at the time of the audit may accompany an appeal. The agency's opinion relative to the merit of a standard or a conflict with applicable statutes, rules and/or regulations is not grounds for an appeal.

The Chairperson has five days to submit a final response to the *Report*, which includes recommendations on plans of action, waiver requests and appeals. The *Visiting Committee Report* constitutes the application for accreditation. This *Report* is submitted to the Board of Commissioners for consideration at its next regularly scheduled meeting. The information contained in the *Report* is kept confidential by the Commission.

### *Accreditation Hearing*

The Board of Commissioners is solely responsible for rendering accreditation decisions and is divided into Accreditation Panels empowered to render such decisions. Panels meet separately or in conjunction with a full Board meeting and are comprised of three to five Commissioners.

The agency is invited, at its own expense, to have representation at the accreditation hearing. Unless circumstances dictate otherwise, a member of the Visiting Committee is not present; however, a Commission staff member does participate. At the accreditation hearing, the agency representative provides information about the agency, speaks in support of its appeals and/or waiver requests and addresses concerns the Panel may have regarding the accreditation application.

After completing its review, an Accreditation Panel votes to award or deny accreditation or continue the agency in Candidate Status. If, in the opinion of the Panel members, the circumstances merit such action, the Panel may request full Board consideration of an accreditation application. An agency also may appeal an accreditation decision to the full Board.

When an agency receives a three-year accreditation award, a certificate with the effective date of the award is presented to the agency administrator. The Board of Commissioners may affix special conditions to an accreditation award, such as submission of acceptable plans of actions or a monitoring visit. All special conditions are specific as to activities required and timelines for their completion. The Panel advises the agency representative of all special conditions at the time the accreditation decision is made.

The Commission may deny accreditation for reasons of insufficient standards compliance, inadequate plans of action or failure to meet other requirements as determined by the Board of Commissioners, including, but not limited to, the conditions of confinement in a given facility. It is the position of the Commission that it may stipulate additional requirements for accreditation if, in its opinion, conditions exist in the facility or program that adversely affect the life, health or safety of the staff or offenders. In not awarding accreditation, the Commission may extend an agency in Candidate Status for a specified period of time and for identified deficiencies if, in its judgment, the agency is actively pursuing compliance. Those agencies denied accreditation, but not extended in Candidate Status, may reapply for accreditation after 180 days. The agency receives written notification of all decisions relative to its accreditation following the accreditation hearing.

#### *Accredited Status*

During the three-year accreditation period, the Commission requires that accredited agencies submit annual certification statements confirming continued standards compliance at levels necessary for accreditation, progress on completing plans of action and other significant events that may affect the accreditation award. In addition, the Commission may require accredited agencies to submit written responses to public criticism, notoriety or patterns of complaints about agency activity which suggest a failure to maintain standards compliance. Finally, the Commission, at its own expense and with advance notice, may conduct on-site monitoring visits to verify continued standards compliance or conditions of confinement.

#### *Reconsideration Process*

The goal of the Commission's reconsideration process is to ensure the equity, fairness and reliability of its decisions, particularly those that constitute either denial or revocation of Accredited Status. Therefore, an agency may request reconsideration of any denial or revocation of accreditation. However, the reason-

ableness of the Commission's standards, criteria and/or procedures for accreditation may not serve as the basis for reconsideration.

A reconsideration request is based on the grounds that the adverse decision is: (1) arbitrary, capricious or otherwise in substantial disregard of the criteria and/or procedures for accreditation as promulgated by the Commission; (2) based on incorrect facts or an incorrect interpretation of facts; or (3) unsupported by substantial evidence.

The agency submits a written request for reconsideration to the Commission staff within 30 days of the adverse decision stating the basis for the request. The Commission's Executive Committee reviews the request and decides whether there is sufficient evidence to warrant a reconsideration hearing before the Board of Commissioners. The agency is notified in writing of the Executive Committee's decision.

If the Board of Commissioners agrees to the reconsideration hearing, the hearing is scheduled for the next full Commission meeting, and the agency is notified of the date. The agency, at its own option and expense, has the right to representation, including counsel, and the right to receive a transcript of the hearing. The Commission's decision, reflecting a majority opinion, is immediately made known to the agency.

#### *Revocation of Accreditation*

An accredited agency that does not maintain the required levels of compliance throughout the three-year accreditation period, including continuous compliance with all *Mandatory* standards, may have its accreditation revoked. The agency is notified of its deficiencies and given a specified amount of time to correct them. If the deficiencies continue, the Board of Commissioners may place the agency on Probationary Status for an additional stated period of time, requiring documentation of compliance. Should the agency fail to correct the deficiencies, the Board of Commissioners may revoke the agency's accreditation.

An accredited agency that has had its accreditation revoked for reasons of noncompliance also may use the reconsideration process.

#### *Reaccreditation*

To ensure continuous Accredited Status, accredited agencies apply for reaccreditation approximately 12 months prior to the expiration of their current accreditation award. Agencies may

elect to undergo reaccreditation using the same procedures as for accreditation, or they may elect a modified procedure.

If agencies choose the latter, the process has two required components: (1) a streamlined standards compliance audit and (2) a monitoring visit during the second year of the reaccreditation award. If central office policies continue to conflict with the standards, the Commission may require a visit to the parent agency of the accredited facility/program once during the three-year period. Agencies have the option of being audited from accreditation or operational files. For detailed information on reaccreditation, consult the Commission staff.

## ADDITIONAL INFORMATION

The preceding information is provided as a detailed overview of the accreditation process. Additional information on specific procedures and elements of the process is available from the Commission. The following Glossary is provided to assist the reader in better understanding the terminology of the process. The listing of Publications and Services describes printed materials and available resources.

## GLOSSARY

*Accreditation Manager*—An agency employee designated by the agency administrator to supervise the planning and implementation of accreditation activities in the agency. He/she has a comprehensive knowledge of the agency and sufficient authority within the agency to design and administer a successful accreditation strategy.

*Accreditation Panel*—The subunit of the Board of Commissioners empowered to review applications and make final decisions on agency accreditation.

*Accredited Status*—The three-year period during which the agency maintains and improves upon its standards compliance levels which were achieved at the time of the accreditation award. The agency submits annual certification statements to verify its continued compliance, reports on progress in implementing plans of action and reports any significant events that may have occurred. Monitoring visits to verify continued compliance may also be conducted. Also during this time period the agency applies for reaccreditation.

*Agency*—The organization, facility or program seeking accreditation. Since many applicants for accreditation are part of a correctional system or have a parent agency, it is recognized that some activities or functions required by the standards or Commission policy may be completed on their behalf by the parent agency.

*Annual Certification Statement*—The document an accredited agency submits to the Commission to verify continued compliance with the standards and to report on its progress of implementing plans of action.

*Appeal*—The agency's attempt to change the Visiting Committee's decision on a standard. At the accreditation hearing, the agency presents its position relative to the Visiting Committee's findings with which it does not concur. The result of a successful appeal is a change in the status of the standard, either compliance or applicability, and a recalculation of the compliance tally.

*Applicant Agency*—An agency involved in the exchange of materials, information and correspondence with the Commission while preparing to participate in the accreditation process.

*Audit*—The process by which an agency's compliance with standards is verified by a Visiting Committee during an on-site visit.

*Auditor*—The term frequently used to refer to Commission consultants who conduct the pre-accreditation assessments, field consultations, standards compliance audits and monitoring visits.

*Candidate Status*—The 12-month period after an agency has completed its *Self-Evaluation Report* or has the *Report* accepted by the Commission. *Candidate Status* continues until standards compliance is verified, and the accreditation decision is made.

*Commission*—The term used collectively to refer to the Board of Commissioners, staff and consultants of the Commission on Accreditation for Corrections. When a distinction is necessary, the specific reference is used.

*Compliance Levels*—To be eligible for a standards compliance audit and

for accreditation, an agency must comply with 100 percent of all *Mandatory* standards and 90 percent of all other applicable standards.

*Compliance Tally*—The percentage calculations of compliance by standard weight (i.e., *Mandatory*, non-mandatory).

*Consultant*—An individual selected, trained and appointed by the Commission to serve on a Visiting Committee for the purpose of conducting an audit to verify agency compliance with the standards. Consultants frequently are referred to as auditors.

*Contract*—The written, signed agreement between the Commission and the agency specifying mutually agreed upon responsibilities, activities and financial obligations. Contracts for programs that are part of a correctional system or have a parent agency may be signed by the parent agency.

*Correspondent Status*—The six-month period after an agency has applied for accreditation and completed the required entrance activities when the agency evaluates its compliance with the standards and prepares a *Self-Evaluation Report*.

*Fees*—The cost to the agency for entering and completing the accreditation process, as stipulated in the contract. Fees are set by the Board of Commissioners and reviewed and revised as necessary. Fees cover the costs of the audit, any monitoring visits that may be required and the Commission's administrative costs.

*Field Consultant*—A Commission consultant who, at an agency administrator's request, provides on-site assistance to the agency in completing the self-evaluation phase and/or preparing for an audit.

*Mandatory Standards*—Those standards which directly affect the life, health and safety of offenders and correctional employees, as determined by the Board of Commissioners and the American Correctional Association's Committee on Standards. To be eligible for accreditation, an agency must comply with all *Mandatory* standards.

*Monitoring Visit*—A visit by a Commission staff member or consultant to verify continued compliance with the standards during Accredited Status. During the accreditation period, monitoring visits are conducted at the discretion of the Commission. For reaccredited agencies opting for the modified procedure, a monitoring visit is required and is conducted during the second year of the accreditation award.

*Plan of Action*—A detailed statement of actions which an agency takes to achieve compliance with a standard found in noncompliance at the time of the audit. The plan of action designates staff responsibilities and timetables for completing each task. Plans of action constitute one element of the *Visiting Committee Report* reviewed during the accreditation hearing.

*Plan of Action Waiver Request*—In response to a request from the agency, the Commission may waive the requirement for submitting a plan of action for a noncompliance standard. The waiver may be granted by the Accreditation Panel when noncompliance does not adversely affect the life, health or safety of agency staff and offenders and conditions in the agency compensate for the lack of implementation. A waiver of a plan of action does not change the conclusion of noncompliance.

*Pre-Accreditation Assessment*—For agencies considering participation in accreditation, one or more consultants provide on-site assistance to evaluate an agency's strengths and deficiencies with regard to meeting the standards, assessing readiness for accreditation and identifying the necessary steps to achieve accreditation.

*Reaccreditation*—Accreditation granted to an agency following the initial three-year award when the agency has fulfilled the requirements of the reaccreditation model. Application for and activities to receive reaccreditation occur during the final 12 months of the previous accreditation award if the accreditation is to remain continuous.

*Self-Evaluation Report*—The document prepared by the agency in Correspondent Status that includes basic descriptive information about the agency, the results of the agency's assessment of its compliance with the standards, a tally reflecting percentages of compliance with the standards and any requests for waivers.

*Standards Compliance Checklist*—A Commission form used to indicate agency compliance with a standard, the identity of both the agency staff and the Commission consultant verifying compliance, type of documentation and, if necessary, the rationale for nonapplicability or justification for a plan of action waiver.

*Standard Weight*—The designation of *Mandatory* or non-mandatory that is assigned to each standard.

*Supplemental Audit*—A revisit to an agency when, as a result of the initial audit, the agency lacks compliance levels required for accreditation. The visit entails a reevaluation of compliance with *Mandatory* and/or other standards required to meet accreditation criteria. The cost of the supplemental audit is paid by the agency and is in addition to the accreditation fee.

*Visiting Committee*—Two or more Commission consultants who complete an on-site audit to verify an agency's standards compliance.

*Visiting Committee Report*—The document prepared by Commission staff using the Commission's Management Information System based on information submitted by the Visiting Committee Chairperson and agency staff. The *Report* includes a description of the agency, results of the audit and the agency response to audit findings.

## PUBLICATIONS AND SERVICES

The Commission has available a variety of publications and services to assist agencies in becoming familiar with the standards and their application through accreditation.

### *Publications*

*Accreditation: Investment for the Future*, a brochure, describes accreditation in a nutshell. No charge.

*Accreditation Blueprint for Corrections* (this publication) is available at no cost for single copies. Multiple copies available at \$1.50 each.

*Annual Report* provides a summary of the Commission's activities during the prior fiscal year. No charge.

*Agency Manual of Accreditation Policy and Procedure* is the comprehensive guide to becoming accredited. The *Manual* offers step-by-step procedures for implementing the phases of accreditation from application through awarding of accreditation, maintenance and reaccreditation. Cost is \$25 to nonparticipating agencies.

*Commission Policy Memo*, published as needed, provides information on standards revisions and interpretations and policy changes. No charge.

*Correctional Standards Supplement*, published annually by the American Correctional Association, provides all changes and interpretations to the standards. Available from the ACA, the cost is contingent on ACA membership.

*Correctional Facility Design and Construction Management* (1985) explores issues, problems and trends in correctional facility construction. No charge.

*Audio-visual* (in preparation) will describe the accreditation process and explain its benefits. The approximately 15-minute film will be available for use with a video cassette recorder.

*Action Line* is the quarterly newsletter that provides up-to-date information on policies and practices of the Commission and the accreditation program. No charge.

The Commission has various articles and information on accreditation and the standards related to the courts and physical plant standards. Call the Commission for additional information.

Direct requests and inquiries to:  
Commission on Accreditation for Corrections  
6110 Executive Boulevard, Suite 600  
Rockville, MD 20852  
(301) 770-3079

After April 1, 1986, the Commission's address will be:  
3202 Monroe Street, Suite 140  
Rockville, MD 20852

### *Manuals of Standards*

Standards for Adult Parole Authorities  
Standards for Adult Community Residential Services  
Standards for Adult Probation and Parole Field Services  
Standards for Adult Correctional Institutions

Standards for Adult Local Detention Facilities  
Standards for Juvenile Community Residential Facilities  
Standards for Juvenile Probation and Aftercare Services  
Standards for Juvenile Detention Facilities  
Standards for Juvenile Training Schools  
Standards for the Administration of Correctional Agencies  
Correctional Standards Supplement

Standards manuals and the *Supplement* are available from the:  
American Correctional Association  
4321 Hartwick Road, Suite L-208  
College Park, MD 20740  
(301) 699-7600

### *Services*

*Pre-Accreditation Assessments* measure agency readiness for application for accreditation. The assessment is conducted by a Commission consultant(s) who writes a confidential report on the agency's strengths and deficiencies vis-a-vis the standards. Cost varies with the length of the assessment and the number of consultants.

*Accreditation Orientation Seminars* are conducted at the request of applicant agencies. Led by Commission staff members and experienced consultants, the seminars are designed to familiarize agency staff with the mechanics of accreditation and to provide an understanding of the standards. Seminars are one to one-and-a-half days in length, the duration negotiated between the Commission and the agency. Cost varies with the length of the seminar and the number of trainers.

*Field Consultations* are arranged at the request of the agency to provide on-site assistance in explaining accreditation policy and procedure, interpreting the applicability of standards and evaluating the appropriateness and thoroughness of documentation to support standards compliance. Cost varies with the length of the consultation and the number of consultants.

*Standards Interpretations* are provided by Commission staff to agencies both in accreditation and those considering participation. Interpretations are given in writing and orally.

# COMMISSION ON ACCREDITATION FOR CORRECTIONS

## BOARD OF COMMISSIONERS

### *Executive Committee*

John Braithwaite, Chairman Canada	Linda Rossi Texas
James R. Irving Vice Chairman, Illinois	J. J. Enomoto California
Sue Shirley, Treasurer Texas	Robert H. Fosen, Secretary Maryland

---

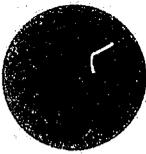
Penelope D. Clute New York	Edgar C. Moore South Carolina
Raymond J. Coleman Washington	Victoria C. Myers Missouri
Christopher V. Dietz New Jersey	Jay M. Newberger South Dakota
Richard J. Elrod Illinois	Virginia Swanson Washington
William E. Gladstone Florida	William S. White Illinois
M. Wayne Huggins Virginia	George W. Wilson Kentucky
James M. Jordan Illinois	Norman E. Wirkler Iowa
Charles J. Kehoe Michigan	

### COMMISSION STAFF

Robert H. Fosen Executive Director	Linde Pusateri Program Assistant
Ilene R. Bergsmann Director of Information and Training	Jeffrey Washington Program Assistant
Howard M. Gooding Director of Finance	Dolores E. Miller Executive Secretary
John J. Greene III Director of Operations	Laura Calpin Secretary/Computer Operator
Shelley J. Price Standards Coordinator	Leslie R. Casey Secretary, Accounting
Lynn J. Carpenter Senior Program Assistant	Kim M. Gaiewski Secretary, Operations

**Commission on Accreditation for Corrections**  
6110 Executive Boulevard  
Rockville, Maryland 20852

After April 1, 1986, the Commission's address will be:  
3202 Monroe Street, Suite 140  
Rockville, Maryland 20852



# National Crime Victim Assistance Program

## The National Sheriffs' Association Victim Assistance Training Program

### *Participant's Handbook*

102946

a program of the Office for Victims of Crime and  
the National Sheriffs' Association



U.S. Department of Justice  
Office of Justice Programs  
Office for Victims of Crime

NCJRS

OCT 17 1986

ACQUISITIONS

NATIONAL CRIME VICTIM ASSISTANCE PROGRAM

THE NATIONAL SHERIFFS' ASSOCIATION  
VICTIM ASSISTANCE TRAINING  
PROGRAM

Participant's Handbook

a program of the OFFICE FOR VICTIMS OF CRIME and  
the NATIONAL SHERIFFS' ASSOCIATION

U.S. Department of Justice  
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by  
Public Domain/Office of Justice  
Programs/Office for Victims of Crime/  
U.S. Department of Justice  
to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

Department of Justice  
Office of Justice Programs  
Office for Victims of Crime

THE NATIONAL SHERIFFS' ASSOCIATION  
VICTIM ASSISTANCE TRAINING PROGRAM

A Participant's Handbook

Prepared by

H. Jerome Miron  
Lauren J. Goin  
Susan Keegan  
Ellen Archer

for

THE NATIONAL CRIME VICTIM ASSISTANCE PROGRAM  
OFFICE FOR VICTIMS OF CRIME  
U.S. DEPARTMENT OF JUSTICE

Gregory Brady, Director  
Donald J. Anderson, Program Manager  
Office for Victims of Crime  
Department of Justice

November, 1984

The Handbook was prepared by the National Sheriffs' Association Victim Witness Program which is supported by a grant from the U.S. Department of Justice, Office of Justice Programs, whose Director is the Assistant Attorney General, Lois H. Herrington. Unless otherwise noted, information in the Handbook does not reflect the policies of the Department of Justice or the National Sheriffs' Association. The Department of Justice reserves the right to reproduce, publish, translate, or otherwise use, and to authorize others to publish and use all or any part of the copyrighted material contained in this publication.

## TABLE OF CONTENTS

	PAGE
Acknowledgements .....	1
A Message from the Assistant Attorney General .....	5
The National Sheriffs' Association Victim Assistance Program ....	7
Introduction .....	9
A Biographical Note About the Training Team .....	17
Schedule of Workshop .....	19
Session 1: Introduction and Orientation to the Workshop .....	21
Session 2: The Meaning of Victimization .....	33
Session 3: Background and History: The Role of the Victim in the Justice System .....	49
Session 4: A Survey of Victim Assistance Activities .....	75
Session 5: The Role of the Sheriff in Victim Assistance .....	241
Session 6: NSA Guidelines for Victim Assistance .....	253
Session 7: Federal Legislation: Victim/Witness Assistance .....	287
Session 8: Planning for Victim Assistance Programs .....	305
Session 9: A Service Model: The Sheriff's Victim Response Unit	341
Session 10: Developing a Local Agency Plan for Victim Assistance	353
Session 11: Composing a Local Agency Plan .....	363
Session 12: Presentation and Critique of Plan .....	365
Session 13: The Role of the Sheriff in a County-wide Coordinating Council for Victims .....	369
Session 14: Developing the SSA Task Force's State Plan for Victim Assistance .....	377
Session 15: Composing the State Plan .....	385
Session 16: Presentation and Critique of Plan .....	389
Session 17: Conclusion of Workshop .....	391
A P P E N D I X: HANDOUT MATERIALS .....	393

## ACKNOWLEDGEMENTS

In developing the training program of the National Sheriffs' Association's Victim Witness Program, we are indebted to a number of people within the Department of Justice and the NSA for their invaluable candor, insight and assistance.

Our first expression of thanks and admiration is given to Assistant Attorney General Lois. H. Herrington, who is the Director of the Office of Justice Programs and the founder of the Office for Victims of Crime. As Chairman of the President's Task Force on Victims of Crime and in her capacity as the Assistant Attorney General, she has exhibited a rare combination of leadership, knowledge, skill and enthusiasm and applied it to a vision and a strategy to seek the improvement of the American justice system's treatment of victims.

In January, 1984, NSA began a partnership with the Office for Victims of Crime in order to enable the association and its 45,000 members and 46 State Sheriffs' Associations to work together to ensure that the recommendations of the President's Task Force become reality in the daily operations of the justice system. With the support of the outstanding and dedicated professional staff of the Office for Victims of Crime, this Handbook and "The NSA Guidelines on Victim Assistance" have become a foundation for the series of regional and national workshops and conferences that seek to accomplish the goal of this partnership.

We are grateful to Mr. Gregory Brady, Director of the Office for Victims of Crime. We have especially appreciated the recommendations, directions and guidance that Mr. Donald Anderson of the Office for Victims of Crime has provided to our program. His high standards and expectations of excellence are reflected in the documents, services and programs of the NSA Victim Witness Program.

The NSA National Advisory Council on Victims and Witnesses which is chaired by Sheriff Dale Carson, Jacksonville, Florida, provided support and guidance in our efforts. They along with other sheriffs and experts whom we consulted--all of whose names appear later in this text--have enriched our efforts.

Mr. L. Cary Bittick, Executive Director of the NSA and Mr. Thomas Finn, Assistant Executive Director, have provided leadership and guidance as well as an environment of support so that the staff was able to create a program that is reflective of the values, goals, and expectations of the sheriffs and members of the association.

To the hundreds of sheriffs and deputies and staff of the various State Sheriffs' Association's Task Force on Victims who will be the principle agencies and agents for implementing many of our recommendations and ideas, we offer our admiration, respect, and thanks. Since March, 1984, many of the Task Force members--in each state--have already begun to work towards the goal of improving the manner in which their local and state justice systems respond to victim needs and victim rights.

Finally, to my colleagues and friends who are the staff and team of the NSA Victim Witness Program--Mr. Jack Goin, Ms. Susan Keegan, Ms. Ellen Archer, and Ms. Daphne Osborne--I wish to acknowledge a special debt of gratitude and thanks. Our collective work together has been characterized by the competence, skill, and care that each has brought to the difficult and multiple tasks of research, study, writing, editing, typing, correcting, and completing, within short deadlines, this document.

H. Jerome Miron  
Director  
The National Sheriffs' Association  
Victim Witness Program  
1450 Duke Street  
Alexandria, Virginia 22314  
(703) 836-7827  
(800) 424-7827

November 15, 1984

A MESSAGE FROM THE ASSISTANT ATTORNEY GENERAL  
LOIS H. HERRINGTON

The scales of justice have lost their balance, according to the victims testifying before the President's Task Force on Victims of Crime. While affording the defendant a multitude of protections, the criminal justice system ignores, mistreats and even blames the one person for whom it was created to protect: the innocent victim. As a result, many victims vow never to cooperate again; and like a pebble dropped into a pool, the resentment spreads throughout the community. More than half of those victimized by violent crime last year did not report the incident.

In a free society, we are absolutely dependent upon the aid of these victims to hold the criminal accountable. In return, the victim deserves support and fair treatment. As often the first to arrive on the scene of the crime, the sheriff's deputy is the initial source of protection for the victim. The manner in which he treats a victim at the time of the crime and afterwards affects not only his immediate and long-term ability to cope with the crime, it can determine his willingness to assist in prosecution.

The mistreatment of victims is generally a result of ignorance--not intention--and can often be resolved through education. In this effort, The National Sheriffs' Association has undertaken one of our most important missions for making the Task Force recommendations a reality. There is an Office for Victims of Crime now working with a number of other national organizations to train professionals, to serve as a resource center and to develop model legislation for the states. With these tracks already laid, we expect to similarly implement the recommendations of the Attorney General's Task Force on Family Violence.

The movement to improve the treatment of crime victims is gaining momentum and has been fueled by the support of the National Sheriffs' Association. I am grateful for your enthusiasm. Your commitment shall help us restore the balance of our system of criminal justice.

Lois Haight Herrington  
Assistant Attorney General  
for Justice Programs  
Washington, D.C.,  
November, 1984

THE NATIONAL SHERIFFS' ASSOCIATION  
VICTIM WITNESS PROGRAM

The NSA Victim Witness Program is a joint partnership with the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime. Under a grant from the Office for Victims of Crime, the NSAVWP takes the results of legal research, studies, demonstration programs, and the experiences of hundreds of different types of victim and witness assistance projects and makes them accessible to sheriffs and others in the law enforcement and justice system community. The goal of the program is to enable sheriffs and State Sheriffs' Associations to implement actions to modify the manner in which the justice system responds to the needs and rights of victims and witnesses.

The activities of the NSA Victims Witness Program that are performed to reach this goal are:

- Regional Workshops which are conducted for SSA Task Force members in all regions of the United States;
- National Conferences which are special one-day conferences or workshops held in conjunction with State Sheriffs' Association meetings, the National Sheriffs' Association Annual Criminal Justice Symposium, the National Sheriffs' Association Annual Informative Conference, the National Sheriffs' Institute held quarterly each year at the FBI National Academy, Quantico, Virginia, and other specially designed national meetings;
- Textbooks and Training Materials which support workshops and conferences;
- The NSA Victim Assistance NEWSLETTER which is published monthly and distributed to each sheriff and each SSA Task Force member which contains articles and updates about the work of Task Force members and provides information about victim or witness services or legislation;
- Technical Assistance for sheriffs and others which is delivered by several means: a toll-free phone number to obtain current information; reports or memorandum about new developments; on-site assistance by staff; and other assistance when requested and needed;
- Publications of articles in THE NATIONAL SHERIFF magazine which is distributed, bi-monthly, to more than 45,000 subscribers. Each issue contains at least one article about some aspect of victim or witness assistance;
- Speakers Bureau which provides staff members who are competent to speak on any aspect of victim assistance,

## INTRODUCTION

In 1981, more than 20 million persons stated in the National Crime Survey that they had been victims of a violent crime; an additional 20 million reported that their households were burglarized or that they were the victims of non-violent crimes. These numbers have remained relatively constant for the years, 1982 and 1983.

Only a third of all such crimes are actually reported to law enforcement agencies; of these, only a small fraction result in an arrest, prosecution, conviction or sentencing.

President Reagan's Task Force on Victims of Crime reported in 1983 that victims who do come forward to report crime and to participate in their local justice system discover that they are often treated as appendages of a system that is appallingly out of balance. Victims are treated with disinterest. The system is seen as serving lawyers, judges, and defendants while ignoring the needs and emerging rights of victims of crime.

There is a gap between victim needs and the manner in which justice system representatives respond to these needs. Recommendations by the President's Task Force have focused on ways in which representatives of the local justice system can organize a more humane and efficient response to the needs of victims. Such reforms may have the beneficial effect of restoring confidence in the system, increasing the level of victim and witness participation in the processes of the system, and, providing new insights into some fundamental questions about the objectives of criminal justice and how it should be administered.

In 1984, the National Sheriffs' Association, in collaboration with the U.S. Department of Justice, Office for Victims of Crime, established the NSA Victim Witness program. This program is a nationwide effort to bridge the gap between victim needs and justice system responses by assisting sheriffs and State Sheriffs' Associations (SSAs) to develop and expand victim and witness assistance programs in the United States.

NSA works directly with each of its 46 affiliated SSAs in the continental United States. Through its national training and technical assistance program, NSA provides specialized training to members of each SSA Task Force on Victims. These trained members, in turn, will collaborate directly with each SSA and individual sheriffs to train them to design and implement victim and witness assistance programs at the state and county level.

This Participant Handbook and a companion volume, "The NSA Guidelines on Victim Assistance", together form the basis of the NSA Victim Assistance Training Program. Between November, 1984 and December, 1986, the NSA Victim Witness Program will sponsor and conduct over 30 regional and national workshops at which various SSA Task Force members from each of the states will work with their peers to create and implement state and local plans of action aimed at modifying the manner in which state and local justice systems serve victims and witnesses.

The Participant Handbook is intended to document the types of knowledge and skill development that are needed to accomplish these proposed state and local action plans.

It is anticipated that this participant Handbook and "The NSA Guidelines on Victim Assistance" text will also be used by sheriffs and others to replicate the types of training that is offered in the regional and national workshops.

The objectives of the workshop are to enable SSA Task Force members, as individuals and as a state team, to draft a state and local plan of action to implement selected victim assistance activities and programs in their locales within a 12-month period.

To accomplish these objectives, the Participant Handbook describes and presents details about the 4-day, 17 session, workshop. Each session has its own specific objectives as well as materials that will enable participants to acquire the necessary knowledge and skill needed to produce their state and local action plans.

Sessions 1-7 provide a context for the participant that is primarily focused on the questions: what is victimization? what is the role of the victim in the justice system? what are victim needs and rights? what are the many types of victim assistance activities and programs? and what can sheriffs and others do to alter the manner in which the justice system--and communities--respond to the needs and rights of victims?

Sessions 8-13 present ideas and suggestions on how to plan and implement various victim related services and programs. Using the knowledge gained in the previous sessions, participants work in small group settings to create a draft version of a local agency plan of action. The action plan must, as a minimum, identify how the agency--in the near future--will change its policies and procedures, orient and train employees, establish a new or enhanced Victim Response Unit as part of the organization, and establish the capacity to compose and apply for appropriate state or federal funds to support agency efforts on behalf of victims. This section of the workshop ends with a discussion on how to establish a coordinating role for the sheriff so that county-wide services to victims and witnesses are delivered in an organized, efficient and effective manner.

Sessions 13-17 present information and a process by which the SSA Task Force as a group creates its own state plan of action. Using information and knowledge gained in all of the previous sessions, SSA Task Force members will describe, in specific detail, how it will design and deliver, within the next 12 months, at least one state workshop for sheriffs that will replicate much of the learning acquired in the regional workshop, how they will identify and link with other state or local victim serving agencies or programs, how they will identify and, as appropriate, foster legislative changes in their states on behalf of victims, and, how they will report their Task Force accomplishments to NSA so that a data base can be created for future evaluations of the NSA Victim Assistance Training Program.

A mixture of training methods are used throughout the sessions and include lectures, the use of videotapes, small group task exercises, structured planning processes, and reports by participants and Task Force members.

The core training team is composed of the staff of the NSA Victim Witness Program who also planned, wrote, edited, and will deliver the regional and national workshops. From time to time, as needed, the training team is supplemented by consultant experts.

The first cycle of regional workshops will take place between November, 1984 and September, 1985. A second cycle of workshops for the same Task Force members will begin in October, 1985. The objectives of this latter cycle of workshops will be to enable participants to design and deliver a series of local workshops for contiguous counties--the cluster training concept--so that more sheriffs and local law enforcement agencies can receive the type of training and assistance they need to improve on the manner in which victim services are delivered and coordinated.

It is anticipated that by the end of the two cycles of regional and national training programs, more than 3,000 sheriffs in their respective counties will have been trained, will have available to them technical assistance services from NSA, and will have implemented changes in their own agencies, the surrounding counties, and in their own states. The drive or impetus of these changes will be the norm and value that guides and directs the design and delivery of these training events which is to give meaning and life to the traditional definition of justice: the constant and compelling will and disposition to give to each person--including victims--that which is his right.

Participants of the regional workshops are members of each SSA Task Force within the states in each of the seven Regional Task Forces of the NSA Victim Witness Programs. These regions and states are as follows:

REGION I: Arizona, California, Nevada, Oregon, Utah, and Washington

REGION II: Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, North Dakota, South Dakota, and Wyoming

REGION III: Arkansas, Louisiana, Mississippi, Oklahoma, and Texas

REGION IV: Illinois, Indiana, Iowa, Michigan, Missouri, Minnesota, Ohio, and Wisconsin

REGION V: Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee

REGION VI: Delaware, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia

REGION VII: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont

THE NATIONAL SHERIFFS' ASSOCIATION  
NATIONAL ADVISORY COUNCIL  
FOR THE  
VICTIM WITNESS PROGRAM

Sheriff Dale Carson, Duval County, FL, Chairman

Mr. Albert Apa, Illinois Local Government Law Enforcement Officers' Training Board, Springfield, IL

Sheriff Belvin Bergeron, West Baton Rouge Parish, LA

Mr. James Cotter, Director, Commission on Accreditation for Law Enforcement Agencies, Inc., Fairfax, VA

Sheriff Virginia Donnelly, Howard County, MD

Honorable Lois H. Herrington, Assistant Attorney General; Director, Office of Justice Programs, U.S. Department of Justice, Washington, DC

Sheriff Marshall Honaker, Bristol County, VA

Mr. Kenneth E. Joseph, Director of Security, Cooper Industries, Houston, TX

Sheriff Jerome D. Lacke, Dane County, WI

Sheriff Andrew Meloni, Monroe County, NY

Sheriff James Metts, Lexington County, SC

Mr. John E. Otto, Executive Assistant Director, Federal Bureau of Investigation, Washington, DC

Sheriff Bob Rice, Polk County, IA

Mr. Charles Rinkevich, Director, Federal Law Enforcement Training Center, Glynco, GA

Sheriff Dan Tihonovich, Pueblo County, CO

Sheriff William Wiester, Lewis County, WA

Sheriff Thomas Wilson, Montgomery County, OH

NSA Staff, H. Jerome Miron

THE NATIONAL SHERIFFS' ASSOCIATION VICTIM WITNESS PROGRAM  
PLANNING CONFERENCE

In September, 1984, the NSA Victim Witness Program conducted a two-day planning conference in Alexandria, Virginia. The purpose of this conference was to convene a group of sheriffs, deputies, and expert consultants to review and critique the proposed objectives, curriculum, and training materials to be used in the NSA Victim Assistance Training Program. This process enabled the staff to test out and evaluate its ideas regarding the program.

The names, titles, and addresses of the members of this Planning Conference are listed below. They provided to the program and to the staff positive ideas and criticisms that we believe have enriched our efforts. We are grateful for their assistance, advice, counsel and support.

- Lt. Jim Bratton, Douglas County Sheriffs' Department, Zepher Cove, Nevada
- Sheriff Patrick Sullivan, Arapahoe County Sheriff's Department, Littleton, Colorado
- Sheriff Charles Foti, Jr., Orleans County Sheriff's Department, New Orleans, Louisiana
- Sheriff Robert Ficano, Wayne County Sheriff's Department, Detroit, Michigan
- Ms. Donna Burns, Georgia State Sheriffs' Association, Decatur, Georgia
- Ms. Jayne Crisp, Victim Witness Program, 13th Judicial District, Greenville, South Carolina
- Sgt. Steve Hess, Maryland State Sheriffs' Association, Bel Air, Maryland
- Ms. Irene Wodell, Virginia State Sheriffs' Association, Leesburg, Virginia
- Mr. Gregg Wilson, Suffolk County Sheriff's Department, Boston, Massachusetts
- Mr. Buck Simpson, Fairfax County Sheriff's Department, Fairfax, Virginia
- Deputy Frank Milano, Alexandria Sheriff's Department, Alexandria, Virginia
- Chief Deputy Tom Faust, Arlington County Sheriff's Department, Arlington, Virginia
- Dr. Barbara Smith, Georgetown University, Washington, DC
- Mr. Leon West, NOBLE, Washington, DC
- Ms. Susan Hillenbrand, ABA, Washington, DC

## BIOGRAPHICAL NOTES

H. JEROME MIRON is a researcher, educator, and trainer who has been working in the field of law enforcement and criminal justice for over 10 years. He is presently the Director of Research and Special Projects of the National Sheriffs' Association, where he serves as the Project Director of the NSA/Victim Witness Program, a multiyear project supported by the Office for Victims of Crime of the U.S. Department of Justice. He has also been the Assistant Director of the Police Foundation, Washington, D.C., where he was responsible for the management of several research studies relating to law enforcement management and operations. For almost 7 years, Mr. Miron was a member of the senior staff of University Research Corporation, Washington, D.C., where he served as the Director of the Police Technical Assistance Program; he has been directly responsible for the research, design, development and delivery of more than 100 national executive seminars for law enforcement on such topics as CUTBACK MANAGEMENT IN THE CRIMINAL JUSTICE SYSTEM, MANAGING THE PRESSURES OF INFLATION IN CRIMINAL JUSTICE, MANAGING PATROL OPERATIONS, MANAGING CRIMINAL INVESTIGATIONS, and, DIFFERENTIAL POLICE RESPONSE TO CALLS FOR SERVICE. He is the author of dozens of texts and publications including the internationally recognized monograph published by the U.S. Department of Justice: PREVENTION AND CONTROL OF URBAN DISORDERS--ISSUES FOR THE 1980s. He has been a college and university professor and is a graduate of American and European universities.

LAUREN J. GOIN, prior to receiving his Master of Criminology degree from the University of California at Berkeley in 1948, had experience as a police officer and as a consultant in criminalistics. Thereafter, he was Chief of the Microanalysis Section of the Wisconsin State Crime Laboratory and Director of the Pittsburgh and Allegheny County Crime Laboratory. He joined the U.S. Government overseas police assistance program in 1955 and was assigned successively to Indonesia, Turkey and Brazil and then to the headquarters where he was Chief of the Technical Services and Operations Divisions, Deputy Director and finally Director of the program in 1973. Mr. Goin retired from federal service in 1975, established a management consulting firm and began a close association with the National Sheriffs Association. Since 1975 Mr. Goin has, as a consultant or part-time staff member of NSA, conducted fifteen management studies of sheriff's departments, conducted research with regard to court security, participated in the NSA Accreditation Project and currently is a member of the Victim Assistance Project team as the Senior Research Associate.

SUSAN P. KEEGAN comes to the Victim Witness Program with a wide range of experiences in the criminal justice field, spanning more than 13 years at the county level. Her responsibilities have included the development and management of federal and state grants, the administration of contracts with community based organizations and staff support to numerous boards and commissions. Her positions have included Counselor at a detention facility, investigator of child abuse cases, Assistant Supervisor of a delinquency prevention program, and Criminal Justice Specialist. She has been responsible for the planning of adult correctional facilities and worked

extensively in the area of jail litigation. One of Susan's proudest accomplishments is the development of a gang violence suppression project. This is a joint state-county effort involving a coordinated law enforcement, prosecution, probation and parole effort to reduce gang violence.

ELLEN BITTO ARCHER joined the National Sheriffs' Association Victim Witness Program in January of 1984 after leaving a position with the American Textile Manufacturers Institute in Washington, DC where she was in charge of the monthly labor productivity survey. Currently, Ms. Archer is responsible for the logistics of the Regional Training Conferences and is also the Editor of the monthly VICTIM ASSISTANCE NEWSLETTER. Ms. Archer has a degree in Public Administration and Political Science from The American University and Georgetown University in Washington, DC.

DAPHNE P. OSBORNE recently joined the staff of NSAVWP, as a secretary. She holds an Associate Degree in Secretarial Science from Milwaukee Area Technical College in Milwaukee, Wisconsin. She has worked in the secretarial field for almost seven years. Prior to joining the staff at NSAVWP, Ms. Osborne was an Administrative Assistant in the Marketing Department at Allis-Chalmers Corporation in Wisconsin.

SCHEDULE OF THE NSA VICTIM ASSISTANCE  
REGIONAL WORKSHOPS

DAY I: TUESDAY

- 1:00 pm Arrive at Hotel and Register  
Register for Workshop at Main Training Room  
from 1:00 pm - 2:00 pm
- 2:00 Session 1: Introduction and Orientation to Workshop
- 3:15 Session 2: The Meaning of Victimization
- 5:15 Social Hour Hosted by SSA Task Force

DAY II: WEDNESDAY

- 8:00 am Coffee/Danish: Main Training Room
- 8:30 Session 3: The Role of the Victim in the Justice System
- 10:15 Session 4: A Survey of Assistance Activities
- 11:30 Session 5: The Role of the Sheriff in Victim Assistance
- 12:15 Lunch
- 1:15 Session 5: Continued/Concluded
- 2:15 Session 6: The NSA Guidelines for Victim Assistance
- 5:00 Summary: Day I and Day II; Evaluation; Preparation for Day III
- 5:30 Social Hour

DAY III: THURSDAY

- 8:00 am Coffee/Danish: Main Training Room
- 8:30 Session 7: An Overview of Federal Victim Assistance Legislation
- 10:15 Session 8: Planning for Victim Assistance Programs and Activities
- 11:15 Session 9: The Sheriff's Victim Response Unit
- 12:15 Lunch
- 1:15 Session 10: A Sheriff's Agency Plan for Victim Assistance
- 2:15 Session 11: Composing the Plan
- 4:15 Session 12: Presentation of Selected Plans for Critique

5:15 Summary: Day I-III; Evaluation; Preparation for DAY IV  
6:00 Social Hour  
7:00 Banquet

DAY IV: FRIDAY

8:00 am Coffee/Danish: Main Training Room  
8:30 Session 13: Establishing a County-wide Coordinating Council  
for Victims  
9:45 Session 14: Description of a SSA Task Force State Plan of Action  
10:30 Session 15: Composing the SSA State Plan  
12:15 Lunch  
1:15 Session 16: Presentation and Critique of SSA State Plan  
2:30 Session 17: Summary: Day I-IV; Evaluations; Next Steps  
3:20 Workshop Concluded

## SESSION 1

---

### INTRODUCTION AND ORIENTATION TO THE WORKSHOP

---

#### SUMMARY OF SESSION

At the beginning of this session, participants, observers or guests, and training team members will be introduced.

An overview and orientation to the workshop will then be presented which will address the following topics:

- A review of the relationship of the NSA program to the Department of Justice, Office for Victims of Crime;
- A review of the problem to be addressed in the workshop;
- The approach adopted by NSA in this workshop to address aspects of the problem;
- The expected outcomes, training objectives, curriculum and methods to be followed in the conduct of the workshop;
- Some final observations about the present and future roles of sheriffs and others as leaders in the emerging field of victim assistance.

The session will conclude with an explanation of the schedule, the use of the PARTICIPANTS HANDBOOK, THE NSA GUIDELINES ON VICTIM ASSISTANCE, and other printed materials and administrative announcements relating to workshop evaluations and reimbursement procedures.

## BACKGROUND

- The President's Task Force on Victims of Crime: 1982-1983:
  - 18 months of study, interviews, public hearings, and testimony
  - Report provided 68 recommendations to change the manner in which the justice system and others respond to and assist victims and witnesses
  - Chairman Lois H. Herrington appointed Assistant Attorney General with a mandate to implement recommendations nationwide
  - Establishment of an Office for Victims of Crime within the Office of Justice Program, U.S. Department of Justice
- Development of a national implementation strategy by the Office for Victims of Crime:
  - Grants to national organizations that can reach into the justice community:
    - National Sheriffs' Association
    - National Organization of Black Law Enforcement Executives (NOBLE)
    - American Bar Association
    - National Judicial College
    - National Organization for Victim Assistance
    - National Center for Women's Policy Studies
    - National Association of State Directors of Law Enforcement Training
  - Enactment of new national legislation:
    - Justice Assistance Act of 1984
    - Victims of Crime Act of 1984
  - Establishment of the National Victim Resource Center
- Publication of the Attorney General's Task Force Report on Family Violence

THE NATIONAL SHERIFFS' ASSOCIATION  
VICTIM WITNESS PROGRAM

● Established in January, 1984, the NSAVWP is a partnership with the Office for Victims of Crime, U.S. Department of Justice. NSAVWP takes the results of legal research, studies, demonstration programs, and the experiences of hundreds of different types of victim and witness assistance projects and makes them accessible, by training and technical assistance efforts, to sheriffs and others in the law enforcement and justice system community.

● The goal of the program is to enable sheriffs and State Sheriffs' Associations to implement actions to modify the manner in which the justice system responds to the needs and rights of victims and witnesses.

● Since January, 1984, the activities of the NSAVWP have been:

--the organization of Task Forces for Victims within each of the 46 State Sheriffs' Associations; each Task Force is composed of a minimum of five members selected by the SSA;

--guidance and direction to SSA Task Force groups to enable them to conduct study and research of their state laws, state programs, and local victim or witness service agencies;

--design and delivery of Regional Workshops for Task Force members;

--publication of a monthly NSA Victim Witness Assistance Newsletter;

--other activities include: technical assistance to local sheriffs; publications of articles in The National Sheriff magazine and The Roll Call Newsletter of the NSA; establishment of a Speakers Bureau; development, with others, of research and evaluation studies.

PROBLEM TO BE ADDRESSED  
IN THIS WORKSHOP

- National data (National Crime Survey/Bureau of Justice Statistics and the Uniform Crime Report/Federal Bureau of Investigation) reveal that 39-40 million persons are victims of some type of crime each year, but that only 13 million actually report crimes committed to the authorities;
- Of the 13 million reported crimes, a small percentage--even of serious crimes--result in arrest, prosecution, conviction or sentencing;
- National studies and reports suggest that underreporting and underparticipation by victims and witnesses in the justice system account for much of the differences;
- The President's Task Force on Victims of Crime argued that victims who do come forward to report crime and to participate in the justice system are often treated with official indifference. "The system is seen as serving lawyers, judges, and defendants while ignoring the needs and rights of victims of crime". Yet, the system, if it is to be successful, is absolutely dependent on these victims and without their cooperation, it is impossible in a free society to hold criminals accountable;
- Research, studies, and the experiences of victims indicate that victims need, from the justice system, and, from their communities, assistance, support, information, guidance, and advice, which, when given in an organized manner, increases their willingness to participate and promotes their satisfaction with the administration of justice;
- There is in many jurisdictions in the United States a gap between victim needs and the manner in which the justice system responds to these needs;
- Within the past decade, many efforts have been successful in bridging this gap...new state statutes that foster and support a victim's right to assistance, state and local support of victim services or programs, as well as many community based programs to assist victims or witnesses;
- The problem that we will address in this workshop is a multi-dimensional one: What are the needs and rights of victims? What are the types of victim or witness assistance programs that work? and How can sheriffs and SSAs take action, at the local and state level, to implement programs and projects to assist victims and thereby foster a closer relationship between them and the justice system?

## APPROACH TO THE PROBLEM

- Identify and describe a rationale for changing the justice system's treatment of victims and witnesses by describing the role of the victim in the justice system and the emerging rights of victims to receive or obtain assistance from the justice system:
  - Evolution of victim's role;
  - Victim standing;
  - Victim and due process;
  - Victim party-status.
  
- Identify and describe a second rationale for change that focuses on the needs of victims and witnesses:
  - Prevention of victimization;
  - Community support for services;
  - Justice system services;
  - Services to address victim's trauma, and the physical, psychological, and financial needs of victims;
  - Coordination of services and information needs of victims and witnesses.
  
- Identify and describe the leadership role of the sheriff in providing support for victim rights, delivery of services, and coordination of services for victims and witnesses;
  
- Develop action plans to be used by sheriffs in their own locales and by State Sheriffs' Associations in their own states to implement planned changes in legislation, policies and procedures so that victim rights and victim needs are addressed in an organized and coordinated manner;
  
- Compile a data base of accomplishments by sheriffs and State Sheriffs' Associations Task Force members so that, in the future, the impact of this approach to the problem can be assessed;
  
- Transfer successful programs or projects to others in surrounding localities and to others in the justice system.

## THE WORKSHOP OBJECTIVES

Our approach to the problem is to design a workshop to provide sufficient knowledge, skill and information to participants so that they will be able:

● To draft a detailed state plan of action to implement selected victim assistance efforts within the next 12-month period. These efforts include:

- The replication of the Regional Workshop as a training event for other sheriffs in the state;
- The development of a process for informing others, within the state, about the SSA Task Force work plan for the next 12-months;
- The fostering of legislation on behalf of victim's needs and victim's rights;
- The transmittal of reports to NSA about SSA Task Force accomplishments.

● To draft a detailed local agency plan of action to implement six specific tasks to provide services and coordination of services to victims. These tasks are:

- To assess local service gaps;
- To modify or create local agency policies and procedures to assist victims;
- To provide local agency training programs for agency staff and employees that orient employees to policies and procedures;
- To organize a Victim Response Unit;
- To develop a capacity to apply for and obtain grant support for agency programs;
- To develop a Countywide Coordinating Council for Victim Assistance.

## THE WORKSHOP CURRICULUM

The workshop curriculum can be divided into three logically connected sets of sessions:

• A conceptual and contextual framework, presented in Sessions 1-7, which presents knowledge and information about the meaning of victimization, the role of the victim in the justice system, the legal basis for victim's roles, types of victim assistance and services, action steps that can be taken to assist victims, and, how to obtain federal or state grant funds to support state or local initiatives on behalf of the work of sheriffs and SSAs.

In summary, this section and these sessions seek to answer the question: What can be done by the sheriff and the SSA to provide leadership and services on behalf of victims or witnesses?

• The second section of the curriculum builds upon the previous sessions and provides both knowledge and skill development for participants to plan for local agency actions. Sessions 8-13 are combinations of plenary and work sessions that describe a planning process, identify the organizational requirements for a Victim Response Unit, and provide participants the time and techniques to create a written local plan of action.

In summary, this section and these sessions seek to answer the question: What will my agency do and how will I develop a plan of action to enable the resources of my agency to be used to provide and coordinate services to victims?

• The third section of the curriculum, contained in Sessions 14-17, provides both knowledge and skill development to plan for SSA Task Force actions as a group. A format for developing a state plan of action is presented and completed. Written action plans are then reviewed and discussed by all participating Task Force members from the region.

In summary, this section seeks to answer the question: What will the SSA and the SSA Task Force do to enable the resources and assets of the SSA/Task Force to be used to foster and support victim services and state policies on behalf of victims?

## METHODS USED IN WORKSHOP

Several different methods will be followed in the delivery of this workshop:

- The use of the text, "THE NSA GUIDELINES FOR VICTIM ASSISTANCE", which contains an analysis of the history and role of the victim in the American justice system, an analysis of the legal doctrine that supports victim rights, and a detailed set of action steps--or guidelines--that can be adopted or adapted to provide services to victims and to educate local communities and state officials about the needs and rights of victims.
- The use of the text, "THE PARTICIPANT HANDBOOK", which applies much of the information in "THE NSA GUIDELINES" to structured presentations and work sessions in order to accomplish the objectives of the workshop.
- Lectures and discussions given in plenary sessions.
- The use of structured task work done either by individual participants or by SSA Task Force members working as a team.
- The use of charts and graphics to support lectures and presentations.
- The use of case-study videotapes.
- The use of reports and presentations by participants and by SSA Task Force members.
- Evaluation of each day's work sessions by the use of a structured form in order to assess both the content and the processes used. These evaluations function as a summary of learning as well as a critique to improve the future delivery of other workshops.

SCHEDULE OF THE NSA VICTIM ASSISTANCE  
REGIONAL WORKSHOPS

DAY I: TUESDAY

- 1:00 pm Arrive at Hotel and Register  
Register for Workshop at Main Training Room  
from 1:00 pm - 2:00 pm
- 2:00 Session 1: Introduction and Orientation to Workshop
- 3:15 Session 2: The Meaning of Victimization
- 5:15 Social Hour Hosted by SSA Task Force

DAY II: WEDNESDAY

- 8:00 am Coffee/Danish: Main Training Room
- 8:30 Session 3: The Role of the Victim in the Justice System
- 10:15 Session 4: A Survey of Assistance Activities
- 11:30 Session 5: The Role of the Sheriff in Victim Assistance
- 12:15 Lunch
- 1:15 Session 5: Continued/Concluded
- 2:15 Session 6: The NSA Guidelines for Victim Assistance
- 5:00 Summary: Day I and Day II; Evaluation; Preparation for Day III
- 5:30 Social Hour

DAY III: THURSDAY

- 8:00 am Coffee/Danish: Main Training Room
- 8:30 Session 7: An Overview of Federal Victim Assistance Legislation
- 10:15 Session 8: Planning for Victim Assistance Programs and Activities
- 11:15 Session 9: The Sheriff's Victim Response Unit
- 12:15 Lunch
- 1:15 Session 10: A Sheriff's Agency Plan for Victim Assistance
- 2:15 Session 11: Composing the Plan
- 4:15 Session 12: Presentation of Selected Plans for Critique

5:15 Summary: Day I-III; Evaluation; Preparation for DAY IV  
6:00 Social Hour  
7:00 Banquet

DAY IV: FRIDAY

8:00 am Coffee/Danish: Main Training Room  
8:30 Session 13: Establishing a County-wide Coordinating Council  
for Victims  
9:45 Session 14: Description of a SSA Task Force State Plan of Action  
10:30 Session 15: Composing the SSA State Plan  
12:15 Lunch  
1:15 Session 16: Presentation and Critique of SSA State Plan  
2:30 Session 17: Summary: Day I-IV; Evaluations; Next Steps  
3:20 Workshop Concluded

### THE WORKSHOP OUTCOMES

By the end of this workshop, participants will have completed, in writing, two products: a local plan of action and a state plan of action.

Copies of these documents will be taken by the training team and used to create a base line of information and practices being done in each agency and in each state.

This information will then be used to supplement and enrich future training programs by providing examples to others of what is being done in the field, to enable the NSA Victim Witness Program to anticipate local or state technical assistance needs, to begin to identify exemplary projects or ideas for future evaluation or research, and, to provide to all the basis for comparing plans with accomplishments at the next cycle of this regional training event--which is, tentatively, scheduled to occur within twelve months.

## OBSERVATION ON THE ROLE OF THE SHERIFF

There are almost 3,200 sheriffs who serve as principal elected officials in the justice system in practically all of the urban and rural counties of the United States. Their departments provide law enforcement, court-related, and corrections services to local and state justice systems and citizens.

As a constitutional official in most states, the Office of the Sheriff is especially suited to provide assistance and advice to victims within the State and local system of justice. Their influence is to be found in those departments whose duties cut across the entire system--from law enforcement through court services to corrections--as well as those whose duties are limited to court-related services or corrections.

Sheriffs are elected officials who are able to link the justice system with citizens and, particularly, with those individual citizens who are victims and witnesses. By their position the sheriff can inform and persuade others in their communities about how the system--and its representatives who are public servants--can improve upon the manner in which their system and their local communities respond to victim and witness needs. The sheriff can foster and promote changes in laws, policies, and procedures so that, where needed, the role of victims, the rights of victims, and the standing of victims can be clarified, supported and acknowledged. By the use of their own agency resources and by the adoption of new policies and procedures, the sheriff can design, develop and deliver programs to assist victims and witnesses. In time, with the acquisition of skills and knowledge about victim services, the Sheriff can become a resource center for training and assistance to other law enforcement agencies, local justice executives and staff, and community and neighborhood organizations.

By their presence in the community, in a specific judicial circuit or region as well as by their collective membership in NSA and its 46 State Sheriffs' Associations, sheriffs can become a formidable and knowledgeable group of supporters of victims and witnesses in the justice system so that victim and witness needs are met in an organized and coordinated fashion.

## SESSION 2

---

### THE MEANING OF VICTIMIZATION

---

#### SUMMARY OF SESSION

A presentation is given that examines the phenomenon of victimization. Criminal justice executives and SSA Task Force members need to know about the extent of victimization and its nature and characteristics because such knowledge is essential in order to develop and implement suitable assistance programs.

The presentation will combine information about victimization data; videotape productions, which focus on the impact of victimization on the victim as a person; the impact of the justice system processing of a victim's case and a discussion of victim trauma; victim needs; and crisis intervention theory as applied to victim needs.

In outline, the presentation will consider the following:

- Review of data sources about the definitions and extent of victimization from 1972-1983 using materials from the National Crime Survey and the Uniform Crime Report;
- The Bard Model: Crime as a Violation of Self
- Crime as a Crisis/Reactions/Crisis Intervention
- Videotape Presentations
- Summary of victim needs

There will be ample time for discussions and observations during this session.

## DATA ABOUT VICTIMIZATION

### ● SOURCES FOR NATIONAL DATA:

--The Uniform Crime Reports (UCR) and the National Crime Survey (NCS) are the main sources of national crime statistics.

--These two sources concentrate on measuring a limited number of well-defined crimes. They do not cover all possible criminal events--e.g., child sexual assaults. Both sources use commonly understood definitions rather than legal definitions of crime.

--The UCR system gathers police statistics about selected offenses reported to the police. Because of their seriousness, frequency of occurrence, and likelihood of being reported to the police, eight crimes were selected as the basis for the UCR Index for evaluating changes in the volume of crime. These UCR INDEX crimes are:

Homicide  
Rape  
Robbery--personal and commercial  
Assault--aggravated  
Burglary--commercial and household  
Larceny--commercial and household  
Motor vehicle theft  
Arson

--The NCS measures crimes not reported to police as well as those that are reported. Except for homicide (which is well reported in police statistics) and arson (which is difficult to measure using survey techniques), the NCS measures the same crimes at the UCR. Both the UCR and the NCS count attempted as well as completed crimes.

--The UCR is sponsored by the Federal Bureau of Investigation; the NCS is sponsored by the Bureau of Justice Statistics--each of which are agencies of the Department of Justice.

DATA DIFFERENCES/METHODS

	<u>UCR</u>	<u>NCS</u>
● OFFENSES MEASURED	Homicide Rape Robbery Assault Burglary Larceny Motor Vehicle Theft Arson	--- Rape Robbery (personal) Assault (aggravated/simp) Burglary (household) Larceny Motor Vehicle ---
● SCOPE	Crimes reported to the police in most jurisdictions	Crimes both reported and not reported to police; all data are for the Nation as a whole
● COLLECTION METHOD	Police Department reports to FBI via States	Periodic survey interviews; measures the total # of crimes committed by asking a national sample (changes each period) of 60,000 households representing 135,000 persons over the age of 12 about their experiences of crime during a specified period
● KINDS OF INFORMATION	Offense counts, crime clearances, persons arrested, persons charged, law enforcement officers killed and assaulted, and characteristics of homicide victims	Details about victims-- age, race, sex, education income, victim-offender relationships; specific details about the crime event--time and place of occurrence, whether reported, use of weapons, occurrence of injury, and economic consequences

CHART 1

NATIONAL CRIME SURVEY  
Reported/Unreported

1981: 41,455,000  
1982: 39,800,000  
1983: 36,900,000

UNIFORM CRIME REPORT  
Reported only

13,290,300  
12,857,218  
12,070,200

TRENDS  
1973-1983

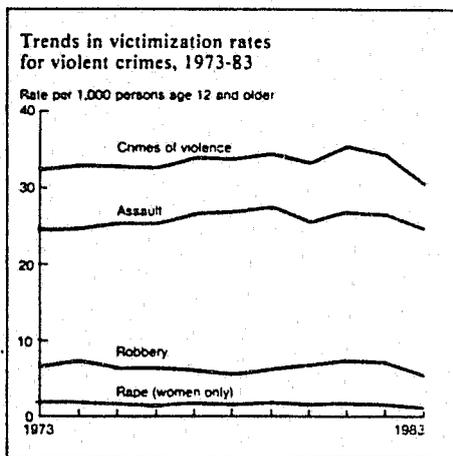


Figure 1

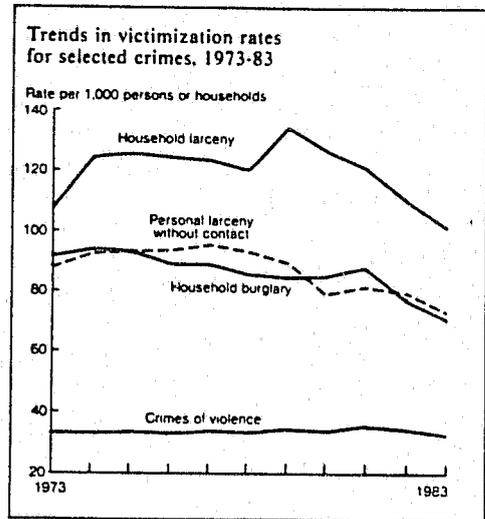


Figure 2

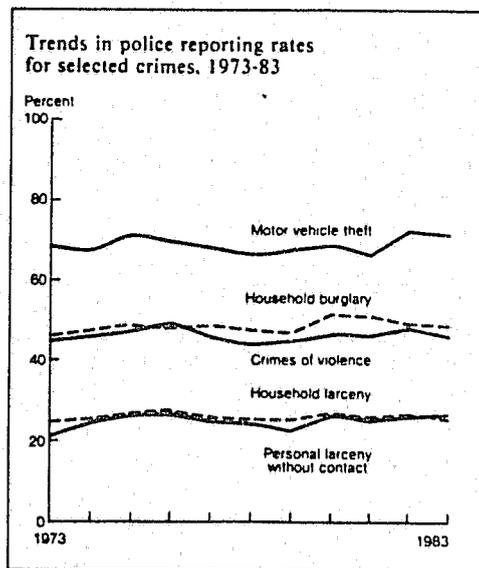


Figure 3

SOURCE: NATIONAL CRIME SURVEY--BUREAU OF JUSTICE STATISTICS  
UNIFORM CRIME REPORT--FEDERAL BUREAU OF INVESTIGATION

PROBLEMS/PATTERNS ASSOCIATED WITH  
UNDERREPORTING

- Apathy defined as the personal belief of the citizen/victim that the event was not important, or that they did not want to get involved or take the responsibility of calling the police.
- Being unsure about the appropriateness of police response, i.e., the feeling that the police could not help because there was no evidence and/or that the police might think the incident was unimportant or would not want to help.
- Doing other things prior to deciding to call the police--contacting others, telephoning second parties for advice, assistance, or help, or waiting and observing the situation with others--which may have the effect of deciding not to call or report the event.

Response Time Analysis:  
Kansas City, Missouri Police  
Department, National Institute  
of Justice, (1978), Washington,  
D.C.

SOLVING PROBLEMS/CHANGING PATTERNS

"Whatever the police do in attempting to control serious crime, they must recognize just how much their efforts depend upon the citizen cooperation and participation...Police efforts to achieve a high degree of citizen involvement may be the single most important means the police have available to them for coping with crime. A 5 or 10 percent increase in the involvement of all citizens in a community could possibly prove of much greater value in combatting crime than a 50 or 60 percent increase in the number of police officers or an equally large investment in technical equipment."

Herman Goldstein, in  
Policing a Free Society  
(1977) Ballinger Publishing Co

### SOME OBSERVATIONS ON DATA

- ⊙ The chance of being a violent crime victim, with or without injury, is greater than that of being hurt in a traffic accident.
- ⊙ The risk of being the victim of a violent crime is higher than the risk of being affected by divorce, or death from cancer, or injury or death from a fire.
- ⊙ Relatives, friends, and neighbors who hear about a crime become as fearful as the victim.
- ⊙ Victims of crime are more often men than women, more often young, more likely to be black, more likely to be divorced or single...however, the risk of victimization depends on a combination of factors.
- ⊙ Assault is the most common violent crime; violent crime, except for rape, affects men more than women; people with low incomes have the highest violent crime victimization rate.
- ⊙ Men, blacks, and young people face the greatest risk of violent crime by strangers.
- ⊙ Women are more vulnerable than men to assaults by acquaintances and relatives...half of all assaults on women who have never been married and 40% of assaults on married women were committed by nonstrangers.
- ⊙ Losses from personal and household crime exceeded \$10 billion in 1980 and were almost \$11 billion in 1981 which is the most recent year for which data is available.
- ⊙ Of the \$11.0 billion cost of crime in 1981, \$223 million was derived from medical expenses incurred by violent crime victims...and about 25% of victims of violent crime spent \$375 or more on medical bills.

---

Sources: Report to the Nation on Crime and Justice, BJS, 1983;  
The Economic Cost of Crime to Victims, BJS, 1984

## CRIME AS A PERSONAL CRISIS

### ● CRIME AS A CRISIS

--Crisis: a threatening life experience which seriously disrupts personal and social functioning.

--"The key word in this definition is 'threat'...a severe threat to the self may result in eating or sleep disturbances, inability to engage in usual social interactions, inability to think clearly or to concentrate, or inability to work. In a very real sense, a threatening event can directly and adversely affect the functional integrity of the person..."

"The Psychological Impact of  
Personal Crime"  
Morton Bard Ph. D.

--Crisis researchers have demonstrated that the ability of an individual to adapt to and handle a crisis depends on the meaning of the stressful experience and the nature of the victims experiences immediately after the threat.

--Not all stressful life experiences have a crisis impact, e.g., death after a prolonged illness which enables a spouse or relative to be prepared for the death.

--However, threatening life experiences that are sudden and unanticipated, unpredictable, and random or arbitrary are qualities of a crisis that frequently produce or provoke a shattering impact on the individuals sense of self and ability to function with others.

--Most crimes, by definition and action, are sudden, unpredictable, and arbitrary...most crimes produce a crisis in the victims life.

## PERSONAL CRIME AS VIOLATION OF SELF

One way to gain some insight into the psychological impact of crime victimization is to construct a model (Figure 2). In this model, personal crimes have increasingly complex elements for the severity of the stress. These crimes are seen as violations of self, that is, as events in which the individuals self is violated outside personal control. The violation increases in severity as the threat to self becomes more direct, culminating in the ultimate violation of homicide--the destruction of self.

### Burglary

A burglary is an example of a crisis-inducing violation of the self. People usually regard their homes or apartments as representatives of themselves. In an important symbolic sense, their homes are extensions of themselves. Home is, in the most primitive sense, both nest and castle. Particularly in a densely populated, highly complex environment, it is the place that offers security. When that nest is befouled by a burglary, often it is not so much the fact that money or possessions have been taken that causes the distress. It is more that a part of the self has been intruded upon or violated.

### Robbery

In robbery, a more complex violation of self takes place. While in burglary the victim is not directly involved, in robbery the violation of self occurs in a more intimate encounter between the victim and the criminal. In this crime, not only is an extension of the self taken from the victim (property, money, etc.) but she or he is also coercively deprived of independence and autonomy, the ability to determine one's own fate. Under threat of violence, the victim surrenders autonomy and control, and his or her fate rests unpredictably in the hands of a threatening other. This situation must have a profound ego impact.

### Robbery with Physical Assault

Now let us go a step further on the scale of violation of self to assault and robbery. Here there is a double threat: the loss of control, the loss of independence, the removal of something one sees symbolically as part of the self--but now with a new ingredient. An injury is inflicted on the body, the envelop of the self. The external part of the self is injured. It is painful not only physically; the inner being is injured as well. This physical evidence reminds victims that they are forced to surrender their autonomy and also that they have been made to feel less than adequate. The physical injury is the visible reminder of their helplessness to protect or defend themselves.

### Rape and Sexual Assault

In the crime of rape, the victim is not only deprived of autonomy and control and experiences manipulation and often injury to the envelop of the self, but also suffers intrusion of inner space, the most sacred and private repository of the self. It does not matter which body orifice is breached;

symbolically, they are much the same. Victims of sexual assault experience the assault as asexual. The threat to self is so direct and so extreme that survival alone is uppermost.

### Homicide

This crime is unquestionably the ultimate violation of self. The self is destroyed and ceases to exist. For the survivors of the homicide victim, the victim's death is extremely stressful. Cross-cultural research indicates that the death of a family member or of a close friend is a stress of the greatest magnitude. The sudden and unpredictable loss of an important person often has profound effects on the survivor. Crisis intervention techniques not only benefit the survivor personally, but also lessen the degree of dysfunction.

FIGURE 2

VIOLATION OF SELF IN PERSONAL CRIMES

	BURGLARY	ROBBERY	ROBBERY WITH PHYSICAL ASSAULT	RAPE	HOMICIDE
(1)	VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	VIOLATES EXTENSION OF SELF	(1) ULTIMATE VIOLATION: DESTRUCTION OF SELF
(2)		LOSS OF AUTONOMY	LOSS OF AUTONOMY	LOSS OF AUTONOMY	
(3)		INJURY TO EXTERNAL SELF	INJURY TO EXTERNAL SELF	INJURY TO EXTERNAL SELF	
(4)				VIOLATES INTERNAL SELF	

-----INCREASING PSYCHOLOGICAL COMPLEXITY/SEVERITY OF STRESS-----

SOURCE: "THE PSYCHOLOGICAL IMPACT OF PERSONAL CRIME" MORTON BARD PH.D., IN  
VICTIM WITNESS PROGRAMS: HUMAN SERVICES OF THE 80s, EMILIO C. VIANO, EDITOR (1981)

## THE PERSONAL IMPACT OF CRIME AS A CRISIS

● Sudden, unpredictable, and arbitrary threats to the self and one's life produce chaotic feelings and disrupted behavior:

--the event appears to the victim to have no logic or rational explanation...

--in the absence of a cause, the search for an explanation leads to the question: "Why me?"

--this search may burden the victim and may lead the victim to provide-- often illogically--a cause that can be painful and disabling: "It happened to me because I am an unworthy or incompetent person who deserves to be harmed or punished."

--fright, puzzlement, contradictory feelings--anger vs. relief that one is alive--will be mixed with shame about being violated by the offender and anxiety about sharing with others the characteristics of the event to self or property

--immediately after the crisis-as-crime event, individuals are defenseless, are accessible to and influenced by the actions and words of others, and often seek for direction and guidance

--the mixture of these feelings and behavior may last for a brief period or may extend over time and complicate the ability of the crime victim to restore himself or herself to a balanced position. Generally, restoration is as much a function of what others do with and for the victim as much as it is what the victim is able to do for himself and herself.

## GENERAL STAGES OF CRISIS REACTIONS

• Crisis reactions may vary with the person and the circumstances of the crime as a crisis event. There are, generally, three stages of reaction: initial disorganization, a period of struggle to achieve balance, and, finally, stability. The three stages are not discrete; there are periods of overlap; there is often movement back and forth for short periods of time.

### • Stage One: Initial Impact

A relatively short period which may last from a matter of hours to days; characterized by shock and feelings of being fragmented; numb, disoriented, feelings of helplessness and disbelief; a natural reaction and not abnormal or idiosyncratic. This impact is experienced, to some degree, by all victims of personal crime.

### • Stage Two: Recoil

The beginning of the process of repair and healing which never proceeds smoothly; victims may experience feeling of being discouraged and that life may not return to pre-crime levels of functioning; the beginning of being able to put the event into some form of perspective; victim begins to cope with the meaning of vulnerability, reality and loss resulting from the crime event, this waxing and waning between emotions is a normal part of the reparative process.

### • Stage Three: Reorganization

The victim begins to achieve a state of balance both internally and in relation to the environment; fear and anger diminish; emotional energy is now invested in constructive pursuits. The more serious the violation, the longer it takes the victim to achieve stability.

## RESPONSE BY OTHERS TO CRISIS REACTION STAGES

Responses to crisis reactions--crisis intervention by others--are best done by the supportative and positive behavior of others: on-scene officers, victim assistance personnel, friends, family, neighbors, and even strangers.

The crisis has been produced by the intentional threatening behavior of another person. The best antidote to the intentional hurtful act by another is the intentionally compassionate and helpful act by another.

But, those who would be helpful must be alert to the burdens imposed by their helping role--good intentions alone are insufficient. Supportive and positive behavior is manifested by carefully chosen words, actions, and guidance.

### SOME HELPING BEHAVIOR: WORDS AND ACTIONS

#### LISTENING/VENTILATION

It is extremely important to allow victims to discharge their feelings. The helper should not stifle the victims impulse to speak of the crime, even if it seems repetitive at first. Listening with acceptance and without passing judgement is the single most supportive act that the helper can perform.

#### DIRECTION

Victims feel helpless and disordered immediately after the crime. It is difficult for them to deal with abstractions. Normally self-reliant people may need to be told what to do. The helper should avoid imposing a moral tone on what may appear to be an infantile need for direction.

#### SECOND GUESSING

Victims are extremely sensitive to behavior by others which seems to question their motives or behavior at the time of the crime. Helpers should not ask questions out of idle curiosity, particularly questions which may seem to the victim to be accusatory. Questions such as "Why didn't you scream?" should be avoided.

#### GUILT

Victims often feel guilty and ashamed, not because of complicity in the crime, but because of the need to explain what happened. Such expressions are usually temporary. Rather than attempting to argue the victim out of such feelings, the helper should accept them as a passing part of the reparative process.

## ANGER

Expressions of anger are appropriate and probably beneficial. A dilemma exists for those who try to help when anger is directed at them. But the expression of anger is likely to be an acknowledgement by the victim that he or she trusts the listener enough to express the feeling. Helpers should never personalize the anger. The victim is using anger only as an avenue for needed expression.

## RESCUE FANTASY

This fantasy is a common pitfall for many who help others. If helpers indulge in this fantasy, they may unwittingly encourage the victims dependence long after it is necessary. Really helping requires sensitivity and discipline. It is easy to exploit a vulnerable victim for the gratification of personal needs.

## CONCLUSION

In sum, effective crisis intervention can reduce much of the pain, and long term disability that can follow in the wake of crime victimization. Supportive human relationships, informed by crisis theory, can reduce the need for intervention by mental health professionals long after the crime. In the period immediately after the threat, what others say and do has great importance. Friends, relatives and criminal justice professionals can be very effective in facilitating the reparative process for victims. Most victims--like most people--are strong and resilient; their emotional and social difficulties following victimization are natural and usually temporary. But in order to weather their difficulties with relative ease, they need the help of those who care and who know how to help.

## SUMMARY/VICTIM NEEDS

### INSTRUCTION/GUIDANCE

--Precrisis event: how to prevent victimization, what to do in reporting to police, how to report and/or obtain information about what to do;

--Initial impact and recoil stage: positive and supportive behavior from others; information and direction; clear explanations about what to do and what to expect.

### CONSULTATION WITH JUSTICE PROFESSIONALS

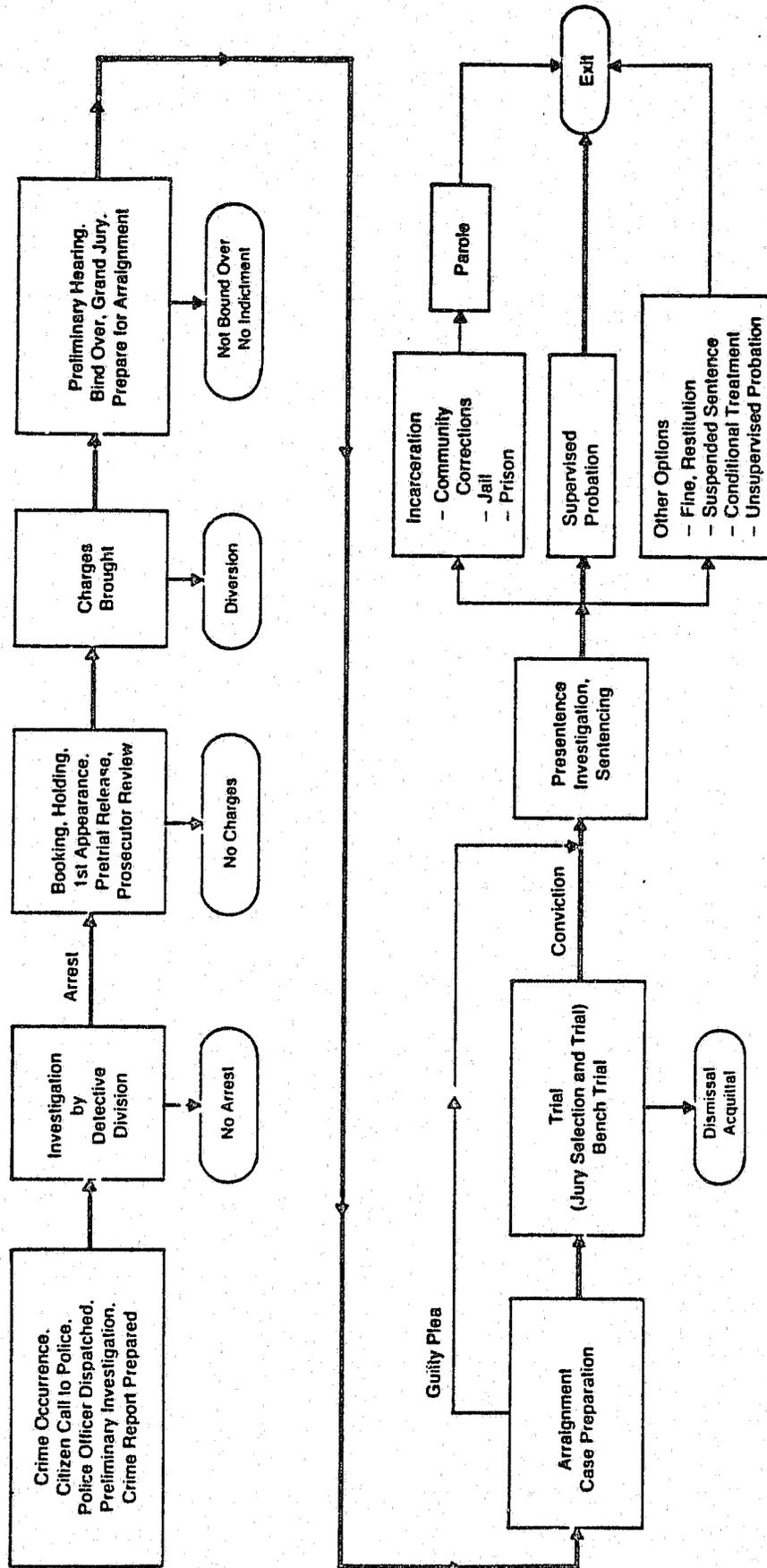
--What specific actions are being done with the victim's case; explanation of terms, procedures, and what options are present for the victim or witness; why certain procedures are being done or will be done.

--What the victim must do; when; why; how.

### DIRECTIONS DURING POST ARREST PROCESSING OF CASE

--"The NSA Guidelines on Victim Assistance" describes the various specific transactions that occur between the victim and justice system professionals. Other sessions in this training program will explain most of these transactions. (See Figure 1, next page).

**Figure 1**  
**OVERVIEW OF CRIMINAL JUSTICE SYSTEM ACTIVITIES**  
**FOR FELONY OFFENSES**



**Source:** National Baseline Information on Offender Processing Costs  
 Developed by The Jefferson Institute for Justice Studies, and Research Management Associates (RMA), and,  
 The Institute for Economic Policy Studies for the National Institute of Justice, Washington, DC (1984)

### SESSION 3

---

#### THE ROLE OF THE VICTIM IN THE JUSTICE SYSTEM AND VICTIM RIGHTS

---

#### SUMMARY OF SESSION

This session will build upon and expand on the ideas presented in Session 2. Assistance to victims by representatives of the justice system is more than a matter of humane responses to victim's needs or victim's trauma. There is ample evidence and findings that argue that victims have a right to certain assistance from representatives of the justice system.

This session will explain how the role of the victim is changing from being a passive partner in the reporting and processing of a victim's case--the victim as reporter and witness--to one in which the victim is now being considered as an active partner in the processing of a case. The presentation will trace the evolution of the role of the victim and conclude with a discussion of the doctrine of victim standing, the victim as party in the case, and due process rights of victims.

This session is important because of the context it provides about the doctrine of victim rights.

In outline, this session will treat of the following:

- History and evolution of the role of the victim in the U.S. justice system;
- Recent Developments;
- Doctrine on Victim Rights;
- Summary of selected state statutes regarding victim participation in the administration of justice.

This presentation will summarize much of the materials contained in "The NSA Guidelines for Victim Assistance" regarding victim's roles.

EVOLUTION OF VICTIM ROLE  
IN THE AMERICAN JUSTICE SYSTEM

- PRE-COLONIAL/COLONIAL PERIOD: 17th - 18th Century
  - No formal police or public prosecutor
  - Victim hired officials (e.g. Watchman, Sheriff, Constable) to obtain an arrest, apply for a warrant, help make an arrest;
  - Victim posted rewards, used paid informers, or performed his own detective work
  - Victim retained a private attorney, paid to have indictment written and the offender prosecuted
  - Incentives: treble damages, restitution, and reparation.
  
- CHANGES IN ADMINISTRATION OF JUSTICE: 18th - 19th Century
  - Bill of Rights and Constitution
  - Principles of public justice: Beccaria's "Essay on Crimes and Punishment" (1764)
    - ⊙ Crime defined as harm done to society, the social contract, and the government.
    - ⊙ Punishment should be proportionate to harm caused to society and imposed by law with little discretion by judges.
    - ⊙ Purpose of the justice system is to serve societal needs primarily.
    - ⊙ The system should deter criminals by imposing swift, certain, public punishments--jails and prisons emerge.

## EFFECTS OF NEW DOCTRINE

● "...Beccaria's principles evidences the start of the declining role of the victim in the criminal justice system. This new system required that the victim's role as a policeman, prosecutor, and punishment beneficiary be reduced to that of informant and witness only. These ideas strongly appealed to Americans who sought to emphasize the principles of rationality and utilitarianism, and had an enormous influence on the development of the American criminal justice system during the 19th century"

--William F. McDonald, Ph. D.

"Towards a Bicentennial Revolution in Criminal Justice" (1976)

● Emergence of Public Prosecution: Attorney General's in States; District or States' Attorneys in local county governments--19th Century

● Emergence of Muncipal Police Departments: 1840s

● Development of Criminal Codes in States: 19th Century

● By the early 20th century, the system was in place and further developments were directed at improving the efficiency, effectiveness and professionalism of the various agencies of the local and state criminal justice systems.

● The effects of the reforms of the 18th and 19th century resulted in changing the role of the victim from a party to the criminal justice action to a witness in the criminal justice proceeding. Related to these reforms were the emergence of public police agencies, public prosecutors, sentencing laws, corrections institutions, the decline of restitution as a condition of sentencing, and the rationalization of the system so that the system, the state, and professionals became the formal investigators and prosecutors of crimes defined as acts against the state.

--Josephine Gittler, J.D.

"Expanding the Role of the Victim in a Criminal Action" (1984)

20th CENTURY OBSERVATIONS OF THE ROLE  
OF THE VICTIM

1931: Wickersham Commission

"Hardships suffered by victims may affect in some cases the victim's whole attitude toward the administration of public justice"

1934: Supreme Court Justice Benjamin N. Cordoza

"Justice, though due to the accused, is due the accuser also. The concept of fairness must not be strained till it is a filament. We are to keep the balance true"  
(Snyder v Massachusetts, 291 U.S. 97, 122)

1938: American Bar Association

"The state owes it to the witness (and victim) to make the circumstances of his sacrifice as comfortable as possible"

1951: Michigan Governor's Study Commission

"The inept handling which victims often receive following a sex crime is at the root of much of the reluctance of parents to file complaints; the experience at this stage can be worse than the experience of the crime itself"

1965: California

Enactment of the first state statute in the U.S. providing for state compensation for victims of violent crime

1967: President's Commission on Law Enforcement and the Administration of Justice

Pioneered the use of victim surveys and recommended nationwide adoption of crime compensation programs

1970-

1979: LEAA Grant Programs

Distribution of about \$50 million in grants and contracts to support research, demonstrations, training and assistance to further the objectives of improving the manner in which the local justice system serve victims and witnesses

### RECENT DEVELOPMENTS

- Substantial body of literature: victim surveys; psychological studies and practices; victimology; historical studies; case law; state statutes; victim rights legislation;
- President's Task Force on Victims of Crime: 1982-1983
- Attorney General's Task Force on Family Violence: 1983-1984
- Justice Assistance Act of 1984
- Victims of Crime Act of 1984
- Victim Witness Protection Act of 1982
- Office for Victims of Crime/Office of Justice Programs
- National Association Efforts:
  - National Organization for Victim Assistance
  - National Sheriffs' Association
  - National Organization of Black Law Enforcement Executives
  - National District Attorneys Association
  - American Bar Association
  - National Conference of the Judiciary
  - National Conference of Special Court Judges
  - National Judicial College
  - National Center for Women's Policy Studies
  - National Association of State Directors of Law Enforcement Training
- 39 States: Victim Compensation Programs
- 40 States: Assistance to Domestic Violence Programs
- 14 States and the federal System require the use of Victim Impact Statements
- 15 States and the federal system, statutorily, have defined Victim's Bill of Rights
- National Crime Victims Week
- Between 1980-1983, over 270 victim related bills were introduced and enacted by states

EMERGING DOCTRINE ON  
VICTIM RIGHTS

⊙ STANDING

The right that an individual has or is given to initiate and maintain a cause of action is a proceeding at law.

The individual must have a personal stake in the outcome of the proceeding so as to assure a finder of fact and a court that there will be the presentation of concrete facts that allege and support the claim that harm has been done to one. These facts sharpen the adversary proceeding between the accuser and the accused. The proceeding, coupled with confrontation between accuser and accused and evaluated by cross-examinations, must result in a presentation of the issues so that the court can make its judgements.

Standing means, therefore, that:

- ⊙ personal harm is done
- ⊙ concrete information and evidence is presented
- ⊙ the one harmed must participate directly
- ⊙ the one harmed must have a personal stake in the outcome of the proceeding

While the doctrine of standing is usually used in reference to civil litigation, scholars have begun to promote the idea that a "standing" for criminal victims in state and local criminal justice proceedings is valid and can--and often is--granted by state statutes.

The victim is personally harmed; the victim initiates the report to authorities, the victim possess direct information; the victim may be the evidence; the victim is examined and required to testify; the victim is cross examined; the victim seeks restitution, retribution, or reparation...without the victim there is no proceeding.

VICTIM STANDING AND  
RIGHT OF DUE PROCESS

• STANDING may trigger some procedural rights regarding the decision-making and the administration of the process of the victim's case through the justice system;

• DUE PROCESS rights refer to those guarantees that one has when one has standing at law. These rights, at a minimum, are:

--Adequate and timely notice about various proceedings coupled with some form of instruction or guidance as to the role to be performed by the victim;

--Opportunity to present evidence, information, and interests in the proceedings;

--Adequate and timely notification about the outcomes of the proceedings.

• STANDING plus DUE PROCESS result in PARTY STATUS for a victim. This combination means, practically, that a victim may have certain specific rights. Since a right is an advantage which compels or directs a related duty or obligation, then, it may be argued that justice system representatives may have the duty to provide to the victim, notifications, advice, information, counsel, and instructions about what they are entitled to do and what they may be entitled to expect from various justice system representatives from the moment of report of the crime to the conclusion of the victim's "case" at parole.

• Examples of state laws which reinforce this notion of victim standing, due process, and victim-as-a-party-to-proceedings are presented and discussed below.

A HINT ABOUT THE FUTURE?

"Of course, inconvenience and embarrassment to witnesses cannot justify failing to enforce constitutional rights of an accused...But, in the administration of criminal justice, courts may not ignore the concerns of victims. Apart from all other factors, such a course would hardly encourage victims to report violations to the proper authorities; this is especially so when the crime is one calling for public testimony about a humiliating and degrading experience"

Chief Justice Warren Burger  
Morris v Slappy  
461 U.S. \_\_\_\_\_, 103 S.Ct. (1983)

## LEGISLATION TO ASSIST VICTIMS AND WITNESSES

Within the past decade, there has been a considerable amount of legislation enacted to promote victim and witness assistance. The legislation addresses the problems resulting directly from the crime itself and the problem that may be caused indirectly through subsequent contact with the criminal justice system.

The legislation can be divided into four major categories:

- I. FINANCIAL ASSISTANCE TO VICTIMS: This legislation is aimed at addressing the financial burdens caused by the crime. The most common types of financial assistance include compensation, restitution and notoriety for profit legislation. Other forms of financial assistance enacted by the states has included increased witness fees, employee obligation to victims and witnesses and speedy property return.
- II. REFORMS WHICH ESTABLISH RIGHTS FOR VICTIMS AND WITNESSES: This type of legislation provides for the establishment of certain procedures and policies in the criminal justice system to assist victims and witnesses. These reforms may be comprehensive in nature and include a "bill of rights" or they may be more limited in scope and identify specific issues, such as notification or participation in the criminal justice proceedings against the accused.
- III. ESTABLISHING A FUND FOR LOCAL VICTIM SERVICE PROGRAMS: This type of legislation institutionalizes a mechanism for the funding of local service programs to provide direct aid victims and witnesses. A special fund is created through general appropriations, penalty assessments, or criminal fines.
- IV. PROTECTIONS FOR SPECIAL CLASSES OF VICTIMS: This legislation is aimed at certain classes of victims that are particularly vulnerable to crime, it usually includes child victims, the elderly, or victims of sexual assault and domestic violence. The legislation may impose special procedures or mandate increased penalties against offenders.

The information in this section has been obtained from the National Victims Resource Center, the U.S. Department of Justice, and the American Bar Association's publication entitled, Victim/Witness Legislation.

## I. FINANCIAL ASSISTANCE TO VICTIMS

The majority of states have enacted legislation that provides some form of financial assistance for victims who suffer an economic loss as the result of the crime. Losses covered by the legislation may include medical bills, funeral expenses, or loss of wages. Many of these legislative reforms have taken the form of compensation programs which establish a mechanism for reimbursing crime victims. In addition to compensation programs, there are two other primary types of legislation that promote financial assistance to victims: restitution and notoriety for profit laws. Restitution laws authorize the courts to impose a sanction upon the offender to compensate the victim for an injury or loss caused by the offense. Notoriety for profit legislation grants victims access to income generated by offenders as a result of publicity about their crimes. These types of legislation will be described in detail on the following pages.

In addition to the types of financial assistance noted above, a few states have passed other types of legislation that assist victims and witnesses financially. These include increased witness fees, employee obligation to witnesses, and speedy return of seized property. These will be discussed briefly following the discussion on compensation, restitution, and notoriety for profit laws.

### Primary Types of Legislation Providing Financial Assistance to Victims:

- Victim Compensation
- Restitution
- Notoriety for Profit

### VICTIM COMPENSATION

Victim Compensation laws provides financial assistance to victims of crime, under specified guidelines. Payments are made from state administered funds upon application by eligible claimants. Payment does not depend upon the arrest and conviction of the offender and there is no need for the victim to secure a civil judgement.

According to the National Victims Resource Center, compensation legislation has been enacted in 39 states, the District of Columbia and the U S Virgin Islands. There are many different types of compensation legislation and they vary as to funding sources, eligibility requirements, and what losses are covered. Generally, the legislation requires that victims report the crime to law enforcement authorities and sometimes that they cooperate with criminal justice agencies in the apprehension and conviction of the offender.

Funding sources for compensation programs include general revenue appropriations, fines collected as a result of criminal convictions, and penalty assessments. Approximately one half of the states with victim compensation programs fund them through general revenue appropriations, with the remainder being funded through criminal fines and penalty assessments. Some states use a combination of two or more funding sources.

The compensation legislation varies from state to state as to eligibility requirements. Coverage extends to victims and their dependents in all programs. Spouses, children of the victim and other persons supported by the victim are usually included. Generally, the statutes exclude family members of the offender or those living in the same household from eligibility. These provisions are intended to prevent the offender from profiting from the program and to discourage collusion among family members. Some states have included a "waiver" provision so that children victimized by parents or abused spouses might be considered eligible after a review process.

In most states, a person who intervenes to assist the original victim and who suffer an injury as a result is also covered. A few statutes, allow reimbursement to those who attempt to apprehend the offender. Approximately one-third of the state compensation programs allow third parties to recover reimbursement for costs such as medical or funeral expenses incurred on behalf of the victim.

State residency is also a requirement for eligibility in most of the compensation programs. Some states provide a waiver of the residency requirement, if there is a reciprocity agreement between the states. The compensation legislation in some states may exclude victims of vehicular crimes from compensation eligibility.

The compensation programs vary as to what losses are covered by the program. Generally, unreimbursed medical expenses, loss of earnings, payment for support of a deceased victim's dependants and funeral costs are covered. Property losses are not usually covered. Some statutes go beyond the reimbursements noted above and provide coverage for the services of a psychiatrist, pain and suffering or occupational training.

Most states set a limit as to the amount of reimbursement that an individual may recover through the compensation program. Maximum awards range from \$1,500 in Colorado to \$50,000 in Texas. In New York, however, there is no limit set for medical expenses, though claims for loss of earnings are limited to \$20,000.

Many states provide emergency awards to victims that range from \$500 to \$1,500. A few states permit reimbursement for attorney fees. In many of the statutes, there is a deductible below which requests for compensation are not accepted. In Delaware, the minimum loss is set at \$25, and in Tennessee, it is set at \$300.

The newly enacted federal Victim of Crime Act of 1984, will provide federal assistance to state compensation programs. Under this legislation, 50% of the funds deposited into the newly established Crime Victims Fund will be allocated to state victim compensation programs at the rate of 35% of the amount the state paid out for compensation the previous year. It is anticipated that between \$76 - 100 million will be deposited into the fund each year from federal criminal fines, penalty assessments, forfeited bonds, and forfeiture of collateral profits of crime.

Four examples of compensation legislation are cited below with the citations to provide a brief summary of this type of legislation:

Ohio - Maximum Compensation

OH Revised Code Sections 2743.51 - 2743.72

Provides for a maximum award to \$25,000 and an emergency award of \$100.

Pennsylvania - Information and Training Requirements

Amends Section 477 of PA Administrative Code as amended 1976. Requires enforcement agencies to inform victims of compensation and requires law enforcement to be trained about compensation.

New Mexico - Compensation in Vehicular Cases

B 40 (1983)

Expands compensation to include victim of homicide by a vehicle and great bodily injury by a vehicle.

Connecticut - Compensation to Include Survivor

PA 80-90 (1980)

Expands eligibility to include the estate of a victim or a survivor for expenses incurred as a result of death.

The following is a more extensive review of the compensation legislation enacted in New Mexico in 1981. This detailed review is provided to illustrate some of the issues involved in compensation legislation:

VICTIM COMPENSATION  
NEW MEXICO  
CHAPTER 325, LAWS OF 1981

Purpose

To protect the citizens of New Mexico from the impact of crime and to promote a stronger criminal justice system through cooperation of citizens.

Crime Victims Reparation Commission

- Five members appointed by the Governor to serve four years; not more than three can be of the same political party; one attorney and one doctor must be included; Chair elected by the members themselves.

Claim Process

Claims come to the Chair of the Commission, who assigns it for review. The commissioner makes a recommendation after investigating the records of police, the courts and medical documents. If the commissioner is unable to make a decision, he can hold a hearing. The claimant or his attorney can appear at the hearing.

At the hearing, every person has the right to produce evidence and to cross examine witnesses. Rules of evidence are not held up to the same standards as in a court of law.

The entire commission then reviews the recommendation of the member, or after hearing the evidence at the hearing, votes on the recommendation of the commissioner. A majority of the commission must agree.

### Attorney Fees

Cannot be used to pay for attorney fees, regardless of whether an award is made.

### Medical Examination

Act provides for appointment of an impartial physician to examine any person filing for a claim.

### Eligibility

- Any person who is killed or injured by an act or omission of any person coming within the criminal jurisdiction of the state for the following 11 crimes: arson resulting in great bodily injury, aggravated arson, aggravated battery or assault, dangerous use of explosives, negligent use of a deadly weapon, murder, voluntary and involuntary manslaughter, kidnapping, criminal sexual penetration and criminal sexual contact of a minor.
- No award to be made for property damage.
- Commission can consider the behavior of the victim and whether the victim bears any responsibility for the crime.
- Benefits may be made to a deceased victim's dependents, and to any individual who voluntarily assumes funeral or medical expenses of the victim.
- A victim is eligible if the crime has been reported to police in a reasonable time, regardless of whether there has been an arrest or conviction.
- Three requirements for eligibility include:
  - (1) The commission finds that a crime occurred.
  - (2) That the injury or death resulted from the crime and
  - (3) Claimant fully cooperated with law enforcement agencies.
- Claims shall not be paid persons incarcerated in a jail, or correctional facility.
- No reparation can be awarded if the victim is a relative of the offender, member of the offender's family relationship group or was an accomplice of the offender.

### Limitations of the Award

- Application must be made within one year after the death or injury.
- Maximum award is \$12,500.

### Confidentiality of Records

Reports or records which are protected shall only be disclosed in accordance with the terms and conditions which protect its confidentiality prior to jurisdiction by the commission.

### Annual Report

A report to designated individuals shall be published 30 days prior to each regular session of the legislature. The report shall contain the name of each applicant, the facts of the case and the amount awarded.

### False Claim

A false claim or statement made to the commission is punishable by one to five years imprisonment and/or a \$5,000 fine.

### Appropriation

- \$1,800,000 appropriated from the general fund.
- Maximum of 10% of the fund can be used for administration of the fund.

### Effective Dates

July 1, 1981 to July 1, 1985.

## RESTITUTION

This legislation confers explicit authority on the judiciary to order an offender to repay a victim of crime for the injury or loss caused by the crime.

Restitution is a method of direct reparation from an offender to a victim. Only if an offender has been apprehended and convicted in the criminal court, can the judiciary can impose this sanction. Restitution can be viewed as a method of both punishing the offender and holding him accountable for his misdeeds. The main drawback to restitution as a means of making the victim whole again, is the fact that so few offenders are convicted, it provides only a small number of victims with financial relief from the burden of the crime.

Although judicial authority to order restitution has long been explicitly established by legislation in many states, it is generally thought to be inherent in the sentencing power of criminal courts. However, it has been sparsely used by the courts as a sanction until recently.

In states without compensation programs, restitution may be the only practical way a victim has of recovering financially from the crime. As compensation programs do not cover property loss, restitution is virtually the only means that a victim would have of recovering a property loss without obtaining a civil judgement. Although civil actions against offenders are available to victims, they rarely provide a realistic means of obtaining financial relief.

Most state laws authorizing restitution permit the court to order restitution at the court's discretion. A few states make restitution mandatory in certain cases or require the court to state the reasons for not ordering restitution. Due to the administrative costs of administering restitution programs, a few states, including Wisconsin and Maryland, impose a surcharge on convicted offenders to support court administration of the restitution program.

A few states hold the parents of juvenile offenders liable to make restitution for their children. Maryland, New Jersey and Pennsylvania are among the states that have enacted this type of legislation. In Maryland a parent may be held liable for up to \$5,000, while New Jersey and Pennsylvania limit parental liability to \$300.

Most victimizations involve losses small enough for the offender to repay, a report by the U.S. Department of Justice, their study entitled "Restitution of Victims of Personal and Household Crimes" concluded that "relatively few victimizations are so costly even in terms of gross losses, as to negate the possibility of restitutive disposition". Of the 30.5 million cases of property loss or damage in 1974, in only 6% of these cases did the loss or damage exceed \$499.

Four brief summaries of the state legislation dealing with restitution are listed below with the citation noted:

Iowa - Restitution in Felony Cases and Restitution Plans

Code of Iowa, Chapter 910 (1982)

Requires restitution in all felony cases and restitution plans as part of parole, probation, or work release.

New York - Increases Limits and Requires Consideration

Chapters 468 and 397, Laws of 1983

Increases the limits on dollar amounts of restitution which may be ordered and requires judges to consider restitution as part of sentencing.

Oregon - Prosecution Requirement

SB 520 Amends ORS 137.106 (1983)

Requires the prosecutor to make a report of pecuniary damages if the information is not available on the Victim Impact Statement, and the order may only be reduced if there has been an error.

The following is a more extensive review of the restitution legislation enacted in Utah in 1979. This example is presented to illustrate some of the issues involved in restitution legislation:

RESTITUTION  
UTAH

Section 76-3-201 Utah Code Annotated 1953

As Amended by Chapter 69, Laws of Utah, 1979 grants the courts authority to order a person adjudged guilty of an offense to pay a fine, be removed or disqualified for public or private office, to be placed on probation or to be sentenced to death, or any combination of these.

In cases where a person is adjudged guilty of a crime which resulted in pecuniary damages, the court shall order restitution in addition to any other sentence it may impose unless it finds that restitution is inappropriate. If the court determines that restitution is inappropriate, the reasons must be stated in writing.

In determining restitution orders, the court shall take into account the following factors:

- ability of the defendant to pay either on an installment basis or on other conditions ordered by the court.
- the rehabilitative effect on the defendant and the method of payment.

The legislation provides that if the defendant objects to the imposition, amount or distribution of the restitution, the court shall allow a hearing on the issue at the time of sentencing.

#### Section 76-3, Utah Code Annotated 1953

This provision provides for the victim to forward a written report in cases where there are pecuniary damages to the investigating law enforcement agency within fifteen days following the initial crime report.

This report is to be made part of the official report of any criminal investigation. The legislation further calls for the Department of Public Safety to prepare and distribute the report to sheriffs and police department and requires the investigating law enforcement officer to provide the forms to all victims of any criminal activity which resulted in pecuniary damages.

#### Section 77-27-3 Utah Code Annotated 1953 Chapter 15, Laws of Utah, 1980

This section states that when considering parole, pardon, commutation or termination of a sentence, the state board of parole shall consider whether the offender made restitution.

When the state parole board orders the release or parole of an inmate who has been ordered to make restitution, it must establish a schedule of repayment and supervise the repayment.

#### NOTORIETY FOR PROFIT

This type of legislation has been enacted to grant victims access to income generated by offenders as a result of publicity about the crime. The legislation generally provides that monies generated from royalties on books, articles, other publications or movies are to be paid into a specially designated escrow fund to give first claim to successful civil judgement by the victim of the crime.

Notoriety for profit legislation usually includes provisions for the notification of the existence of the fund to the victim periodically. The Oklahoma legislation provides that the District Court where charges were filed must publish a notice every six months in at least one newspaper of general circulation in each county of the state to notify victims of the fund.

This legislation was a response to the notorious "Son of Sam" case in New York, where David Berkowitz, a convicted murderer was besieged with offers

to sell his story for a considerable profit. As a result, New York passed legislation placing a lien of offender profits in 1977.

The Federal Victims of Crime Act of 1984, contains a provision for the special forfeiture of collateral profits of crime similar to statutes enacted in the state. Under the federal legislation, a U.S. Attorney may make a motion to place in escrow the literary profits of a federal criminal in cases where a victim was physically harmed.

For a five year period, the profits may be held in an escrow account to be paid to a victim as the result of a successful federal suit, to satisfy a federal fine against the defendant or for damages by the victim in a state suit against the criminal and for up to 20% of the legal fees for the defendant. If funds remain in the account after five years, the court can order the profits paid into the Victim Funds established by the same legislation that is used to reimburse state compensation programs and to fund victim assistance programs.

The federal legislation calls for notice of the availability of funds in local newspapers 30 days following the court order establishing an escrow account and at other times as the Attorney General may require.

A brief summary of two state notoriety for profit statutes and the citations are noted below:

#### New Mexico

SB 42 (1983)

Prohibits offenders from receiving financial benefits as a result of a crime for 5 years. Victims may receive funds through civil judgements. If funds remain, they are returned to the offender.

#### Louisiana

Louisiana's New Statute Chapter 21-A 1831-1839

Creates a Criminal Victims Escrow Account for funds derived from benefits of crime. Seventy-five percent of the fund is available to the victim and twenty-five percent to the compensation fund. After five years, the remaining funds go to the state compensation fund.

Two examples of notoriety for profit laws that have been enacted are reviewed more extensively to illustrate the issues associated with this type of legislation include:

## CONNECTICUT

### Crime Victims Compensation Law, Chapter 968, Section 54-218

This legislation provides that any person or company that contracts with a person who is accused of a crime of violence shall deposit monies obtained through the contract into an interest bearing escrow account. The monies collected can be used to pay for the legal defense of the defendant and to any victim of crime of violence committed by the defendant if he is convicted of the crime. In order for the victim to collect that monies, they must bring a successful civil suit against the defendant within five years from the date of the crime.

## OKLAHOMA

### Statute, Annotated Title 22 Section 17, 1981

This legislation provides that every person who is charged, convicted, pleads guilty or pleads nolo contendere, to any crime and who contracts to re-enact the crime, shall pay to the District Court where charges were filed any monies or things of value into an escrow account. The profits from any movie, book, newspaper, magazine article, radio or television presentation, live entertainment of any kind, or from the expression of his thoughts, opinions or emotions of the crime are covered in the legislation.

The monies in the escrow account shall be made available to the victim or his legal representatives if he brings a successful civil action within five years of the filing of the charges against the criminal. The defendant may also use the funds for legal representation at any stage of the criminal proceedings upon an order of the district court judge.

If there are any monies remaining in the fund after five years, the monies are to be paid into the State Victim's Compensation Revolving Fund. If the disposition of charges are favorable to the defendant, the money held in the escrow account is to be paid to the defendant.

The legislation requires notification to the victim about the fund every six months for five years after deposit of the money in the escrow accounts. Notification to the victim is made through publication in a newspaper of general circulation in each county in the state.

### Other Types of Legislation that Provides Financial Assistance to Victims:

- Increased Witness Fees
- Employee Obligation to Victims and Witnesses
- Speedy Property Return

Increased Witness Fees: In many states, witness fees are so low they do not begin to cover the court related costs that are incurred by the witness. Commonly, the witness fees are in the \$5 to \$10 range. In most states, this fee is not sufficient to cover the parking fees, transportation costs, or lost wages. To reduce the financial burden of participation in the

criminal justice process, states have enacted legislation making reimbursement more commensurate with the actual cost to the witness.

Employee Obligation to Victims and Witnesses: This type of legislation alleviates the job related barriers to participation by victims and witnesses in the criminal justice proceedings. Generally, the legislation provides that an employer may not dismiss or penalize an employee who is absent from work due to participation in the criminal justice proceedings.

Speedy Property Return: When property of the victim is seized by authorities as evidence for court proceedings, it is common that the evidence is not returned to the victim-owner for an extended period of time. This can place a burden on the victim. To alleviate this problem, legislation has been enacted to expedite the return of recovered property to the victim.

## II. RECOGNITION OF THE RIGHTS OF VICTIMS AND WITNESSES

In addition to providing financial assistance to victims, some states have enacted legislation that deals with improving the treatment of a victim or witness by the criminal justice system. These reforms may deal with a singular issue or they may be comprehensive in nature. Although some of these legislative reforms are aimed at reducing financial hardships of participation in the criminal justice system, the overriding purpose is to ease the burdens that the victim or witness faces during the stages of the criminal justice proceedings.

The rights addressed by this legislation may be enacted in separate bills or incorporated into a comprehensive package. The comprehensive packages have come to be known as "bills of rights". Typically, they list the responsibilities of the criminal justice system to ensure that victims and witnesses receive proper consideration and treatment.

On the following pages are examples of single issues reforms and a comprehensive bill of rights enacted in Massachusetts.

### Examples of Single Issue Legislation to Recognize the Rights of Victims and Witnesses

The following are examples of legislation that has been enacted in states to recognize the rights of victims and afford them better treatment as they participate in the criminal justice system.

#### • Counsel for Victims

This legislation allows a victim to retain counsel to represent them during the criminal proceedings against the accused. Typically, this would occur if a victim's conduct is drawn into question during the criminal justice proceedings.

According to the American Bar Association's publication on Victim/Witness Legislation, neither a victim nor the witness in a criminal case are parties to the litigation. The criminal case involves the state and the accused. When the defense alleges that a government witness has behaved improperly, the prosecution will rebut this testimony to save the case. This may not satisfy the witness who feels that he has not been sufficiently or properly vindicated by the prosecutor's actions. In order to remedy this situation some states have considered legislation that would allow the victim or witness to retain counsel.

Generally, this type of legislation does not require that the accusation against the victim or witness be of a criminal nature to trigger the victim's right to counsel. Questions of moral turpitude will be sufficient to allow the victim to seek counsel. The provision that a victim must pay for representation out of his funds limits the extent to which this option is used. California enacted legislation allowing for victim representation by counsel in 1980.

#### • Deposition in Lieu of Personal Appearance

This legislation encourages the use of depositions to secure the testimony of a witness who may not be available to testify at the time of the trial. Historically, a defendant has been guaranteed the right to confront his accusers. In the U.S., this process of cross-examination is to test the accuracy of the account. In a case where a victim or witness is unwilling or unable to testify, a case must be dismissed. In the past, courts have had the authority to allow depositions with cross-examinations, in situations where it is unlikely that a witness will live until the trial. However, this has not been practiced extensively. The new legislation generally makes more explicit the circumstances under which a deposition may be taken without violating a defendant's rights.

Some of the legislation deals specifically with special categories of victims, such as children or victims of sexual assault, where the age or trauma to the victim may be aggravated by an open public hearing.

In New York and Connecticut the legislation expressly authorizes the deposing of a witness either by the government or the defense with judicial approval. Florida has gone further by allowing the videotaping of child abuse and sexual battery victims under the age of 12. Under this law, the state applies to the judge to videotape a child's testimony when there is substantial likelihood that a child victim will suffer severe emotional or mental strain if required to testify in open court.

#### • Speedy Return of Seized Property

This legislation expedites the return of property to a victim which has been seized as part of a law enforcement investigation. This legislation seeks to minimize the inconveniences caused for a victim when property is held in evidence for extended periods of time while a case is being processed through the criminal justice system.

Kansas has enacted legislation that allows for prompt return of a victim's property while accommodating the states interest in preserving the evidence.

Under the provisions of this legislation, seized property can be photographed. Handwritten on the photograph is a description of the item in question made under oath by the investigating officer.

● Ombudsman For Victims

This legislation provides for advocates to aid victims and witnesses in understanding the criminal justice process and their role in the proceedings. Generally, the legislation is aimed at providing the victim or witness with information about the proceedings, the status of the case against the accused, or explaining to victims their rights in relation to the criminal justice proceedings.

In Oklahoma, legislation authorizes each district attorney in the state to appoint a victim and witness coordinator to advise victims and witnesses of their rights according to the Oklahoma Victim's Bill of Rights. These rights include protection from harm and threats, to be informed of financial assistance and social services, to be advised of witness fees, to provide a secure waiting area, to have seized property returned speedily, to have employer intercession, and to receive advance notice of any pardon or parole hearings.

● Protection from Intimidation

This legislation is aimed at reducing the intimidation of witnesses by making it a crime to attempt maliciously to prevent or dissuade witnesses from cooperating in criminal cases.

In 1979, the American Bar Association held two days of public hearings to assess the scope of the intimidation problem. They concluded that intimidation was widespread throughout the criminal justice system. They developed a package of recommendations, which have formed the basis of statutes enacted in Pennsylvania, Rhode Island, and California.

● Employer Obligation

Several states have enacted legislation to protect the employment of victims and witnesses while they are participating in the criminal justice system. This legislation seeks to alleviate job-related barriers to participation. In general, the legislation prohibits an employer from dismissing or penalizing an employee absent from work in response to a subpoena in a criminal case.

Loss of wages to the victim or witness are generally not included in the provisions of this type of legislation and this can create a hardship for witnesses whose witness fees do not cover the lost wages.

A Wisconsin statute specifies that no employee who has been subpoenaed to testify in a criminal case may be discharged or disciplined for testifying. It requires that subpoenaed employees notify their employers after receipt of the subpoena. This legislation also stipulates that if the case or is work-related, the employee's wages may not be reduced for his compliance with the subpoena. A fine of \$200 can be levied against any employer who violates this law.

## • Increased Witness Fees

The participation of a witness in the criminal justice system can create a financial burden. The cost of transportation to hearings, parking fees and possible loss of wages while participating in a trial, compound the problem for a witness.

While witness fees have been authorized for a long time, they have been extremely modest in many jurisdictions. Witness fees range from 50 cents per day and are commonly only \$5 - \$10 per day. According to a 1973 study by the National Advisory Commission on Standards and Goals, only 19 states allowed witness fees of \$5 a day or more. In recent years, several states have enacted laws to increase the witness fees including Florida (1980) Nevada (1981) and Nebraska (1981).

Under the Nebraska law, a subpoenaed witness is entitled to receive \$25 per day for each days attendance in a criminal case or civil suit or a grand jury. Mileage reimbursement is also to be paid to a witness at the rate of 19 cents per mile. In civil cases, the witness fees must be taxed against the defeated party.

The following is an example of a comprehensive package to insure the rights of victims and witnesses rights in the criminal justice system:

### RIGHTS OF VICTIMS AND WITNESSES OF CRIME

#### MASSACUSETTS

#### CHAPTER 258B

Under this legislation, victims, witnesses and the family members of a homicide victim are entitled to the following rights:

- to be informed of the final disposition of a case by the prosecutor
- to receive timely notification if a hearing is to be delayed, if they have been summoned
- to be advised of protection available to them by law enforcement
- to be informed of social services and financial assistance available
- to be informed of the right to request restitution
- to be informed about procedures to apply for witness fees
- to be provided a secure waiting area
- to inform the court of the impact of the crime

- to have property seized as evidence returned within 10 days or or expeditiously as possible
- to be provided with creditor or employer intervention services by the District Attorney to minimize the victim's losses
- to a prompt disposition of the case

The legislation provides that each District Attorney shall create and maintain a program to provide the services and rights described in the legislation. Each District Attorney's office must submit a plan within six months of the enactment of the legislation.

The District Attorney, law enforcement agencies, local social service agencies and the courts are directed to cooperate to afford victims and witnesses the rights and services enumerated in the legislation.

### III. FUNDING FOR SERVICE PROGRAMS

This legislation provides a statewide mechanism for funding of local victim assistance programs. According to the National Victims Resource Center, 15 states have now enacted this type of legislation. Congress recently passed a Victims of Crime Act of 1984 which also sets up a nationwide mechanism to fund federal and local programs providing victim assistance.

Typically, the funding mechanism for these programs are similar to those used in funding compensation programs: general funds, penalty assessments, and criminal fines. Generally, states have tended to fund these programs through sources other than general revenues due to increasing financial stresses. Only a few states fund their programs entirely through general fund monies. It is not uncommon for a state to use a combination of funding sources. In Washington and Kentucky, the three funding sources discussed above are used.

Examples of legislation for funding of service programs include:

- Wisconsin uses general revenue to reimburse counties which provide enumerated services to carry out a bill of rights for victims and witnesses.
- Oregon funds local victim assistance programs through criminal penalty assessments that do not restrict services to a particular type of crime victim who provide comprehensive services.
- West Virginia enacted legislation that provides for funding domestic violence shelters through a marriage surcharge. The bill sets a 35% limit on the amount of state subsidy to local programs.

A more extensive summary of a funding for service program is cited below from the California legislation:

CALIFORNIA

CHAPTER 166

SOURCES OF REVENUE FOR THE FUND

- FINES are to be collected from persons convicted of a crime of violence, ranging from a minimum of \$10 to a maximum of \$10,000.
- ASSESSMENTS are to be levied at the rate of \$4 for every \$10 upon every fine, penalty or forfeiture imposed by a court for criminal offenses.

The legislation calls for imposition of the penalty assessment for juveniles who either admit or are convicted of motor vehicle violations, just as for adults.

REQUIREMENTS

- The funds are deposited in the Idemnity Fund in the State Treasury
- The Office of Criminal Justice Planning distributes the monies
- Both public and private non-profit programs are eligible to receive the funds
- Programs funded must provide comprehensive services to all types of crime victims
- Programs must be selected by their County Board of Supervisors to receive such funds.

REPORT

The Office of Criminal Justice Planning must prepare a report for the legislature summarizing the effectiveness of victim assistance centers funded through the program.

IV LEGISLATION FOR SPECIAL VICTIMS

This legislation is aimed at providing recognition and assistance to special categories of victims who are generally thought to be more vulnerable to crime. This legislation may focus on the elderly, children, victims of domestic violence or sexual assault, either because of the seriousness of the offense or the age of the victim.

Special legislation has taken many forms, ranging from mandatory reporting of suspected child abuse or neglect cases, or the establishment of statewide funding for shelters and services to battered spouses, mandatory special procedures such as videotaping child victims or mandatory record keeping in domestic violence cases, and enhanced penalties for persons convicted of crimes against the elderly.

● California Mandatory Child Abuse Reporting Law provides that child care custodians, including medical practitioners, teachers and social workers are required to immediately report suspected cases of abuse or neglect. A written report is mandated to be made within 36 hours after the initial report is made. The legislation provides for criminal sanctions against those who are required to report and fail to do so. Any person who reports a suspected case of child abuse or neglect cannot be held liable civilly or criminally unless it can be proven that a false report was made knowingly.

● Nevada Statewide Funding for Domestic Violence Shelters provides that a \$5 additional fee can be collected at the time a marriage license fee is issued. The money is deposited into a county fund for victim of domestic violence. Wisconsin has also enacted legislation to provide statewide funding for programs to assist victims of domestic violence. In Wisconsin, there is a ten percent surcharge in all court fines in criminal cases in which the defendant is convicted of criminal conduct involving domestic abuse. The funds collected from the surcharge are deposited in the state treasury for awards and contracts for domestic abuse services.

● Florida Statute Permits the Videotaping of Child Sexual Battery Victims Under the Age of Twelve, if certain requirements are met. A prosecutor may apply to the court for an order to allow videotaping if there is a substantial likelihood the child will suffer severe emotional or mental strain, if required to testify in open court.

● Illinois Law Mandating Law Enforcement Agencies Make a Written Report of Investigated Complaints of Domestic Violence Between Family Members or Persons Residing in the Same Household. The report must include the victim's statement as to the frequency and severity of prior incidents of abuse and the number of times that a law enforcement agency has been called in the past. The report must also include the disposition of the officer's investigation.

● Rhode Island Legislation Enhancing Penalties for Assaulting Persons 60 Years or Over provides that such an assault shall be deemed a felony and subject to imprisonment not exceeding five years or fined not to exceed one thousand dollars or both.

## SESSION 4

---

### A SURVEY OF VICTIM ASSISTANCE ACTIVITIES

---

There are many ways that the sheriff can help victims as they participate in the criminal justice process. These range from the establishment of a comprehensive Victim Response Unit located in the Sheriff's Department to making procedural changes such as providing victims with information about the justice system. The Participant's Handbook provides guidelines for sheriffs that illustrate how to implement these changes all along the broad continuum of victim assistance activities.

This session presents examples of individual assistance activities that can be provided to victims and witnesses by developing new practices and procedures in a sheriff's department. This session also provides examples of law enforcement based victim assistance programs. The session is divided into two major parts:

- Section A provides examples of services for victims beginning with their initial contact with the justice system through the parole process and includes:
  - Procedures relating to the emergency needs of victims
  - Information and referral services to community resources
  - Case processing and case information services;
- Section B provides a directory of law enforcement based programs to and a more detailed description of the following three law enforcement based programs including:

Arapahoe County, Colorado  
Sheriff's Office  
Victim Witness Program

Evanston, Illinois  
Police Department  
Victim Witness/Youth Outreach Bureau

Pinellas County, Florida  
Sheriff's Office  
Victim Advocacy Program

This inventory of types of activities will be used as a basis for analyzing the role of the sheriff and others in the local community in the development and implementation of activities to help victims. This analysis will be done in Session 5.

## Section A

### PROCEDURES RELATING TO THE EMERGENCY NEEDS OF VICTIMS

Victimization can create a crisis situation. The crisis may trigger the need for psychological services as well as services to meet the physical needs of the victim. The sheriff can assist the victim with both of these needs, either through direct service or referral.

The psychological services for the victim should include a 24-hour crisis hotline and a round-the-clock crisis counseling service that can respond to the crime scene. The following pages contain examples of forms used by law enforcement based victim assistance programs to assist victims with information about crisis counseling services. The following pages contain brochures that victim assistance programs have developed including: vouchers for food and shelter, general information booklets, information on victims' rights, and victim impact statements.

The critical element in emergency response is making certain that a victim receives the information or service needed as soon as possible. For this reason, it is important that each officer who responds to the crime scene is trained to deal with the complexity of problems that a victim may experience.

On the following pages are examples of procedures relating to the emergency needs of victims:

- General Information Pamphlet
- Victim Referral Card
- Follow-up Letter to Victim
- Card Explaining Victims' Rights
- Information Sheet on Lodging/Food
- Emergency Lodging Voucher
- Emergency Meal Voucher
- Victim Impact Statement

GENERAL INFORMATION PAMPHLET

The brochure displayed on the next page can be distributed by a sheriff's department at the time of the initial investigation or as part of a community awareness project. It provides general information about the victim assistance program and gives a telephone number to call for information. This pamphlet was developed by a victim advocacy program located in a sheriff's department.

**420-4028**

**V**ICTIMS

**O**F

**C**RIME

**A**SSISTANCE

**L**EAGUE



LAWSON L. LAMAR  
Sheriff

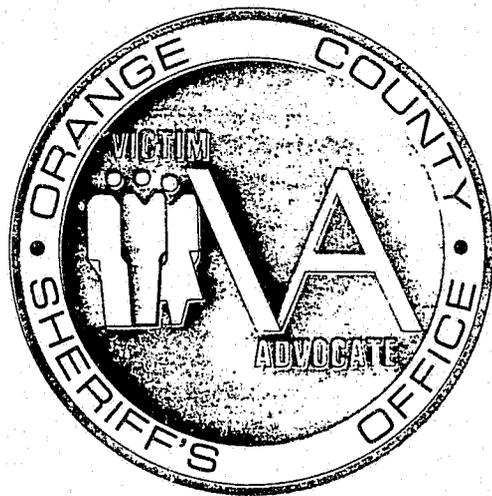
## V.O.C.A.L.

The Victims of Crime Assistance League provides aid to all victims of crime 55 years of age and older in Orange County. Using senior citizen volunteers, VOCAL is targeted specifically at our community's older victims.

VOCAL volunteers contact all persons over 55 who have reported crimes to the Orange County Sheriff's Office. You do not have to report the crime to receive VOCAL'S help. Just call us at 420-4028. All information is strictly confidential.

## SERVICES WE OFFER

1. Home security surveys.
2. Operation Identification — Engraving an I.D. number on your valuables.
3. Assistance in replacing critical items such as prescription eye glasses and walking aids.
4. Crime prevention information.
5. Assistance in replacement of stolen credit cards, driver's licenses, food stamps, Social Security checks and other I.D.s
6. Referrals for assistance from community service agencies.
7. Assistance in filing for financial reimbursement for medical and hospital bills through the Florida Crimes Compensation Act.
8. Vial for Life — A vial with your important medical information in it, in case of emergency.
9. Assisting a crime victim through a court proceeding.
10. Counseling.



Orange County  
Sheriff Office  
Lawson L. Lamar  
Sheriff  
1 North Court Ave.  
Orlando, Florida 32801



**ORANGE COUNTY SHERIFF'S OFFICE**  
**VICTIM ADVOCATE SECTION**

Much attention has been given to the offender in the past and the problems of the victims have been left to the whims of circumstance. This often results in a second victimization, one of neglect. The Victim Advocate Section is designed to compensate for that neglect.

## **Services Include. . .**

### **1. CRISIS INTERVENTION. . .**

Victims Advocates respond to requests from law enforcement to provide counseling and assistance to victims and/or the family. Services are available 24 hours a day, 7 days a week through the Communication Center of the Sheriff's Office.

### **2. SHORT-TERM COUNSELING. . .**

This is available for the victims and people close to them. Referrals to appropriate community agencies are made when necessary.

**For Assistance  
or Information,  
call 420-4026 or  
841-1400 after hours.**

### **3. VICTIM-WITNESS SERVICES. . .**

Include information, emotional support and guidance in working through the Criminal Justice System. Assist in filing for benefits through Crimes Compensation when there are medical expenses or days lost from work due to the crime.

### **4. COMMUNITY EDUCATION. . .**

Advocates are involved in the in-service training for law enforcement and educational programs for the community. Rape awareness and personal safety for children are emphasized and are available to schools and civic groups.

**For Assistance  
or Information , call  
420-4026 or 859-8016**

**LARCENY** **PURSE SNATCHING** **HOMICIDE**  
**CON GAMES** **INCEST** **SPOUSE ABUSE**  
**RAPE** **BURGLARY** **PARENT ABUSE**  
**THEFT** **SEXUAL ASSAULT** **KIDNAPPING**  
**ASSAULT** **ROBBERY** **PICKPOCKETING**  
**CHILD ABUSE** **BATTERY**  
**ARSON** **FRAUD**

**VICTIM ADVOCACY PROGRAM**



PINELLAS COUNTY  
 SHERIFF'S OFFICE  
 1000 1<sup>ST</sup> AVENUE  
 ST. PETERSBURG, FL 34782  
 (813) 892-1234

**585-9911**

**VICTIM ADVOCACY PROGRAM**

**Pinellas County Sheriff's Department**

**Gerry Coleman, Sheriff**

**PUBLIC AWARENESS PRESENTATIONS**

Presentations are available to area community groups. Topics include Victim Assistance, Sexual Assault, Child Abuse, and Spouse Abuse, to name a few. For further information, please contact the Victim Advocacy Program, Special Services Division, Pinellas County Sheriff's Department.

**VICTIM'S BILL OF RIGHTS**

You, as a victim of a crime, are entitled to the following rights:

1. To be free from intimidation.
2. To be told of possible financial compensation for victims of violent crime.
3. To be told of possible compensation for court appearances.
4. To be told of social service agencies which can help you.
5. To be assisted by your criminal justice agencies.

Dear Citizen:

*No one likes to think about crime, and certainly no one wants to be a victim of crime. But, the fact remains that we are ALL potential victims. Crime knows no bounds. It affects the old, the young, the rich, and the poor. Being a victim of a crime can be a very traumatic experience, and all too often, it is the poor forgotten victim whose rights and needs are not being met.*

*It is for these reasons that I and the Pinellas County Sheriff's Department are committed to ensuring the rights of victims and meeting their needs through the Victim Advocacy Program in an effort to reduce the trauma of victimization.*



Sheriff

## ELIGIBILITY

Victims of crime always need the support of their families and friends to help them deal with the trauma of victimization. Sometimes this support is not sufficient, or additional help or information is needed. Victim assistance is available to any citizen of Pinellas County or to any victim of a crime committed within the county.

## CRISIS INTERVENTION

A Victim Advocate is available 24 hours a day, 7 days a week, to assist victims of crime and/or their families. It is your right as a victim to request and utilize these services. If immediate assistance is not needed, you will usually be contacted the next regular working day by one of the Victim Advocates. Short-term crisis intervention is available when appropriate to victims and/or families.

## INFORMATION AND REFERRAL SERVICES

The Victim Advocacy staff works closely with the local social service agencies. Referrals are made on the basis of the victim's specific needs. Typical referrals are made for short and long-term counseling, abuse shelters, and legal aid. Information is also available for self-referred victims.

## SUPPORT SERVICES

Due to the trauma of victimization experienced by many victims, the Victim Advocacy staff provides counseling and support throughout the criminal justice process. All steps of the process are fully explained, and the Victim Advocate may serve as a liaison for the victim and the various agencies. The Victim Advocate will strive to keep the victim informed of the case status. Additionally, assistance is available for filing claims with the Bureau of Crimes Compensation and insurance companies.

## ADDITIONAL SERVICES

1. Assistance obtaining emergency food, shelter, and medical help.
2. Assistance replacing IDs, credit cards, food stamps, social security cards, etc.
3. Transportation to doctor's appointment, the courthouse, or social service agencies.
4. Assistance completing application for Crimes Compensation or insurance claims.
5. Crime prevention information, home security surveys, and Operation ID.
6. Advocacy for the rights of victims on the local, state, and national levels.

VICTIM REFERRAL CARD

This multi-copy form can be used by law enforcement at the time the initial crime report is taken to refer a victim to a victim assistance program. It consists of the original, to be retained by the sheriff, one copy to be forwarded to the victim assistance program and a third, to be given to the victim, contains information on referral services.

**PLACER COUNTY VICTIM REFERRAL**  
ROUTE TO PLACER COUNTY DISTRICT ATTORNEY'S OFFICE  
VICTIM/WITNESS PROGRAM

Victim's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: \_\_\_\_\_

Report # \_\_\_\_\_ Crime: \_\_\_\_\_

Comments: \_\_\_\_\_

Reporting Officer: \_\_\_\_\_ Agency: \_\_\_\_\_

**PLACER COUNTY VICTIM REFERRAL**

11562 "B" Ave. DeWitt Center  
Auburn, California 95603

**NOTICE**

Information regarding your victimization may take up to three days before being received in our office, at which time one of our workers will contact you. If you are in need of immediate service, please feel free to contact us by phone at 823-4759, between the hours of 8:00 a.m. and 5:00 p.m., or call the Placer Women's Center 24 hour Crisis Line at 652-6558 between the hours of 5:00 p.m. and 8:00 a.m. You are also welcome to drop by the office at the above address.

**THANK YOU**

J.E. (Jack) Shelley  
Director

Kim Griswold  
Co-ordinator

FOLLOW-UP LETTER TO A VICTIM

A victim of crime may experience emotional trauma as well as confusion about the criminal justice process. This letter is designed to inform a victim of both the crisis team services and assistance with information about the criminal justice system. It can be given by the officer at the time of initial contact.



# City of Austin

Founded by Congress, Republic of Texas, 1839  
Police Department, 715 East 8th Street, Austin, Texas 78701-3397 Telephone 512/480-5005

DEAR: .

OFFENSE NUMBER \_\_\_\_\_  
DATE: \_\_\_\_\_

AS A VICTIM OR FAMILY MEMBER OF A VICTIM OF VIOLENT CRIME; YOU MAY BE EXPERIENCING BOTH EMOTIONAL PAIN AND TRAUMA, OR SOME CONFUSION CONCERNING THE POLICE/COURT PROCESS.

VICTIM SERVICES DIVISION OF THE AUSTIN POLICE DEPT. WOULD LIKE TO OFFER YOU ASSISTANCE WITH ANY PROBLEM YOU MAY BE EXPERIENCING FROM THE CRIME.

WE CAN ASSIST YOU WITH COUNSELING AND OR A REFERRAL TO AN OTHER APPROPRIATE AGENCY, QUESTIONS OR PROBLEMS WITH FILING CHARGES WITH THE POLICE, QUESTIONS CONCERNING GOING TO COURT ON YOUR CASE, OR JUST SOMEONE TO TALK TO IF YOU NEED.

AGAIN, PLEASE FEEL FREE TO CALL US AT 480-5037 MONDAY THRU FRIDAY 8A.M.-5P.M. OR; THURSDAY THRU SUNDAY 7PM -1AM YOU MAY CALL 911 AND REQUEST THE CRISIS TEAM TO EITHER CALL YOU OR COME BY YOUR HOME.

SINCERELY,

\_\_\_\_\_  
ANN HUTCHISON  
AUSTIN POLICE DEPT.  
VICTIM SERVICES COORDINATOR

\_\_\_\_\_  
\_\_\_\_\_

CARD EXPLAINING VICTIMS' RIGHTS

Information for victims and witnesses describing their rights can be printed on a card and distributed at the time the initial report is made. The examples used on the following pages inform a victim of their legal rights and provide telephone numbers for aid and information.

**Victims &  
Witnesses  
have rights, too.**

*Presented as a public  
service by:*

**Victim/Witness Services**

**Michael A. Insko  
Prosecuting Attorney  
in cooperation with  
St. Joseph Police Dept.  
Crime Prevention Unit**

**As a victim of, or witness to a  
crime, you have the right:**

- VW** To be free from  
intimidation
- VW** To be treated as a  
client of your criminal  
justice system
- VW** To be told about social  
service agencies  
which can help you,  
and
- VW** To be assisted by your  
criminal justice  
agencies

**Do you understand your  
rights as a victim?**

**For aid or information call:  
St. Joseph Police Dept.  
271-4718**

**YOU HAVE THE RIGHT AS A VICTIM OF A CRIME:**

1. To be free from intimidation.
2. To be told about possible compensation for court appearances.
3. To be told about possible monetary compensation for victims of violent crime.
4. To be told about social service agencies which can help you.
5. To be assisted by your Criminal Justice agencies.

**PINELLAS COUNTY SHERIFF'S DEPARTMENT**  
Victim Advocate Program  
If you need help, call 585-9911

REPORT NUMBER \_\_\_\_\_

DATE OF INCIDENT \_\_\_\_\_

TYPE OF REPORT \_\_\_\_\_

INVESTIGATING DEPUTY: \_\_\_\_\_

## Lincoln Police Department

Miranda warnings have been read to defendants since 1966, but how often are crime victims and witnesses read their rights?

Since May 25, 1981, Nebraska law has recognized the needs and rights of crime victims and witnesses.

Many people, though, are unaware of these rights or how to apply for them.

Help Us Help Fellow Nebraskans  
Read 'em Their Rights!

L.P.D. Officer \_\_\_\_\_

### Victim/Witness Unit

471-7181  
Mon-Fri 8am-4:30pm

#### **You have a right** as a crime victim or witness:

- \* to be free from intimidation;
- \* to be told of financial assistance and social services available to you and how to apply for them;
- \* to be provided with employer intercession when necessary to minimize any loss of pay due to court appearances;
- \* to be provided a secure waiting area during court proceedings, and to be notified if your presence in court is not needed;
- \* to a quick return of stolen or other personal property when no longer needed as evidence;
- \* to a speedy disposition of your case, and to be told of the final disposition; to be notified, in felony cases, whenever the perpetrator is released from custody;
- \* to all the above rights if you are a family member of a homicide victim;

INFORMATION SHEET ON LODGING/FOOD

The sheet displayed on the next page provides the victim with information and instructions about emergency lodging and food. It describes the program guidelines. This is one solution for dealing with a victim's need for emergency shelter and food.

# EL DORADO COUNTY



## SUPERIOR COURT JUDGES

HON. WILLIAM E. BYRNE  
HON. CHAS. F. FOGERTY  
HON. TERENCE M. FINNEY

# PROBATION DEPARTMENT

RALPH STANDIFORD

CHIEF PROBATION OFFICER

295 FAIR LANE

PLACERVILLE, CALIFORNIA 95667

TELEPHONE (916) 626-2321

BRANCH OFFICE

P.O. BOX 14506

1359 JOHNSON BLVD.

SOUTH LAKE TAHOE, CALIFORNIA 95702

TELEPHONE (916) 541-0312



As a victim of a crime the Victim/Witness Program will be assisting you with a maximum of two days for lodging and meals. This should allow you the time to either locate family to establish temporary residence or relocate in another area to establish permanent residency.

Meals will be provided by a restaurant in the community to be established at the time of our meeting. The following amounts have been approved for breakfast, lunch and dinner:

### CHILDREN under 12 years of age

---

Breakfast	\$2.00
Lunch	\$2.00
Dinner	\$2.50

### Children over 12 years of age or adults

---

Breakfast	\$5.00
Lunch	\$5.00
Dinner	\$7.50

(Alcoholic Beverages may not be purchased)

---

The above are maximum amounts that you can charge on meals. The servicing restaurant will bill the Victim/Witness Program at a later date.

Denise M. Strafford

Victim/Witness Assistance Coor.

EMERGENCY LODGING VOUCHER

In some cases, emergency shelter care will be needed for a homeless victim. This form permits the victim to receive free housing at a place designated by the victim assistance program. If a shelter care facility or housing with a friend or relative is not available, this provides a solution.

# EL DORADO COUNTY



SUPERIOR COURT JUDGES  
HON. WILLIAM E. BYRNE  
HON. CHAS. F. FOGERTY  
HON. TERENCE M. FINNEY

## PROBATION DEPARTMENT

RALPH STANDIFORD  
CHIEF PROBATION OFFICER  
295 FAIR LANE  
PLACERVILLE, CALIFORNIA 95667  
TELEPHONE (916) 626-2321

BRANCH OFFICE  
P.O. BOX 14506  
1359 JOHNSON BLVD.  
SOUTH LAKE TAHOE, CALIFORNIA 95702  
TELEPHONE (916) 541-0312



PLEASE HONOR THIS VOUCHER

Victim/Witness Assistance Program  
P. O. Box 14506  
South Lake Tahoe, CA. 95702  
(916) 541-0312

### VICTIM/WITNESS EMERGENCY LODGING VOUCHER

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

Issued by: El Dorado County Probation Department, Victim/Witness Assistance Program.

For: \_\_\_\_\_

This voucher entitles the bearer to \_\_\_\_\_  
night( ) lodging at the \_\_\_\_\_,  
South Lake Tahoe , Ca. Billing for the lodging should be forwarded to  
El Dorado County Probation Department, Victim/Witness  
Assistance Program. You will be completely reimbursed  
for expenses incurred for the lodging.

Authorized by

Denise M. Strafford/ Deputy Probation  
Officer II  
Coordinator Victim Witness Program

EMERGENCY MEAL VOUCHER

This form is used to allow victims to eat at a designated restaurant and the bill is paid by the victim assistance program. It is essential to make arrangements with a restaurant in advance so that an agreement on the procedures can be worked out.

# EL DORADO COUNTY



**SUPERIOR COURT JUDGES**

HON. WILLIAM E. BYRNE  
HON. CHAS. F. FOGERTY  
HON. TERENCE M. FINNEY

## PROBATION DEPARTMENT

**RALPH STANDIFORD**  
CHIEF PROBATION OFFICER  
295 FAIR LANE

PLACERVILLE, CALIFORNIA 95667  
TELEPHONE (916) 626-2321

BRANCH OFFICE  
P.O. BOX 14506  
1359 JOHNSON BLVD.

SOUTH LAKE TAHOE, CALIFORNIA 95702  
TELEPHONE (916) 541-0312



PLEASE HONOR THIS VOUCHER

---

### VICTIM/WITNESS EMERGENCY MEAL VOUCHER

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

Issued by: El Dorado County Probation Department, Victim/Witness Assistance Program.

For: \_\_\_\_\_

This voucher entitles the bearer to \_\_\_\_\_  
meal( ) at the \_\_\_\_\_,  
South Lake TAhoe, CA. Billing for the meal( ) should  
be forwarded to El Dorado County Probation Department, Victim/  
Witness Assistance Program. You will be completely reimbursed  
for expenses incurred for the meal( ).

Authorized by

Denise M. Strafford/ Deputy Probation  
Officer II

## VICTIM IMPACT STATEMENT

This is a written report prepared by the victim to inform the court about the effects of the crime. It contains information about the psychological, physical, social, and financial impact of the crime on the victim. It also includes a recommendation to the court on sentencing of the offender. This form may be given to a victim by the sheriff or other representative of the criminal justice system. This is an example of a form used by a law enforcement victim assistance program.



# City of Austin

Founded by Congress; Republic of Texas, 1839  
Police Department, 715 East 8th Street, Austin, Texas 78701-3397 Telephone 512/480-5000

## VICTIM IMPACT STATEMENT

1. STATE VS. \_\_\_\_\_

2. CASE# \_\_\_\_\_ D.A.# \_\_\_\_\_ PROB. FILE#: \_\_\_\_\_

3. DATE OF OFFENSE: \_\_\_\_\_

4. TYPE OF OFFENSE: \_\_\_\_\_

5. THIS STATEMENT IS YOUR OPPORTUNITY TO INSURE YOUR INPUT IS A PART OF THE SENTENCING PROCESS. WE REQUEST YOUR VOLUNTARY COOPERATION IN COMPLETING THIS FORM.

6. NAME OF VICTIM: \_\_\_\_\_  
IF VICTIM DECEASED, NAME OF FAMILY MEMBER: \_\_\_\_\_  
(B.) IF VICTIM IS A MINOR, NAME OF PARENT OR GUARDIAN \_\_\_\_\_

(C.) RELATIONSHIP OF VICTIM TO OFFENDER. \_\_\_\_\_

7. PRESENT ADDRESS: \_\_\_\_\_ ZIP \_\_\_\_\_

8. LONG TERM PERMANENT ADDRESS: \_\_\_\_\_ ZIP \_\_\_\_\_

9. TELEPHONE-HOME: \_\_\_\_\_ TELE. WRK \_\_\_\_\_ PERMANENT: \_\_\_\_\_

10. DATE OF BIRTH: \_\_\_\_\_

11. PLEASE DESCRIBE THE NATURE OF THE INCIDENT IN WHICH YOU WERE INVOLVED: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

12. AS A RESULT OF THIS INCIDENT, WERE YOU PHYSICALLY INJURED? \_\_\_\_\_  
IF YES, PLEASE DESCRIBE THE EXTENT OF YOUR INJURIES. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. DID YOU REQUIRE MEDICAL TREATMENT FOR THE INJURIES SUSTAINED? \_\_\_\_\_  
IF YES, PLEASE DESCRIBE THE TREATMENT RECEIVED, THE TREATMENT FACILITY USED, AND THE LENGTH OF TIME TREATMENT WAS OR IS REQUIRED. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. AMOUNT OF EXPENSES INCURRED TO DATE AS A RESULT OF MEDICAL TREATMENT RECEIVED:

\$ \_\_\_\_\_

ANTICIPATED EXPENSES: \$ \_\_\_\_\_

15 (a) WERE YOU PSYCHOLOGICALLY INJURED AS A RESULT OF THIS INCIDENT?

\_\_\_\_\_

15. (b) IF YES, PLEASE DESCRIBE THE PSYCHOLOGICAL IMPACT WHICH THE INCIDENT HAS HAD ON YOU.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15(c) DO YOU FEAR RETALIATION FROM THE OFFENDER? \_\_\_\_\_

16. HAVE YOU RECEIVED ANY COUNSELING OR THERAPY AS A RESULT OF THIS INCIDENT?

IF YES, PLEASE DESCRIBE THE LENGTH OF TIME YOU HAVE BEEN OR WILL BE UNDERGOING COUNSELING OR THERAPY, THE FACILITY USED, AND THE TYPE OF TREATMENT YOU HAVE RECEIVED. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. AMOUNT OF EXPENSES INCURRED TO DATE AS A RESULT OF COUNSELING OR THERAPY RECEIVED.

\$ \_\_\_\_\_

18. HAS THIS INCIDENT AFFECTED YOUR ABILITY TO EARN A LIVING? \_\_\_\_\_

IF YES, PLEASE DESCRIBE YOUR EMPLOYMENT, AND SPECIFY HOW AND TO WHAT EXTENT YOUR ABILITY TO EARN A LIVING HAS BEEN AFFECTED, DAYS LOST FROM WORK, ETC. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

19. HAVE YOU INCURRED ANY OTHER EXPENSES OR LOSSES AS A RESULT OF THIS INCIDENT?

IF YES, PLEASE DESCRIBE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

20. DID INSURANCE COVER ANY OF THE EXPENSES YOU HAVE INCURRED AS A RESULT OF THIS INCIDENT? IF YES, PLEASE SPECIFY THE AMOUNT, NATURE OF REIMBURSEMENT, AND INSURANCE COMPANY.

---

---

21. HAS THIS INCIDENT IN ANY WAY AFFECTED YOUR LIFESTYLE OR YOUR FAMILY'S LIFESTYLE?

21. (b) IF YES, PLEASE EXPLAIN:

---

---

---

22. ARE THERE ANY OTHER AFTER EFFECTS OF THIS INCIDENT WHICH ARE NOW BEING EXPERIENCED BY YOU OR MEMBERS OF YOUR FAMILY?

---

---

---

23. PLEASE DESCRIBE WHAT BEING THE VICTIM OF CRIME HAS MEANT TO YOU AND TO YOUR FAMILY.

---

---

---

24. WHAT ARE YOUR FEELINGS ABOUT THE CRIMINAL JUSTICE SYSTEM? HAVE YOUR FEELINGS CHANGED AS A RESULT OF THIS INCIDENT? PLEASE EXPLAIN.

---

---

---

---

---

---

25. DO YOU HAVE ANY THOUGHTS OR SUGGESTIONS ON THE SENTENCE WHICH THE COURT SHOULD IMPOSE HEREIN? PLEASE EXPLAIN, INDICATING WHETHER YOU FAVOR IMPRISONMENT.

---

---

---

---

---

26. THIS FORM IS SUBSCRIBED AND AFFIRMED BY THE VICTIM AS TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE. THE INFORMATION AND THOUGHTS YOU HAVE PROVIDED ARE VERY MUCH APPRECIATED.

27. DATE: \_\_\_\_\_

28. \_\_\_\_\_  
SIGNATURE

29. NAME OF PERSONS ASSISTING YOU IN FILLING OUT THIS FORM:  
AUSTIN POLICE DEPT. \_\_\_\_\_ PHONE: \_\_\_\_\_  
DISTRICT ATTORNEYS \_\_\_\_\_ PHONE: \_\_\_\_\_  
ADULT PROBATION: \_\_\_\_\_ PHONE: \_\_\_\_\_  
OTHER: \_\_\_\_\_ PHONE: \_\_\_\_\_

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_, THE VICTIM WAS INFORMED THAT THE RANGE OF PUNISHMENT ON THIS CASE WAS: \_\_\_\_\_ TO \_\_\_\_\_; AND THAT THE (ASST) DISTRICT ATTORNEY RECOMMENDED \_\_\_\_\_

\_\_\_\_\_

VICTIM REACTION TO THE RECOMMENDED SENTENCE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

INFORMATION AND REFERRAL SERVICES  
TO COMMUNITY RESOURCES

A victim may have many different needs as the result of the crime. These might include counseling, medical treatment, food, clothing, shelter, transportation, property repairs or replacement, babysitting, or court companion services. The wide range in services needed and the availability of many of these already in the community, means that many law enforcement agencies and victim assistance programs will rely heavily on referring clients to community resources.

Using referral as a means to help victims will require certain tasks:

- (1) a list of services must be prepared and distributed to staff. It should contain not only the names of the agency, but a description of the services and telephone number;
- (2) an evaluation of the referral agencies should be done on a routine basis to ensure the quality of services to victims;
- (3) the list should be updated regularly to delete old programs and add new ones;
- (4) a report back system should be developed with the referral agency so the law enforcement agency can confirm that the victim did receive service.

Law enforcement agencies and victim service programs have developed different ways of making the referral. A sheriff may call the resource agency directly for the victim, or he may give the victim a brochure with a telephone number to contact. The location of a Victim Response Unit within the sheriff's department can expedite the referral process. If there is no Victim Response Unit, a sheriff should train staff on policies and procedures for referring victims to community resources.

On the following pages are examples of Information and Referral Services to Community Resources:

Resource List  
Referral for Shelter Case  
Referral for Sexual Assault  
Referral for Family Sexual Abuse  
Pamphlet for Parents of a Child Victim

### RESOURCE LIST

This is a comprehensive list of agencies, including phone numbers and procedures developed by a law enforcement victim assistance program to help victims of specific crimes. It provides detailed information on replacing items and securing services. It could be given directly to the victim or used by Sheriff Department staff for follow-up.

Victim/Witness Advocacy & Referral Project  
PURSE SNATCH/WALLET LOSS RESOURCE LIST



LOSSES	AGENCY/PHONE	COMMENTS
Driver's license replaced	Dept. of Motor Vehicles 464-5846	Need 2 pieces of I.D. with signature
1. Social security I.D. lost 2. Soc. sec. check lost 3. Prevent fraud	Soc. Sec. Administration Main Office 763-9222	1. Go to local SS office (I.D. with name & signature or affidavit - 2 individuals) 2. Go to local SS office with incident number 3. Call local SS office & report immediately incident #
Charge Cards - Cancel account so not useful to holder (Prevent fraud)	1. Local weekdays 433-7111 2. Dept. store credit 3. Toll free # phone book	1. Visa, Mastercharge 2. Dept. Stores 3. Oil companies
1. Metro bus pass 2. Replace monthly pass 3. Replace annual pass	Customer service 447-3222	1. Go to Metro office (\$1.00) 2. Full cost - no replacement 3. Pay 10% original cost
Crises counseling, information Support, resources	Crisis Clinic 447-3222	Call 24-hour service
Replace locks when house or apartment keys have been stolen	1. Minor Home Repairs 447-7802 2. Union Retirees 623-9050	1. Income max. \$636 month - single \$832 - couple 2. Income eligibility flexible, \$351 month - single, couple \$466
1. Legal problem assistance, explain rights 2. Sr. citizen legal aid	Evergreen Legal Services 464-5911 2. Paul Agid	Call on phone, no income limitation
Senior Citizen, general information	1. Sr. Rights Assistance 623-7765 2. Senior's Community Info. line 285-3110 3. Div. on Aging 625-4469	1. Rights 2. Resources & information 3. Outreach
Food vouchers, Emergency cash for rent	1. Salvation Army 281-4646 2. St. Vincent de Paul 623-1695	1. Food vouchers, \$6.00, come in early, may run out MUST BE REFERRED
1. Emergency food stamps 2. Emergency rent, partial payment 3. Replace stolen food stamps 4. Replace public assistance check	Division of Social & Health Services (DSHS) Belltown 464-7060 Burien 464-7124 Capital Hill 464-6770 North 545-7790 Rainier 721-7260 West Seattle 464-6156	1. DSHS office w/proof of need 2. DSHS office w/proof of need 3. Go to office w/affidavit of loss (incident number) 4. Go to office with affidavit of loss (incident #)
1. Alien registration (green card) 2. Naturalization papers 3. Citizenship papers	U. S. Immigration 442-5956 (8-4:30) 815 Airport Way S. (9:00-3:00)	1. Go to office, fingerprints & 2 photos, \$15 (possible to waive if hardship proved) 2. Call office, have form mailed 3. Call office, have form mailed

LOSSES	AGENCY/PHONE	COMMENTS
Wash. State I.D., obtain or replace (for people w/o driver's license)	Dept. of Motor Vehicles 464-5846	Go in Tuesday-Saturday 8:30-5:00
"Direct Deposit" Social Security Check	Individual's bank	Take soc. sec. claim # or check to bank. Bank sends form to soc. security-2 months until check is automatically deposited
Skilled nurses-medical, mental health, social workers to elderly or homebound Employment Service Referrals to other agencies	Community Home Health Care 282-5048, 8:00-5:30	Pay with Medicare and Medicare (sliding scale to pay)
Professional registered home care nurses (non-profit) Homemaker assistance Physical therapists Occupational therapists Nutritionist Medical social worker(advocate)	Visiting Nurse Service 24-hour telephone service Central - 282-9800 East - 282-2181 North - 364-9200 South - 244-8800	Needing assistance but not requiring hospitalization

#### ADDITIONAL INFORMATION FOR VICTIMS

Seattle Police Department - 911 is the emergency number to report crimes in progress. 911 is also a non-emergency number that victims of previously reported crimes can use to alert police if they see the suspect or are harrassed or threatened. Call 911 and give the incident number of the original incident.

Victim/Witness Advocacy & Referral Project (V/WARP) - 625-5310. This Seattle Police Department project provides direct advocacy services for victims of violent crimes. They obtain needed social services for the victim, and will provide advocate support for the victim through the entire court process if needed.

Community Service Officers (C.S.O.)- 625-4661. The C.S.O. can come to the victim's residence for follow-up after a crime. Problems with home security, landlord-tenant disputes related to a crime and crises counseling are some of the services they provide.

Crime Prevention Division - 625-5555. They will answer questions and provide assistance on home and apartment security, crime prevention education and community approaches to prevent revictimization.

Victim's Compensation - 464-7870. Washington State Crime Victim's Compensation is a state program that provides for medical and workloss benefits to innocent victims suffering bodily injury.

Revised  
7/12/84

REFERRAL FOR SHELTER CARE

The flyer displayed on the next page can be handed out by patrol officers to domestic violence victims. It provides information about a 24-hour hotline, emergency shelter. Myths about family violence are also described.

WHAT TO DO IF YOU ARE CONCERNED ABOUT FAMILY VIOLENCE...

IF YOU ARE BEING HURT AT HOME AND ARE READY TO GET HELP, call the Shelter for counseling. You are not alone. It's not your fault. You have the right to health and safety in your own home.

IF YOU KNOW SOMEONE WHO NEEDS SHELTER SERVICES, give her or him this leaflet.

ENCOURAGE FRIENDS AND FAMILY TO CHANNEL ANGER CONSTRUCTIVELY. Anger is OK - hitting isn't. Get rid of anger by talking or exercising, not by hurting another person.

WRITE TO OUR LEGISLATORS. Let them know you support public funding for services to victims of family violence.

TAKE RESPONSIBILITY FOR WHAT HAPPENS AROUND YOU. If you see violence towards women being glamorized by advertising, TV and movies, point it out, and speak against it.

ASK YOUR CHURCH, PROFESSIONAL ORGANIZATION, SERVICE CLUB OR OTHER GROUP if they'd like to help the Shelter, both by sharing information on domestic violence and by contributions of any kind.

SUPPORT NONVIOLENCE - in men, in families, in governments, and as a way of life.

MYTHS & FACTS ABOUT FAMILY VIOLENCE

MYTH: Women usually provoke their beatings, so it's their own fault.

FACT: Violent men will make up any excuse to justify a beating.

MYTH: Violent men are from lower economic groups, or from certain ethnic groups.

FACT: Violent men are from all ethnic and economic groups.

MYTH: Men get beaten by their wives as much as women are beaten by their husband

FACT: Only around 7% of family violence involves women beating men.

MYTH: A woman is less likely to get beaten if she is pregnant.

FACT: Pregnant women are often beaten, and often hit and kicked in the belly.

MYTH: Some women really want to be beaten.

FACT: Women don't want to be beaten, and are often afraid, for many reasons, to leave an abusive spouse.

MYTH: Alcohol causes men to be violent.

FACT: Violent men drink to allow themselves to batter.

MYTH: The children are too young to be affected.

FACT: Children are always affected by what happens around them. Violence shapes them in terrible ways.

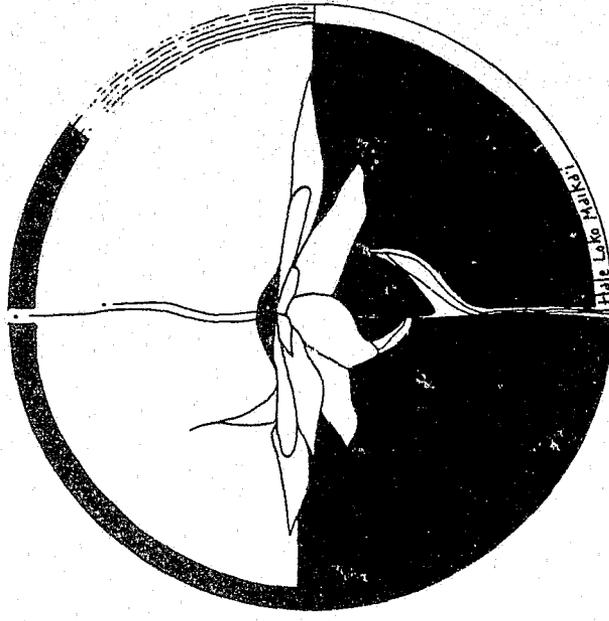
MYTH: Spouse abuse isn't a crime, it's a family problem.

FACT: Spouse abuse is a crime. If charges are pressed, assailants can be arrested, tried and jailed.

# SHELTER

for victims of

# Family Violence



HALE LOKO MAIKAI

## Women Helping Women

### 24 Hours

### Phone 579-9581

*Strictly Confidential*

P.O. Box 760 Paia, HI 96779

## WHAT IS THE SHELTER FOR VICTIMS OF FAMILY VIOLENCE?

When violence at home threatens their lives, their health, and their peace of mind, battered women and their children need a safe place to go.

Women Helping Women Shelter Program (Hale Loko Maikai'i) offers safety, helpful listening, and a chance to share stories with other victims of family violence.

The Shelter helps abused women get the medical, legal and/or financial aid they need to get their lives together.

The Shelter helps abused children and the children of abused women by offering reassurance, understanding, and a non-violent atmosphere.

We offer victims of family violence emergency relief childcare, parent education, and referral for on-going counseling.

We supply the time, the space and the tools for damaged women and children to heal, to grow past their pain, and to change their lives for the better.

Women Helping Women Shelter opened in July 1981. Since then, it's helped 1335 people with shelter and counseling, answered 4160 crisis and client related calls, and provided community education to another 1000 Mauians. And every day brings more.

## ON MAUI...

Since our Shelter opened, we have seen women and children with every kind of injury: fractures, concussions, perforations, burns, bruises, brain damage, psychological and emotional damage.

Shelter clients come from all parts of Maui, from Molokai and Lanai, and from all kinds of families.

Most of the women and children who come to the Shelter are from families suffering from incest, especially the sexual abuse of both female and male children by father or step-father.

One third of all murders are committed in the home by a family member. One of our former residents was murdered by her husband after she reunited with him.

The Shelter's clients are referred by police, doctors, social service agencies, friends & former residents.

Our Shelter depends on public support to stay open. Each year we piece together short-term funding from the State, the County, Maui United Way, private foundations, donations from the people of Maui, and client fees.

The Shelter saves lives. For those otherwise trapped in dangerously violent homes, it is a safe place to go.

## IN THE STATE OF HAWAII...

We pay for domestic violence. Much of our law enforcement, corrections, welfare and public health money is spent on people damaged by family violence. 90% of the inmates in our prison system were abused as children. Abusive men often learn violence at home.

Employers pay for domestic violence: each time a woman is beaten, she misses an average of two days of work. Employers pay even more in terms of lowered performance and morale, high turnover costs, and increased health insurance rates.

60% of all married women experience some kind of violence from their mate, regardless of socioeconomic status or ethnic origin. Many of these women live in constant nervous fear.

On the Neighbor Islands, it's even harder for a trapped woman to escape from a violent home, because of poor or no bus service, lack of phones, fewer job opportunities, family pressure, and setbacks in welfare and legal services.

Shelters on all the islands belong to the Hawaii State Committee on Family Violence, a coordinating, public education and advocacy network, and to the National Coalition Against Domestic Violence.

REFERRAL FOR SEXUAL ASSUALT

This brochure can be given to victims of sexual assault to provide information on: reporting the crime, criminal justice and medical procedures, and a 24-hour crisis line for assistance. The sheriff can give these pamphlets to victims of sexual assault at the time of the initial investigation.

### A WORD OF CAUTION ...

Kentucky law prohibits a person from falsely reporting to any law enforcement officer an offense or incident knowing it did not occur. (Punishable by up to 1 year imprisonment and/or up to \$500 fine.)

### COURT PROCEDURES:

Prosecuting means taking legal steps against the "alleged" rapist. He is referred to as the defendant. He needs a defense attorney.

The rape victim does NOT hire an attorney. The State assigns a prosecutor to the case.

Once the assailant has been identified and arrested, steps to bring him to trial will begin. A rape victim must be willing to testify as a witness about the rape. There may be several court appearances. Volunteers from the R.A.P.E. Relief Center are available to accompany you and explain the procedures and progress of the case through the system.

There are restrictions on using a woman's past sexual experience (with someone other than the defendant) in court. This law, in Kentucky, is called the Rape Shield Law.

The R.A.P.E. Relief Center personnel and volunteers are available to assist a victim of rape or sexual abuse whether she reports and prosecutes or not. The services and concern for the victim are the same in either event.

After an assault, many women experience many different feelings. The sequence, duration and intensity vary with each person.

Above all, please remember that there is no more reason for you to feel guilt, shame or embarrassment than if you had been the victim of robbery, mugging, or any other violent crime. You were the innocent victim and there are a great many people who are sensitive to your needs and anxious and able to help you.

The R.A.P.E. Relief Center exists to help. If you need to talk to someone; or if you need medical or legal information concerning any sexual assault or rape; or if you want referral to professional counseling; or the services of a Volunteer Advocate (male or female) contact the R.A.P.E. Relief Center at 581-RAPE ... 24-HOUR CRISIS LINE.

**ALL SERVICES OF THE R.A.P.E. RELIEF CENTER ARE CONFIDENTIAL AND FREE.**

The R.A.P.E. (research, assistance, prevention, education) Relief Center program is designed to act as an information and referral service for rape victims and their families, carry on research, and conduct public education programs about rape.

Knowledgeable speakers are available to talk to groups about awareness and prevention.

**R.A.P.E. Relief Center 581-RAPE**

# WHAT TO DO IF YOU ARE

# RAPE

FOR  
and

A REFERENCE  
Women in Louisville  
Jefferson County

## R.A.P.E. Relief Center

YWCA AFFILIATE  
604 S. 3rd Street  
Louisville, KY 40202  
(502) 581-RAPE

**CALL THE POLICE OR R.A.P.E. RELIEF CENTER IMMEDIATELY**

Louisville Police Department 581-3450  
Jefferson County Police Dept. 588-2111  
**R.A.P.E. Relief Center 581-RAPE**

**DO NOT BATHE, DOUCHE, OR CHANGE CLOTHES.**

Even though you may feel dirty or look a mess, if you wash away the semen (discharge) you are destroying evidence.

**DO NOT DESTROY ANY VALUABLE EVIDENCE AT THE SCENE OF THE RAPE.**

**POLICE CONTACT:**

The first police contact will be a uniform officer to take a report and ask the following questions:

Where did the crime occur?

What happened?

Did you know the assailant?

Did he have a weapon?

Which way did he leave?

A detective trained in rape investigation will be assigned to follow up at the hospital. The interview with the detective is one of the most important phases of the case... all facts about the rape are significant. If you prefer to talk to a woman SAY SO. An investigative team will search the scene of the crime to collect whatever evidence is available.

As soon as you are able, after the rape examination, you will be asked to go to the police department to sign a formal statement. There may be one or more follow-up interviews with police to look at mug shots to try to identify the rapist.

You can expect to be treated with dignity and respect at all times. Should you be dissatisfied with your treatment, tell the R.A.P.E. Relief Center or the officers' supervisor.

Louisville Police Department—  
Commanding Officer, Sex Offenses Unit  
Jefferson County Police Department—  
Assistant Chief of Police.

**IT IS IMPORTANT THAT YOU ARE EXAMINED AS SOON AS POSSIBLE AFTER THE ASSAULT** to get the evidence needed for prosecution and determine if there are any physical injuries from the rape.

**AT THE HOSPITAL, YOU MAY EXPECT THE FOLLOWING PROCEDURE:**

Brief History: name, date of birth, brief medical history, information about the rape including time, place and events occurring during and after the rape.

General examination to detect bruises or injuries received during the rape. Pictures may be taken, but only with your permission.

Pelvic examination which includes tests for presence of sperm and/or semen. If needed, test for existing pregnancy, and blood tests for existing venereal disease will be performed.

Specimens from fingernail scrapings or pubic hair combing may be gathered as further medical proof.

You should bring a change of clothing with you as the clothes worn at the time of the assault will, especially if torn or soiled, be considered as evidence. This is particularly important with underpants.

**THE RAPE EXAMINATION IS DONE WITHOUT COST TO THE VICTIM AT UNIVERSITY HOSPITAL.**

If you have any questions about the medical procedures, or the manner in which you are treated, contact the R.A.P.E. Relief Center or University Hospital, Supervisor of Emergency Room Nurses

**A FOLLOW-UP MEDICAL EXAMINATION IS IMPORTANT:**

To be sure you have not contracted VD, you should be checked for gonorrhea about a week after the rape, and checked for syphilis 4 - 6 weeks following the rape and again 90 days after the assault. You may return to the hospital for testing, or go to a private physician, if you prefer. The R.A.P.E. Relief Center has special arrangements to make the tests more comfortable and convenient through Specialties Clinic (the public health agency) These tests are free, except for the OB/GYN test

**THIRD PARTY REPORTS**

It is the policy of the R.A.P.E. Relief Center to encourage women to report rapes to the police and utilize the existing legal system. However, women who, for personal reasons, do not wish to contact the police, may call the R.A.P.E. Relief Center for referral to appropriate facilities and to make a Third Party Report if they so choose.

Even if you do not contact the police you can be of help to other women by filling a report with the R.A.P.E. Relief Center. The Center has a Third Party Reporting system whereby we can take information concerning the rape, and you do not have to give your name or become involved with the police or courts. This information will be given to the police, with your permission, so that they can increase their awareness of the methods of operation of rapists, and possibly help prevent future rapes of other women.

REFERRAL FOR FAMILY SEXUAL ABUSE

This brochure tells families about services for child sexual abuse victims. It describes how to identify a victim and community responses to the problem. A law enforcement officer could distribute this to families when a report of sexual abuse is taken or as part of a community awareness program.

### **How much harm does a child suffer from sexual abuse?**

Child sexual abuse may not always result in permanent injury to a child. However, it is in the best interest of the child to assume that these experiences are potentially harmful and to have the child evaluated for physical and mental harm by professionals. A sexual abuse victim who is not treated may suffer repercussions from the abuse throughout life including the possibility of sexually abusing others.

### **How can I tell if a child is being sexually abused?**

Not all children are able to say directly that they are or have been sexual abuse victims, generally because of shame or fear instilled by the offender. Indicators of sexual abuse may include both physical and behavioral signs as well as comments by the child. Keep in mind that children rarely lie about sexual victimization. One symptom alone may not mean that a child is a sexual abuse victim but if a number are present it is wise to consider abuse.

Indicators include:

- *venereal disease, irritation, pain or injury to the genital area.*
- *sexual comments or sexual acting out not appropriate for the child's age.*
- *regressive behavior such as bed wetting, excessive crying or withdrawal.*
- *aggressive behavior or an abrupt change in behavior or nightmares.*
- *fear of being alone with an individual or clinging to the nonabusing parent.*

### **What should I do if I suspect a child is being sexually abused?**

Report it to Child Protective Services, the agency in Iowa mandated by law to investigate these referrals. The numbers are given below. Even if the report proves to be unfounded, persons who report in good faith are immune from criminal or civil court action. The law also identifies professionals who are mandated by law to report suspected child abuse.

# **Polk County**

## **Intra Family Sexual Abuse Program**



For more information:

In Polk County call the Intra-Family Sexual Abuse Program Manager at 286-2061 or 286-3832.

or

Call Child Protective Services in Des Moines at 281-8880 and outside Des Moines at 1-800-652-9516 toll free. Child Protective Services provides a 24 hour service.

Nationally write to the National Committee for Prevention of Child Abuse, Suite 510, 111 E. Wacker Drive, Chicago, Illinois, 60601.

*Striving to provide protection and service to child victims of intra-family sexual abuse.*

is intra-family sexual abuse a use a concern in Polk County?

From the inception of the Intra-Family Sexual Abuse Program (IFSAP) in September of 1980 through June of 1982, 310 referrals of child sex abuse have been investigated by Child Protective Services in Polk County. In this same time period the Polk County Attorney's Office has prosecuted 50 cases of intra-family sexual abuse. In contrast, only 1 case of intra-family sexual abuse was prosecuted from December, 1979 to September, 1980. A total of 67 families have been involved in the Intra-Family Sexual Abuse Program. As professionals become more skilled in identifying sexual abuse and information regarding treatment becomes more widely known it is anticipated that referrals will increase.

#### What is Intra-Family Sexual Abuse?

Child sexual abuse should not be confused with physical contacts between an adult and child that are fond and appropriate expressions of love. Intra-family sexual abuse is a betrayal by adults of the child's trust and dependence on the adult as a protector, provider and model. Physical force is not often a factor as the offender generally involves the child at first by assuring them that the sexual activity is all right. The offender then attempts to enlist the child's cooperation in continued molests at least to the extent that the child is persuaded to keep the secret. Types of sexual activity forced on children include a wide range of sexual activity from exhibitionism to intercourse; however, mutual fondling and oral sex are most prevalent.

at is the intra-family sexual abuse Program?

The Intra-Family Sexual Abuse Program is a program that enlists the cooperation of many community professionals in an effort to provide protection and service to the child victims of intra-family sexual abuse and to assist their families if possible.

The 5 main components of IFSAP are Child Protective Service (CPS), law enforcement agencies, the county attorney's office, juvenile court and Broadlawn's Sidney L. Sands Psychiatric Unit. An employee of the county attorney's office who coordinates the efforts of these and other agencies and administers the program is the program manager. These professionals meet weekly to insure communication and coordination.

#### THE INVESTIGATION

When a referral of intra-family sexual abuse is received by Child Protective Services, they contact the appropriate law enforcement agency. Together they decide on a plan for the investigation which includes an interview of the victim, offender, spouse of the offender and any other witnesses or victims brought to light. Then, if the law enforcement officer has probable cause to believe a crime has been committed, he will notify the prosecutor. If the officer and CPS worker feel the child is a sexual abuse victim, the CPS worker will notify juvenile court who will file a Child in Need of Assistance petition even if there is not sufficient evidence to pursue a criminal case. This will provide for protection, service and legal representation for the child.

In some suitable cases of intra-family sexual abuse the prosecutor may offer the offender admission to IFSAP through his defense lawyer. This program requires the offender to leave the home, become involved in therapy and plead guilty to a target charge at the successful completion of therapy. This enables the victim to remain at home and eliminates the need for the difficult trial process. It also provides for the offender to continue to support the family as he is able to retain his job.

#### ON-GOING SERVICE AND TREATMENT

Treatment is available for all family members whether or not the offender is admitted to the program. At Sands a case plan is developed by a team of therapists. The plan includes individual, group and family therapy sessions. If the offender is in the program he and the child meet in a session in which the offender takes responsibility for the molestation and assures the victim that he/she is not to blame. A field probation officer under the authority of the juvenile court assures that the child is cared for and attending therapy. Parents United, an on-going volunteer group provides continued self help for parents who have completed therapy and support to families just becoming involved in the program.

#### OTHER PROFESSIONALS

Many other community agencies play critical roles in helping IFSAP to function. Among them are the judiciary, court services, department of social services, schools, hospitals and counseling agencies.

PAMPHLET FOR PARENTS OF A CHILD VICTIM

This brochure can be used to help parents understand and be supportive of a child who is sexually victimized. It explains the victim services available and how to obtain services.

## MYTHS

### CHILDREN ARE MOLESTED BY STRANGERS?

NO. Four out of five children who are abused are assaulted by people known to them.

### GIRLS ARE THE VICTIMS.

Boys are abused nearly as often as girls.

### WHERE ARE CHILDREN MOLESTED?

The offense occurs most often in or near the home of the child or the offender.

### OFFENDERS ARE USUALLY MEN.

YES. They can be of any age.

### MOST SEXUAL ASSAULTS TO CHILDREN ARE REPORTED TO THE POLICE.

Very few are reported! Estimates are that only one in ten assaults is reported.

### VICTIMS MOST OFTEN COME FROM LOWER SOCIO-ECONOMIC BRACKETS.

Sexual abuse happens to children regardless of race, religious beliefs or economic position. Offenders and victims are usually of the same race.

### THE VICTIM CAUSES THE MOLESTATION OR EXAGGERATES IT!

For this and other crimes the blame is the same, it remains with the perpetrator, not the victim. The perpetrator has full knowledge of the actions and is responsible for the misconduct.

### A WORD OF CAUTION:

Kentucky law prohibits a person from falsely reporting to any law enforcement officer an offense or incident knowing it did not occur. (Punishable by up to 1 year imprisonment and/or up to \$500 fine.)

## BE AWARE OF WHERE YOUR CHILDREN ARE AND WHAT THEY ARE DOING

If you can't be with them ask a responsible adult to watch them. If you can't find adult supervision, arrange for them to walk or play in a group.

### KNOW WHO IS WITH YOUR CHILDREN.

When hiring a sitter ask for references and check them. Inquire about people who offer your son/daughter a job, especially in the home. Get to know your child's friends, especially those a few years older than your child.

### TEACH YOUR CHILDREN TO BEWARE OF STRANGERS.

You may have warned them not to accept rides, money or favors from strangers but children are persuaded to go to a car to give directions, help someone look for a pet, etc. then lured away and assaulted. Discuss alternatives if someone approaches them: polite refusal, seek help immediately, run away and scream.

### TEACH CHILDREN THEY HAVE A RIGHT TO REFUSE DEMANDS FOR PHYSICAL CLOSENESS.

Many children are abused by adults (or older children) they know. Assure them it is alright to say NO even to close friends and relatives.

### CREATE A PLAN OF ACTION IN CASE OF ATTACK IN THE HOME.

Many families plan escapes in case of fire in the home, it is equally important to talk about a plan in case of assault in the home. Carefully explain the best way to help when something scary is happening. Discuss whatever is appropriate to your situation. . .run next door and tell the neighbor to call for help. . .hide somewhere in the house, etc.

# INFORMATION FOR PARENTS

**R.A.P.E.  
Relief Center**

YWCA AFFILIATE

**581 - RAPE**

## HOW CAN I TALK TO MY CHILDREN ABOUT PHYSICAL/SEXUAL ABUSE WITHOUT SCARING THEM?

Very likely you have already taught them safety rules...how to cross busy streets, what to do if they get hurt, etc. Precautions relating to sexual abuse can be a natural part of discussions about safety in general. When we try to protect our children from ugly realities of life, we're doing them a disservice by allowing them to be naive and perhaps be caught unaware.

## HOW SHOULD I RESPOND IF MY CHILD TELLS ME SHE/HE HAS BEEN ABUSED? TAKE THE STORY SERIOUSLY EVEN IF THE OFFENDER IS SOMEONE YOU THOUGHT YOU COULD TRUST.

Be aware that:

1. Children are usually molested by people they know—often a relative or friend of the family.
2. Children are usually not violently attacked or hurt physically during a sexual assault.
3. Children very seldom lie about such a serious matter.

4. Not all children are able to tell parents they have been molested. Changes in behavior, reluctance to be with a certain person, or go to certain place may be signals that something has happened.

You may have strong, conflicting feelings if the offender is a family member, but protection of the child must remain your first priority. Your reaction will be the most important factor in the child's readjustment. Be ready to listen and answer questions. Clarify that the child is not to blame. Don't pretend it never happened. Your openness and understanding will help heal emotional wounds left by the assault.

**DON'T FEEL GUILTY, WE CAN'T BE WITH OUR CHILDREN ALL THE TIME.**

## HELPING YOUR CHILD FOLLOWING THE ASSAULT:

1. Continue to believe your child and do not blame your child for what happened.
2. Give your child reassurance and support that she/he is okay and safe.
3. Respond to questions or feelings your child expresses about molestation with a calm, matter-of-fact attitude but do not pressure your child to talk about it.
4. Try to follow regular routine around the home expect usual chores, bedtimes, etc.)

5. Inform brothers/sisters that something has happened to the child but that she/he is safe now and will be okay. Do not discuss details of assault with brothers/sisters. Make sure that all children in the family are given enough information to protect themselves from the assailant.

6. Instruct your child to tell you at once if the offender attempts sexual molestation again, or bothers the child in any way.

7. Respect privacy of the child by not telling a lot of people or letting others question her/him.

8. Take time to talk over your feelings privately with someone you trust—your spouse, a friend, a relative, a counselor; express your feelings. Do not discuss the situation repeatedly in front of your child, or children.

The R.A.P.E. Relief Center exists to help. If you need medical/legal information, want a referral for professional counseling, want an educational program or the services of a Volunteer Advocate, CONTACT THE R.A.P.E. Relief Center at the 24-hour YWCA switchboard, 581-RAPE.

## HOW DO CHILDREN REACT TO SEXUAL ABUSE?

Children's reactions differ with their ages and personality and the nature of the offense. Sometimes they seem not to be upset: often they are frightened or confused by sexual assault, especially if committed by a cousin, brother, sister, uncle/aunt, parent or step-parent. The child may be afraid to tell for fear of punishment or blame or disbelief. She/he doesn't want to "make trouble" for the offender, who may be a respected family friend. Older children are often too embarrassed to tell anyone.

## MOST COMMON IMMEDIATE PROBLEMS OF SEXUALLY MOLESTED CHILDREN:

1. Sleep disturbances (nightmares, fear of going to bed, wanting light on, waking up during night, fear if sleeping alone).
2. Loss of appetite.
3. Irritability, crankiness, short-tempered behavior.
4. Bedwetting
5. Fears
6. Needing more reassurance than usual, clinging parent.
7. Physical evidence; abrasions, v.d symptoms, bleeding, swelling and/or genital pain, discharge or sores.
8. Behaving as a younger child (regression)
9. Changes in behavior at school or with friends.
10. Adolescent may act out her/his feelings; run away, skip school, be rebellious.

These are normal signs of upset. Your child may have some of the problems, or none at all. They usually last a few weeks. Try to notice all changes and discuss with your counselor.

## INTRODUCTION

You have just learned that your child has been a victim of a sex-related crime. What should you do? How can you best help her cope with this incident? How will you deal with your own feelings?

Glendale Victim Assistance Services hopes that this brochure will give you some helpful suggestions.

## GENERAL GUIDELINES

The reaction of those around your child is THE single most important factor in how he or she will cope with sex-related crimes such as rape, molestation and indecent exposure. Immediately after the incident, provide plenty of reassurance, comfort, affection and consideration. After the initial crisis, you need to find a delicate balance --- you should not dwell on the issue or give it unusual amounts of attention while also being open to your child's questions and expressions of feelings.

## OUR SERVICES

Police questioning and court appearances can be frightening to anyone, but especially to a child. Victim Assistance counselors are available to explain the legal process, be present at police interviews, and go to court with you and your child. Give our office a call to request assistance.

Victim Assistance Services also provides short term counseling to people emotionally upset by crime. This means not only the victim herself but also those around her. If you are having a hard time handling your own feelings about this incident, it may help to talk with one of our counselors. This is especially important if your feelings are interfering with your family relationships or your ability to help your child effectively. Give us a call.

Victim Assistance is a free service provided by the City of Glendale.



VICTIM ASSISTANCE SERVICES  
7025 NORTH 58th AVENUE

931-5593

**When  
Your Child  
is a  
Victim**

City of Glendale

**Victim  
Assistance  
Services**

931-5593

## YOUR FEELINGS

Watch your comments to your child. You may be passing on your fears, biases or shame. Comments that seem helpful on the surface ("you must be angry" or "you must have been very upset") can set the child up for problems. Demands for revenge or threats about the offender can further confuse or frighten the victim. Also be careful not to make your child feel that she is "ruined for life" because of the incident. Instead, assure her that it was an unfortunate experience but one that she will get over. Children are often so innocent or resilient that they can bounce back from bad experiences with little difficulty. Remember, your child may not be as upset as you would be.

## THE GUILT ISSUE

Guilt can be emotionally devastating to a child. "Why's" add to feelings of guilt. Avoid statements such as "why did you talk with him", "why didn't you just run away" or "why didn't you remember what I taught you about strangers". Even if you sincerely believe your child used bad judgment, this is not the time to give a lecture. Keep in mind that your child did not ask to be victimized. Do not punish her or try to make her feel responsible for the incident.

## FEAR

Watch for creating a fear of the world or a fear/disgust of sex and bodily functions. Let the child know in simple terms what happened was wrong and unusual. Explain that the offender was a person with problems.

If it ever happens again, encourage your child to come to you (or a teacher, a school counselor or nurse). If she shows more curiosity or asks more questions, answer honestly without providing more information than she asked for.

## RESPECT

Respect the child's privacy and feelings. Most people do not understand or can be overly curious. It is usually best not to tell friends or relatives about the incident. Gossip and rumors add to everyone's pressure. Do tell members of the immediate family (mother, father, brothers and sisters) so everyone can provide needed support and understanding to the victim.

## WHY GO TO COURT?

If the court experience is handled correctly, it won't be traumatic. It may give the child a "clean slate" by emphasizing that she was not the one who did wrong. It also offers the child an opportunity

to see the connection between what was done to her and the consequences the offender must take. Further, going through the court helps develop a sense of responsibility in the child. It may help her feel protected and assured that the crime won't reoccur. Victim Assistance Services can help you throughout the court process.

## THE FUTURE

You are going through a hard time right now. Sometimes it helps to remind yourself that the intensity of your feelings will diminish in time. Do not dwell on the incident. Let your child determine when, if ever, it is discussed. Your goal should be to have everything return to normal as soon as possible. Try to set aside your fears and avoid a tendency to become over-protective.

If you notice that your child seems unusually upset or shows signs of emotional distress, (difficulty sleeping, change in appetite or school performance, withdrawal, etc.), it may be time to seek professional help. Family conflicts may also surface due to the stress everyone is under. Sometimes family members resent the extra attention given to the victim. These are also signs that counseling may be necessary. Call Victim Assistance Services for guidance.

## CASE PROCESSING AND CASE INFORMATION SERVICES

One of the most helpful services to victims is providing them with information related to their victimization, according to a National Institute of Justice project on the criminal justice response to victim harm. A victim will need information about several different areas: (1) general information on the criminal justice system and how it operates; (2) data specifically related to the victim's case; and (3) notification about interviews, court hearings and trial dates.\*

Many brochures, pamphlets, and flyers have been developed by victim assistance programs to provide these kinds of information to victims. Some examples are comprehensive booklets that include general information, important telephone numbers, witness information and referral data. Other brochures focus on specific issues--such as information on being an effective witness or recovering civil damages.

It is important that the sheriff establish procedures in the department to insure that each crime victim receives the information brochures explaining services available to victims in the community. The following examples can be adopted by a sheriff's department for use in their community.

---

\* See: "The Criminal Justice Response to Victim Harm"  
J. Hernon and B. Forst: INSLAW, Inc., National  
Institute of Justice (1984), Washington, DC

The following pages contain examples of Case Processing and Case Information Services:

- Information on the Criminal Courts
- Felony Case Processing Information
- Letter on Case Dismissal
- Comprehensive Witness Information
- Flyer on How To Be An Effective Witness
- Parking Permit
- Brochure on Victim Compensation
- Pamphlet on Recovering Civil Damages
- Property Return Information
- A Child's Guide to Court
- Brochure for Victims of Juvenile Crime
- Pamphlet for the Non-English Speaking

INFORMATION ON THE CRIMINAL COURTS

This brochure was prepared by a law enforcement agency to tell victims how the court system works. It also provides some information on the role of the victim and solicits information about a recommended sentence for the defendant.

# THE CRIMINAL COURTS

---

• Your role, as a victim of a crime, is one of the most important in the Criminal Justice System. Without your cooperation, all the judges, policemen, and prosecutors in the world could not convict a single criminal. Your cooperation in the upcoming trial helps to make Fort Wayne safer for you and your family.

---

• The trial in which you will be a witness will be in Superior or Circuit Court. The Suspect is being tried for a felony which means a more serious crime than a misdemeanor and one that is punishable by more than a year's imprisonment. (Whether or not a particular criminal gets this amount of punishment is up to the Judge in the case.)

• You should be aware that your case may not go to trial. In many cases the Defendant will agree to plead guilty to the crime in exchange for a certain sentence. For this reason you should make sure that your feelings about what punishment the Defendant receives is known to the Victim's Advocate or Prosecutor. It is important that your feelings be taken into account before a Plea Agreement is made.

---

Prepared By

Victim Assistance Program  
Fort Wayne Police Department  
One Main Street  
Fort Wayne, Indiana

HOW YOUR

427-1205

COURTS WORK

**CRIME COMMITTED**

POLICE INVESTIGATION

WARRANT ISSUED

The document issued by the Clerk of the Court requiring the Suspect be arrested. The Information (document charging the Suspect with a crime) is filed with the Court by the Prosecutor.

ARREST

ARRAIGNMENT

An initial hearing where the Suspect is brought before the Court to enter a plea to the criminal charges against him/her. If Suspect pleads GUILTY, a trial is not necessary (see GUILTY under the trial verdict below).

HEARINGS

A number of different hearing dates may be set at this point in order to take care of whatever is necessary for this case, e.g., Public Defender eligibility, Bond Reduction, Mental Health Evaluation, Additional time to determine the case status.

OMNIBUS DATE

The date by which all Pre-trial motions must be filed. A motion is a request for the Court to rule a certain way or order something be done. This may include Requests for Discovery of facts and evidence in the other side's possession, Motions to Suppress Evidence, and others.

The Trial Date is now set and Pre-trial conference held, Subpoenas issued, and Depositions taken before the trial date. A Subpoena is a document requiring a person to testify or produce documents. A deposition is testimony taken out of Court.

**TRIAL**

GUILTY

NOT GUILTY

PRE-SENTENCE INVESTIGATION

RELEASE

SENTENCING

APPEAL

FELONY CASE PROCESSING INFORMATION

This flyer provides a chart showing how a felony case moves through the criminal justice system. It also contains a narrative to prepare a witness for testifying.

# Suggestions For A Witness...

## BEFORE COMING TO COURT...

Try to picture the scene and just what happened so that you can recall it more accurately.

If you are going to testify about records, familiarize yourself with them before the trial.

## ON THE DAY YOU ARE TO COME TO COURT...

Dress appropriately. A neat appearance and proper dress in court are important.

If you have been summoned by a subpoena, bring it with you. The subpoena will provide information on when and where to appear.

Be prompt. Unnecessary delays are caused when a victim or witness is late in arriving.

The trial of a criminal case is a serious matter. While in the courthouse, conduct yourself in a dignified manner.

Bring any records that have been requested or any items which pertain to the case.

## WHAT HAPPENS TO A WITNESS IN COURT...

As a witness for the state, you may be questioned by the deputy district attorney and then by the defendant's attorney, who will cross-examine you (ask you additional questions).

You may feel, during the questioning, that your testimony is under suspicion, or that your personal motives are doubted. But the process of cross-examination is not meant as a personal attack toward you. It is to ensure that all sides of the case are told, and to establish the truth.

The judge is there to assist you if you do not understand a question, and to see that you are treated respectfully. If you do not understand a question, don't be afraid to say so.

Remember, if you have any questions or concerns, you may call the Victim/Witness Unit in the District Attorney's Office at 832-2550.

## WHEN YOU ARE CALLED TO THE STAND...

Do not be nervous; there is no reason to be.

You will be asked to take an oath to tell the truth. Remember the seriousness of this oath the entire time you are testifying. If you willfully fail to tell the truth while testifying, you will be subject to the penalties for perjury.

Listen carefully to the questions. Be sure you understand each question before answering it. If you do not understand, ask that the question be repeated or rephrased.

Take the time you need to consider the question before answering it.

Answer the question that is asked and then stop. Don't volunteer information not actually asked for.

If you don't know the answer to a question, don't be afraid to say so.

If you are sure of an answer, answer positively. Don't say "I think" or "I guess" when you are certain.

Be careful with questions involving distances and time. If you make an estimate make sure everyone understands you are estimating.

The judge and jury are interested only in the facts. Don't give your opinions or your conclusions unless they are specifically asked for.

When answering questions, speak clearly so you will be heard and your answers can be recorded by the court reporter.

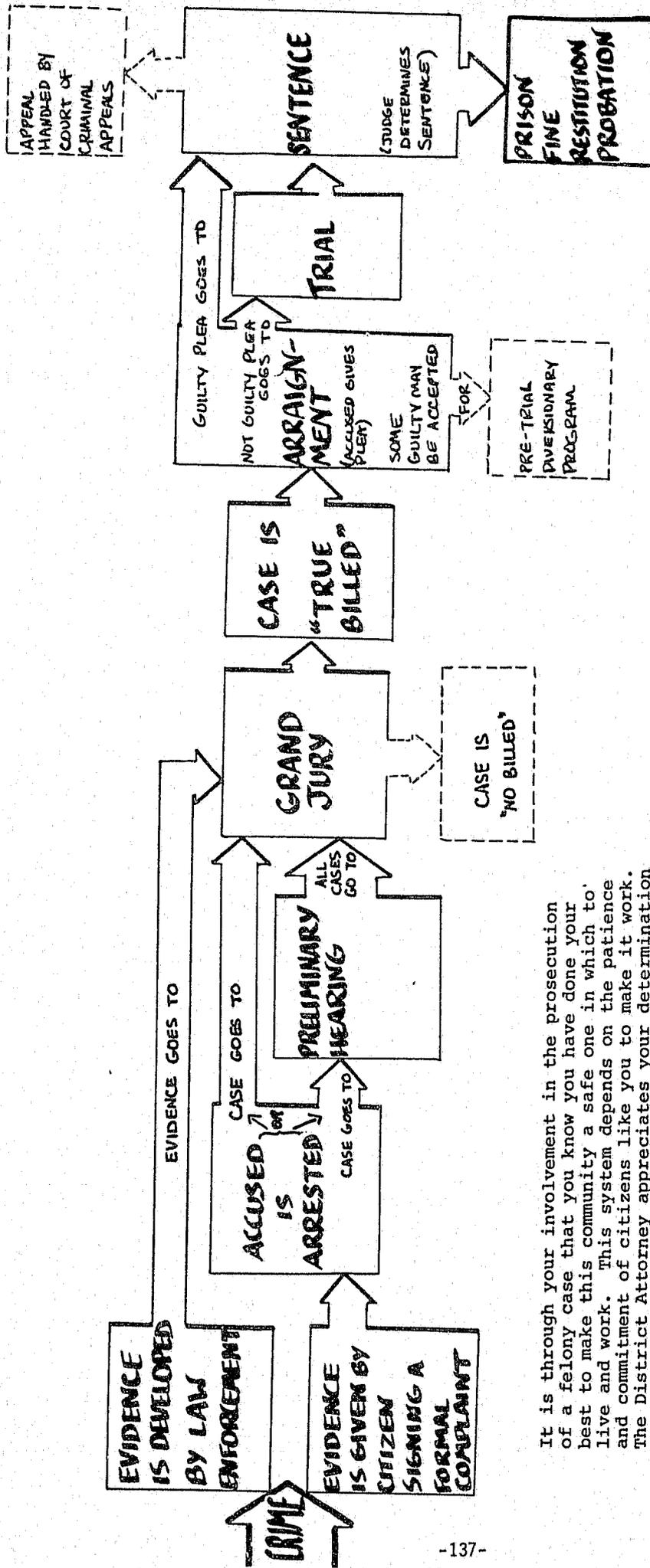
If an attorney objects to a question, do not begin your answer until the judge instructs you to do so.

Be polite while answering questions, do not lose your temper with the attorney questioning you.

If you realize you have given misinformation immediately advise the judge, so you may be allowed to correct the error. If you have left the stand, tell the deputy district attorney.

Do not discuss your testimony with other witnesses without first obtaining permission from the court.

# GENERAL PROCESS OF A FELONY CASE



It is through your involvement in the prosecution of a felony case that you know you have done your best to make this community a safe one in which to live and work. This system depends on the patience and commitment of citizens like you to make it work. The District Attorney appreciates your determination and your patience. If you have any problems or concerns as you go through this process please contact the Victim/Witness Unit in the District Attorney's Office at 832-2550. The staff is there to help you.

Provided for your use by your  
 Montgomery County District Attorney,  
 Jimmy Evans, 142 Washington Avenue,  
 Montgomery, Alabama 36104.

LETTER ON CASE DISPOSITION

This letter is to inform a crime victim about the disposition of the defendant's case and the sentence imposed by the Court. It could be sent by any criminal justice agency to the victim.

DATE: \_\_\_\_\_

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FROM: JOHN EKSTRAND, Witness Coordinator

RE: STATE OF IOWA vs. \_\_\_\_\_

POLICE CASE NO: \_\_\_\_\_

CRIMINAL CASE NO: \_\_\_\_\_

CHARGE(S): \_\_\_\_\_

The above case has been disposed. On \_\_\_\_\_,  
the defendant (pled guilty) (was found guilty) (was acquitted) of  
the charge(s) of \_\_\_\_\_.  
The defendant was sentenced to \_\_\_\_\_.

If you have received any subpoenas for this specific case,  
please consider them cancelled. Please assist us by assuring that  
all officers listed above see this memo.

Thanks.

LETTER ON CASE DISMISSAL

This form letter could be sent by the sheriff to the victim to advise him that the charges against the defendant have been dismissed. It provides a place for an explanation of the dismissal and also informs this victim to disregard any outstanding subpoenas related to the case.

DATE \_\_\_\_\_

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FROM: JOHN EKSTRAND, WITNESS COORDINATOR

RE: IOWA VS. \_\_\_\_\_  
POLICE CASE # \_\_\_\_\_  
CRIMINAL # \_\_\_\_\_  
CHARGE \_\_\_\_\_

The above case has been disposed. On \_\_\_\_\_  
the case was dismissed for the following reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you have received any subpoenas for this specific case please  
consider them cancelled. Please assist us by assuring that all  
Officers listed above see this memo.

Thanks.

## COMPREHENSIVE WITNESS INFORMATION

This fact sheet provides information on all of the things a witness will need to know for a court hearing including: witness fees, courtroom pointers, scenario, case scheduling, conferences, intimidation, referral for assistance, and directions to the county building.

OFFICE OF THE  
LEAVENWORTH COUNTY ATTORNEY

ROBERT E. DAVIS

COUNTY ATTORNEY  
COUNTY COURT HOUSE  
4th & WALNUT STREET  
LEAVENWORTH, KANSAS 66048  
(913) 682-7611

DAVID J. KING  
CHIEF DEPUTY COUNTY ATTORNEY

LOUIS M. CLOTHIER  
ASSISTANT COUNTY ATTORNEY

KARL F. HELMLE  
CHILD SUPPORT DIVISION

FRANK E. KOHL  
ASSISTANT COUNTY ATTORNEY  
CHILD SUPPORT DIVISION

PATRICK J. CAHILL  
PROGRAM DIRECTOR  
SPECIAL PROJECTS OFFICE

----- WITNESS INFORMATION -----

I. WITNESS FEES

If you are subpoenaed to appear in Court as a witness, you are entitled to collect compensation for your time. The fee paid to you is ~~\$5.00~~<sup>\$10.00</sup> per appearance. If you are traveling from out-of-town, you are also entitled to .22¢ per mile traveled. (These figures are subject to change.)

If you wish to collect your fee, please report to the District Court Clerk's Office (2nd Floor, West Wing) with your subpoena. You will be requested to present your subpoena. Your check will be mailed to you at the end of the month or the conclusion of the case.

II. COURTROOM POINTERS

1. Think before you speak and always speak the truth.

2. Refresh your memory.

Before you testify, review the incident in your mind, noting the scene, objects there, other persons, distances, and events, etc. If a question regarding distance, time, or date is directed to you, and your answer is an estimate, be sure that you say that it is only an estimate.

3. Bring documentation.

It is helpful for the Court to have available any documentation of damages, repair work, and/or value of items involved in the case. If you have bills or receipts which document damages or value, please bring these with you to Court. (Copies of these will also be helpful later for restitution claims.) You may bring additional notes or records to refer to while you are on the Witness stand. If you gave a written statement to police agencies, please ask the Witness Coordinator to furnish you with a copy of that statement for your review prior to testimony.

4. Speak loudly and clearly.

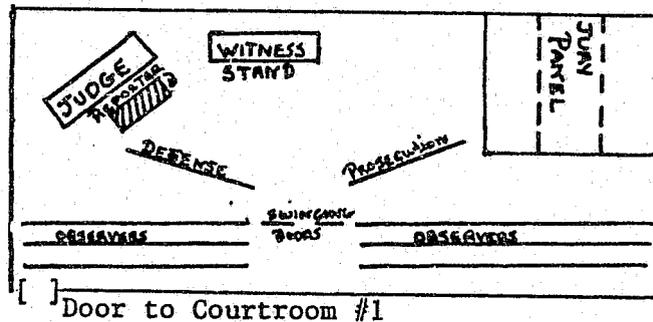
Everyone in the Courtroom must be able to hear and understand what you say. While the experience of testifying can be uncomfortable, the Judge and Jury can only consider what they are able to hear. All proceedings are recorded by an official Court reporter.

5. Answer questions directly.

It is the responsibility of the attorneys to obtain your testimony by asking questions.

- a) Answer only the question asked, do not anticipate questions,
- b) answer with a simple "yes" or "no," if possible,
- c) if you are not sure or don't know an answer, say so,
- d) if you don't understand the question, ask that it be explained to you or repeated before you answer,
- e) if an objection is made by either attorney, wait for the Judge to make a decision before you answer.

III. SCENARIO



1. Once the case in which you are involved begins, you will usually be requested to leave the Courtroom except during your testimony. This is to protect the credibility of what you will say in Court.
2. When your testimony is needed, proceed through the Courtroom door and then through the small swinging doors in the center aisle of the Courtroom.
3. Stop and stand in front of the Court reporter. He will ask you to raise your right hand and swear you in as a witness: "Do you swear to tell the truth, the whole truth, and nothing but the truth? So help you God." You answer and be seated in the witness chair.
4. The Prosecuting Attorney will question you first. (Direct examination)
5. The Defense Attorney will then question you. (Cross examination)
6. The Prosecuting Attorney may then ask additional questions to clarify certain points of your testimony. (Re-direct)
7. The Defense Attorney may then ask additional questions to clarify any points of your testimony. (Re-cross)
8. Once your testimony is completed, the Judge may ask if either attorney intends to recall you to the stand. You may be allowed to leave the Courthouse or you may need to remain in the area for additional testimony. The Witness Coordinator will notify you once you may leave.

If you have any questions or concerns, please do not hesitate to ask the Witness Coordinator at the Witness Information Desk, located in the County Attorney's Office.

IV. SCHEDULING OF CASES

The case in which you are involved may not be the first case to be heard by the Judge on the day that you attend Court. Usually, there are several other cases awaiting presentation to the Judge on the same date. The Victim-Witness Unit staff will do all that is possible to reduce the amount of time that you must spend at the Courthouse, however, some waiting time may be unavoidable. You may want to bring along reading material or handiwork to pass the time. A refreshment center is located on the First Floor, North side of the Courthouse. The machines will accept quarters, dimes, and nickels.

V. CONFERENCES

The defendant's attorney may attempt to contact you to discuss the case. You are under no legal obligation to speak with him/her. It is your choice as to whether or not you wish to discuss the case with the Defense Counsel.

In some cases, the County Attorney, or assistants, will request an informal pre-hearing conference with witnesses involved. The purpose of these conferences is to introduce the State's Attorney to the State's Witnesses and to clarify points of testimony. These conferences will provide you with an opportunity to ask questions and express your interests in the case and the upcoming hearing. You are not legally required to attend such meetings. However, attendance is recommended. These meetings will provide you with a clear understanding of the need for your appearance in Court and will help the State's Attorney to prepare for the case.

VI. INFLUENCING A WITNESS

Intimidation of a witness is a rare occurrence. Interference with a witness by threats or acts is a serious crime in itself and a matter to which the prosecutors, police, and the Court will give special attention to prevent. If you have any fears, or if you are in any way threatened, immediately call the police or this office.

VII. VICTIM-WITNESS UNIT, GENERAL INFORMATION

The Leavenworth County Attorney, Robert Davis, (in cooperation with Community Corrections) established the Victim-Witness Unit to aid victims and witnesses of crime through their experiences with the Criminal Justice System.

If you experience difficulties in obtaining transportation to Court, child care while you are in Court, or leave time from employment to attend Court, please express such difficulties to the Witness Coordinator. All possible measures will be taken to ease any inconveniences that you may experience due to Court proceedings.

You are important to the system and you have a right to know how it works. If you have any questions or concerns, please contact:

(913) 682 - 7985

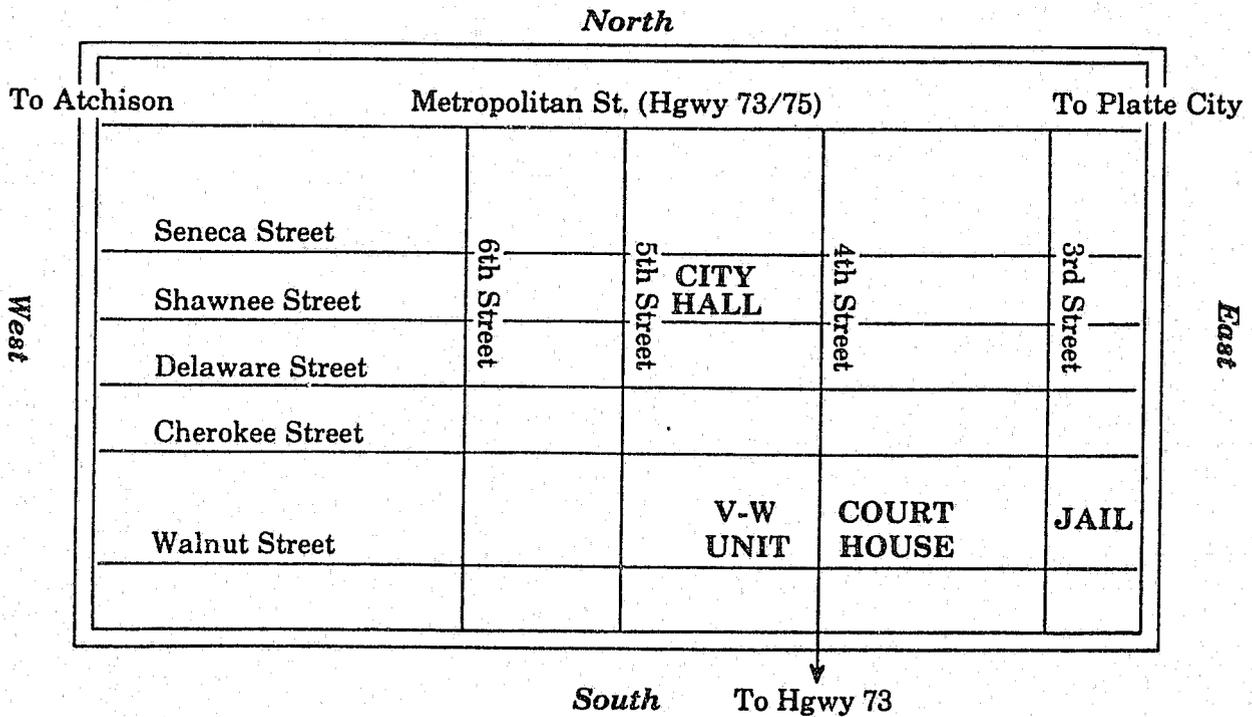
or

682 - 7611, ext. 264

The Victim-Witness Unit  
County Attorney Special Projects Office  
Chambers Building; Room 207  
520 South Fourth Street  
Leavenworth, Kansas 66048

WITNESS INFORMATION -----

If you change your address or your phone number, please notify the Victim-Witness Unit as soon as possible. This updated information is necessary to insure that you can be kept informed as to the case progress and any last minute changes in hearings.



The County Attorney's Office is located on the 2nd Floor, East Wing, of the Courthouse.

FLYER ON HOW TO BE AN EFFECTIVE WITNESS

This was prepared by a law enforcement agency to prepare witnesses for the court hearing. It provides advice on how to present yourself in a courtroom setting.

## HOW TO BE AN EFFECTIVE WITNESS

1. **ALWAYS TELL THE TRUTH** - A lie or exaggeration may lose the case. The truth means more than not telling a deliberate falsehood. Telling the truth means that a witness testify accurately to what she/he knows. Answer to the best of your memory and don't exaggerate.
2. **DRESS NEATLY** - It is important to look your best in the courtroom. A good rule of the thumb is to dress as you would to go to church.
3. **DON'T MEMORIZE** - The judge or jury will be looking at what you say to see if it is believable. A memorized answer will make the jury have difficulty believing what you say.
4. **BE PREPARED** - You should think about what you are going to say. It may help to picture the scene in your head so that you can recall it more accurately on the stand.
5. **ANSWER THE QUESTIONS** - You should only answer what you are asked. Don't volunteer additional information; however, don't let the defense attorney put words in your mouth.
6. **UNDERSTAND THE QUESTION BEFORE ANSWERING** - If you don't, ask the lawyer to repeat it.
7. **BE COURTEOUS** - Answer politely; speak clearly and loudly enough for all of the jurors to hear. Avoid distracting mannerisms. It is normal to be nervous in court. Just relax and do your best.
8. **DON'T LOSE YOUR TEMPER** - This is important since some of the defense attorney's questions may be deliberately designed to make you angry. Keep your cool. Avoid arguing with the defense attorney because you will be playing into his/her hands.
9. **IF YOU HEAR AN OBJECTION, STOP TALKING** - Wait until the judge and lawyers settle the point to continue. The judge or lawyer will tell you to answer the question if the judge decides it is acceptable.
10. **BE PREPARED TO WAIT** - It is impossible to tell in advance exactly when you will be called to testify. Please be patient and remember that the prosecutor has no control over witness timing once the trial begins.
11. **LOOK AT THE JURY** - Tell your answers to the jury. This helps them to see that you are telling the truth.
12. **TESTIFY TRUTHFULLY** - Be positive, but if you don't know the answer to a question, say so. If you are asked with whom you discussed your testimony, answer truthfully.

VICTIM ASSISTANCE PROGRAM  
FORT WAYNE POLICE DEPARTMENT  
(219) 427-1205

PARKING PERMIT

This tag is distributed to a victim or witness and grants the bearer parking privileges during an interview, court hearing, or a trial.

**VICTIM/  
WITNESS**



Turn permit over and hang  
it over rearview mirror post

From the office of  
Michael A. Insko  
Prosecuting Attorney  
Buchanan County, Missouri

**PARKING  
PERMIT**

ST. JOSEPH POLICE DEPARTMENT SPECIAL

(SEC. 21-9 TRAFFIC CODE)

Valid only:

BROCHURE ADVISING OF VICTIM COMPENSATION

A description of financial aid to victims of violent crimes is contained in this brochure. It describes the eligibility criteria, explanation of the program, and gives a telephone number to call for additional information. It could be distributed at the time the initial crime report is taken.

## STATE OF INDIANA

### VIOLENT CRIMES COMPENSATION

*The Violent Crimes Compensation Fund was created to provide financial help to innocent crime victims. Funds are available for medical or funeral expenses and/or loss of earnings directly related to injuries due to a crime.*

### ELIGIBILITY

- *The crime must have happened within the State of Indiana.*
- *The crime must be reported to the police within 48 hours.*
- *There must be \$100 out-of-pocket expense due to the crime.*
- *The claim must be filed within 90 (ninety) days of the crime, (or 1 (one) year with prior approval).*
- **PROPERTY LOSS IS NOT COVERED.**

### ASSISTANCE IN FILING

*The Victim Assistance Program of the Fort Wayne Police Department can provide all necessary forms and will help you to complete them. There is no fee for this service. If you have any questions or want help with a claim, please call VICTIM ASSISTANCE at (219) 427-1205.*

INFORMATION ON RECOVERING CIVIL DAMAGES

This fact sheet tells a victim about opportunities to recover civil damages from an offender. The brochure provides a telephone number for additional information. It could be given to a victim by a law enforcement agency at the time the crime report is taken.

### CIVIL \$ DAMAGES

Under certain circumstances you may obtain a civil judgment for dollars against the person, persons, or entity that caused emotional and/or physical injury to you during the commission of a crime. More specifically, there may be liability insurance in effect which would cover your damages, in addition to the California State Victim of Violent Crime Program.

Your potential recovery of dollar damages can be obtained for any type of crime. For example, if you are shot, stabbed, beaten or if you only suffer emotional upset without any physical injury, you may have a valid lawsuit against the person who caused your injury.

You should consult with an attorney who specializes in personal injury and insurance law. If you need assistance in locating an attorney, the San Bernardino County Bar Lawyer Referral, 150 West Fifth Street, San Bernardino, (714) 888-~~6891~~, will assist you. **6791**

PROPERTY RETURN INFORMATION

This flyer informs a victim of the process for property return and provides a telephone number should questions or problems arise.

OFFICE OF THE  
LEAVENWORTH COUNTY ATTORNEY

**ROBERT E. DAVIS**

COUNTY ATTORNEY  
COUNTY COURT HOUSE  
4th & WALNUT STREET  
LEAVENWORTH, KANSAS 66048  
(913) 682-7611

**DAVID J. KING**  
CHIEF DEPUTY COUNTY ATTORNEY

**FRANK E. KOHL**  
DEPUTY COUNTY ATTORNEY

**KARL F. HELMLE**  
CHILD SUPPORT DIVISION

**JOHN B. HUNT**  
ASSISTANT COUNTY ATTORNEY  
CHILD SUPPORT DIVISION

**PATRICK J. CAHILL**  
PROGRAM DIRECTOR  
SPECIAL PROJECTS OFFICE

A GUIDE TO PROPERTY RELEASE PROCEDURES

You are the owner of property which has been involved in a crime and such property is now being held for evidentiary purposes by Law Enforcement Authorities. It is the intent of the County Attorney's Office and the Law Enforcement Agency to have your property returned to you as soon as possible.

Your cooperation and testimony are significant elements of this case and your property is also an important factor in the successful prosecution of this case. The evidence - your property - must be handled carefully to protect the interests of this case. This guide is to provide you with an understanding of the safeguards that are necessary to protect all interests.

Once your property has been recovered, the Law Enforcement Agency will provide the County Attorney's Office with copies of their "Property Record" cards. These cards will list all the evidence pertaining to a case. The Law Enforcement Agency will then be requested to photograph specific evidence in the case. Such photographs must be clear and accurate reflections of the property. They must clearly depict any identifying characteristics of your property, such as serial numbers, scratches, dents, and the like. You must be able to undeniably identify your property from the photographs during future Court proceedings.

Once the photographs are completed, and approved by the prosecuting attorney, the County Attorney is required, by law, to notify the defendant of our intent to release the property to you and replace the property by photographs for future evidentiary production. Upon mailing of the intent notice to the defendant (usually in care of his attorney), a hearing is scheduled.

The hearing of the State's Motion to Release Property is usually scheduled for ten days after the mailing of the intent notice. Normally, you will not be required to attend this hearing. This hearing is to provide the defendant an opportunity to object, claim, view or inspect the property prior to its release and is also to obtain the Court's ruling as to whether or not the property may be released and replaced by photographs.

Once the Judge has made a ruling (sometimes at the time of the hearing or sometimes the Judge will take the matter "under advisement"), all the attorneys and the Judge involved will sign an Order to Release Property. This signed order is then forwarded to the District Court Clerk's Office for the completion of certified copies.

Once the certified copies are obtained by the County Attorney's Office, one copy will be forwarded to the Law Enforcement Agency, having custody of your property, for final authorization of release of the property to you. You will be notified by a representative of the Law Enforcement Agency once your property may be released.

\*\* WHEN YOU RESPOND TO THE PROPERTY ROOM TO RECOVER YOUR PROPERTY, please ask to view the photographs of your property and compare the actual items of property to the photographs. If you can undeniably identify your property from the photographs, please sign and date the back of each photograph. (If you are not sure, please point out additional identifying characteristics to the Evidence Officer and request that additional photographs be taken of those markings.) This procedure will help to assure the authenticity of the photographs for future Court proceedings.

Your concern for your property is reasonable and understandable. This concern is being attended to by the County Attorney's Office and the Law Enforcement Agency as quickly as possible. Although your property may not be released to you immediately, the methods outlined herein are necessary to protect the case and these procedures have improved the protection of all interests, while considerably reducing previous delays of property return to the owner.

During the time that your property is held by the authorities, it is kept in a safe, secure, and restricted area.

I hope that this information is helpful to your understanding the processes of property release. Your cooperation and patience are greatly appreciated. If you have any questions or concerns, please do not hesitate to contact me at the Victim-Witness Unit, (913) 682 - 7985, or 682 - 7611, ext. 264.

Sincerely,

Anne deShazo  
Victim-Witness Coordinator  
Office of the Leavenworth County Attorney

A CHILD'S GUIDE TO COURT

This book contains activities for child victims and witnesses to teach them about the criminal justice proceedings. It uses puzzles, word scrambles, and other games. A few examples from the activity book are attached.



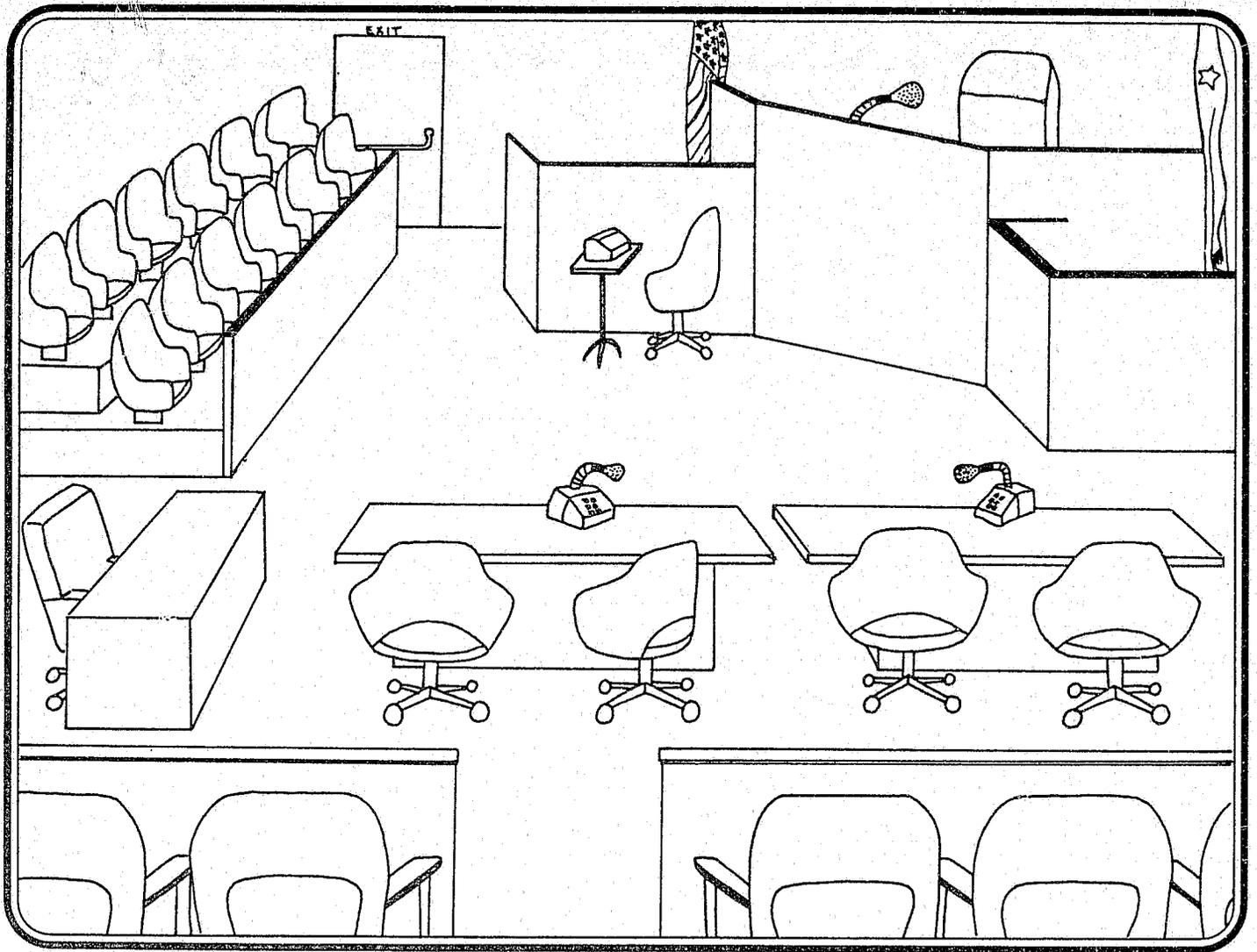
MICHAEL D. BRADBURY - DISTRICT ATTORNEY - COUNTY OF VENTURA

Draw a picture of your other special friend!

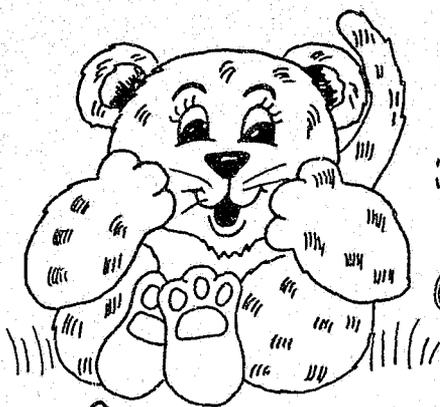
This is the Deputy District Attorney whose name is \_\_\_\_\_. This person helped me tell the judge about the things that happened.

\_\_\_\_\_ told me how proud he/she was of me, because I told someone about what happened.

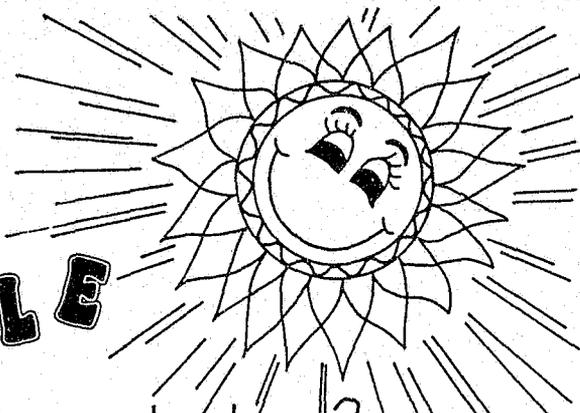
I am proud of me, too!



1. Do you remember where you sat when you told the judge what happened? \_\_\_\_\_ Draw a picture of yourself sitting there.
2. Draw a blue circle around the chair where your special friend sat on that day.
3. Color the judge's chair brown.
4. Color the Deputy District Attorney's chair red.
5. Draw a blue star on the sheriff's chair.
6. Color the defendant's chair orange.
7. Draw a green box around the defense attorney's chair.
8. Color the court reporter's chair yellow.
9. Write "CLERK" in front of the spot where he/she sat.
10. Color the jury chairs red and blue.
11. Use your favorite color to draw a circle around each flag.



# WORD SCRAMBLE

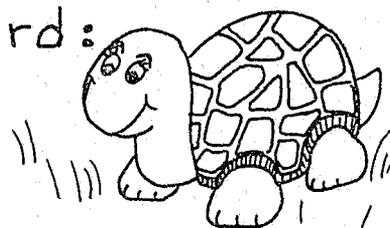


Can you unscramble the letters below?

Each word is either a person you know or a place you've seen.

Two clues are given for each word:

1. person or place AND
2. first letter



place 1. omrotcuro: C

person 2. dgeju: J

person 3. yDpuet stDiictr ttAonrey: D

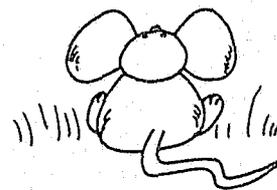
place 4. Hlla fo uJscite: H

person 5. ffehirs: S

person 6. dtannfede: d

place 7. aturVne: V

person 8. yM pScilae Fidren: M



## answers:

8. My Special Friend



4. Hall of Justice

5. sheriff  
6. defendant  
7. Ventura



1. courtroom  
2. judge  
3. Deputy District Attorney

*I Told the Truth  
Just Like I Promised*

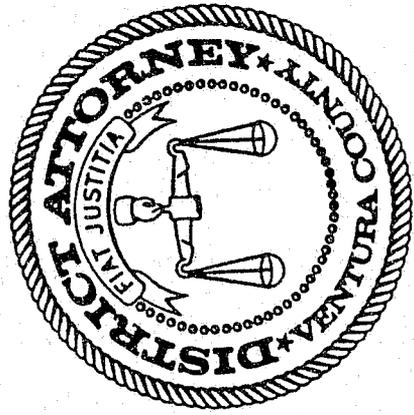


*Presented to:*

[Empty rectangular box for recipient name]

*My Special Friend*

*Parent or Guardian*



*Deputy District Attorney*

*Michael D. Bradbury  
District Attorney*

BROCHURE FOR VICTIMS OF JUVENILE CRIME

This pamphlet was prepared to provide information for victims of juvenile crime. It gives an overview of the juvenile court system and how it may affect the victim. This is a specialized brochure to be distributed in cases processed through the juvenile court system.

juvenile responsible for the offense and require it for civil action, you may contact the Deputy Probation Officer responsible for the case. The juvenile's name, address, and the parent's names can be released if you are requesting information for the purpose of seeking civil action. Call the Kern County Probation Department at 861-2241.

**Q: IF I AM THE VICTIM OF A VIOLENT CRIME, IS THERE ANY SPECIAL HELP FOR ME?**

**A:** You may be eligible for compensation through the State Victim of Violent Crime Program. This program which receives funds through a special "Restitution Fund", which comes from fines and penalty assessments, may compensate victims for "out of pocket" expenses. These expenses include losses due to medical or psychological expenses not covered by insurance, Medicare or Medi-Cal. They may also include loss of income or support due to time off of work as the result of injury or death. You may be compensated for up to \$23,000.00 in total benefits through the Victim of Violent Crime Program.

**Q: HOW MAY I QUALIFY FOR THIS ASSISTANCE?**

**A:** You may qualify if you are a resident of California and:

- 1) You were the innocent victim of a crime and suffered physical or psychological injury.
- 2) A person upon whom you are legally dependant for support has been injured or has died.
- 3) You have legally assumed or voluntarily paid the medical or funeral expenses of a victim who has been injured or has died.

4) You have minor children injured as the result of a violent crime.

**Q: WHAT KIND OF CRIMES MAY BE COVERED UNDER THIS PROGRAM?**

**A:** Any crime in which a victim suffered physical injury or psychological injury. This includes two vehicular offenses; driving under the influence and hit and run.

**Q: ARE THERE ANY OTHER QUALIFICATIONS?**

**A:** Yes, you must:

- 1) Report the crime incident to law enforcement.
- 2) Be cooperative with the Criminal Justice Agencies during the investigation and prosecution. This does not mean that there must be an arrest or conviction.
- 3) Have a total loss of more than \$100.00 or 20% of your monthly income. There is no minimum if you are on a fixed income for retirement or disability.

**Q: IF THERE IS A POSSIBILITY THAT I MAY BE ELIGIBLE, WHAT SHOULD I DO?**

**A:** To receive assistance in completing an application for compensation, contact the:

**KERN COUNTY VICTIM/WITNESS ASSISTANCE CENTER**

1415 Truxtun Avenue, Fourth Floor  
Bakersfield, CA 93301  
Telephone: (805) 861-2518

## JUVENILE JUSTICE:

A reference for Victims  
of Juvenile Crime

## KERN COUNTY VICTIM/WITNESS ASSISTANCE CENTER



A UNIT OF THE KERN COUNTY  
PROBATION DEPARTMENT

The purpose of this pamphlet is to answer questions most frequently asked by victims of juvenile crime. This pamphlet also provides some general information about the Juvenile System.

**Q: HOW DOES THE COURT DEFINE A "JUVENILE OFFENDER"?**

**A:** A juvenile offender is a person who commits a crime prior to his/her 18th birthday.

**Q. WHAT HAPPENS TO THE JUVENILE OFFENDER WHO VICTIMIZED ME?**

**A:** The arresting agency's reports are first referred to the Probation Department for review. If the Probation Department decides that formal action is necessary, the matter is forwarded to the District Attorney for evaluation and filing of a petition (complaint). The petition lists the laws allegedly violated, the dates of the occurrence of the offenses, and sometimes the names of the victims. Once the petition is filed, a hearing is scheduled in Juvenile Court. If the Court determines that the juvenile committed the crime, the matter is referred to a Deputy Probation Officer. The Deputy Probation Officer investigates the juvenile's background and the circumstances of the offense in order to prepare a report for the Court. An important part of this report is the victim's statement which includes the exact amount of loss resulting from the crime. If this information is not reported by the victim, Court ordered restitution cannot be collected.

At a disposition hearing (a hearing to determine what is going to happen to the juvenile) the Judge considers the needs of the juvenile as well as the interest and protection of the community. The Judge can place the juvenile on probation with

specific conditions including restitution to the victim and send the juvenile to a local institution, or send the juvenile to a state facility of the California Youth Authority.

**Q: WHAT ARE MY CHANCES OF ACTUALLY GETTING RESTITUTION FROM THE JUVENILE?**

**A:** When a victim suffers a loss as a result of a crime, the Juvenile Court will usually order the juvenile to make restitution. Although the restitution order applies directly to the juvenile and places no legal responsibility on the juvenile's parents, in some cases the parents volunteer to assist in the repayment of the restitution. The amount of any restitution ordered depends on the juvenile's ability to pay. The Deputy Probation Officer supervising the juvenile will try to ensure that you receive the restitution which is rightfully yours. When the juvenile does not have the means or the ability to make cash restitution, sometimes work in the community is ordered by the Judge as an alternative to incarceration. The minor will be ordered to pay a fine into a special "State Restitution Fund", this will be further explained in this brochure.

**Q: WHAT HAPPENS IF THE JUVENILE DOES NOT PAY COURT ORDERED RESTITUTION OR DOES NOT FOLLOW THE TERMS OF PROBATION?**

**A:** When the juvenile violates specific terms and conditions of probation or becomes involved in a new offense, the juvenile may be returned to Juvenile Court for further action.

**Q: IF THE JUVENILE DOES NOT COMPLETE COURT ORDERED RESTITUTION, DO I HAVE ANY RECOURSE OTHER THAN JUVENILE COURT?**

**A:** Yes, a Civil Court can order the juvenile's parents or legal guardian to pay.

Civil suits are filed in one of three Courts depending on the amount of restitution and must be filed in a timely manner.

If the amount you seek does not exceed \$1,500 the matter should be filed in Small Claims Court. There is a \$6.00 filing fee. If you wish the juvenile's parents to be personally served with a "Notice of Filing", it may be sent certified mail for a \$3.00 fee, or delivered by the Kern County Sheriff's Department for \$14.00. You may not be represented by an attorney in Small Claims Court.

If the amount you seek is between \$1,500 and \$15,000, the matter should be filed in the Municipal Court. If the amount you seek exceeds \$15,000, the matter should be filed in Superior Court. In either case, you should retain an attorney as filing procedures in these Courts are complex.

If you are in need of legal assistance, you may want to contact the Kern County Bar Association, Legal Referral Service, Suite 8, Bakersfield, CA 93301, Telephone: 327-3663.

If you have any losses as a result of crime which have not been recovered, you may have the right to deduct them on your Federal Income Tax Return and your State Income Tax Return. For additional information contact the Internal Revenue Service Office, 800 Truxtun Avenue, Bakersfield, CA 93301 or call toll free (800) 424-1040 and the State Franchise Tax Board, 1300 17th Street, Bakersfield, CA or call toll free (800) 852-5711.

**Q: IF MY PROPERTY IS RECOVERED BY THE POLICE, HOW DO I GO ABOUT GETTING IT RETURNED?**

**A:** If a juvenile is caught with property not his/her own, the arresting agency will retain that property to be used as evidence. If the police can identify the owner of the property, they will notify the owner by telephone. If the owner cannot be identified, the property becomes unclaimed which may be sold at a public auction after six months. For this reason, it is advisable for you to contact the law enforcement agency if you have any reason to believe that they may possess your property.

Once the property is identified by you, it may be released immediately, unless the District Attorney's Office wants the property held in evidence until the Court process has been completed. Property used as evidence may be held for at least sixty days following the termination of all Court proceedings. The sixty day period is the time during which the juvenile has the right to appeal the decision of the Court.

If you have any problems concerning the recovery of your property, contact the appropriate police agency or the District Attorney's Office at 861-3211 or 861-3212.

**Q: WHAT ARE MY RIGHTS CONCERNING ACCESS TO CRIME REPORTS?**

**A:** You have the right to request copies of the crime report or information pertaining directly to your particular incident, however, certain legal procedures are required prior to release of the report by the Court. In this report is a statement of circumstances of the offense and the victim's report of losses. You do not have access to arrest report, booking sheets, or any other material of a confidential nature, if you do not know the name of the

SECTION B

DIRECTORY OF LAW ENFORCEMENT  
BASED VICTIM ASSISTANCE PROGRAMS

The following pages contain information compiled by the National Sheriffs' Association on law enforcement based victim assistance programs. To date, we have identified seventeen law enforcement based victim assistance programs; five located in Sheriff's Departments and twelve attached to Police Departments.

The Directory contains information about program services, staffing, budget, and types of victims served. The name, address, and telephone number of a contact person is included so that you can obtain additional information directly from the program.

In addition to the Directory, this section contains a more detailed description of these law enforcement based victim assistance programs. These include the Arapohoe County, Colorado, Evanston, Illinois, and Pinellas County, Florida programs. A program summary, internal forms, directories and other materials used by the programs are included to illustrate program components.

SHERIFF'S DEPARTMENT:  
Colorado  
Arapahoe County

Name of Program: Victim Assistance Program

Address: Arapahoe County Sheriff's Department  
5686 Souht Court Place  
Littleton, CO 80120

Phone #: 303-795-4747

Sheriff: Pat Sullivan

Program Director: Allison Brittsan and Nancy Feldman

Number of Paid Staff: 2

Use of Volunteers or Interns: 30 volunteers

Year Program Started: 1982

Major Services Provided: Provide crisis intervention services  
Contact victims by phone or letter  
Provide information and referral

Budget for Fiscal Year 1984-85: \$20,000

Types of Victims Served: Primarily sexual assault victims;  
expanding to include  
counseling for families of suicide  
victims

How the Program is Funded: Through the County

SHERIFF'S DEPARTMENT:

Florida

Escambia County

Name of Program: Victim Advocate Program

Address: Escambia City Sheriff's Department  
Box 18770  
Pensacola, FL 32523

Phone #: 904-436-9011

Sheriff: Dince Seely

Program Director: Ms. Mary Rebber

Number of Paid Staff: 1

Use of Volunteers or Interns: Volunteers

Year Program Started: 1980

Major Services Provided: Immediate Crisis intervention  
Counseling for survivors of a homicide  
Provide shelter  
Provide transportation  
If a deputy is injured, assistance is provided to his family

Budget for Fiscal Year 1984-85: \$20,000

Types of Victims Served: Predominately sexual assault victims

How the Program is Funded: Through the County

SHERIFF'S DEPARTMENT:  
Florida  
Orange County

Name of Program: Victim Advocate Program  
Victims of Crime Assistance League

Address: Orange County Sheriff's Office  
2400 W. 33rd Street  
Orlando, FL 32805

Phone #: 305-420-4026

Sheriff: Lawson L. Lamar

Program Director: Sergeant Rickey Ricks

Number of Paid Staff: 3 for Victim Advocate Program  
1 for the League

Use of Volunteers or Interns: None for Victim Advocate Program  
8 for the League

Year Program Started: 1976 Victim Advocate Program  
1978 Crime Assistance League

Major Services Provided: Victim Advocate Program  
Accompanies victims to court  
Rape prevention program  
Referral to social service agencies  
Assistance with missing person's cases  
Victims of Crime Assistance League  
Reviews all reports of crime against  
the elderly  
All services listed above  
Community Awareness Programs

Budget for Fiscal Year 1984-85: \$49,500 for Victim Advocate Program  
\$15,000 for the League

Types of Victims Served: Sexual assault and other  
violent crimes or sudden death  
survivors are the priority of the  
Victim Advocate Program; the elderly  
are served by the League

How the Program is Funded: Through the County

SHERIFF'S DEPARTMENT:

Florida

Pinellas County

Name of Program: Victim Advocacy Program

Address: Pinellas County Sheriff's Office  
250 West Ulmerton Road  
Box 2500  
Largo, FL 34294

Phone #: 813-585-9911

Sheriff: Jerry Coleman

Program Director: Sara S. Sopkins

Number of Paid Staff: 2

Use of Volunteers or Interns: Interns

Year Program Started: 1981

Major Services Provided: Crisis intervention  
Counseling  
Referral to social service agencies  
Provide transportation  
Assist with shelter and clothing  
Court assistance  
Bereavement counseling

Budget for Fiscal Year 1984-85: \$35,000

Types of Victims Served: All victims

How the Program is Funded: Through the Sheriff's Department

SHERIFF'S DEPARTMENT:

Virginia

Chesapeake County

Name of Program: The Elderly and Indigent Victim Assistance Program  
Victim Witness Program

Address: Chesapeake Sheriff's Office  
P.O. Box 15125  
Chesapeake, VA 23320

Phone #: 804-547-6159

Sheriff: John R. Newhart

Program Director: Major Newbg; Joyce Walsh

Number of Paid Staff: 1

Use of Volunteers or Interns: Volunteers and interns

Year Program Started: The Elderly Program was begun in 1979;  
The Victim Assistance Program in 1984

Major Services Provided: ELDERLY PROGRAM  
Immediate reimbursement for losses  
and property damages  
Referral to social service agencies

VICTIM WITNESS PROGRAM  
Recorded info about court hearings  
Provide information on the justice  
system  
Assist in applying for state funds  
Transport to court  
Referral to social service agencies

Budget for Fiscal Year 1984-85:

Types of Victims Served: The Elderly Victim Program serves  
victims over 60  
The Victim Assistance Program serves  
victims of felonies before Circuit  
Court

How the Program is Funded: The Elderly Program is funded through  
donations and fundraisers; and the  
Victim Assistance Program is funded  
through a grant from the State  
Criminal Justice Services.

POLICE DEPARTMENT  
California  
Oxnard County

Name of Program: Victim Services

Address: Oxnard Police Department  
251 South C Street  
Oxnard, CA 93030

Phone #: 805-486-4311

Chief: Robert P. Owens

Program Director: Sergeant Bob Elder

Number of Paid Staff: 2

Use of Volunteers or Interns: Volunteers for Child Abuse Cases

Year Program Started: 1979, part-time basis; 1982 full-time

Major Services Provided: Assist sexual assault victims with  
medical examinations, initial  
interviewing and follow-up  
Assistance with financial reports,  
compensation  
Emergency housing and limited  
financial aid provided  
Counseling

Budget for Fiscal Year 1984-85: \$60,000 - \$70,000

Types of Victims Served: All victims; priority given to sexual  
assault cases, families of homicide,  
the elderly and disabled

How the Program is Funded: Through city funds

POLICE DEPARTMENT:

Colorado

Colorado Springs

Name of Program: Youth and Victim Services

Address: Colorado Springs Police Department  
119 North Nevada  
Colorado Springs, CO 80903

Phone #: 303-578-6739

Sheriff: Neal Stratton

Program Director: Ms. Pat Wyka

Number of Paid Staff: 7

Use of Volunteers or Interns: Volunteers are used only for presentations

Year Program Started: 1975

Major Services Provided: Crisis intervention  
Witness preparation

Budget for Fiscal Year 1984-85: \$200,000

Types of Victims Served: Primarily sexual assault victims and crimes against persons

How the Program is Funded: Through the Police Department

POLICE DEPARTMENT  
Illinois  
Evanston

Name of Program: Victim-Witness/Youth Outreach Bureau

Address: Evanston Police Department  
1454 Elmwood Avenue  
Evanston, IL 60204

Phone #: 312-866-5015

Chief: William Logan

Program Director: Ms. Debra Sundblad

Number of Paid Staff: 4

Use of Volunteers or Interns: Volunteers from the Clergy and some  
interns

Year Program Started: 1976

Major Services Provided: Crisis intervention  
Counseling  
Court advocacy  
Referrals to social service agencies  
Emergency funds  
Lost and confused elderly  
Death notification

Budget for Fiscal Year 1984-85: \$130,000

Types of Victims Served: Primarily violent crime victims and all  
victims over 60 regardless of the  
crime

How the Program is Funded: Through the city

POLICE DEPARTMENT

Indiana

Indianapolis

Name of Program: The Victim Assistance Unit

Address: Indianapolis Police Department  
50 North Alabama  
Indianapolis, IN 46204

Phone #: 317-236-3331

Chief: Joseph G. McAtee

Program Director: Ruth A. Popcheff

Number of Paid Staff: 5

Use of Volunteers or Interns: Volunteers used as crime watch block  
captains

Year Program Started: 1975

Major Services Provided: Crisis response services  
Counseling  
Transportation  
Guidance for legal aid and medical  
treatment

Budget for Fiscal Year 1984-85: \$75,000

Types of Victims Served: Target violent crime victims

How the Program is Funded: Through the Police Department

POLICE DEPARTMENT

Indiana

Fort Wayne

Name of Program: Victim Assistance Program

Address: Ft. Wayne Police Department  
City-County Building  
1 Main Street  
Ft. Wayne, IN 46802

Phone #: 219-427-1205

Chief: David Reeman

Program Director: Ms. Patricia Smallwood

Number of Paid Staff: 2

Use of Volunteers or Interns: Both

Year Program Started: 1981

Major Services Provided: Crisis Intervention  
Assist with restitution and  
compensation  
Referral services  
Criminal justice orientation and  
court advocacy  
Emergency transportation  
Witness preparation and court escort  
services

Budget for Fiscal Year 1984-85: \$45,000

Types of Victims Served: All victims

How the Program is Funded: Through a community development  
block grant

POLICE DEPARTMENT  
Nebraska  
Lincoln

Name of Program: Victim Witness Assistance Unit

Address: Lincoln Police Department  
233 South 10th Street  
Lincoln, NE 68508

Phone #: 402-471-7245

Chief: B. Dean Leitner

Program Director: Ms. Shirley Kuhle

Number of Paid Staff: 2

Use of Volunteers or Interns: Both

Year Program Started: 1981

Major Services Provided: Assist in sexual assault and homicide cases  
Referral to social service agencies  
Short term counseling  
Liaison with the County Attorney's Office  
Provide information about the criminal justice system

Budget for Fiscal Year 1984-85: \$30,000

Types of Victims Served: All victims are served; special program emphasis for victims over 60 years old

How the Program is Funded: Through a state grant; and the Nebraska Crime Commission

POLICE DEPARTMENT  
New Mexico  
Albuquerque

Name of Program: Albuquerque Volunteer Police  
Chaplains

Address: 401 Marquette, NW  
Albuquerque, NM 87102

Phone #: 505-766-7086

Chief: Elroy Hansen

Program Director: Mr. Jack Price

Number of Paid Staff: 2

Use of Volunteers or Interns: 25 to 30 volunteers

Year Program Started: 1969

Major Services Provided: Death notification  
Grief counseling  
Rape crisis center  
Shelter for victims of domestic  
violence  
Crime Victims Assistance Organ.  
Crime Victims Reparation Comm.  
Referral to community agencies

Budget for Fiscal Year 1984-85: \$30,000

Types of Victims Served: All types of victims;  
focus is on victims of trauma

How the Program is Funded: Through the Police Department

POLICE DEPARTMENT

New York  
Rochester

Name of Program: Victim Assistance Unit

Address: Rochester Police Department  
Civic Center Plaza  
150 S. Plymouth Avenue  
Rochester, NY 14614

Phone #: 716-428-6630

Chief: Delmar Leach

Program Director: Ms. Becky McCorry

Number of Paid Staff: 9 (including 2 part-time)

Use of Volunteers or Interns: Both

Year Program Started: 1976

Major Services Provided: Contact victims and explain services  
Grand Jury outreach  
Restitution and property return  
Crime victim compensation  
Transportation  
Hospital and home visits

Budget for Fiscal Year 1984-85: \$122,000

Types of Victims Served: All victims

How the Program is Funded: Through the City Police Department and  
the New York State Crime Victim's  
Compensation Fund

POLICE DEPARTMENT  
Tennessee  
Nashville

Name of Program: Victim Intervention

Address: Metropolitan Nashville Police Dept  
Criminal Justice Center  
200 James Roberson Parkway  
Nashville, TN 37201

Phone #: 615-742-7540

Chief: Joe Casey

Program Director: Ms. Carol Etherington

Number of Paid Staff: 3

Use of Volunteers or Interns: Interns

Year Program Started: 1975

Major Services Provided: Crisis counseling  
Community education  
Court advocacy  
Support groups

Budget for Fiscal Year 1984-85: \$75,000

Types of Victims Served: All victims

How the Program is Funded: Through the Police Department

POLICE DEPARTMENT

Texas

Austin

Name of Program: Victim Services Division

Address: Austin Police Department  
715 East 8th Street  
Austin, TX 78701

Phone #: 512-480-5037

Chief: James Everett

Program Director: Ms. Anne Hutchinson

Number of Paid Staff: 5

Use of Volunteers or Interns: Graduate school interns

Year Program Started: 1980

Major Services Provided: Victim advocacy  
Referrals to social service agencies  
Counseling and crisis intervention  
Train cadets to help in sexual abuse cases

Budget for Fiscal Year 1984-85: \$150,000

Types of Victims Served: All victims; emphasis on domestic violence victims

How the Program is Funded: Through the City

POLICE DEPARTMENT  
Virginia  
Albermarle County

Name of Program: Victim Witness Assistance

Address: Albermarle County Police Dept  
401 McIntyre Road  
Charlottesville, VA 22901

Phone #: 804-296-2112

Chief: Frank W. Johnson

Program Director: Ms. Charlene Easter

Number of Paid Staff: 1

Use of Volunteers or Interns: Volunteers

Year Program Started: 1983

Major Services Provided: Referral to social service agencies  
Assistance with restitution  
Information about the justice system  
Help with compensation claims  
Provide transportation to court  
Information court hearing dates  
Victim Impact Statements

Budget for Fiscal Year 1984-85: \$27,000

Types of Victims Served: All victims

How the Program is Funded: Through the County, and a small grant  
from the state

POLICE DEPARTMENT  
Washington  
Seattle

Name of Program: Victim Witness Advocacy Referral Project

Address: Seattle Police Department  
801 Dexter Horton Building  
Seattle, WA 98104

Phone #: 206-625-5310

Chief: Patrick S. Fitzsimmons

Program Director: Ms. Carol Farer

Number of Paid Staff: 7

Use of Volunteers or Interns: Volunteers and interns

Year Program Started: 1979

Major Services Provided: Assist with compensation  
Referral to social service agencies  
Court advocacy  
Crisis intervention  
Counseling

Budget for Fiscal Year 1984-85: \$200,000

Types of Victims Served: Violent crime cases are the priority  
including the elderly, victims of child  
abuse, rape, and homicide survivors

How the Program is Funded: Through a block grant in the City of  
Seattle's Budget

ARAPAHOE COUNTY SHERIFF'S DEPARTMENT  
VICTIM ASSISTANCE PROGRAM

This program was begun in 1982 by Sheriff Patrick Sullivan as an expansion of a program originated by a near-by police department. The focus of the program is to provide support and information to victims of sexual assault, although there are plans to expand services to victims of their crimes. This program operates on a 24-hour basis. Approximately fifteen volunteers are utilized. They work under the direction of the Victim Assistance Coordinator who is an employee of the Sheriff's Department.

Program goals include:

- allowing officers more time for the investigation
- raising community awareness about sexual assault
- providing follow-up referrals for victims
- improving the relationship between law enforcement and the crime victim

Volunteers

This program has a large volunteer component which consists of approximately fifteen people. They are on call twenty-four hours a day to respond to the crime scene or hospital.

Arapahoe County Sheriff's Department  
Victim Assistance Program

Attachments:

1. Case Contact Information Sheet
2. Procedures for the Victim Assistance Volunteer
3. Instructions for Volunteers
4. Volunteer Application Form
5. Training Outline for Volunteers
6. Training Schedule for Volunteers



ARAPAHOE COUNTY SHERIFF'S DEPARTMENT  
PROCEDURES FOR VICTIM ASSISTANCE VOLUNTEER

1. After the investigation supervisor contacts you concerning a sexual assault, call the dispatcher back to confirm the call.
2. Respond to the location that was designated by the supervisor. This is where the victim is presently. (Response time, within thirty minutes).
3. Contact the patrol officer and/or investigator on the scene or at the hospital to let them know you have arrived.
4. See victim.
5. Give the victim Nancy Feldman's name and phone number (795-4751).
6. Fill out volunteer information sheet and leave it in the Victim Assistance box or mail it to Nancy Feldman the next day. If you feel the victim needs follow-up the next day, please call Nancy at 795-4751.
7. Contact victim by phone within one week of the assault.

DO NOT GIVE ANY VICTIM YOUR HOME  
OR WORK PHONE NUMBER. THEY CAN  
CONTACT YOU THROUGH THE INVESTIGATION  
DIVISION OFFICE 795-4751 AND WE  
WILL RELAY THE MESSAGE TO YOU.

Beginning February 1, 1982, volunteers will be on-call to provide assistance to sexual assault victims.

Procedures:

- 1) After the patrol officer responds and it has been determined that an investigator will be called out, the shift commander will contact the investigation supervisor. The investigation supervisor will contact the volunteer on-call to respond to the location of the victim or where the victim will be located in the near future (i.e. hospital).
- 2) The investigation supervisor should advise the volunteer of:
  - a. the circumstances of the case
  - b. where the victim is located
  - c. which investigator is handling the case
- 3) The volunteer will call back the dispatcher to verify the call and then respond as soon as possible (within thirty minutes) to the location of the victim.

When it is not necessary to have the on-call investigator respond to the call at the time it is being reported (i.e. if the assault happened several days ago), the shift commander should still contact the investigation supervisor on-call. On these cases, it is up to the discretion of the investigation supervisor to determine if:

1. the volunteer should be called out to the scene, hospital, or other designated place
2. the volunteer should meet the victim at the sheriff's department
3. the volunteer should contact the victim by phone at that time

When a volunteer is called to go out to the scene of a crime, a law enforcement officer must be present.

### WHAT VOLUNTEERS MAY DO

The primary role of the volunteer is to offer support and information to the victim. This will include answering the victim's questions, informing the victim of the immediate events (including not to shower or wash up before the examination), hospital procedures, and questions that she will be asked by the investigator. The volunteer may also accompany the victim during the investigation. The volunteer will recommend follow-up services for the victim and her family.

### WHAT VOLUNTEERS SHOULD NOT DO

The volunteer should not:

Ask the victim question concerning the actual assault unless specifically asked to do so by the investigating officer.

Disrupt any evidence at the scene.

Speak to the news media, or any group, without the permission of a command officer .

1. Each volunteer should understand that:
  - a. Whatever the victim tells the volunteer is not privileged communication.
  - b. The volunteer may be subject to a court subpoena to testify.
  
2. As a general rule, try to avoid having the victim make statements concerning the facts surrounding the assault or the attacker's description. No effort should be made to encourage the victim to relate the details of the attack unless specifically asked to do by the investigator.
  
3. If the victim makes statements which the volunteer believes may be important to investigating the case, the investigator handling the case should be notified immediately.
  
4. The victim's questions regarding laws, court procedures, and processing of a particular case should be referred to the investigator handling the case or the Victim/Witness Unit of the district attorney's office.

DATE \_\_\_\_\_

ARAPAHOE COUNTY  
VICTIM ASSISTANCE PROGRAM  
VOLUNTEER APPLICATION

Name: \_\_\_\_\_ Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Best time to call: Home \_\_\_\_\_ Work \_\_\_\_\_

Address: \_\_\_\_\_

Mailing address, if different from above: \_\_\_\_\_

PERSONAL DATE:

Are you over the age of 18, and under the age of 65? \_\_\_\_\_

Name(s) of relative(s) employed by the Arapahoe County Sheriff's Department, if any? \_\_\_\_\_

Have you ever been convicted of a criminal act (traffic offenses, juvenile offenses excluded)? \_\_\_\_\_

If Yes, please explain \_\_\_\_\_

PREVIOUS WORK EXPERIENCE:

As a Volunteer: \_\_\_\_\_

Employment: \_\_\_\_\_

Education and Training: \_\_\_\_\_

Other Pertinent Information: \_\_\_\_\_

Do you have a valid operator's license? \_\_\_\_\_

Do you have your own transportation? \_\_\_\_\_

Do you have insurance on your car? \_\_\_\_\_ What type? \_\_\_\_\_

What does volunteerism mean to you? \_\_\_\_\_

Except for vacation or emergencies, are you willing to give a full year's commitment to the Victim Assistance Program? \_\_\_\_\_

What is most important to you in a Volunteer job? \_\_\_\_\_

What skills or interests would you like to develop or learn more about? \_\_\_\_\_

Please explain why you are interested in becoming a volunteer for the Victim Assistance Program. What do you hope to achieve through volunteering?

Please list three references, other than relatives, who have known you for at least one year:

Name	Address	Phone
------	---------	-------

Name	Address	Phone
------	---------	-------

Name	Address	Phone
------	---------	-------

Please list someone to notify in case of an emergency:

Name	Address	Phone: Home	Work
------	---------	-------------	------

Relationship

Please mail to: NANCY FELDMAN, ARAPAHOE COUNTY SHERIFF'S DEPARTMENT  
5686 SOUTH COURT PLACE, LITTLETON COLORADO 80120  
795-4751

VICTIM ASSISTANCE PROGRAM  
TRAINING OUTLINE

I. Notification by Investigation Supervisor

- A. Return call to dispatch to verify the call and information received
- B. Responding to call
  - 1. Respond to location indicated.
  - 2. Maintain neat, professional appearance
  - 3. Thirty minute response time

II. Arrival at location

A. Determine basic situation

- 1. Contact officer, identify self and determine situation
  - a. victim's name
  - b. emotional state of victim
  - c. physical injuries
  - d. family/friend notification, if present or responding
  - e. any basic elements of the incident necessary either to aid in personally relating to the victim or for obtaining information required by the officer.
  - f. determine whether there has been oral sex (ask the officer first). If there has been oral sex, victim may not have anything to eat or drink until after oral swabs have been taken.
- 2. Contact the nurse after you arrive at the hospital, identify yourself

III. Contact Victim

- A. Address victim by name
- B. Advise victim of your name and purpose for your presence
  - 1. V.A.P. volunteer, not a police officer or hospital employee
  - 2. Present to stay with victim, to talk, to answer questions, to be with victim.
- C. Personally determine victim's emotional condition

## Training Outline

1. If highly emotional, allow time and assistance in calming a victim down; alleviate emotional and physical fears.
    - a. reassure victim she is not at fault, etc.
    - b. reassure victim that she is safe in present surroundings
    - c. reassure victim regarding officer's presence
  2. Talk with victim
    - a. general conversation, victim's job, family, children
    - b. try to get victim to relax and begin opening up
  3. Help victim recognize and face the situation
    - a. Let the victim talk about the things that concern her
    - b. Be a good listener
    - c. prepare victim to give officer full and complete report
      1. advise victim that officer will have to ask very personal and possibly embarrassing questions and tell them why they will ask these types of questions
- D. Advise victim of hospital exam
1. Pelvic examination
    - a. to determine internal injuries
    - b. test for presence of sperm and other physical evidence
  2. Pubic and head hair combing and plucking
    - a. combed for loose hair which may belong to suspect
    - b. plucked for positive identification as belonging to victim
- E. Advise victim of Investigative interview
1. will generally be conducted later
  2. will be in more detail
  3. investigators very well trained
  4. reassure victim regarding officer's professionalism
- F. Advise victim of County Victim-Witness program in the event that a suspect is apprehended and goes to trial.
- G. Discuss possible emotional reactions

## Training Outline

1. fear of being alone, of the dark, of similar situations or persons
  2. fear of rejection by loved ones
  3. self-blame
  4. feeling unclean
  5. embarrassment
- H. Refer victim to counseling agencies
1. advise victim to talk to someone if she feels unable to cope
  2. may be friend, family or professional counselor
  3. recognize need for assistance in dealing with the situation
  4. Give victim resource list
  5. Let victim know about crime prevention officers when appropriate
- IV. Make victim as comfortable as possible
- A. After determination on oral sex has been made and as soon as feasible, offer the victim coffee, soft drink, etc.
- B. In an emergency, work with the officer to arrange for housing for victim if she is unable to go home and has no one to stay with for the night.
1. Gateway Battered Women's Center
- V. Contact family, friends, etc. who are at the hospital, sheriff's dept., etc.
- A. Determine emotional state and ability to cope
1. Advise family/friends of possible future emotional reactions of victim as well as the reactions they may go through
  2. encourage family/friend to become support system for victim in dealing with emotions
  3. advise family/friend of counseling services available
- B. Family/friend may be going through their own emotional trauma
1. may not be able to personally cope with situation
  2. may be angry at suspect
    1. want to find suspect
    2. seek revenge

## Training Outline

3. may be angry at victim
  - a. may think she was asking for it (myths of rape)
  - b. may be deeper family/marital problems
- C. Calm family member or friend
  1. try to make them understand that the victim's welfare is the priority issue
  2. looking for revenge can multiply problems
- D. Encourage family/friend to support victim
  1. advise of possible future emotional reactions for victim and/or family
  2. encourage family/friend to become support system for victim
    - a. family/friend knows victim better
    - b. can watch for behavior changes, emotional struggles, withdrawal, fears, etc.
    - c. advise family/friend of counseling services available
- VI. Give victim and/or family resource list and let her know she can contact Nancy Feldman at 795-4751 for further information or for any other questions she may have (not particularly related to the investigation of the case)
  - A. She may get ahold of you by leaving a message at the number 795-4751.

Parts of this outline were taken from the Aurora Police Dept.'s P.A.C.T. program

ARAPAHOE COUNTY SHERIFF'S DEPARTMENT  
VICTIM ASSISTANCE PROGRAM  
VOLUNTEER TRAINING SCHEDULE  
FALL 1984

The Victim Assistance Program is designed to assist victims of sexual assaults and other crimes by providing information, crisis counseling, emotional support, and community resources to victims and their families.

All sessions are held at:

Arapahoe County Sheriff's Department  
5686 South Court Place  
Littleton  
Library/Conference Room

Thursday, September 20, 1984

7:00 p.m. - 10:00 p.m.

Opening remarks and introductions. Introduction to the Victim Assistance Program (history, services, philosophy, etc.). Structure of the Sheriff's Department. General information about the crime of sexual assault. The myths of rape.

Saturday, September 22, 1984

9:00 a.m. - 4:00 p.m.

9:00 a.m. - 10:00 a.m.	Introduction to Victimization
10:00 a.m. - 10:45 a.m.	Film and Discussion
10:45 a.m. - 11:45 a.m.	Victim Assistance Policies and Procedures
11:45 a.m. - 12:00 p.m.	Tour of Sheriff's Department
12:00 p.m. - 1:00 p.m.	Lunch
1:00 p.m. - 2:00 p.m.	Police Procedures
2:00 p.m. - 4:00 p.m.	The Legal Process

Monday, September 24, 1984

5:30 p.m. - 7:00 p.m.

5:30 p.m. - 7:00 p.m.

Hospital Procedures  
Rape Kit  
Tour of Swedish Hospital

Saturday, September 29, 1984

9:00 a.m. - 4:00 p.m.

9:00 a.m. - 4:00 p.m.

Crisis Intervention Techniques  
Counseling Skills  
Role Playing

Thursday, October 4, 1984

7:00 p.m. - 10:00 p.m.

7:00 p.m. - 8:00 p.m.

8:00 p.m. - 8:30 p.m.

8:30 p.m. - 10:00 p.m.

Needs of Victims and Their Families  
Resources in the Community  
Current Volunteers and Wrap-up

EVANSTON POLICE DEPARTMENT  
VICTIM WITNESS YOUTH OUTREACH BUREAU

This program provides a twenty-four hour response to crime victims, with particular focus on victims of violent crime. The program receives referrals directly from the officers or from a daily bulletin that identifies victims, according to guidelines set down in the General Orders.

The major services include:

- Crisis counseling
- Assistance in obtaining benefits under the Illinois Crime Compensation Act
- Court advocacy services including: information about the criminal justice system, transportation, and case status information
- Protection from the media for violent crime victims
- Referral to social service agencies

**EMERGENCY FUND**

This feature makes funds available to crime victims and witnesses to pay for certain goods and services that cannot be obtained through other resources. Funds may be dispersed for such items as: transportation, child care, emergency food, clothing or shelter, or installation of security measures in a home.

**COORDINATION WITH CRIME PREVENTION**

This program notifies each victim of a burglary about the Department's Crime Prevention services and invites the victim to participate in a free home security survey.

Evanston Police Department  
Victim Witness Youth Outreach Bureau

Attachments

1. General Order
  - Lines of Authority
  - Staffing
  - Responsibilities
2. Description of Victim Services
  - Program Priorities
  - Special Services for the Elderly
  - General Services
3. Burglary Victim Follow-Up Program
4. Form Letter to a Burglary Victim
5. Property Return Program
6. Police Service Survey Card



DEPARTMENTAL GENERAL ORDER  
EVANSTON POLICE DEPARTMENT

No. 92

Issued: February 1, 1983

Page 1

Effective: March 1, 1983

Revised:

Index as: Victim/Witness Assistance  
Victim/Witness Youth Outreach Program  
Youth Outreach  
Notification - Victim/Witness Bureau

---

**SUBJECT:** Victim/Witness Youth Outreach Bureau

---

Purpose: To provide support services to crime victims and witnesses assisting with problems resulting from victimization, and to promote cooperation with the Criminal Justice System.

To provide supervision and informal counseling services as well as psychological services to youths with social, behavioral or family problems.

- I. Authority
  - A. The Victim/Witness Youth Outreach Bureau is responsible to the Commander of the Investigative Services Division.
  - B. The Victim/Witness Youth Outreach supervisor is responsible for the conduct and work product of the staff.
- II. Responsibilities of the Victim/Witness Youth Outreach
  - A. Staffing
    1. The Unit will provide service on a 7-day per week, 24-hour per day basis, utilizing the personnel resources of the full time staff.
    2. When a staff member is not on duty, an "on call" list will indicate the name and telephone number of the person to call to provide services to crime victims as well as Youth Outreach clients.
    3. The hours of work for full time staff are predicated on the need for services.
  - B. The Unit will receive from the Records Bureau copies of the daily bulletin as information and a resource for

identifying victims and witnesses to receive services from the Unit.

1. When additional information is required, the full report will be reviewed by the Bureau.
  2. The Bureau will contact the pertinent Division or Bureau should further assistance or information be required.
  3. The Bureau will receive a full report of youths referred to the Outreach Program from the Youth Aid Bureau Commander.
- C. The Bureau will be notified in the following situations:
1. All sexual assaults.
  2. Violent crimes when the victim is in need of medical or emotional assistance.
  3. Death Notifications
  4. When the victim requests assistance.
  5. When the officer feels that the Bureau could provide services to the victim and supervisory approval is given.
  6. At the scene, the Bureau representative will do one or more of the following:
    - a. Make a referral to another agency
    - b. Offer or arrange immediate supportive services
    - c. Arrange for transportation to the Victim/Witness's home, a social service agency, or another criminal justice agency, if necessary.
- D. Establish a relationship with service agencies of the community, referring victims and witnesses of crimes to them, and also accepting referrals for assistance in crime-related matters.
- E. Establish a confidential data system listing information about victims and witnesses in order to:
1. Accurately assess needs of victims, witnesses, and youths.

2. Maintain control over referrals and tracking their delivery to the victim/witness client.
- F. Maintain and staff a Youth Outreach Program and establish working relationship with the Youth Aid Bureau in order to identify youths in need of the Program.
1. Youth Outreach Program (a police based supervision program) will provide supervision, informal counseling and psychological services to youth with social, behavioral or family problems who have police contact and adjustment problems in school.
  2. The Bureau will work closely with youth officers and School Liaison Officer's in order to identify youths with problems, and assist in treating the youths.
- G. Assist eligible victims of violent crimes in obtaining benefits under the Crime Victim Compensation Act. To accomplish this the Unit will establish liaison with the offices of the Attorney General and the State's Attorney to minimize delays.
- H. Work with the components of the criminal justice system, particularly the Clerk of the Court and office of the State's Attorney, to reduce delays of cases detrimental to the victim or witness, and improve communications relative to court date postponements and notification of the victim and/or witness.
- I. Prevent unreasonable demands on a victim of a violent crime by the press or other media.
- J. Provide transportation to victims and witnesses of crimes under, but not limited to the following circumstances:
1. The person has no means of transportation to a home, social service agency, court, or criminal justice agency.
  2. Transportation is an inducement for participation in the criminal justice process.
  3. Upon request of an investigating officer customarily transporting a victim or witness, but unable to do so.

- K. Provide community education to further increase awareness of services available to victims and witnesses of crimes
  - L. Work with the Community Relations Crime Prevention Bureau in promoting crime prevention and victims assistance programs.
- III. The Bureau will deal essentially with victims and witnesses of crimes against persons, who have sustained bodily harm or against who grievous bodily harm was intended.

Continuous studies will determine which crimes require the most service and service will be allocated and extended to other crimes on the basis of availability.

- IV. Nothing in this Order will relieve Police Officers of responsibilities relating to notifications, transportation, referrals, or tasks delegated to Departmental procedures. The Victim/Witness Youth Outreach Bureau is an additional service to the community and will not replace victim/witness assistance provided by Police Officers.

- V. The Victim/Witness Youth Outreach Bureau has funds designated as an "Emergency Fund".

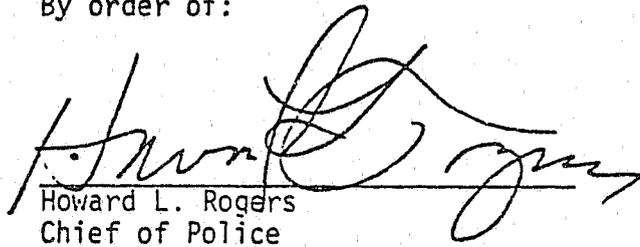
- A. Emergency Funds may only be disbursed upon approval of the Bureau Supervisor, and in the event of the following:

1. The Bureau representative is unable to refer the victim or witness to a community emergency resource.
2. An Outreach Worker or police officer is unable to provide the service.
3. The Victim/Witness has no immediate financial resources, either personal or access to resources from friends, neighbors, etc.

B. Funds may be disbursed to provide assorted necessary services including, but not limited to the following:

1. Emergency food, clothing, and housing
2. Child care
3. Transportation
4. Reinstatement of security measures in a home.
5. Replacement of eyeglasses

By order of:



Howard L. Rogers  
Chief of Police



VICTIM CALL-BACK SERVICES  
Evanston Police Department  
A Summary Report

William H. Logan  
Chief of Police

VICTIM CALL-BACK SERVICES  
A Summary Report

<u>Table of Contents</u>	Page
Victim Call-Back Services	1
Comprehensive Victim Services	2
Burglary Victim Follow-up Program	4
Property Return Program	5
Citizen Complaint Follow-up Program	6
Police Service Survey Card	7
Conclusion	8

Evanston Police Department

## Victim Call-Back Services

The traditional role of police is law enforcement, that is, maintaining order and responding to criminal activity by investigating reports of crime and apprehending the offenders. The Evanston Police Department accepts this central role of police regarding criminal activity. However, the Department recognizes its obligations to broaden its services to the community. Thus, serving the needs of the victims of crime is a high priority of the Evanston Police Department.

As anyone who has been a victim of crime knows, the experience can be very disruptive, leaving the victim or victims with feelings of loss, vulnerability, violation, and helplessness even when injury or loss of property is relatively minor. Police are in a unique position to respond to these feelings and needs by contacting victims of crime, after the initial investigative responses, in order to assure victims that emotional, legal, financial, and other support is available to them.

The Evanston Police Department provides comprehensive follow-up and support services to crime victims. However, the key to providing victims with services they need is letting them know that they are available. The Evanston Police Department actively seeks contacts with victims of crimes on a regular basis. In fact, the Evanston Police Department is one of the few departments that maintains a proactive approach to victim services.

This report highlights many of the victim call-back services sponsored by the Department.

## Comprehensive Victim Services

The Department's Victim-Witness and Youth Outreach Bureau was designed for two purposes:

1. To provide support services to crime victims and witnesses, to assist with problems resulting from victimization, and to promote cooperation with the criminal justice system.
2. To provide supervision, informal counseling services, and psychological services to youths with social, behavioral, or family problems.

In order to meet these goals, the Bureau monitors crime reports and initiates follow-up contacts. The Bureau concentrates on the following types of criminal and other incidents:

- A. Crimes: The clients that fall into this category have been the victim or witness of a crime.

For example:

- |                  |                                 |
|------------------|---------------------------------|
| - Sexual Assault | - Burglary                      |
| - Homicide       | - Child Abuse/Neglect           |
| - Home Invasion  | - Battery                       |
| - Armed Robbery  | (many are domestically related) |
| - Assault        |                                 |

- B. Noncriminal incidents: The clients that fall into this category have made contact with the Police Department, but there was no crime involved.

For example:

- |                             |                       |
|-----------------------------|-----------------------|
| - Mentally Ill Subjects     | - Suicide             |
| - Domestic Disturbances     | - Attempt Suicide     |
| - Lost and Confused Elderly | - Juvenile Problems   |
| - Missing Persons           | - Neighbor Disputes   |
| - Homeless Persons          | - Death Notifications |

C. All reported crimes where the victim is over 65 years old.

Victim-Witness personnel make personal contact with each of these types of victims to offer support and follow-up services. Home visits are often included in this victim follow-up service, especially if the victim is more than 65 years old.

Victim-Witness personnel offer a variety of services that recent victims of crime may need, including the following:

- Crisis Intervention: Emotional support and emergency food, clothing, and shelter.
- Counseling: Assisting victims through the emotional response to victimization.
- Court Advocacy Services: Providing information about the criminal justice system, transportation to and from court, contact with employers, case status reports.
- Referrals: Locating and directing victims to the appropriate social service agencies.
- Crime Victim Compensation: Assisting victims in determining eligibility for compensation under the Illinois Crime Victims Compensation Act and expediting the claims.

## Burglary Victim Follow-up Program

One of the major concerns of the Crime Prevention Bureau is burglary prevention. In an effort to promote this, the Crime Prevention Bureau sends a letter to all burglary victims to inform them about programs offered by the Department that can help prevent the recurrence of a similar incident.

Programs and services include the following:

- Commercial Crime Prevention Programs

- ⊙ Free Retail Security Surveys
- ⊙ Crime Prevention Information Packets
- ⊙ Crime Prevention Training Seminars

- Residential Crime Prevention Programs

- ⊙ Free Home Security Surveys
- ⊙ Operation Identification
- ⊙ Crime Prevention Information Packets
- ⊙ Community Crime Prevention Newsletter - The ALERT
- ⊙ Neighborhood Watch Programs



Police Department  
William H. Logan  
Chief of Police

1454 Elmwood Avenue  
Evanston, Illinois  
60204

Telephone  
312 866-5000

# City of Evanston

Dear

As a recent burglary victim, I would like you to know more about our Crime Prevention Bureau and the services we offer. The purpose of our Crime Prevention Bureau is to help the community become aware of how to protect themselves and their property. We believe that prevention is the best defense against crime and that people can learn to greatly reduce the opportunity for crime to occur.

At your request, a Crime Prevention officer will inspect your home and inform you about how to make your apartment or house as secure as possible. The officer will also inform you about our other crime prevention programs, such as Operation ID and Neighborhood Watch.

We are concerned about you and crime in your neighborhood, and the Crime Prevention Bureau would like an opportunity to serve you. Please call for a free home security survey.

Evanston Crime Prevention Bureau  
866-5018 or 866-5019  
Monday-Friday, 8:30 a.m. - 5:00 p.m.

Sincerely,

William H. Logan  
Chief of Police

WHL/mla

## Property Return Program

The Department's Property Officer maintains control over all recovered property needed for the prosecution of a case. In order to avoid delays in returning property to victims, the Property Officer maintains a monitoring system of all recovered or found property. Case status reports are periodically sent to officers in order to determine the disposition of property. If someone's property can be released, the Property Officer personally contacts the victim to report that the property is available and to explain how it can be obtained.

Also, to expedite returning property that may be needed as evidence in court, the Department seeks the approval of the State's Attorney's Office to photograph the evidence so that it may promptly be returned to the victim.

### Citizen Complaint Follow-up Program

Citizens occasionally file complaints against officers alleging acts of misconduct. The Department investigates each of these incidents thoroughly. After the investigation is concluded, a letter is sent to the complainant explaining the disposition of the complaint. The Commander of the Division of Internal Affairs then makes a follow-up contact with each complainant to discuss the disposition of the incident. This approach allows the Department to explain the investigative process to the complainant and to answer any questions the complainant may have. The result is a better understanding between the Department and the citizen.

Police Service Survey Card

A program recently initiated by the Department is the police service survey card. This postcard survey is sent randomly to a sample of crime victims. The purpose of the card is to determine the level of service the victim received from the police regarding a particular crime. The survey asks the following questions:

1. What crime were you the victim of during the last six months?  
(If more than one, name the most serious) \_\_\_\_\_

2. How satisfied were you with the amount of time it took the officers to arrive after your call?

VERY SATISFIED	SOMEWHAT SATISFIED	NO OPINION	SOMEWHAT UNSATISFIED	VERY UNSATISFIED
-------------------	-----------------------	---------------	-------------------------	---------------------

3. How satisfied were you with the first officers to arrive after your call?

VERY SATISFIED	SOMEWHAT SATISFIED	NO OPINION	SOMEWHAT UNSATISFIED	VERY UNSATISFIED
-------------------	-----------------------	---------------	-------------------------	---------------------

4. How satisfied were you with the overall job the Evanston police did about your call (including the officer who answered your first call and and follow-up contacts made by our staff)?

VERY SATISFIED	SOMEWHAT SATISFIED	NO OPINION	SOMEWHAT UNSATISFIED	VERY UNSATISFIED
-------------------	-----------------------	---------------	-------------------------	---------------------

5. What other comments do you have about the way the Evanston police assisted you with your call? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This type of feedback provides the Department with the information it needs to address victim concerns.

PINELLAS COUNTY SHERIFF'S DEPARTMENT  
VICTIM ADVOCACY PROGRAM

In 1981 Sheriff Gerry Coleman began the Victim Advocacy Program in the Pinellas County Sheriff's Department to help crime victims regain their physical and emotional well-being. The program accomplishes these goals through comprehensive intervention and advocacy services. There are currently two full time victim advocates in the program. The program is administered by the Special Services Division of the Department.

The primary services include:

- 24-hour crisis counseling and short-term counseling
- assistance in securing emergency food, clothing and shelter
- information on the criminal justice process as it relates to the victim
- assistance in filing claims under the Florida Victim Compensation Act
- liaison with criminal justice agencies and social service organizations.

#### INTERNS/VOLUNTEERS

The program uses college interns who participate through their school internship program. The program reports they do not use volunteers and the intern component has met with only limited success.

#### COORDINATION

The State's Attorney's office in Pinellas County has a Witness Management Center that provides witness notification. The Sheriff's Office notifies the Witness Management Center when they are assisting a witness to avoid duplication of services.

PINELLAS COUNTY SHERIFF'S DEPARTMENT  
VICTIM ADVOCACY PROGRAM

Attachments

1. Program Statement
  - Goals
  - How referrals are made
  - Services
2. Program Description
  - History of the Program
  - Duties of the Victim Advocate
  - Why Victim Advocacy is Good in Law Enforcement
  - Benefits
3. General Order for the Victim Advocacy Program
4. Victim Advocate Internship Program
  - Eligibility requirements
  - Tasks to be performed
  - Skills needed
  - Guidelines
5. Job Description of Victim Advocate Staff
  - Senior Position
  - Junior Position

PINELLAS COUNTY SHERIFF'S DEPARTMENT

VICTIM ADVOCACY PROGRAM

PROGRAM STATEMENT

On October 5, 1981, the Pinellas County Sheriff's Department implemented the Victim Advocacy Program (VAP) which, henceforth, will extend services to the citizens, who reside in the unincorporated and law enforcement contract areas of Pinellas County, and who have had the misfortune of becoming victims of violent crimes or misfortune.

The primary goal of the Victim Advocacy Program will be that of crisis intervention -- to aid the victim in resolving the immediate crisis and restore that individual to, at least, the level at which they functioned prior to the crime. The secondary goals will be to extend an attitude of caring and concern to the community and to encourage the prompt reporting of crimes to law enforcement agencies, as well as increase victims' and witnesses' willingness to testify. These goals will be accomplished by means of the following objectives:

1. providing crisis counseling to primary and, if necessary, secondary victims.
2. assessing the immediate needs of the victims.
3. making appropriate referrals to community service agencies and organizations.
4. assisting the victims through the criminal justice system, and
5. serving as a liason for the victims, with the law enforcement agency, courts, and corrections.

The present staff consists of one Senior Victim Advocate, who is on-call 24 hours a day, seven days a week. It is anticipated that the Junior Victim Advocate position, which was left vacant due to budgetary constraints, will be filled in the near future. Also, a corps of trained select volunteers will be established, so that a more comprehensive service delivery system may be made available to assist both the crime victims and department deputies.

In order to accomplish these goals and objectives, the following priorities and procedures have been established: First priority crime types will include the UCR Index Crimes (Part I); homicide, rape, aggravated assault, robbery, burglary, larceny-theft, and motor vehicle theft. The rape category will also include child sexual abuse and incest. Every effort will be made to contact and assist these victims. As second priority, victims of Part II offenses, such as arson, forgery, or fraud, will be assisted on an as-needed basis when staff is available.

The Victim Advocate will make initial contact with the victims as a result of one of the following:

1. call-out by a deputy or detective.
2. victim brought to SAB by a deputy or detective.
3. victim referred to the VAP by a deputy or detective.
4. victim referred to the VAP by another agency.
5. PCSD reports screened by staff.
6. self-referral by victim.

The contacts may consist of office visits, home/field visits, and/or telephone contacts.

The services to be provided will include, but not be limited to, the following:

1. crisis intervention and in some cases short-term counseling for the victim and/or secondary victims.
2. assessment of emergency needs, such as food, clothing and shelter.
3. assessment of the need for community resources, appropriate referrals, and necessary follow-up.
4. serving as liason for the victim and Pinellas County Sheriff's Department with courts, social service agencies, Florida Network of Victim/Witness Services, and the National Organization of Victim Assistance.
5. assist with Crimes Compensation claims.
6. providing victim-witness services, such as accompanying the victim to trial.
7. presenting community awareness/education programs on subjects, such as rape prevention, child abuse, spouse abuse, and others.
8. conducting in-service training for staff in victim-related areas such as sexual assault, crisis intervention, community resources, and crimes compensation law.
9. collecting and analyzing victimization data.
10. developing a feedback system to keep the deputy/detective informed of the status of the victims.

## PINELLAS COUNTY SHERIFF'S DEPARTMENT

### VICTIM ADVOCACY PROGRAM

1. A victim advocacy program was one of Sheriff Coleman's campaign pledges. He was committed to improving the treatment of victims and preserving their rights.
2. Sheriff Coleman took office in January, 1981. His Director of Special Services reviewed various programs, devised job descriptions, and budgeted for 2 positions (Jr. & Sr. Victim Advocates) and equipment.
3. October, 1981 - The Jr. V.A. position was cut from the PCSD budget, but the Sr. V.A. position and equipment was retained. The Sr. V.A. was hired and began working with victims immediately. The V.A. worked 8:30 A.M. - 5:00 P.M., Monday - Friday, but was also on call 24 hours a day, 7 days a week.
4. October - December, 1981 - The Sr. V.A. handled 59 cases. One case may be 1 or more people (usually includes secondary victims, ie. family members)
5. January - December, 1982 - The Sr. V.A. handled 210 cases, presented 106 programs. and attended 91 meetings. The V.A. serves as the PCSD representative in areas such as child abuse, sexual assault, spouse abuse, mental health, and victims rights. The Jr. V.A. position was filled on December 15, 1982.
6. January - May, 1983 - The 2 Victim Advocates handled 153 cases and presented 102 programs. They now share the on-call responsibilities. A major project this past April was Victim Rights Week. They organized and co-chaired the Pinellas County Victim Rights Task Force.
7. Staff is often supplemented by college interns and volunteers. Both must pass a background investigation and a polygraph.

#### WHAT DO VICTIM ADVOCATES DO?

1. Victim Advocates in a law enforcement agency must be well-versed in 5 areas:
  1. The criminal justice system
  2. Working in a law enforcement agency and with officer/deputies
  3. Knowledge of the social service agencies
  4. An understanding of crimes and the dynamics of victimization
  5. Excellent crisis intervention skills
2. The deputies/detectives may request a V.A. to provide crisis intervention at the:
  1. Crime scene
  2. SAB or N-end substation
  3. Hospital
3. V.A.'s review reports daily for victims who did not require crisis intervention

4. V.A.'s also get referrals from:

1. Social service agencies
2. State attorney's office
3. Citizens
4. Victims themselves

5. Victim Advocates provide:

1. Crisis counseling for victims and families
2. Explanation of criminal justice process to victims/witnesses - SAO investigation, deposition, trial, etc.
3. Limited transportation
4. Assistance in securing emergency food, shelter, medical, and legal services
5. Assistance filing Florida Crimes Compensation
6. Case followup
7. If necessary, liaison for victim with deputy, detective, state attny.

Why Victim Advocacy is GOOD in Law Enforcement

1. Has acceptance by officers - insider v. outsider
2. Has opportunity to develop rapport with and confidence of deputies/detectives
3. Has immediate access to:
  - a. Victims
  - b. Reports
  - c. Deputies/Detective
4. Works in concert with deputies/detectives, rather than in an adversarial position
5. Can assist deputies/detectives by using "team approach"
  - a. Sitting in on interviews with victim (also gives the victim support)
  - b. Sitting and talking with secondary victims, while deputies/detectives are interviewing the victim
  - c. Making arrangements for victim, such as:
    1. Getting new clothes for rape victim
    2. Transporting victim
    3. Intervening with family members, subsequent to initial deputies/detectives contact
    4. Relocating residences, if necessary (eg. spouse abuse)
    5. Intervening on behalf of victim with social service and other agencies
  - d. Keeping track of victim should victim move or change jobs
  - e. Developing supportive role with victims and witnesses
6. Victim Advocates can continually provide current social service information to deputies/detectives, such as phone numbers, policies, procedures, in order to expedite calls.
7. Victim Advocates support fills in the cracks of the system.
8. Victim Advocates help keep victims informed of status of case
9. Victim Advocacy helps make victims better witnesses
  1. Support for prosecution
  2. Define and explain invest, depo, trial (often roleplay in empty courtroom)
  3. Explain to victims re: press, media
  4. Explain to victims re: defense attorneys and their purpose

10. Victim Advocacy within a law enforcement gives Victim Advocates added credibility and clout with social service and other agencies

ULTIMATE BENEFIT for Department:

Department Looks Good

Victim Advocates bring Positive Recognition to the department

Other Department Benefits

1. V.A.'s can teach in-service training - child abuse, sexual assault, child sexual assault/incest, spouse abuse, victim advocacy, social service and crime prevention.
2. Victim Advocates show the soft side of law enforcement
3. Victim Advocates serve as spokespersons for the Victim Advocacy Program for PCSD
4. Victim Advocates are involved in public relations for victims rights on local, state, and national levels
5. Victim Advocates let deputies/detectives know that it's OK to care about victims
6. Victim Advocates recognize officers who make victim referrals. V.A.'s recognize all Positive behavior toward victims
7. Victim Advocates keep deputies/detectives informed on victim's situation
8. Victim Advocates serve on numerous committees on behalf of PCSD:
  1. Mental Health (Baker Act - invol. commitment)
  2. Child Abuse
  3. Sexual Assault
  4. Spouse Abuse
  5. Victim Rights Legislation

PINELLAS COUNTY SHERIFF'S DEPARTMENT

GENERAL ORDER A-36	EFFECTIVE DATE Immediately	RESCINDS	FILE INDEX NO. A-36
SUBJECT: VICTIM ADVOCACY PROGRAM			AMENDS
INDEX AS: VICTIM ASSISTANCE ASSISTANCE - VICTIM			DISTRIBUTION All

The purpose of this Order is to set forth the guidelines for an effective Victim Advocacy Program. It is the goal of the Pinellas County Sheriff's Department to provide a comprehensive program designed to aid the citizens of Pinellas County who have suffered victimization or misfortune by intervening and advocating on their behalf.

I. PROGRAM:

- A. The Victim Advocacy Program is designed to insure that victims who genuinely need assistance receive the benefit of all the community services that are necessary and/or available for them to regain their physical and emotional well-being, by means of a comprehensive intervention and advocacy program.
- B. The specific services to be provided are:
  1. Crisis intervention for the victim and/or secondary victims.
  2. Assessment of and advocating for emergency needs, such as food, clothing, and shelter.

3. Assessment of the need, and advocating for community resources, appropriate referrals, and necessary follow-up.
4. Serving as liaison for the victim and Pinellas County Sheriff's Department with courts, social service agencies, the Florida Network of Victim/Witness Services, and the National Organization of Victim Assistance.
5. Assisting with Florida Crimes Compensation claims.
6. Providing court-related victim/witness services, such as accompanying the victim to trial or explaining the trial process.
7. Presenting community awareness/education programs on topics such as rape prevention, child abuse, spouse abuse, and others.
8. Conducting in-service training for staff in victim related areas, such as sexual assault, crisis intervention, community resources, and the Florida Crimes Compensation law.
9. Collecting and analyzing victimization data.
10. Developing a feedback system to keep the deputy informed of the status of the victim.

## II. RESPONSIBILITIES:

- A. The Sheriff, as chief law enforcement officer, is the program director.

- B. The Director of Special Services will be in command of the program. The administration of the program will be through this office and staff members.
- C. The Victim Advocate's primary responsibility is to assist crime victims who have suffered emotional, physical or other difficulties as a result of being victimized. She/he will insure that these victims receive the benefit of all community services available to regain their physical and emotional well-being.

### III. PROCEDURES:

- A. The deputy makes contact with victim and believes there is a need for victim assistance.
- B. The deputy evaluates whether assistance needs to be immediate or not.
- C. If the deputy believes the victim requires immediate assistance, the deputy will contact a supervisor and advise him/her of the situation. If the supervisor agrees with the need for victim assistance and its immediacy, the deputy can contact the victim advocate through the Special Services Division's phone (during regular working hours) or the Communications Center.
- D. If immediate assistance is NOT needed, the deputy will make a notation at the end of the offense report for the Victim Assistance Program, and provide the victim with a victim card or business card with the phone number for the Victim Advocacy Program.
- E. Appropriate victim assistance will be at the discretion

of the victim advocate.

IV. NEWS RELEASES:

All news releases, publicity, or release of program information must be approved by the Director of Special Services and/or the Sheriff.

A handwritten signature in cursive script, reading "Gerry Coleman", written over a horizontal line.

GERRY COLEMAN, Sheriff

Date: June 20, 1983

## VICTIM ADVOCATE INTERNSHIP PROGRAM

The purpose of this program is to provide college-level students with the opportunity to learn about and work with crime victims, under the direct supervision of the Victim Advocate and/or the Director of Special Services. While only students of the highest calibre will be selected to participate in the internship program, it will be assumed by the Victim Advocate staff that the intern has no prior knowledge or experience in this field. This program will be designed to help the student develop a background and some experience in working with victims within the framework of a law enforcement agency.

### ELIGIBILITY FOR INTERNSHIP

1. The intern must be currently enrolled at a junior college, four-year college, or university.
2. The intern must be participating in the Victim Advocate Internship Program through the internship program of their school.
3. The intern should be enrolled in an appropriate area of the Social and Behavioral Sciences, such as criminal justice, psychology, sociology, social work, etc.
4. An intern will not be considered eligible if s/he has not completed all the basic, required coursework in his/her college program.
5. Ideally, the intern should have had some prior coursework or experience in the criminal justice system, counseling, and/or social service agencies.
6. The intern must agree to maintain the rules of strictest confidentiality and to abide by the guidelines of the Internship Program and the Pinellas County Sheriff's Dept. Failure to do so will result in immediate dismissal from the program.
7. Additionally, the intern must be eligible to participate in this program, according to the standards set forth by the Pinellas County Sheriff's Department, which include satisfactorily passing a background investigation and a polygraph.

### ILLUSTRATIVE TASKS

1. Learn and utilize the fundamentals of crisis intervention counseling.
2. Become familiar with the local social service agencies and the services that they offer, and be able to utilize them.
3. Become familiar with the intricacies of the investigatory and court process.
4. Assist in filing Crimes Compensation claims for victims.

### ILLUSTRATIVE TASKS (con't.)

5. Attend State Attorney investigations, court hearings, and trials with the Victim Advocate and the victims, who might need the emotional support.
6. Assist with volunteer services.
7. Attend meetings and training sessions provided by the Victim Advocates.
8. Assist with the maintenance of victim files.
9. Continually update knowledge by reading current, relevant literature.
10. Become familiar with other aspects of the Sheriff's Department with appropriate prior approval.

### DESIRABLE SKILLS

1. Ability to get along well with people.
2. Ability to be an advocate for victims of crime and/or misfortune.
3. Demonstrated willingness to learn.
4. Have an open, non-judgemental attitude toward victims, regardless of their circumstances.
5. Ability to think well and respond quickly, if the need arises.
6. Exude genuine concern and empathy for victims and their families.

GUIDELINES FOR THE  
VICTIM ADVOCATE INTERNSHIP PROGRAM

The Internship Program is permitted through the courtesy of the Sheriff and the Pinellas County Sheriff's Department for the purpose of further expanding the knowledge base of the student and offering the opportunity for some hands-on supervised experience. Since the Sheriff's Department is the second largest county agency, and by the very nature of a law enforcement agency, certain guidelines are set forth and must be adhered to.

1. Confidentiality is a MUST. You will be privy to sensitive and confidential information in and around the Sheriff's Department. It is imperative both for the privacy of the victims and the safety of the officers that you maintain confidentiality.
2. During the regular work hours (8:00 A.M. - 5:00 P.M.), business attire is required. Jeans are not appropriate.
3. Interns are not permitted to respond to any questions from the media without prior approval from the Director of Special Services. A careless or unguarded word could jeopardize an on-going investigation. Refer questions to the Public Information Officer.
4. Should you be temporarily assigned to another area, such as patrol, detectives, or ID, you will be directly responsible to that individual and his/her supervisor.
5. When on-duty as an intern, your demeanor must be of the highest calibre, as you and your behavior are a direct reflection on the Sheriff's Department.
6. Interns must maintain the specified hours agreed upon with the Victim Advocate, unless prior arrangements have been made.
7. No alcoholic beverages will be consumed while on duty!!!
8. Failure to comply with the guidelines set forth will result in immediate dismissal from the Internship Program.

I have read the above guidelines and agree to abide by them. I understand that failure to comply with the guidelines will result in my immediate dismissal from the Victim Advocate Internship Program.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

Salary Range: \$19,925.88 - \$25,258.48

SENIOR VICTIM ADVOCATE

POSITION DESCRIPTION

The Victim Advocate will work as the Senior member of a two person team, under the direct supervision of the Director of Special Services. The position combines both direct services, to victims of crime and misfortune, and community education, as well as liaison work between the needs of law enforcement and the needs of victims.

ILLUSTRATIVE TASKS

1. Aiding and initial counseling for victims of Part I crimes or serious misfortune with referral on to appropriate social services or direct aid in either negotiating for, or advocating for services.
2. Filing for Crimes Compensation for victims in need of restitution.
3. Attending State Attorney investigations and court hearings with victims who need the emotional support (principally rape victims).
4. Developing and coordinating volunteer contributions and services, such as money, materials, and labor.
5. Training Pinellas County Sheriff's Department staff in Victimization Sensitivity for issues such as:
  - A. Mental Illness
  - B. Sexual Assault/Abuse
  - C. Child Abuse
  - D. Referrals
6. Limited transport of reluctant or disabled victims/witnesses to court.

## VICTIM ADVOCATE (con't.)

7. Assist staff with making appropriate social service referrals.
8. Assist victim in securing the return of any personal property used as evidence when the court procedures are completed.
9. Make public presentations on subjects germane to victimology.

### DESIRABLE SKILLS

- get along well with people
- ability to be an advocate for specific victims, and victims as a class
- be self-directed and creative in tackling problems
- have an open, non-judgemental attitude toward victims, regardless of their circumstances
- be able to think well and respond quickly in crisis
- exude genuine concern and empathy for victims and their families
- be able to explain the intricacies of the investigatory and court process

### DESIRABLE TRAINING AND EXPERIENCE

Graduation from an accredited college, with a Master's Degree in counseling, criminal justice, social work or related field, or four years experience in social services, law enforcement, or counseling.

The applicant should have a working knowledge of the Pinellas County social and economic service delivery system, as well as the criminal justice system

Salary Range: \$16,542.76 - \$21, 903.96

JUNIOR VICTIM ADVOCATE

POSITION DESCRIPTION

The Victim Advocate will work as the Junior member of a two person team, under the direct supervision of the Director of Special Services. This position combines both direct services, to victims of crime and misfortune, and community education, as well as liaison work between the needs of law enforcement and the needs of victims.

ILLUSTRATIVE TASKS

1. Aiding and initial counseling for victims of Part I crimes or serious misfortune with referral on to appropriate social services or direct aid in either negotiating for, or advocating for services.
2. Filing for Crimes Compensation for victims in need of restitution.
3. Attending State Attorney investigations and court hearings with victims who need the emotional support (principally rape victims).
4. Developing and coordinating volunteer contributions and services, such as money, materials, and labor.
5. Training Pinellas County Sheriff's Department staff in Victimization Sensitivity for issues such as:
  - A. Mental Illness
  - B. Sexual Assault/Abuse
  - C. Child Abuse
  - D. Referrals
6. Limited transport of reluctant or disabled victims/witnesses to court.

## VICTIM ADVOCATE (con't.)

7. Assist staff with making appropriate social service referrals.
8. Assist victim in securing the return of any personal property used as evidence when the court procedures are completed.
9. Make public presentations on subjects germane to victimology.

### DESIRABLE SKILLS

- get along well with people
- ability to be an advocate for specific victims, and victims as a class
- be self-directed and creative in tackling problems
- have an open, non-judgemental attitude toward victims, regardless of their circumstances
- be able to think well and respond quickly in crisis
- exude genuine concern and empathy for victims and their families
- be able to explain the intricacies of the investigatory and court process

### DESIRABLE TRAINING AND EXPERIENCE

Graduation from an accredited college or university, with a degree in counseling, social work, criminal justice, or a related field, with practical experience in the field, or two years of college with four years experience in the field.

The applicant should have a working knowledge of the Pinellas County social and economic service delivery system, as well as the criminal justice system.

## SESSION 5

---

### THE ROLE OF THE SHERIFF IN VICTIM ASSISTANCE

---

#### SUMMARY OF SESSION

There are 3,100 sheriff's departments in the United States. Approximately 2,500 provide full service to their constituents--law enforcement, corrections, court services, and civil process--while the remainder provide less than full service. Each department is different in size, jurisdiction, responsibilities, and resources. Yet each sheriff is an elected official who has significant influence with both the electorate and the professional members of their local and state justice system.

In this session, SSA Task Force members, working as a team, will use information from previous sessions and will formulate a set of reasons that describe state or local actions that can be taken by sheriffs to assist victims, regardless of the size or responsibilities of the office of the sheriff. To assist in this team task, SSA members will follow a problem-solving process termed Nominal Group Technique. The technique is useful for the SSA Task Force members for developing state and local plans of action in subsequent sessions.

In outline form, this session will be as follows:

- Problem Statement for SSA Task Force members;
- Explanation of Nominal Group technique;
- SSA Task Force Group work;
- Outcomes of Work;
- Presentation and review of SSA Task Force Reports;
- Consensus Statement: A Regional Task Force Report.

The NGT is a seven-step process; explanations of each step are attached each SSA Team will work in a separate area. At the end of the task, all teams will assemble in the main training room. Presentations will be made by each team followed by a modified NGT for the full assembly. The outcome of the full assembly consensus will then be typed and published in a future issue of The National Sheriff magazine and/or the NSA Victim Assistance Newsletter.

## NOMINAL GROUP TECHNIQUE

1. SILENT GENERATION OF IDEAS
2. ROUND ROBIN LISTING
3. CLARIFICATION/NO DEBATE
4. PRELIMINARY VOTING
5. DISCUSSION/DEBATE
6. FINAL VOTING
7. TASK FORCE REPORT

## PROBLEM STATEMENT

- GIVEN your present understanding about the characteristics of victimization and the personal impact that crime has on victims and your understanding about the role of victims, state laws, and types of victim/witness assistance efforts...and...
- GIVEN that each sheriff's department and each State Sheriffs' Association is different...
- THE PROBLEM your Task Force is to address is:

WHAT ARE THE ACTIVITIES AND ROLES THAT A SHERIFF AND THE STATE SHERIFFS' ASSOCIATION CAN PERFORM WITHIN THE NEXT TWELVE MONTHS TO PROVIDE ORGANIZED ASSISTANCE TO VICTIMS AND TO FOSTER STATE POLICIES ON BEHALF OF VICTIMS?

- THE TECHNIQUE that you will follow to resolve this problem is explained on the next pages.
- THE REPORT from your Task Force which summarizes your results will contain at least 3 statements that specify your answers.
- THE TASK FORCE REPORT will be presented to the full assembly. The full assembly will then develop a REGIONAL TASK FORCE REPORT which will summarize and describe at least 6 statements that identify activities and roles of a sheriff and State Sheriffs' Association on behalf of victims. This REGIONAL TASK FORCE REPORT will be published in NSA publications.

## NOMINAL GROUP TECHNIQUES: SUMMARY

### ● Description:

Meetings within organizations are not always productive. Most executives feel that much of their time which is taken up in meetings is not always well spent. Nominal Group Technique is a way of organizing a meeting to enhance its productivity, to balance and increase participation, to use different processes for different phases of the group-meeting and different phases of group problem-identification and group problem-solving, and to reduce errors in compiling individual judgments into group decisions.

### ● Steps:

#### Step 1: Individual Generation of Ideas in Writing: 10 Minutes

The leader of the group presents the question or issue to the group in writing and briefly reads the question or issue. Each individual member of the group takes time (5-8 minutes more or less) to list in writing their responses to the question or issue, in brief phrases, on a piece of paper; this is done silently and independently by each individual.

#### Step 2: Recorded Round-Robin Written Listing of Responses of Charts: 20 Minutes

Each member is asked by the leader to read out one of his/her written ideas in turn. Each idea is written on a flip-chart as it is read. This procedure continues around the table enough times for each individual member to exhaust his/her list.

#### Step 3: Brief Clarification of Ideas Listed on Charts: 20 Minutes

Ideas or statements that need clarification are clarified and/or briefly explained by the individual who presented the idea. If necessary, some ideas can be consolidated--but only if it is clear that these ideas are similar and/or redundant. Justifying or explaining in great detail any ideas should not be permitted at this time.

#### Step 4: Preliminary Vote on Priorities: Silent/Independent: 10 Minutes

The leader asks the group to select from the entire listing of ideas on the flip charts 5 of the most important or priority ideas. Priority #1 is to be ranked as a "5", Priority #2 is to be ranked as a "4" and so on until all 5 statements are rank ordered by each member. The leader will then tabulate the votes on the flip charts.

#### Step 5: Group Discussion of the Preliminary Vote: 20 Minutes

Open discussion is used to examine inconsistencies in the voting

pattern, justify and/or evaluate different positions, and rediscuss items which are perceived as receiving too many or too few votes.

**Step 6: Final Vote on Priorities: Silent/Independent: 5 Minutes**

Using the listing of rank ordered priorities determined by the group and displayed by the leader, the group is to repeat Step 4 and select 3 of the most important or priority ideas. Priority #1 as "3", Priority #2 as "2" and so on...

**Step 7: Final Listing and Agreement on Prioritized Items: 5 Minutes**

The results from Step 7 are listed on a chart or charts and provides a record of the groups agreement for presentation to the other groups. (If agreeable to the group, a minority-voting position or bloc can also be created and presented by those who feel the need to do so.)

STEPS AND TIME FRAMES TO BE FOLLOWED

Step 1: Review of Background Data to Question and Silent Generation of Ideas by Individuals

List, in short phrases, as many ideas or statements as you want... Be prepared to express these verbally...and briefly...in the next step.

IDEAS/STATEMENTS:

STEP 2: Facilitator/Leader Lists Individual Ideas on Charts

This listing will be done round-robin for each set of ideas; facilitator will list ideas in writing. You may wish to keep notes of others ideas for use, by you, in the next step. Each statement or idea is numbered by the facilitator as they are listed on the charts.

NOTES:

STEP 3: Brief Clarifying Discussion:

Ideas or statements listed on the charts that may need clarification (or can be obviously consolidated with other statements) are clarified by the individual who proposed the idea or consolidated if the two or more ideas proposed are agreed to be consolidated by the individuals who proposed them. You may wish to keep notes of this discussion.

NOTES:

STEP 4: Preliminary Vote: Individual Voting

Each group member is to select five statements listed on the charts and rank order them by giving a "5" for the highest priority, etc. Each member will identify the statement and the facilitator will place a number beside each statement on the chart. The numbers will be totalled and a rank ordering of preliminary priority statements will be displayed by the facilitator.

NOTES:

STEP 5: Group Discussion of Preliminary Vote

Open discussion is used to examine inconsistencies and commonalities in the voting pattern, to justify or evaluate differing positions, to rediscuss items that are perceived as receiving too many or too few votes.

NOTES:

STEP 6: Final Vote on Priorities

Each member is to review the listing of rank ordered priorities as they are displayed on the charts. Review, also, the discussion that took place in the previous Step 5.

A Final Vote will be taken. The process used in Step 4 will be repeated. The final total will be listed by the facilitator.

STEP 7: Prepare Final One-page Report and Select Representatives

The group will write its final report on a flip chart. An individual (or a panel) will then be selected by the group to present its findings to the full assembly.

Each representative--or panel--will have up to 7 minutes to make its presentation. The group may wish to instruct its representative--or panel--on what are the major issues that should be clarified to the full assembly in the groups presentation report.

TASK FORCE REPORT:

## SESSION 6

---

### THE NSA GUIDELINES FOR VICTIM ASSISTANCE

---

#### SUMMARY OF SESSION

Each SSA Task Force member has received and reviewed a copy of "The NSA Guidelines for Victim Assistance". This text has been published by the NSA Victim Witness Program and provides to the reader a detailed analysis of the background, rationale, and role of the sheriff in providing leadership and assistance to victims.

The GUIDELINES section of the text lists several hundred specific policy statements and/or action steps that can be taken in a local jurisdiction, agency, or state to modify the present manner in which the justice system responds to and assists victims.

In this session, a presentation will be made that reviews and discusses the principal sections of the GUIDELINES. The objective of this presentation is to enable the SSA Task Force members to understand the multiple actions that can be taken at the state level--through the legislative and leadership initiatives of the SSA and others--and at the local level--through the leadership and provision of services by local sheriff's departments. To facilitate this understanding selected guidelines will be reviewed and evaluated, using structured worksheets in each case.

In outline form, the session will provide an opportunity for review and analysis of selected guidelines from the following:

- ⊙ GUIDELINES to assist the victim and witness in the justice system:
  - Law Enforcement
  - Prosecution
  - Judiciary
  - Probation
  - Parole
  
- ⊙ GUIDELINES on prevention of victimization and community awareness.
  
- ⊙ GUIDELINES to assist special victims of crime

## GUIDELINES FOR VICTIM AND WITNESS

### ASSISTANCE

INTRODUCTION. "The NSA Guidelines for Victim Assistance", one of the documents provided to each of you as you registered, represents a primary reference relative to victim assistance generally and to specific actions that can be taken by the sheriff in the provision of such help. The manual is organized into three main parts:

- background and an understanding of the problem, Chapters 1-6;
- guidelines for dealing with the problem, Chapters 7-10;
- references and readings beginning on Chapters 11-12.

What are "guidelines"? Webster defines a guide as something that "directs, supervises or influences toward a particular end" and a guideline as "an indication of policy or conduct". For our purposes, the guidelines provided in the manual are defined as "a suggested course of action or conduct toward enhanced victim or witness assistance".

THE GUIDELINES: AN OVERVIEW. Taken as a whole, the Guidelines present a broad picture of the range of actions that may be taken by the respective elements of the criminal justice system and through the enactment of legislation for enhanced assistance of victims. An understanding of the range of these actions and the agencies who should have primary responsibility for them provides a perspective of the services and leadership than can and should be provided by the sheriff.

How the guidelines were developed.

• Basic thesis:

1. It is essential that the sheriff fully understand the need for change in fundamental terms and in specific respects relative to what he or she can do and what should be done in concert with others.

a. Chapters 1-6 of the text address the problem of victimization and describe the environment within which changes can be made.

b. Specific steps or actions are listed in Chapters 7-10 that provide guidance as to what can and should be done.

2. Improvements in the local justice system response to victim and witness needs should be directed at actual operational responsibilities of system practitioners that bear on victims, witnesses or the families or survivors of victims of crime.

3. The sheriff has a pivotal role to play in bringing about enhanced assistance to victims and witnesses and to family members of victims of crime, either independently or in concert with others.

- Guidelines for the criminal justice system follow chronological steps beginning with the report of the crime. See flow charts in the Guidelines text beginning on page 51, which present discrete steps in the criminal justice process. These represent potential transactions between system practitioners and the victim or witness.
  - a. The Handout provided in the Appendix of the Participant Handbook represents, in a different form, those transactions and in terms of expected needs or concerns of victims.
- Guidelines represent actions that have been documented, practiced or proposed somewhere in the nation in nearly all cases. Previous work by the American Bar Association, the National District Attorney's Association, Task Force reports and our own research and substantial literature developed at the federal, state and local level provide references for actions proposed.
- Actions proposed in the guidelines do not limit the discretionary power of the sheriff, or any other representative of the system, to adopt or adapt them nor are they contradictory to existing legislation or other law.

How the guidelines are organized. Guidelines are presented in three categories:

- to assist the victim and witness in the criminal justice system beginning with Chapter 8, page 57;
- to assist special victims, beginning with Chapter 9, page 77; and,
- those relating to the prevention of victimization and to community awareness programs beginning with Chapter 10, page 111.

#### HOW TO USE THE GUIDELINES.

##### Analysis

- Session 8, tomorrow morning, will deal with the procedures to be used in planning victim assistance programs, including analysis of current assistance resources at the state and local level. This will also allow the identification of "gaps" in service or assistance now being provided at the local level. Steps to bridge these gaps are specifically defined in terms of the Guidelines text. But each must be examined with care to be sure that it fits with the specific needs of your own county. Thus, an analysis of each Guideline is needed against the backdrop of the need for assistance that will be developed.
  1. Method of analysis. Each guideline should be critically examined to review the action proposed in light of current practices. What is done now? To Whom? By Whom? Is the effort or assistance adequate in meeting the need?
  2. Range of results of the analysis expected: The result of the

analysis of each Guideline can be expected to be:

- a. assistance now meets the Guideline;
- b. assistance indicated in the Guideline is not being provided;
- c. assistance indicated in the Guideline is being provided at the present time, but not to the extent or degree specified in the Guideline.

④ Principal advantages in the use of the Guidelines:

1. Guidelines help in the formulation of the goals and objectives of the victim assistance program...more about this tomorrow.
2. Guidelines facilitate the explanation of the program goals and objectives to others and in constructing appropriate training programs.
3. Guidelines give the foundation for the rationale for victim assistance program elements...and more about this tomorrow also.
4. Most importantly...Guidelines assures that all victims and witness assistance needs are addressed.

Analysis Exercise: The following pages represent selected Guidelines. It will be found that a specific Guideline will have an application in your county ranging from zero to full and it may be determined that all actions indicated in the guide are now being taken--adequately or partially. But each Guideline, to be most useful, must first be fully understood and then examined in light of the situation existing in your county.

The following pages represent worksheets for your analysis allowing you to make notes concerning each of the examples used. Any Guideline in the text can be examined in the same manner.

1. LAW ENFORCEMENT

1.0 GENERAL GUIDELINES: See page 58

1.0.2 Sheriffs should review, and modify, as needed all written policies and procedures that govern the transactions between sheriff's employees and victims, victim representatives, victim families and witnesses so that such policies and procedures take into account the legitimate needs, rights and role of the victim or witness in these transactions. (Many of these transactions are discussed in subsequent GUIDELINES)

Evaluation:

1. Is the guideline clear?            Yes \_\_\_\_\_            No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

1.1 INITIAL INVESTIGATION: See pages 59-60

1.1.5 Every patrol officer and investigator should have brochures to give to the victim or the family that list the next steps to be taken in the case process, the name and/or phone number where case status information can be found, and information about crime prevention services.

Evaluation:

1. Is the guideline clear?            Yes \_\_\_\_\_ No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

1.1 INITIAL INVESTIGATION: See page 60

1.1.6 Every patrol officer and investigator should have copies of brochures to be given to the victim or the victim's family at the time of the initial investigation that list information about services and assistance for victims.

1. Is the guideline clear?      Yes \_\_\_\_\_ No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

1.2 FOLLOW-UP INVESTIGATION: See page 62

1.2.1 Appropriate written and verbal instructions should be given to victims and witnesses concerning their role in the follow-up phase of the investigation. Efforts should be made by the department to schedule interviews and meetings so that the needs of victims and witnesses are balanced against the needs and objectives of the investigations. Transportation should be offered by the department at no charge to the victim or witness. Among the steps requiring instruction for the victim or witness are:

- (1) Physical and medical examination of victim for evidentiary purposes as well as for medical treatment purposes;
- (2) Photographing and fingerprinting victims for evidentiary purposes;
- (3) Review of police photograph files as part of suspect identification and description;
- (4) Reviewing line-ups of potential suspects, and where it is required that the victim participate in the identification of a person arrested, the investigator should advise the victim of this requirement, explain the process to be used (such as a line-up) arrange for a time convenient for the victim, and, provide transportation for the victim from and to the victim's residence or work location.
- (5) Interviews of victims and witnesses by investigators and prosecutors.

1. Is the guideline clear?        Yes \_\_\_\_\_        No \_\_\_\_\_

2. Why is this guideline important?

3. Is the activity indicated now being provided in your

- a. Department \_\_\_\_\_
- b. County \_\_\_\_\_ by \_\_\_\_\_
- c. At the State level \_\_\_\_\_

4. If not, how feasible is this guideline in your

- a. Department \_\_\_\_\_
- b. County \_\_\_\_\_

5. If less than fully feasible, why?

6. Which agency should be primarily responsible?

1.3 ARREST AND POST ARREST PROCESSING: See page 63

1.3.1 The victim or the victims' family should be notified by phone as soon as possible, and by subsequent letter about the arrest (s) of suspect (s), custody status, and the charges filed.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

2. PROSECUTION

2.1 CASE SCREENING: See page 65

2.1.1 Victims should be notified by phone and in writing about their role in the case screening process. They should be advised of the pre-trial hearings or meetings in which decisions about their cases are made. Transportation should be offered, at no charge, to the victim to attend these hearings and meetings. Involvement by the victim or witness should include their input through participation in discussions and information provided by them with respect to:

- (1) Decisions to file or not file the case because of judgements made by the prosecutors; explanations to the victim about the prosecutors screening criteria, and, the reasons underlying decisions to file or not to file;
- (2) Decisions made by the prosecutor to reduce or to increase the original charges and the reasons for such decisions;
- (3) Decisions made by the prosecutor to negotiate with the defendant a guilty plea to a charge that is lower in degree or less than originally presented and the reasons for such decisions;
- (4) The role of the victim and/or a victim representative in the conduct of a formal structured plea bargaining session to which the victim is invited as a participating member where such a formal practice exists;
- (5) Decisions made regarding diversion and the criteria used for diversion, and the right of the victim to request that victim restitution be made a condition of the diversion.
- (6) Decisions made to prepare the victim's case for a bench or jury trial and the prospective role of the victim and witnesses in that trial.

1. Is the guideline clear? Yes \_\_\_\_\_ No \_\_\_\_\_

2. Why is this guideline important?

3. Is the activity indicated now being provided in your

- a. Department \_\_\_\_\_
- b. County \_\_\_\_\_ by \_\_\_\_\_
- c. At the State level \_\_\_\_\_

4. If not, how feasible is this guideline in your

- a. Department \_\_\_\_\_
- b. County \_\_\_\_\_

5. If less than fully feasible, why?

6. Which agency should be primarily responsible?

2.2 THE GRAND JURY, PRELIMINARY HEARINGS, ARRAIGNMENTS, AND MOTIONS:  
See page 66

2.2.1 Victims and witnesses should be notified and instructed by phone and in writing about their role in the preliminary hearing. They should be advised of the date, time, and location, of the preliminary hearing. Efforts should be made to permit the victim to deliver, at this preliminary hearing, oral or written Victim Impact Statements describing the physical, psychological, financial and familiar impacts suffered by the victim. Such statements should also be entered as part of the record of this hearing. (See Law Enforcement GUIDELINE 1.1.10 above).

1. Is the guideline clear?        Yes \_\_\_\_\_        No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

2.2 THE GRAND JURY, PRELIMINARY HEARINGS, ARRAIGNMENTS, AND MOTIONS:  
See page 67

2.2.6 Victims should be notified by phone and in writing if a defendant has been freed on bond and the conditions of the bond at anytime during the criminal justice process.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

3. JUDICIARY: See page 69

3.0 GENERAL

3.0.2 Sheriffs should work with Judges and court administrators to ensure that all victims and witnesses in criminal cases be provided a brochure about court procedures and courthouse facilities. This brochure should include information about: the rights of victims and witnesses; the physical layout of the courtroom; parking areas; public transportation routes; victim or witness waiting rooms; state compensation funds; procedures for preparing vouchers for witness fees and allowance; and other necessary information. Distribution of these brochures should be done so that each victim or witness receives the information prior to the court proceeding.

1. Is the guideline clear?            Yes \_\_\_\_\_    No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

3. JUDICIARY: See page 70

3.0 GENERAL

3.0.8 The sheriff should consult with the prosecutor and the judge to review the procedures regarding the court issuance of injunctions, temporary restraining orders or admonishments by the court to limit the access of the defendants to the victim or witness in actual or threatened instances of victim or witness intimidation. This review should focus on the need to streamline these procedures so that a prompt court sanction (an order or admonishment) can lessen the potential for or reduce the actual numbers of such incidents.

1. Is the guideline clear?            Yes \_\_\_\_\_            No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

3.1 TRIAL: See page 71

3.1.3 Sheriffs should consult with prosecutors and judges about the establishment of procedures to permit a companion or advisor of special victims (minors or adult victims of sexual assault) to accompany these victims in proceedings in courtrooms, even in those proceedings that may, on a case-by-case basis, be ordered closed to the public or the press.

1. Is the guideline clear?            Yes \_\_\_\_\_    No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

3.2 SENTENCING: See page 72

3.2.1 Sheriffs should consult with prosecutors and judges about notifying victims about their role in sentencing. They should be advised of the date, day, time and location of sentencing of defendants who have been judged guilty. Efforts should be made to permit the victim to present to the court at sentencing, orally or in writing, a Victim Impact Statement. This statement might include victim's views concerning sentencing alternatives such as victim-offender mediation, restitution, fines, simple or intensive probation, suspended sentences, community services, treatment or other types of alternative sentences in lieu of jail or prison sentences for the defendant. The intent of this guideline is to give victims the opportunity to make a non-binding statement to the sentencing court.

1. Is the guideline clear?      Yes \_\_\_\_\_ No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

4.1 PROBATION INVESTIGATORS: See page 73

4.1.1 Sheriffs and Chief Probation Officer should collaborate to establish procedures to insure that written or oral Victim Impact Statements be included as an official part of the record of a court-ordered Presentence Investigation.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

5. PAROLE: See page 76

5.0 GENERAL

5.0.1 The Sheriff should encourage the enactment of legislation that would require Parole Boards to notify victims of crime and their families in advance of parole hearings.

1. Is the guideline clear?            Yes \_\_\_\_\_            No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

1.0 CRIME PREVENTION: See page 112

1.1 Crime prevention programs should develop activities that include assistance to victims and witnesses.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

2.0 COMMUNITY EDUCATION: See page 112

2.1 Information and referral services for victims should be part of existing 24-hour hotlines in the community or efforts should be made to establish such hotlines services for victims.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
  
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
  
6. Which agency should be primarily responsible?

2.0 COMMUNITY EDUCATION: See page 113

2.8 Private corporations and public agencies that have implemented Employee Assistance Programs to assist employees in dealing with life crisis that affect employee performance and productivity should add to such programs counselling, advice, and support services for those employees and their families who are victims of crime.

1. Is the guideline clear?            Yes \_\_\_\_\_            No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

2.0 COMMUNITY EDUCATION: See page 114

2.14 Representatives of the print and electronic media in a local community should be briefed, in a workshop or seminar setting, by leaders of the justice system and others about the impact and consequences of victimization and about the role and rights of victims and their standing in the system so that appropriate balance can be obtained in the publication of news articles, editorials, and features on crime events and the criminal justice system.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

1.0 VICTIMS OF SEXUAL ASSAULT: See page 82

1.1 The sheriff should support efforts to keep confidential the names, addresses, and telephone numbers of sexual assault victims.

1. Is the guideline clear? Yes \_\_\_\_\_ No \_\_\_\_\_

2. Why is this guideline important?

3. Is the activity indicated now being provided in your

a. Department \_\_\_\_\_

b. County \_\_\_\_\_ by \_\_\_\_\_

c. At the State level \_\_\_\_\_

4. If not, how feasible is this guideline in your

a. Department \_\_\_\_\_

b. County \_\_\_\_\_

5. If less than fully feasible, why?

6. Which agency should be primarily responsible?

2.0 DOMESTIC VIOLENCE VICTIMS: See page 85

2.6 The sheriff should train dispatchers and others who receive complaints to get as much information as possible about the seriousness of the assault, including weapons, threats, and prior incidents.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

3.0 SURVIVORS OF A HOMICIDE VICTIM: See page 89

3.4 The sheriff should set up a procedure to insure that another family member or friend of the survivor is present at the time the death notification is made.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

4.0 CHILD VICTIMS: See page 93

4.27 The sheriff should support efforts to eliminate the need for a child victim to testify at the preliminary hearing.

1. Is the guideline clear? Yes \_\_\_\_\_ No \_\_\_\_\_

2. Why is this guideline important?

3. Is the activity indicated now being provided in your

a. Department \_\_\_\_\_

b. County \_\_\_\_\_ by \_\_\_\_\_

c. At the State level \_\_\_\_\_

4. If not, how feasible is this guideline in your

a. Department \_\_\_\_\_

b. County \_\_\_\_\_

5. If less than fully feasible, why?

6. Which agency should be primarily responsible?

5.0 ELDERLY VICTIMS: See page 95

5.5 The sheriff should instruct officers to be alert for signs of abuse or neglect when interviewing an elderly victim. Victims of family violence may not volunteer this information unless they have the encouragement of the officer.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

6.2 VISUALLY DISABLED VICTIMS: See page 97

6.2.5 The sheriff should assign a sighted person to escort the visually impaired victim or witness around unfamiliar buildings that he will use as he participates in the criminal justice system.

1. Is the guideline clear?            Yes \_\_\_\_\_ No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

6.3 THE HEARING IMPAIRED VICTIM: See page 99

6.3.3 The sheriff should develop and distribute to staff a resource directory of certified interpreters for the hearing impaired victim or witness.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

7.2 MENTALLY RETARDED VICTIMS: See page 103

7.2.7 The sheriff should teach staff to recognize that rapid or intense questioning of a mentally retarded victim is likely to cause confusion.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

7.5 EPILEPTIC VICTIMS: See page 108

7.5.5 The sheriff should teach staff to place a soft material between the side teeth of a victim or witness having a seizure, to prevent tongue biting.

1. Is the guideline clear?      Yes \_\_\_\_\_      No \_\_\_\_\_
2. Why is this guideline important?
3. Is the activity indicated now being provided in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_ by \_\_\_\_\_
  - c. At the State level \_\_\_\_\_
4. If not, how feasible is this guideline in your
  - a. Department \_\_\_\_\_
  - b. County \_\_\_\_\_
5. If less than fully feasible, why?
6. Which agency should be primarily responsible?

---

SUMMARY/EVALUATION OF DAY I-II

---

SUMMARY OF SESSION

This session will act as a summary of the objectives and processes used in the workshop from DAY I and DAY II. A brief review will be given about the next day's schedule, objectives and work.

Participants will also complete a brief evaluation form about Sessions 1-6 which is then to be given to any training team member.

At the conclusion of this summary session, participants will meet for a brief social hour.

## SESSION 7

---

### AN OVERVIEW OF FEDERAL VICTIM ASSISTANCE LEGISLATION

---

#### SUMMARY OF SESSION

Local and state initiatives on behalf of victims have recently been enhanced and accelerated by the passage of three federal laws.

In this session, we shall examine:

- The Victim and Witness Protection Act of 1982 (P.L. 97-291)
- The Victims of Crime Act of 1984 (P.L. 98-473)
- The Justice Assistance Act of 1984 (P.L. 98-473).

We shall also present some suggestions that could be followed by SSA Task Force members so that state and local plans can be developed to take advantage of the purposes of these federal laws.

VICTIM AND WITNESS PROTECTION ACT  
OF 1984 (P.L. 97-291).

● PURPOSES

--To enhance and protect the necessary role of crime victims and witnesses in the criminal justice process;

--To ensure that the federal government does all that is possible within limits of available resources to assist victims and witnesses of crime without infringing on the constitutional rights of defendants;

--To provide a model for legislation for state and local governments.

--Enacted: October 12, 1982

--Implementing Guidelines published: July 9, 1983

● APPLICATIONS

--Applies to federal crime victims and witnesses in the federal criminal justice system

--Establishes new and required procedures that should be followed by all those components of the Department of Justice engaged in the detection, investigation, or prosecution of crimes. Examples of such components are U.S. Attorney's Office, FBI, DEA, and those units that provide policy guidance, training and assistance in detection, investigation, and prosecution.

--Defines "victim" as someone who suffers direct or threatened physical, emotional or financial harm as the result of the commission of a crime and includes the immediate family of a minor or a homicide victim.

--Other agencies of the federal government, e.g., Department of Defense and the enforcement and prosecution units in all military services are adapting or adopting the laws and its guidelines for their own use.

● REQUIRED SERVICES/PROCEDURES

● REFERRAL SERVICES

Appropriate units are to provide timely information and assistance to victims concerning emergency medical and/or social services; information about how to obtain local or state compensation, under applicable law; and referrals by units to public or private local in state programs that provide victim related counselling, treatment, or support.

● CASE PROCESSING INFORMATION

Appropriate units are to provide timely information to the victim or witness about steps that may be taken to protect the victim, his family, and witnesses from intimidation. Notification to the victim about the arrest or formal charging of the accused. Notification about scheduling charges and/or continuances affecting victim or witness attendance at judicial proceedings. Notification about the release or detention status of the accused. Notification about the acceptance of a plea of guilty or nolo contendere or the results of a trial. Notification about the date set for sentencing. Notification about the sentence imposed and the date on which the defendant may be eligible for parole. Notification and instructions to the victim about the opportunity he has to address the court at the time of sentencing.

● CONSULTATION SERVICES

Discussions with victims to obtain their views and provide explanations to them concerning the release of the accused pending judicial proceedings and the conditions thereof. Discussions and explanations regarding decisions not to seek an indictment or otherwise commence a prosecution. Discussions and explanations about decisions to dismiss any or all charges including dismissal in favor of state prosecution. Discussions regarding the decision to continue a judicial proceeding, the decision to engage in a negotiated plea including sentencing recommendations to be made by the prosecution. Discussion with the victim concerning decisions to place the accused in a pretrial diversion program. Discussion with the victim about decisions made to proceed against the accused as a juvenile defendant and instructions to the victim concerning restitution as a condition of sentencing and the role of the victim in making presentations---Victim Impact Statements--to court of their views regarding sentencing.

● OTHER SERVICES/PROCEDURES

The establishment of policies and procedures to avoid, to the extent possible, the disclosure of the addresses of victims and witnesses; to create waiting areas for victims and witnesses that are removed, by sight and sound, from the defendant and defense witnesses in courts and other interview areas; to return evidentiary property promptly to victims or to explain the use of such property in a criminal prosecution; to assist victims and witnesses in notifying employers if victim or witness cooperation in the investigation or prosecution causes absence from work, to

assist victims and witnesses in notifying creditors if victim cooperation affects the victim's ability to make timely payments.

Procedures should also be created to provide information or assistance with respect to transportation, parking, translator services for victims and witnesses. Procedures should be established so that sexual assault victims not be required to assume the cost of physical examinations and materials used to obtain evidence and if a victim is billed for such an examination, the victim shall be reimbursed by the Department.

Officials are to ensure that victims and the Probation Office are fully advised about the right of the victim to participate in and help prepare a Victim Impact Statement as part of the presentence report. Federal prosecutors should also advocate fully the rights of victims on the issue of restitution during the sentencing proceeding.

### SUGGESTIONS

● Many of the required procedures to be followed by U.S. Department of Justice units--REFERRAL SERVICES and OTHER SERVICES/PROCEDURES described above--logically suggest that some type of liason be established between local sheriff's departments and such units so that proper coordination of referrals may occur.

Therefore, it is not inappropriate for the sheriff to initiate such liason between agencies like the local U.S. Attorney's Office, the local FBI/SAC, the local representative of DEA, the local representative of the U.S. Probation or Parole departments, etc., so that these federal agencies can obtain from the sheriff information about appropriate state or local services to victims.

● Each U.S. Attorney's Office now has a person or unit that is responsible for carrying out the requirements of this act. Usually, this person or unit is also part of the staff that provides support for the U.S. Attorney's Law Enforcement Coordinating Committee (LECCs).

Many sheriffs and other local law enforcement executives within the district served by the U.S. Attorney meet and confer regularly on issues of common interest and concern to all law enforcement in the LECC.

It is not inappropriate for the sheriff to use this forum--LECCs--to discuss how the local victim assistance programs can be of value and use to the U.S. Attorney or others who are affected by this act.

● The FBI Academy at Quantico, the Attorney General's Advocacy Institute, and field training programs conducted by the FBI and DEA, and the Federal Law Enforcement Training Center, Glync, Georgia are now required by this act to develop training programs which address victim assistance. Sheriffs and/or SSA personnel should contact their local federal counterparts in these federal training units to obtain information about the possibility of local training for sheriffs' agency personnel.

VICTIMS OF CRIME ACT OF 1984  
(P.L. 98-473)

● PURPOSES

--Creates a Crime Victim Fund derived from all fines (with some exceptions) that are collected from persons convicted of offenses against the United States;

--The total amount of the Fund, for a given fiscal year, is \$100 million;

--Fifty percent of the Fund is available to states in the form of grants, given annually, to support eligible crime victim compensation programs presently administered by the state;

--Fifty percent of the Fund is available in the form of grants, annually, to states to enable them to provide financial assistance to eligible crime victim assistance programs in localities--other than crime compensation assistance programs.

--Enacted October 12, 1984

● ELIGIBLE STATE CRIME VICTIM COMPENSATION PROGRAM (CVCP)

--The CVCP is operated by a state and offers compensation to victims and survivors and makes payment of medical expenses, including expenses for mental health counselling and care, loss of wages, and funeral expenses;

--The CVCP promotes victim cooperation with the reasonable requests of law enforcement agencies;

--The state certifies that grant funds for CVCPs will not be used to supplant existing or future state funds otherwise available to provide crime victim compensation;

--The CVCP provides that non-state residents are eligible for state compensation.

● FUNDS FOR CVCP TO STATES

--State CVCPs will be awarded an annual grant amounting to 35% of the amount that the state paid out for compensation during the preceding fiscal year;

--If the amount of the national Fund is insufficient to provide a grant of 35%, monies will be divided equally among the states;

--Detailed information about state by state allocations will become available from the Office for Victims of Crime in early 1985.

● ELIGIBLE CRIME VICTIMS ASSISTANCE PROGRAMS

--The state, through a state grant application process to eligible local victim assistance programs, will distribute its share of funds for this purpose;

--The local crime victims assistance program must be operated by a public agency or a non-profit organization or a combination of such agencies and organizations;

--The local program must demonstrate a record of providing effective services and financial support from sources other than the grant funds;

--The program uses volunteers; this criteria may, by a determination of the Governor, be waived;

--The program promotes the coordination of public and private efforts to aid crime victims within the community or jurisdiction served;

--The program assists potential recipients to seek crime victim compensation benefits.

● TYPES OF SERVICES TO VICTIMS OF CRIME

--Crisis intervention services

--Emergency transportation services, i.e., to court, etc.

--Short term child care services

--Temporary shelter/housing

--Provision of security measures, i.e., target hardening

--Assistance in participating in criminal justice proceedings

--Payment of reasonable costs for forensic medical examinations

● SPECIFIC FUNDS FOR CRIME VICTIM ASSISTANCE PROGRAMS

--Federal grants to states to provide financial support to public agencies or nonprofit organizations who operate eligible victim assistance programs will be in the form of annual grants;

--A base grant of \$100,000 will be awarded to the state plus its additional share computed on the basis of the state's relative population;

--If the amount of the national Fund is insufficient to provide \$100,000 to each state, the funds available shall be distributed equally among the states;

--Five percent of the fund may also be available to provide services to victims of federal crimes by the Department of Justice.

● FEDERAL PAROLE PROVISIONS

--Victims of federal crimes are empowered to present a verbal or written Victim Impact Statement at parole hearings. U.S. Attorneys are required to notify victims of parole hearing dates.

• "SON OF SAM" PROVISIONS

--Federal criminals are prohibited from financially profiting by selling the rights to the story of their crime. Proceeds from such sales are to be held in escrow in the Crime Victims Fund for five years. During that time the money is subject to victim, legal and court claims. After five years, the profits may be retained by the fund.

## SUGGESTIONS

- SSA Task Force members and SSAs should compare the federal "Victims of Crime Act" with state statutes. Consider the federal law as a model that could be adopted or adapted to present state laws for victims. Educate state legislators about the provisions of the federal law that can be adapted to state statutes and suggest that the state consider the passage of new state statutes.
- SSA Task Force members and SSAs--as well as individual sheriffs--should identify and contact the appropriate state official (usually designated by the Governor) who will be responsible for implementing the process for distribution of grants to localities. Obtain information about the grant process. Apply for such grants to support your own agency's efforts in delivering services to victims.
- Federal regulations governing the process of grants to localities will soon be published. SSA Task Force members will obtain copies from the NSAVWP about these regulations when they are published. It may be possible that the SSA itself--as a nonprofit organization--would be eligible to receive a grant based on the fact that the SSA Task Force is a program that meets the criteria for crime victim assistance. The grant to the SSA can be used to support the work of the SSA Task Force in providing assistance (training, technical assistance, information) to enable victims to participate more fully in the criminal justice proceedings in a given region or state.
- The "Victims of Crime Act" also contains a provision that is similar to that contained in the "Victim and Witness Protection Act", namely, the provision of training to law enforcement personnel in the delivery of services to victims of Federal crimes. We are assuming that such training will be provided by the FBI, DEA, and the Federal Law Enforcement Training Center in Glynco. Sheriffs and/or SSA personnel and SSA Task Force members should contact their local federal counterparts--FBI/SACs, DEA officials, etc.--about the possibility of local training for sheriffs' agency personnel.
- Task Force members, SSA personnel, or individual sheriffs should consider contacting state officials who will be the administrators of the grants and request that such administrators conduct a one-day briefing on the state's plans for administering this new program of assistance to victims. Such briefings could be hosted by the Task Force, by the SSA and/or by a local sheriff with invitations extended to other sheriffs, other law enforcement agencies, local governmental officials, citizens, and nonprofit organizations that presently run programs.

JUSTICE ASSISTANCE ACT OF 1984  
(P.L. 98-473)

● PURPOSES

--Establishes the Office of Justice programs (OJP) within the U.S. Department of Justice to be headed by an Assistant Attorney general (presently, Lois H. Herrington). OJP provides a high level point of contact within the Department on matters relating to state and local criminal justice. OJP also provides staff support and coordination to a new Bureau of Justice Assistance, as well as to the the National Institute of Justice, the Bureau of Justice Statistics, and the Office of Juvenile Justice and Delinquency Prevention.

--The Bureau of Justice Assistance of OJP provides block and discretionary grants to states and units of local government to support specified criminal justice programs. The Bureau also is responsible for a corrections--jails and prisons--construction assistance authority and program.

--The National Institute of Justice fosters research into a range of criminal justice issues, sponsors training programs, and disseminates-- through the National Criminal Justice Reference Services (NCJRS)-- information and publications. NCJRS also manages the national Crime Victims Resource Center.

--The Bureau of Justice Statistics collects, analyzes and disseminates statistical information concerning all aspects of criminal justice. This Bureau also sponsors the National Crime Survey.

--The Office of Juvenile Justice and Delinquency Prevention supports programs focusing on juvenile justice issues and now has new authority to focus on serious juvenile offenders, missing children, and to establish a permanent National Center on Missing and Exploited Children that will also include a national toll-free telephone system for the exchange of information on missing children.

--Within the Office of Justice Programs (OJP) there is also established an Emergency Federal Law Enforcement Assistance program for state and local governments experiencing an emergency situation in which their local resources are inadequate to protect the lives and property of citizens or enforce the law.

--Enacted October 12, 1984

● BUREAU OF JUSTICE ASSISTANCE GRANT PROGRAM

--This Bureau will provide block grants to states to assist the state and local governments to implement specified criminal justice projects.

--If the state chooses to participate in the block grant program, then the Governor must designate a state agency that will submit an application

to the Bureau covering a two-year period. The application must identify which specific criminal justice programs or projects will be undertaken and which state agency or local government will implement each program for the next two years.

--If the state chooses not to participate in the block grant program, units of local government within the state are then eligible to receive direct grants (from the Bureau) from that state's share of block grant funds.

● SPECIFIED PROGRAMS ELIGIBLE FOR BLOCK GRANTS

(1) Community and neighborhood programs that enable citizens and police to undertake initiatives to prevent and control neighborhood crime;

(2) Programs that disrupt illicit commerce in stolen goods and property, e.g., STING operations.

(3) Programs to combat arson;

(4) Programs to investigate and prosecute white collar crime, organized crime, public corruption crime, and fraud against the government;

(5) Programs to identify adult and juvenile career criminals and to expedite the processing of such cases, improve court system management of such cases, and improve sentencing practices and procedures in such cases;

(6) Programs that provides assistance to jurors and witnesses, and assistance (other than compensation) to victims of crime;

(7) Programs that provide alternatives to pretrial detention, jail, and prison for persons who pose no danger to the community;

(8) Programs which identify and meet the needs of drug dependent offenders;

(9) Programs which alleviate prison and jail overcrowding and programs which identify existing state and federal buildings suitable for prison use;

(10) Programs to provide training, management, and technical assistance to criminal justice personnel;

(11) Programs to provide prison industry projects;

(12) Programs that provide for the use of operational information systems and workload management systems to improve the effectiveness of criminal justice agencies;

(13) Programs to provide financial assistance to public agencies and private nonprofit organizations for demonstration programs which, in view of previous research or experience, are likely to be a success in more than one jurisdiction but are not likely to be funded with moneys from other sources;

(14) Programs which have been deemed as having been successful by NIJ, BJS, and OJJDP;

(15) Programs which address the problem of serious offenses committed by juveniles;

(16) Programs to address the problem of crime committed on the elderly;

(17) Programs to provide training, technical assistance, and other programs to assist state and local law enforcement authorities in rural areas in combating crime, with particular emphasis on violent crime, juvenile delinquency, and crime prevention;

(18) Programs to improve the operational effectiveness of law enforcement agencies by the use of crime analysis techniques to promote and maximize the effectiveness of police patrol units and investigators.

● BLOCK GRANT FUNDS AVAILABLE

--Each participating state will receive a base amount of \$250,000 plus its additional share computed on the basis of the state's relative population;

--The states are required to pass through to local units of government a specified portion of the block grant funds based on the amount spent by the local jurisdiction for criminal justice programs in the last year (1979) for which financial statistics are available.

--A table showing the state by state allocations of block grant funds and the percentage pass through to local jurisdictions is displayed on the second next page for the FY 1984-1985 allocations;

--Depending on annual future appropriations by Congress, block grant funds will be available from this program up to FY 1988.

● FIFTY PERCENT MATCH REQUIREMENT

--Section 403 (b) of the Act reads as follows:

"For any fiscal year ending after September 30, 1984, the Federal portion of any grant made under this part shall be 50 percentum of the cost of programs and projects specified in the application of such grant...the non-federal portion of the cost of such programs or project shall be in cash..."

--Specific regulations governing questions about this non-federal cash match will be published shortly. SSA Task Force members will be advised.

○ DISCRETIONARY GRANTS

--The Bureau is also able to make discretionary grants to state and local units of government and non profit organizations for training, technical assistance, national or multi-state projects, and demonstration programs.

The Bureau will designate such programs and application information will be published annually.

● CORRECTIONS--PRISON/JAIL--CONSTRUCTION

--The Bureau is authorized to provide funds to pay up to 20% of the cost of state and/or local corrections facility construction projects which substantially constitute a prototype of new and innovative methods and design. However, no funds have been appropriated to implement this provision for the FY 1984-1985 period.

BREAKDOWN OF FY 1984-1985 FUNDS\*

● BUREAU OF JUSTICE ASSISTANCE (Block and Discretionary Funds including FY 83/84 carryover funds)	\$70.3 million
● NATIONAL INSTITUTE OF JUSTICE (Research, Evaluation and Demonstration)	19.5 million
● BUREAU OF JUSTICE STATISTICS	16.7 million
● OFFICE OF JUVENILE JUSTICE AND DELIQUENCY PREVENTION	70.2 million
--MISSING CHILDREN PROGRAM (In OJJDP)	4.0 million
● PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM	8.3 million

---

\* FY 85-86 budgets for these agencies are presently (November, 1984) beginning to be developed by the Executive Branch for submission to the Congress as part of the President's Budget scheduled for release in late January, 1985. Hearings will then be scheduled from February on until actual appropriations are passed by the Congress and enacted into law by the President. The formal deadline for FY 86 appropriations legislation is usually on or before October 1 of a given year.

During this process, which will be repeated annually for the life of the JAA--until FY 88--, sheriffs, SSAs and SSA Task Force members may be asked by their Senators and Representatives for advice, counsel, and information about appropriation issues and ideas. We would be pleased to assist you in this educational endeavor.

JUSTICE ASSISTANCE PROGRAM

STATE BY STATE ALLOCATION OF FUNDS

<u>State</u>	<u>FY1984-85 Allocation</u>	<u>Percentage to be Passed through to Local Jurisdiction</u>
ALABAMA	955,028	55.1
ALASKA	335,301	26.1
ARIZONA	777,658	66.8
ARKANSAS	664,576	53.9
CALIFORNIA	4,733,046	72.6
COLORADO	809,001	57.7
CONNECTICUT	808,823	49.8
DELEWARE	357,918	26.7
DC	360,945	100.0
FLORIDA	2,151,920	61.2
GEORGIA	1,270,768	59.3
HAWAII	432,178	50.6
IDAHO	426,123	54.4
ILLINOIS	2,295,454	71.4
INDIANA	1,225,713	62.0
IOWA	767,329	59.8
KANSAS	681,850	58.9
KENTUCKY	911,398	31.6
LOUISIANA	1,040,330	57.5
MAINE	454,082	41.6
MARYLAND	1,016,467	39.0
MASSACHUSETTS	1,277,001	55.1
MICHIGAN	1,865,029	62.8
MINNESOTA	987,973	63.5
MISSISSIPPI	710,699	54.3
MISSOURI	1,135,070	74.1
MONTANA	395,493	57.9
NEBRASKA	534,398	59.4
NEVADA	408,671	71.5
NEW HAMPSHIRE	420,781	63.8
NEW JERSEY	1,579,919	72.1
NEW MEXICO	499,137	46.2
NEW YORK	3,396,182	65.3
NORTH CAROLINA	1,333,097	43.8
NORTH DAKOTA	371,096	66.2
OHIO	2,163,673	71.7
OKLAHOMA	837,316	51.8
OREGON	724,055	59.2
PENNSYLVANIA	2,368,290	68.0
RHODE ISLAND	420,069	36.2
SOUTH CAROLINA	831,261	46.5
SOUTH DAKOTA	374,658	49.3
TENNESSEE	1,084,316	60.8
TEXAS	3,050,168	71.4
UTAH	538,315	52.2
VERMONT	343,493	21.3
VIRGINIA	1,238,357	43.1
WASHINGTON	1,015,754	58.7
WEST VIRGINIA	599,932	45.8
WISCONSIN	1,096,069	65.8
WYOMING	341,534	52.9
PUERTO RICO	831,795	
VIRGIN ISLANDS	268,485	

## SUGGESTIONS ABOUT BLOCK GRANTS

- The SSA and the SSA Task Force as well as individual sheriffs should contact their Governor to determine what state agency will develop the state application. Federal regulations may require that this agency notify localities about what the state requirements will be for applying to the state for block grants. However, don't wait for the state to decide; request an opportunity to meet with state officials and ask that they provide information to sheriffs, SSAs, and SSA Task Force members as soon as possible so that information and knowledge about these programs can be transmitted rapidly to all sheriffs.
- It is probable that descriptions of each of the 18 eligible programs will be available from the Bureau. SSAs and SSA Task Force members will be advised by NSA about such documents.
- Since there is a non-Federal cash match for grants, SSAs, SSA Task Force members, and sheriffs need to have a clear understanding of the nature of this match. The regulations should clarify any questions. While NSA will distribute this information when it is available, it is wise to contact the state agency to obtain detailed information from them since the state will be the principle administrator of this program.
- It may be possible for an SSA--as a nonprofit organization--to be eligible to receive a discretionary grant to provide training, technical assistance, or demonstration programs. The SSA task Force, as a part of the SSA, would then be able to be supported in its effort to train and assist others particularly in the area of victim and witness assistance which is one of the specified programs that can be funded.
- If your agency does seek to obtain a federal/state block grant, it may be advisable to consider that there will be some competition from other local governments and other justice agencies, e.g., prosecutors, municipal police, etc. Therefore, think of being creative in an application and plan. For example, you may want to develop a single program that incorporates several of the specified programs: training of personnel to enable crime prevention groups to provide victim and witness assistance; the linking of pretrial diversion programs to provide restitution or service to the victims of such pretrial detainees; the linking of programs related to juvenile career criminals, sentencing practices, and Victim Impact Statements; and restitution as a condition of sentencing; or, training and assistance to rural law enforcement agencies about linking crime prevention and victim assistance.

## SESSION 8

---

### PLANNING FOR VICTIM ASSISTANCE PROGRAMS AND ACTIVITIES

---

#### SUMMARY OF SESSION

Previous sessions in this workshop have addressed the issue about "what" is the nature of victimization and "what" has been done and "what" can be done by sheriffs, justice system officials and others in order to respond to the needs and rights of victims.

Session 8 acts as the beginning of a transition in the flow of the workshop to focus on the issue of "how" sheriffs and SSAs and others can now act to implement many of the actions needed to restore balance in the administration of justice so that victim needs and rights are accommodated.

In this session, a presentation will be made that examines many important variables that need to be considered when a sheriff and others begin to plan for the organized implementation of actions to meet the needs and rights of victims.

Specifically, this session will follow an examination of a logical process for the development of the Department's Victim Assistance Program. The sequential elements of this process are:

- The decision to establish a program...how to get a decision;
- The analysis of needs for victim assistance in the county and state;
- The survey of the extent to which these needs are now being met at the state and local level;
- The identification of gaps in victim assistance in the county;
- Essential elements of program design and implementation planning;
- Awareness and acceptance of the sheriff's program.

## THE FIRST STEP--A MANAGEMENT DECISION

### OUTLINE

- ⊙ Who decides--the BOSS
- ⊙ Decision Criteria
- ⊙ How to prepare the Boss
- ⊙ Impact of a Positive Decision On
  - Budget
  - Perception of Department's Role
  - Training
  - Scope of Other Activities  
(crime prevention, investigation, relationship with others in the criminal justice system)
  - Image of Department

## VICTIM ASSISTANCE PROGRAM PLAN DEVELOPMENT

INTRODUCTION. The first and critical step in the development of the Program Plan is the decision by the sheriff--the Boss--to go ahead. Research has shown that without this commitment on the part of the agency leader, little can be done.

The decision must be directed at the specific development of a victim assistance program within the department...not just one where the sheriff decides to provide "all services possible to the citizenry within the scope of resources allowed". This Part of Session 8 deals with the logical procedure for the development of the Victim Assistance Program.

DECISION CRITERIA. Factors that the sheriff will use in coming to a decision can be expected to be:

- Availability of resources, such as manpower;
- Availability of funds;
- Does this activity coincide with or support the overall goals of the Department?
- Does the Department have resources now to plan for and begin implementation of such a program?
- And, finally, how would this program be viewed by the electorate? If resources are not available for a full program now, what can be done? What added resources would be needed for a full program?

These are general presumptions of the sheriff's main concerns when faced with a decision for any new activity. List below what you see to be the principle concerns in making such a decision in your own Department.

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

HOW TO PREPARE THE BOSS. You, as a decision maker, will want or demand certain kinds of information prior to making a decision. You may, depending upon your management style, make such a decision alone, or first request views of your immediate subordinates. From a staff officer's point of view, an understanding of how you make your decisions and what information you need to do so are extremely important if you are to receive proper and timely staff support.

Generally, decision makers will want to know, in detail, answers to:

- What is the activity that is being proposed?
- Why is it necessary?
- What would be involved in the activity of the Department from a management, supervisory, and operational viewpoint?
- Who would do the work?
- What would it take in the way of resources?
- What would it cost?

- Where will the money come from?
- What other activities of this kind are underway in other counties?
- What other activities of similar kinds are being taken by other elements of the criminal justice system?
- What other activities of similar kinds are being taken by other groups within the county?

Given staff answers to these questions, the sheriff can array them against his own priorities and assess of value of the proposed activities. Attention is directed to the discussion in Session 5 concerning the role of the sheriff (refer to page 211 and the workshop yesterday) and it is certain that he will see a proposal for victim assistance as a positive and proactive step he can take...should take...to provide services for the citizens in his county.

THE IMPACT OF A POSITIVE DECISION. Another consideration that the sheriff will use in making a decision will be the consequences or the impact of such a decision on:

- the budget;
- the internal perception of the Department's role in society;
- the image of the Department in the eyes of the citizens it serves;
- the activities of other elements of the Department: crime prevention, investigation, management, patrol;
- the activities of and relationships with other parts of the criminal justice system; and
- training requirements.

The Second Step...A staff responsibility to prepare information in answering the questions about how to prepare the boss to make the decision.

## THE SECOND STEP--THE NEEDS ASSESSMENT

### OUTLINE

- o Objective
- o Data Collection
  - what
  - from where
  - recording results

## THE NEEDS ASSESSMENT

INTRODUCTION. Needs for victim assistance will vary according to: numbers and kinds of criminal offenses. It is important to recognize that victim assistance efforts cannot be made available to all victims. Victims of insurance fraud arson are obviously excluded as are victims of corporate nature where there has been fraud or embezzlement. Otherwise, where an individual becomes a victim of crime, regardless of sex or age, he or she suffers and needs help.

OBJECTIVE. The objective of the needs assessment is to identify the scope and extent of victim assistance needs:

- how many victims are there per year?
- what kind?
- what kinds of help do each of them need?

### DATA COLLECTION...WHAT.

- Needs of victim are in the county will be reflected in two kinds of data:
  - how many victims are there per year; of what kind, and
  - what kinds of assistance can normally be expected to be needed by each category of victim
- Matrices follow the recording the number of victims per year by kind of offense (8-1) and for indicating the kinds of assistance that can be expected to be needed (8-2).

## NUMBERS OF VICTIM PER YEAR

KINDS OF  
OFFENSES

## KINDS OF VICTIMS

	CHILDREN	ADULTS		ELDERLY	
		FEMALE	MALE	FEMALE	MALE
Assault					
Sexual Assault					
Rape					
Family Violence					
Mugging					
<b>FAMILIES:</b>					
-missing children					
-homicide					
Burglary					
Robbery					
Property loss,					
other					
<b>KIDNAPPING:</b>					
-victim					
-family					

KINDS OF ASSISTANCE REQUIRED AS GOVERNED BY THE KIND OF VICTIM AND THE NATURE OF THE OFFENSE

(check where normal circumstances would indicate assistance would be required.)

NATURE OF HELP NEEDED	KIND OF VICTIM											
	<u>Children-violent abuse, sexual abuse</u>	<u>Adult female-assault sexual assault, incl. rape;</u>	<u>burglary, robbery</u>	<u>Adult male-assault;</u>	<u>burglary, robbery</u>	<u>Senior Citizens-assault;</u>	<u>burglary, assault</u>	<u>Families of: missing children</u>	<u>Families of: homicide victims</u>	<u>Kidnapped victims</u>	<u>Families of: kidnapped victims</u>	<u>Witnesses and other victims</u>
1. Immediate medical attention												
2. Continuing medical attention												
3. Financial aid: medical costs, compensation												
4. Help in filing claims: for compensation; for insurance												
5. Counseling, personal; for family												
6. Care in questioning by law enforcement												
7. Transportation: to Department initially												
to Department during investigation												
to hospital initially												
to clinic or doctor												
to prosecutor for pre-trial meeting												
to court for trial												
to court for sentencing												
to parole board hearing												
8. Legal protection against harassment												



**FROM YOUR EXPERIENCE, WHAT OTHER CATEGORIES OF ASSISTANCE SHOULD BE ADDED?**

14.														
15.														
16.														
17.														
18.														
19.														
20.														

DATA SOURCES. Information concerning the need for victim assistance, and for use of the matrix on the preceding pages, can be obtained from:

• Departmental records.

-offenses coming to the attention of the Department (see also UCR reports prepared by the Department)

-Investigative files

-Patrol records, reflecting the numbers of family violence incidents, and services for senior citizens and other non-crime related services.

• Other Law Enforcement agency records. Where other law enforcement agencies exist in the county and where county-wide services for aiding victims will be the goal, the nature and extent of the need for such services should be determined at the time that the need for services within the population serviced by the Sheriff's Department is determined. Reference should be made to the same kinds of records in other agencies as in the case of the Sheriff's Department.

• Social Services Agency record. Where such agencies or groups exist in the county, a record of the numbers of persons served in one year should be available. Such social services groups are rape crisis center, battered spouse shelters, private psychological counseling personnel; hospital emergency rooms, child care centers and the like.

• Prosecutor's Office.

-Numbers of prosecutions in one year by kind of offense and numbers of victims involved.

-Numbers of cases not prosecuted, but submitted, per year by kind of offense and numbers of victims involved.

• Clerk of the Court.

-Numbers of trials in the criminal court(s) in one year by offense and numbers of victims involved.

-Numbers of trials in the criminal court(s) where the defendant was found guilty and sentenced by offense and number of victims involved.

-Number of those trials where the defendant was found guilty and was given probation, with the kind of offense and the number of victims involved.

• Parole Board. Number of hearings per year by offense and numbers of victims.

Recording Results.

• A data collection matrix is presented on the following page.

NEEDS FOR VICTIM ASSISTANCE AS REFLECTED IN CRIMINAL JUSTICE SYSTEM FILES

KIND OF OFFENSE	Departmental Records: UCR calls for assistance.	Investigative file	Patrol records	Other law enforcement agency file: * -calls for assistance; UCR	-investigative file	-patrol records	-social service agency/group	Prosecutor's Office: -prosecution	-numbers of victims	-not prosecuted	-numbers of victims	Criminal Court: -trial	-numbers of victims	-defendant guilty	-defendant sentenced	-defendant on probation	Parole Board: number of hearings regarding initial offense	number of victims
1. Homicide																		
2. Burglary																		
3. Robbery																		
4. Major Assault																		
5. Sexual Assault																		
6. Rape																		
7. Missing Children																		
8. Kidnapping																		

\* show incidents, calls, cases only once for each event.

NEEDS THAT ARE BEING  
MET TODAY

OUTLINE

- The county/state inventory of resources
- Examination of scope of responses
- Coordination
- Resource Availability

NEEDS THAT ARE BEING MET TODAY

Introduction. The kind and extent of assistance for victims in any one community will vary widely. One agency cannot provide all of the help that is needed...and a number of them should be so engaged and coordinated. For your county, it is essential in the victim assistance needs analysis to survey the kinds of assistance being provided to victims and to identify those agencies so involved.

The County and State Inventory. The scope of this study will involve:

• State level resources:

-The Victim Compensation Act...what does it provide for and how is it administered by the state; what does the statute say with respect to law enforcement responsibilities with respect to the victim?

-Does the state have a Victim Compensation Act?

At the present time there are 11 states without such Acts.  
These are:

Georgia	Idaho	Utah	Arizona
South Dakota	Missouri	Arkansas	Vermont
New Hampshire	Maine	Wyoming	

-Is there someone at the state level that provides program guidance for victim assistance at the local level?

-What departments of state government provide funding for local agencies that provide some form of assistance to victims or potential victims (runaway children, battered wives, special help for the elderly, etc.)

KEY POINT--watch for changes in your state laws in response to the provisions of the Victims of Crime Act of 1984, which will provide some revenue for support of victim assistance programs in your state. Why?--Those that have documented needs and carefully prepared programs will be first in line for the funds that most probably will not be enough to meet all of the needs within the state.

- Kinds of County Resources. Assistance for victims may be provided by agencies or groups of various kinds, both public and private. Examples are:

- law enforcement agencies having organizational elements devoted to victim assistance...the Victim Response Unit (Session 9); assistance provided within context of other organizational elements...patrol, investigation, crime prevention.
- prosecutor offices which may have a victim assistance program per se or a witness notification program only.
- the clerk of the court may have the responsibility for notification of witnesses regarding trial dates.
- the probation officer may have guidelines used for the preparation of victim impact statements or similar information at the time pre-sentence investigations are made.
- parole boards may have procedures for allowing participation of victims at the parole board hearing regarding inmates convicted of specific crimes.
- hospital emergency room personnel may have established procedures and training for personnel for dealing with and treating victims of crime.
- a rape crisis center may be operated by a private group, a group at least partially funded by the state, or one associated with a mental health center or hospital.
- social services may include provision for sheltering women who are victims of family violence and children of such families.
- social service groups may exist that target services for on children, missing children, and the elderly.
- special interest groups may exist, having parallel objectives to those of a victim assistance program, such as groups against drunk drivers, child molestation, and others.
- mental health centers may have established procedures for providing counseling and other forms of mental health care for victims.
- the ministry is a source of response to various forms of trauma and anxiety and may or may not be so involved...discussions should be held with key representatives of all major denominations.
- industry...representatives of all major employers in the county may now have employee aid programs, which in many cases have been developed to help employees suffering from alcoholism and drug dependency. A logical extension of this concern is the provision of assistance to those employees who become victims of crime. Major industries in the county also may represent an essential source for funding in support of certain victim assistance activities.

- Information From County Resources. For all resources that exist obtain information indicated below. This will be needed in recording the statistical information required and also will be valuable in designing strategies for the establishment of the county-wide Coordinating Council for Victim Assistance (Session 13). which we will discuss tomorrow morning.

- statistical data regarding work performed
- contact name for operational purposes
- name of person in charge
- telephone numbers
- number of persons working in the program, full time and part time
- mailing address
- what are the objectives of the agency or group
- organizational linkages..if a part of another agency, how is the resource organized and how does it relate to other parts of the organization; who is in charge of the organization
- source of funding; amount of funds per year needed and provided
- are there any brochures or other printed material used by the agency or group that are made available to the public

- Examination of the scope of response now being provided to aid victims. Each agency or group now providing assistance to victims will see its role limited by certain operational, legal or functional lines. For example, the prosecutor will see his responsibility to fall within those he has for the prosecution of cases in court; the law enforcement officer will provide aid directly at the initial point in the criminal justice process; the hospital emergency personnel will treat the victim in various ways at the time the victim comes to the emergency room; and the private sector victim advocate will provide counseling and other assistance at different points in the process but will not be involved in the investigation directly. Each of the resources identified within the county should be examined to identify:

- the method of operation of the agency or group; the special concerns or targets that they have (special categories of victims, such as children; the elderly, rape victims only, etc.); are services provided 24 hours per day; are personnel on call; is there a "hot line"; how is contact made with the victim; etc.
- records kept by the agency or group that reflect the volume of work performed...in terms of numbers and kinds of victims, the hours of staff time spent per victim, the numbers and kinds of offenses involved.

- Coordination. At the time of the survey all persons contacted should also be asked concerning the nature and degree of coordination that exists between those agencies and groups that are involved in victim assistance at the present time. For example:

- do representatives of the agencies and groups meet formally or

informally to discuss matters of common interest?

-do representatives of agencies or groups regularly refer victims to others for assistance when this is indicated?

-is there evidence of a "turf problem"...if so, what is this and why does it occur?

-have there been any indications of joint training for those involved in victim assistance...for example, law enforcement officers and victim advocates?

-what do the agency or group workers see as the existing means for coordination or relationship between themselves and others in the county working to help victims...what improvements would they like to see.

④ Resource availability. Inquiries should be made as to the availability of the kinds of resources that will be needed for a victim assistance program. These will include:

-funding. That which is or might be available from the existing state resources agencies, from the federal government; funds from regular budgets (criminal justice agencies) and from contributions from the private sector.

-manpower. Existing trained personnel may be needed in some instances for specific purposes (sworn law enforcement personnel); the options available to the Sheriff: the Reserve and auxiliaries; the availability of volunteers. Activities in the county that now have volunteers should be examined and the source of volunteers and training provided them, if any, studied.

## GAPANALYSIS

### OUTLINE

- ⊙ Program Goal...Optimum Assistance
- ⊙ Transactions: The Victim in the Criminal Justice System
- ⊙ Needs/Current Resources Comparison
  - Analytical Process
  - Results of the Analysis

## GAPANAYLSIS

Introduction. This is the analysis phase of program development where the specific kinds of program activities are identified that will allow the department to reach it goal.

Program Goal...Optimum Assistance for Victims. The program goal can be stated as:

The provision of optimum victim assistance for all citizens of the county.

This goal, to be reached, has certain possibly restraining factors that should be understood:

- the will of management..the sheriff..to carry forward and achieve the goal.
- availability of resources, such as manpower to carry out specific activities that will be needed,
- funding
- a commitment to the program goal on the part of county officials responsible for budget approval.

The content of the program will be governed by two main factors;

- clear understanding of what assistance is needed, and
- the existence of appropriate assistance efforts in the county now.

A key word in the definition of our goal is "optimum". This means that the assistance program should be designed to provide the most in the way of services, given the constraints facing the Department in carrying it out. Constraints may change...and in this regard, the program should be considered as dynamic and opportunities should be seized for expanding it whenever they arise.

Transactions: the Victim in the Criminal Justice System.

Beginning on page 51 of "The NSA Guidelines for Victim Assistance" are three flow charts (Figures 1, 2, and 3) depicting the steps of the criminal justice process. As each of these steps are examined, the needs of victims for assistance can be identified. Illustrations of these needs are given in the Handout provided in the Appendix of the Participant Handbook which is designed to facilitate the identification of gaps in service.

Needs and Current Resources...a Comparative Analysis. In parts 2 and 3 of this discussion we have covered the identification of needs for victim assistance and of the kinds of resources available now to meet these needs. "Gapanalysis" is a comparison...an arraying...of these needs against how

they are being met. Where a need is not being met, it represents a "gap" in the comprehensive program of assistance that should be in the place.

Analytical Processes. From the identification of the kinds of assistance that victims may need and governed by the quantitative determination of the extent of this need, list all kinds of assistance and record the agency or group that is now providing such assistance in Table 1 on the following page.

Listing of "gaps". A listing of those kinds of assistance that are not being provided at the present time represents a description by substance of the Department's Victim Assistance Program where such assistance can properly be provided by the sheriff. A judgement should be made as to whether this is possible, or that some other agency or group in the county should have the primary responsibility for providing aid.

Results of the Analysis. The analytical procedures now give us two sets of kinds of assistance that are not being provided to victims in the county at the present time: those that can and should be provided by the Sheriff's Department, and those that properly should be provided by another agency or group.

The Sheriff's "Action List". This represents those actions that should be taken by the sheriff through the use of his powers and by his department. All actions should be assessed with regard to what is the most important in terms of immediate assistance to victims and witnesses, what is next and what then follows on a listing of actions by priority. This priority list should then be examined from a standpoint of how practical it is to initiate or enhance abilities to provide the assistance indicated. It may be, for example, that one action may be considered most important, but would require more manpower and funds than can be reasonably expected in the near term. By using this yardstick to reorder, as needed, the list of actions the sheriff then achieves a list of actions that are most practical and most achievable in the shortest time period. This subject, representing the substance of the program design, will be covered in the development of the Local Agency Plan, Session 10.

Actions for Others. The sheriff should take the following steps with respect to the kinds of assistance listed in this group:

- determine if, as a fall back position, the Department could undertake the provision of assistance indicated even though it more properly should be done by others. Example, witness notification.
- meet with agency or group chief administrator and fully describe the Department's program, describe the analytical procedures used in the development of the program, and identify those kinds of assistance that the specific agency or group should plan to provide.
- prepare a document that describes the efforts involved in these discussions by the Sheriff for use and follow-up by the members of the County Coordinating Council for Victim Assistance (Session 13).

TABLE I

GAP ANALYSIS RESULTS

KINDS OF ASSISTANCE	NOT BEING PROVIDED NOW	BEING PROVIDED BY	CODE*
1.			
2.			
3.			
4.			
5.			
6.			

Code: 1: Being provided fully now.  
 2: Provides assistance now, but improvements needed.  
 3: Does not provide assistance now, but could.

TABLE II

GAPS IN VICTIM ASSISTANCE

IDENTIFICATION OF RESPONSIBILITY

KINDS OF ASSISTANCE BY PRIORITY	SHOULD BE PROVIDED BY	ELEMENT OF DEPARTMENT RESPONSIBLE
1.		
2.		
3.		
4.		
5.		

VICTIM ASSISTANCE PROGRAM DESIGN

OUTLINE

- Program design elements
  - goal
  - objectives
  - activities
  - resources
  - costs
- Definition--The Program Narrative
- The Work Plan
- The Budget

## VICTIM ASSISTANCE PROGRAM DESIGN

Introduction. First let us look at the logic of our approach for program planning so far...two basic elements of the Department are involved: The manager or the sheriff and the planners. These sequential steps are illustrated on the preceding page.

Program Design Elements. The basic parts of the program design are:

- Program Goal: A definition of what the program is intended to do in an overall sense. For example, to provide an optimum victim assistance program for all citizens of the county.
- Program Objectives: Specific targets to be reached to allow the achievement of the program goals.
- Program Activities: specific actions to be taken to allow the Program objectives to be reached.
- Program Resources: identification of the resources needed to allow activities to be carried out, such as personnel, equipment and time.
- Program Costs: the budget for the program that coincides with the Department's fiscal year.

The Program Narrative. This is intended to present full information about the program, what it is intended to do, how and when and at what cost. The relationship between the program and other activities now underway are described. A typical outline of such a Program document is:

- I. Background: reasons why such a program is needed; current legislation relative to victim assistance; state programs and resources; victim assistance efforts existing in the county.
- II. Victim Assistance Needs: methods of analysis, shortfalls in victim assistance; kinds of assistance that should be provided by others and an overall statement of the role and function of the sheriff and the actions to be taken through the proposed program.
- III. The Proposed Victim Assistance Program for the Department: goals and objectives.
- IV. Program Activities:
  - includes a step by step of actions, in sequence to allow completion of the activity. For example, the activity may be: "establishment of a Victim Response Unit" discussed in Session 9 and the sequential actions could be:
    - sheriff meets with other managers in the county that now provide

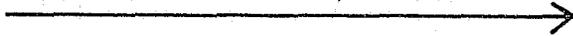
PROGRAM DESIGN

LOGIC

**MANAGEMENT**

**PLANNING**

Decision



A Program is Needed



Scope of Need



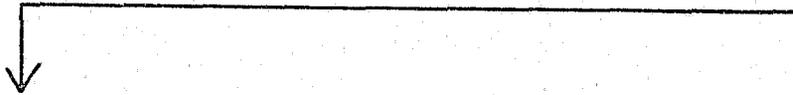
Extent to which need is now met



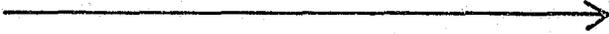
Identification of Gaps



Design of a Program to Bridge Gaps Plus a Implementation Plan



Decision



Program Scope is Approved



Plan implementation begins

- victim assistance, discusses his intentions;
- sheriff obtains detailed information, if possible, from another Department having experience in the operation of a VRU;
  - sheriff obtains budget approval, if required, from County Commissioners;
  - sheriff selects the VRU Program Manager;
  - Program Manager narratively defines the scope of the VRU operations;
  - Program Manager writes, sheriff approves, policy and procedures. This should lead to a companion activity that provides for the development and delivery of training to members of the Department and others concerning the VRU;
  - Program Manager prepares, sheriff approves, a media release and brochures and other documents for public information;
  - sheriff selects, Program Manager trains the VRU staff; (this may include sworn officers, reserves, auxiliaries and volunteers);
  - necessary VRU equipment (vehicles, radios) and supplies are procured;
  - Program Manager designs and develops a case management and tracking system;
  - Program Manager designs, and sheriff approves, a program monitoring and evaluation program;
  - VRU operations begins.
- the relationship of the activity with other victim assistance activities of the Department: investigations, patrol, crime prevention, training and supervision.
  - the relationship of the activity with other victim assistance activities underway in the county.

- V. The Work Plan: a description of actions to be taken in terms of time.
- VI. The Budget: estimations of costs arrayed by specific activity and summarized, showing total estimations for budget categories used by the Department. For example, total program costs for personnel, capital expenditures, and operations would be given.

The Work Plan. A work plan has two main purposes:

- to show all of the steps of activities of the program in terms of time, and,
- to allow identification of all of the actions underway for all activities at any time.

The Plan normally shows the following information:

- time across the top of the page, usually a 12 month period that coincides with the Department's fiscal year (see example on the following page). In multi-year programs a master Work Plan may be developed showing the intended activities over a longer term, perhaps up to five years.
- activities of the program, sometimes called "tasks". Each activity should also be depicted in a Work Plan that sets out the specific actions, in sequence, that are involved in the activity. (reference: the example used for the narrative description of an activity)

A Work Plan is not cut into stone...it is only a tool to allow a clear perception of what is underway when and what the respective relationships are between the respective activities. A major advantage: it allows the program manager and the sheriff to monitor program progress in terms of specific actions and activities.

The Budget. A critical part of the Program Plan, the budget is often the part of the plan that managers read first! Costs should be estimated for each activity of the program, showing what each of them are for. A summary of costs estimates should then be given in terms consistent with the way the Department's budget is organized.

- Funding sources: the discussion of the budget should, in narrative form at the outset, show the total cost for the program for the time period covered (usually one year). Potential sources of funds should be discussed: general revenue, state grants, federal grants (if applicable) and donations from private sources. In this section, strategies should be discussed regarding the Department's actions to acquire funds from sources that may be available from other than general revenue.

WORK PLAN

ACTIVITY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC

AWARENESS AND ACCEPTANCE OF DEPARTMENT'S  
VICTIM ASSISTANCE PROGRAM

- other actors in the system
- by victims
- by others now helping victims
- by community generally
- by department's managers
- by investigators
- by patrol officers

## AWARENESS AND ACCEPTANCE

Introduction. When beginning the implementation of the Program Plan it is critical to its success and to the coordination of related efforts for assisting victims within the county that there be a full understanding of the Program goals, objectives and activities to create a positive environment for implementation. The manner in which this is accomplished will vary, depending upon the level of understanding and acceptance achieved by others during the planning process.

Awareness and Acceptance. At this stage in the development of victim assistance abilities it is important that an awareness and acceptance be developed within the community on the part of those working in areas related to the goals and objectives of the program. This has a major importance and value in setting the stage for the development of a coordinating mechanism later.

Strategies for achieving awareness and acceptance of the Department's Program should involve:

- Other actors in the criminal justice system. The major representatives in the system will be other law enforcement agencies, the prosecutor, the judges, the probation officers and the members of the parole board.
- The Victims. An awareness of the purposes and functions of the Department's victim assistance efforts can be realized through the development of a pamphlet or brochure that explains the services provided by the department. This is then provided to the victim at the time of the first contact by the Department along with other information.
- Others in the county now providing victim assistance. In most cases it can be expected that these persons will have an awareness of the Department's program because of their involvement in the planning process. Acceptance may be a different thing. One aspect of the environment sometimes is a "turf problem" where some believe that others are invading their professional or jurisdictional territory. The Department's program will have been designed to take this factor into account and differences of view should have been negotiated beforehand.
- The community generally. The citizens of the county should be fully aware of the Department's program as a part of the overall services provided by the sheriff. This is accomplished by a media outreach program and by public information efforts on the part of the sheriff.
- The Department's managers. The managers, those subordinates to the sheriff, will have had full opportunity in the planning process to voice their views regarding the program. Acceptance should be a given, but sometimes this is not the case. In some Departments it has been necessary to have short seminars for managers that include

the use of victim assistance as a significant factor in achievement of the Department's major goal.

- The investigators. Where there are objections to the activities of the members of the VRU they will usually arise from the criminal investigators. Why?

- investigators believe that VRU personnel are hand-wringing social workers

- they believe that VRU get in the way at the crime scene and frustrate their efforts to get information from the victim

- they believe that the VRU personnel try to involve themselves in the investigation.

- By patrol officers. As the first officer at the crime scene the patrol officer should be aware of the VRU program and the extent of his responsibilities for notification and for providing support. Not all cases are "investigated", but victims may still need help.

## SESSION 9

---

### THE SHERIFF'S VICTIM RESPONSE UNIT (VRU)

---

#### SUMMARY OF SESSION

Over the past decade, many agencies--sheriff's departments, municipal police departments, prosecutor's offices, and organized citizen based groups--have established different types of organizations to meet the needs of victims and witnesses and to enable their own organization to deliver more efficient services. Various titles have been used to describe these organizations or organizational units: "Victim's Services Agency", "Victim Assistance Services Office", "Victim Advocacy Office", "Victim/Witness Office", etc. Some of these organizations have developed written objectives, policies, procedures and position descriptions; most have not.

The NSA Victim Assistance Program believes that the role of the victim and the response of the sheriff and others to meet the needs and requirements of this role strongly suggests that a sheriff's agency develop an organized unit to carry out the agency's response, to victim needs. Moreover, this organized unit should also be the principle focal point in the department to review and monitor services to victims and to act as the agency's representative in coordination efforts with other victim servicing agencies or groups within the jurisdiction.

For these reasons, NSA has developed a blueprint for the establishment of what we term "The Sheriff's Victim Response Unit (VRU)".

In this session, we shall discuss the VRU and its formation by addressing the following topics:

- Preconditions for Organizational Development
- Organization Options
- Organizational Developmental Criteria
- Management Factors
- VRU Operations--The Work Plan
- A Proposed Case Tracking System (CTS)
- Staffing
- Program Evaluation

Our overall approach and position regarding this new unit is that the need and mission of the unit is as important to the agency and the justice system locally as is the need and importance of other support/service units in a sheriff's department. Among other established units that can act as a model for the VRU in its functioning within the department are, for example, the agency's Crime Analysis Unit or the agency's Crime Prevention Unit, or, the agency's Special Services, Community Relations or Public Information Unit.

## THE SHERIFF'S VICTIM RESPONSE UNIT (VRU)

### INTRODUCTION.

What is it?...an element of the Department that is devoted to the provision of assistance to victims.

What it is not?...an organizational element with any responsibility for the protection of life or property and the apprehension of criminals. Yet...the persons involved in the VRU must understand the role and functions of others in the Department and be prepared to support, wherever possible, the achievement of the Department's overall goal.

What should it be called?...Some term should be chosen that indicates the function of the unit: Victim Assistance Unit; Victim Support Unit, Victim Services Bureau, Victim Assistance Office are some examples used elsewhere.

This session will address:

- preconditions for organizational development
- organization options
- organizational development criteria
- management factors
- VRU operations: The Work Plan
- a proposed case tracking system
- staffing
- program evaluation

Preconditions for Organizational Development. From previous sessions two main "givens" apply: (1) victims need help, and (2) the sheriff has a pivotal role to play in providing such help. From earlier studies of your respective counties (see Session 8: Planning for Victim Assistance Programs), including the surveys you have conducted as members of the SSA Task Force for Victim Assistance, you are aware of the fact, or at least how to determine the fact, of need on the part of victims. This is the first precondition to the establishment of a victim assistance program within the Department. The second is that no one else is now meeting the needs of the victim fully:

- duplicating existing services is not "good business" and tends to create conflicts, turf problems and increased cost.
- some negotiations might be possible to redefine the "turf" extremities.
- the objective should be to compliment the work being done, rather than to supplant it with a new program in the Department.

Key Point: situations vary enough so that all assistance programs must be "tailor-made".

Organization Options. In tailoring the program to your individual department there are at least four models from which you can chose. The model chosen should fit with the sheriff's concepts, be "comfortable" within the organization and not create organizational friction. Examples are:

- The Crime Prevention Peer Model. In this model, the VRU is located wherever the crime prevention activities are situated.
  - PRO: --The kind of activity pursued by the VRU is closely aligned with crime prevention;
    - one of the strategies of the program should be to involve the crime prevention groups (Neighborhood Watch) in the provision of certain kinds of assistance for victims.
  - CON: --the VRU might carry the same "baggage" as crime prevention. It may be seen by others in the Department and by some outside of it as another crime prevention program, not as one with specific goals and objectives for aiding victims.
  
- The Investigator Peer Model. In this model, the VRU is an adjunct to the Criminal Investigation organizational element. The Chief of Criminal Investigation also supervises the VRU.
  - PRO: --The close working relationship between the investigator and the VRU staff person would be a matter of supervision by one manager.
    - An understanding of the role of the VRU would be facilitated within the Department and by others outside of it.
  - CON: --The function and operations of the VRU are apt to be subordinated to the priorities of the investigation.
    - The investigators would tend to see the VRU staff as support persons in their investigations rather than a resource for aiding victims.
  
- The Staff Support Model. In this model the VRU is parallel in the organization with the crime analysis unit or the planning and research unit, reporting directly to the Undersheriff or the Sheriff.
  - PRO: --the involvement of the VRU in Departmental operations would be a direct concern of a most senior officer.
    - information concerning the operations of the VRU would naturally come to the attention of the most senior managers.

CON: --investigators and patrol personnel would see the VRU as a staff support function having little relationship to the operational priorities of the Department.

- The Administrative Support Model. In this model the VRU is subordinate to the personnel office of the Department, or a similar element of the Administrative Division.

PRO: --the operations of the VRU would be supervised by one of the senior managers of the Department.

CON: --the VRU operations would be seen by those in operations as another administrative function, having little to do with the achievement of operational goals.

Physical location of the VRU office and staff. This will be governed by what is available in most instances, but ideally, the location of the operation should be in the same office area where the investigators and patrol personnel work. In some programs, the office areas used by VRU are located outside of the Department proper. This may have an occasional advantage in that some victims would feel more comfortable in visiting a VRU staff person in such surroundings, but the disadvantages of less frequent physical contact with investigators and with Department managers responsible for the program would seem to outweigh this.

Scope of Operations. It is useful to examine the expected scope of operation of the VRU and the range of contacts that it must maintain against the backdrop of the role and function of the Sheriff. Figure 9-1 illustrates this relationship. Clearly, the VRU is basically responsible for executing the directives and carrying out the policies of the sheriff with respect to the provision of assistance to victims. It has daily contact with a wide range of persons in the criminal justice system and with others, as the occasion demands. At the same time, as we will see in Session 13, the sheriff has a role in coordination of efforts within the county for victim assistance through the County Coordinating Council.

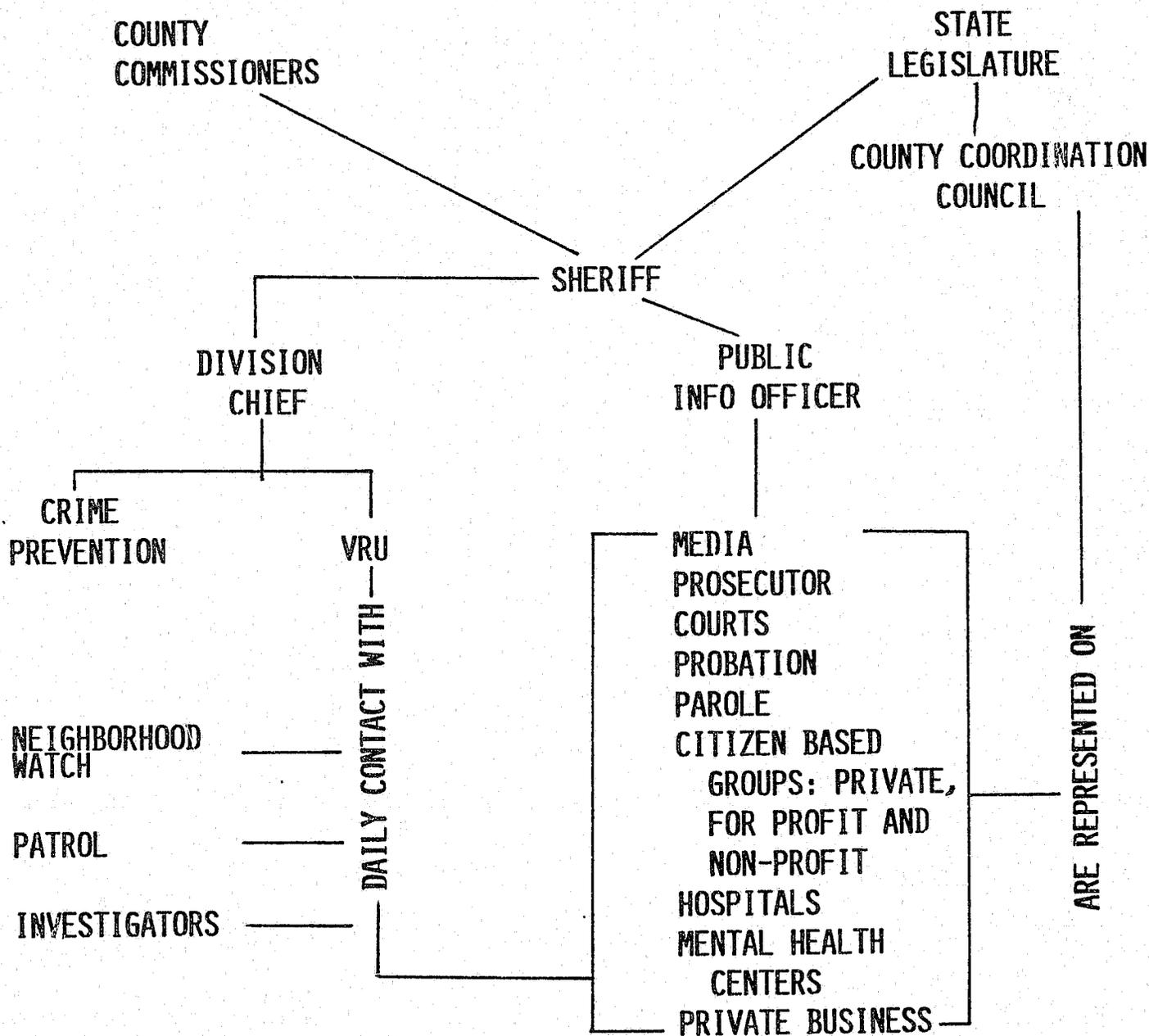
Operations...Policy Statement. The initial action in the establishment of a program within the Department is the preparation and approval by the Sheriff of a policy and procedure document. This document should include many of the matters discussed below, but in slightly different forms. The procedures for the preparation of such documents are provided in a separate set of guidelines: "Guidelines for the Preparation of the Department's Policy and Procedures Manual", provided in the Appendix to this Handbook.

The Work Plan. The work plan defines the scope of operations of the VRU in terms of time. It has the following elements:

- Goals. The overall targets, expressed in general language, are covered. For example, the goal of the program might be "to provide an optimum level of assistance to all victims."

FIGURE 9-1

### THE SHERIFF AND THE VRU: MUTUALLY SUPPORTIVE



- Objectives. Objectives are statements of what is to be achieved in order to reach the specified goal. These should be expressed in quantifiable terms. Examples might be:
  - provide for 24 hour operations
  - create an investigator-VRU team approach
  - establish means for full coordination with others involved in victim assistance
  - define specific VRU program activities that will be taken (determined from the "Gapanalysis" earlier)
  - establish specific actions for daily coordination with others both, within and outside for the Department
  - establish internal management procedures and tools to allow the monitoring and evaluation of the VRU program
  
- Activities. Activities are specific actions that are planned for achieving objectives specified. Examples might be:
  - establish a "hot line" for victims to reach the VRU
  - prepare and obtain approval of policy and procedures
  - establish a monthly coordination program for meeting with all persons involved in victim assistance in the county
  - establish a weekly joint conference between investigators and VRU staff to informally discuss operational matters and means for coordination
  - conduct training for VRU, investigators, patrol personnel, reserves, auxiliaries and volunteers independently and together
  - conduct training programs for VRU and others in the Department jointly with representatives of citizen based groups
  - engage in participation in state level victim assistance networks.
  
- Time. All of the objectives and activities should be arrayed in terms of time. The presentation of the Work Plan should reveal planning in terms of at least one year with activities expressed in terms of the time they will take place and the length of time estimated for completion. This means of presentation allows for managers to see what is underway in the program at any time and shows the relationship between specific activities. It is also a key document for the County Coordinating Council and it facilitates an understanding on the part of others as to what the sheriff intends to do in providing assistance to victims.
  
- Cost Analysis. Of vital interest to decision makers, the Work Plan must present an analysis of the cost of each of the activities and this must also be expressed in budget categories used. For example, the summary should show personnel costs, capital expenditures and operational costs.

A Proposed Case Tracking System. A key essential in allowing the Department to monitor the activities of the VRU and to provide the necessary data for the evaluation of the program is the maintenance of proper records of the VRU activities. This system also allows for the preparation of daily tasks on the part of the VRU staff in that each active case record will suggest actions that are needed. This "tracking" of the active case files will

allow the Program Manager to assign tasks to each of the VRU staff on a daily basis. The Case Tracking System (CTS) should have the following characteristics:

- Records should be cross-indexed to allow ready reference by:
  - offense
  - victim name
  - date and time
  - case number
- Data in case records should include at least the following:
  - the VRU person assigned and others in the Unit who worked the case
  - information as to how the VRU first assigned the case: such as by dispatcher, called by investigator, called by victim, or otherwise referred.
  - hours of work devoted to the activity involved by VRU staff member
  - actions taken in behalf of the victim by each VRU staff member, showing the date and time and the hours involved.
  - referrals made by the VRU; contacts with others regarding the case, showing the date and time.
  - contacts with the investigator; initially and subsequently
  - example of form that could serve for recording case information follows on the next page.
- Monthly Reports. Such reports serve the concerns of management in monitoring program activities and to provide the basis for the evaluation of the program incidental to the budget preparation. The report should include at least the following:
  - number of cases to date from the beginning of the year (fiscal or calendar
  - number of cases this month, by offense.
  - hours of staff devoted to the program this year to date and this month by offense and by each staff member. Hours of staff time devoted on the part of volunteers, if applicable.
  - cases active at the beginning of the month and at the end of the month, by offense
  - expenditures incurred since the beginning of the year and this month by category:
    - capital expenditures
    - operational costs

The Departmental Budget. The VRU should be prepared to prepare estimates and participate in the budget review process as directed by the senior manager to whom the VRU reports. Monthly reports, reflecting work load and specific expenditures, will provide basic reference documents for this purpose. The VRU submission, fully justified in the narrative, should cover at least the following information:

- Personnel costs. Costs for the budget year (current year) should be shown to include base salary costs per staff member plus all fringe benefits costs. Proposals should be made for changes, if any, giving the same cost categories.
- Capital expenditures. examples of such expenditures are vehicles, major items of office equipment, radio and housing costs. These should be shown as that on hand and those that are proposed, giving cost estimates in each case on an item by item basis.
- Operational Costs. The budget year allotment should be shown and the funds expended against this category shown. Purposes for the expenditures should be described. Proposed costs should be identified in terms of purposes.

Staffing. The numbers of persons needed for the VRU will be governed by the kinds of assistance provided. For example, if a "hot line" is to be operated this will require someone to answer the telephone during those hours that the VRU offices are not manned. The numbers of persons required for staffing a single position can be determined by the following formula:

$$\frac{a}{b} = c$$

- (a) Total hours of work to be performed in one year
- (b) The total hours an employee can be expected to be at work
- (c) numbers of persons needed to staff the position

Total work hours (a) are determined by measuring the hours needed to perform all work of the position.

Total hours an employee can be expected to be at work (b) are determined by subtracting all hours an employee is expected to be absent (vacation, sick leave, holidays, military leave, training and administrative leave) from 2,080 (total hours per year at 40 hours per week, 8 hours per day)

EXAMPLE:

position requires seven days per week coverage 24 hours per day.

(a) = 24 hours x 365 days = 8,760 hours

(b) = 2080 hours - 320 hours = 1760 hours

(c) =  $\frac{(a)}{(b)}$  ,  $\frac{8760}{1795}$  = 4.98 persons required to assure position is staffed for 8,760 per year.

AJAX COUNTY SHERIFF'S DEPARTMENT VICTIM RESPONSE UNIT

CASE  
FILE # \_\_\_\_\_

VICTIM NAME \_\_\_\_\_ DATE/TIME CASE OPENED \_\_\_\_\_

OFFENSE \_\_\_\_\_ CASE TO VRU BY \_\_\_\_\_ INVESTIGATOR \_\_\_\_\_

VRU PRIMARY (1) \_\_\_\_\_ VRU, OTHER (2) \_\_\_\_\_

DEPARTMENT INV. # \_\_\_\_\_ (3) \_\_\_\_\_

PROSECUTOR \_\_\_\_\_ (4) \_\_\_\_\_

ASSISTANCE ACTIONS

DATE/TIME	ACTION	BY	HOURS
(USE CONTINUATION SHEETS)			

(USE CONTINUATION SHEETS)

EXPENDITURES

DATE	ITEM	BY	AMOUNT
(USE CONTINUATION SHEETS)			

## KINDS OF PERSONNEL.

There are several choices. Any or all can, and probably should, be involved in the operation of the VRU.

- Sworn Officer. At the outset, some Departments have found it to be advantageous to assign a sworn officer to the establishment of the VRU. This has a distinct advantage in that there is greater credibility within the Department when others see a brother or sister officer involved in the program.
- Sworn Officer, part-time. This may be a reserve officer and since such officers do participate with other sworn officers in the Department in normal duties, the credibility factor applies here also.
- Auxiliaries. Civilian "volunteers" to the Department are those that have shown strong interest in assisting the Department in its work. They represent a valuable potential resource for the VRU. An example:
  - Maricopa County in Arizona has just under 1,000 personnel on full time basis.
  - The Department used 2,000 trained volunteers as special deputies who provide their own uniforms and equipment.
  - It pursues 28 different programs at no cost to the county except for that for three full time officers.
- Volunteers. Civilians who have a strong interest in victim assistance are found to be a main source of personnel in many programs throughout the county.
  - there are a number of volunteer activities in your county at the present time in all probability.
  - volunteers provide services to the Department at little or no cost.
  - examples of the use of volunteers in other programs: man the "hot line" act as victim advocates, provide transportation to victims, accompany victims to the Department, to trial.
  - volunteers need to be trained as to their role and it is recognized that in nearly all cases they are not counselors, and certainly not investigators.
  - volunteers can be expected to come from various segments of the population: elderly, former victims, professional persons (psychologists, doctors, lawyers, etc.) and others.
  - volunteers can be of either sex, although women predominate in volunteer groups.

- Other Resource Groups. Other groups in the community can represent resources for the VRU: the Neighborhood Watch group, the Boy and Girl Scouts (particularly where children are victims and where there should be an interface or activity with a school), and the Red Cross. In some communities such organizations as MADD (Mothers Against Drunk Driving), AA (Alcoholics Anonymous) and other special interest groups can provide resources for victims and for the assistance programs of the Department.

The VRU Evaluation Program. As a manager, the sheriff will want to have the VRU program evaluated at least on a yearly basis. He may assign such work to the crime analysis unit, to the Division Chief, the Undersheriff or to some other member of the Department other than the VRU program manager. The evaluation should:

- Take place so that a report can be examined in connection with the budget review process
- assess the following:
  - work done during the reporting period (one year, usually)
  - costs involved in all categories
  - targets reached (accomplishments) in terms of the previously approved Work Plan
  - relations between the VRU and others within the Department and with those others working in providing victim assistance elsewhere in the county (status)
- provide recommendations with respect to changes in the scope of the program (activity changes) and with regard to the costs (proposed budget).

Aside from meeting the needs of the sheriff as a manager, the evaluation report provides a basic source for the development of brochures and news releases concerning the Department's activities in helping victims.

## SESSION 10

---

### DESCRIPTION OF A SHERIFF'S AGENCY PLAN FOR VICTIM ASSISTANCE

---

#### SUMMARY OF SESSION

Each of the previous sessions have provided to participants sufficient information about what can be done to assist victims and how to begin to plan for the implementation of actions to provide, in an organized manner, adequate local agency responses to the needs and rights of victims. A model for the creation of a Sheriff's Response Unit has also been presented.

In Session 8 we discussed in some detail how an agency should plan for the establishment and operation of a victim assistance program. In the Session a broad range of matters relative to the establishment of a Victim Response Unit within the Sheriff's Department were covered.

In Session 10, Task Force members are asked independently to prepare a Local Agency Plan for their departments, drawing on information gained to date in the conduct of the victim assistance survey, personal knowledge about the cast of characters in the county that would be involved or have an interest, and guidance and suggestion provided in this workshop.

Following this session, specific Task Force members to be selected by the Workshop Training Team, will be requested to make a presentation in plenary session concerning the plans they have developed.

## COMPOSING A LOCAL AGENCY PLAN

### Instructions

The end-product of this effort should be a written plan that is directly responsive to the needs for victim assistance in a specific county. This should be in the form of a written plan covering aspects of development that have been presented in previous sessions. Each Task Force member will be expected to prepare a plan for his or her own county. Task Force members may work together in this process if they wish.

In the conduct of this work, Task Force members may work alone and chose his or her own place to do this, or may work as a group, recognizing that each member has his or her own plan to write. At the conclusion of the drafting, Task Force members may wish to share the results of their efforts with other Task Force members.

During the course of the work, Workshop Training Team members will provide assistance. In the course of this, certain Task Force members will be asked to make presentations in Session 12.

Specifically, it is requested that Task Force planning address, as a minimum, the following:

- How the agency will view and modify, as needed, policies and procedures throughout the agency so that victim/witness needs are addressed in written operating policies and procedures;
- How the agency will review and modify, as needed, its recruit training programs, and specialized management training programs so that knowledge of new policies and procedures as well as employee awareness of victim needs and rights are presented to agency staff and employees;
- How the agency will plan for the establishment of a Sheriff's Victim Response Unit or some variation of this model unit;
- How the agency will assign personnel to prepare and submit grant applications to appropriate state (or federal) agencies to obtain funds in support of agency efforts on behalf of victims.

If the Task Force member is not a sheriff, it is requested that a written strategy be included as to how the Local Agency Plan will be submitted to the sheriff and how his endorsement and commitment will be obtained.

The Local Agency Plan Worksheet. The following pages present topics for consideration in the preparation of of the Local Agency Plan.

A. Suggested planning considerations and subjects to be addressed

1. What organizational option do you chose? Why?

2. Show a rough sketch of the present organization of the Sheriff's Office:

B. What would be the relationships of the new unit with other elements of the Department?

1. With investigators:

2. With patrol personnel:

3. With crime prevention personnel:

4. With the training staff:

5. With the crime analysis personnel:

C. What should the new unit be called?

D. List the scope of assistance activities or services to be provided by the new unit:

E. How will proper relationships be established and sustained by the unit with other victim assistance resources in the county?

1. The prosecutor's office

2. The probation officer

3. The parole officer

4. Citizen based groups

F. Do you believe that your plan should include an objective to prepare the sheriff to take a lead role in the establishment of a County Coordinating Council for Victim Assistance? If so, how?

G. What is the Local Agency Plan goal?

H. What are its objectives?

I. What activities does the plan have to reach plan objectives:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

J. What resources will be needed for the operation of the unit?

1. Personnel: (numbers and kinds)

2. What capital equipment will be needed?

3. What operations costs will be required, for what purposes?

K. What is the total first year cost estimate for the unit?

- L. Draw a Work Plan showing the activities you have selected for the unit for the first year.

**WORK PLAN**

ACTIVITY	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC

## SESSION 11

---

### COMPOSING THE LOCAL AGENCY PLAN

---

#### SUMMARY OF SESSION

Participants will be given sufficient time in this session to compose their local agency plan of action.

Training team members will be available for consultation and technical assistance.

Participants are to produce a copy of the written plan to use back home at their agency; a xerox copy of this plan will also be submitted to the training team for filing and use in the NSA Victim Witness Program files and for subsequent use as examples to others in other training programs or in SSA State Sponsored Training Programs to be conducted throughout the next twelve months.

At the conclusion of this session, a volunteer from each state will present his plan for discussion by the full group. This will enable other participants to hear what ideas and procedures are being done by their peers in other states.

Presentation of volunteer plans of action will be made in the next session.

SESSION 12

---

PRESENTATION OF SELECTED PLANS

---

SUMMARY OF SESSION

Individual SSA Task Force members will have been selected to present their local agency plan of action.

Other participants should assist by suggestions or comments when appropriate.

NOTES

AGENCY

COMMENTS

---

SUMMARY/EVALUATION: DAY III

---

SUMMARY OF SESSION

This session will summarize the objectives, processes and accomplishments of the workshop thus far. A brief review will be given about the next day's schedule, objectives and work.

Participants will also complete a brief evaluation form about Sessions 7-12 which should then be given to any training team member.

At the conclusion of this session, participants will meet for a brief social hour. Beginning at 7:00 pm a formal banquet will be held for all participants.

## SESSION 13

---

### ESTABLISHING A COUNTY-WIDE COORDINATING COUNCIL FOR VICTIM ASSISTANCE

---

#### SUMMARY OF SESSION

In earlier sessions we have examined the needs for victims, the kinds of assistance that can meet these needs and the role of the Sheriff in providing such aid. There is a basic reality that must be seen...the sheriff can't do it all. But, a wide range of assistance needed by victims as they progress through the criminal justice system must be provided if the goal of an optimum level of aid is to be provided to all victims.

The underlying focus of this workshop is on what help is needed and how the sheriff can provide assistance to victims beginning with the report of the offense and continuing through the aspects of the system...concentrating on those transactions described in the text "The NSA Guidelines for Victim Assistance". It will be noted that many of the GUIDELINES state that the sheriff should work with others to bring about change. This goes back to the basic reality, above, and emphasizes the importance of the sheriff and the efforts of others. All efforts, to be of maximum effectiveness, however, must be coordinated.

This session will provide opportunities for discussion with regard to:

- What is "coordination"?
- What are the pre-requisites for a successful coordinating mechanism?
- How can these pre-requisites be achieved?
- A Model County Coordinating Council for Victim Assistance (CCCVA)
- Strategies for establishment of the CCCVA

What is "coordination?" There are six major kinds of coordination:

- Informal. Two people working on the same kind of project talk together informally and agree to specific work that is complimentary and is neither conflicting nor obstructive.
- By supervision. A supervisor directs two or more workers to conduct their efforts in specific ways so that their work is not duplicative and the objectives of the efforts are reached without conflict.
- By standardization of procedures. The method of work and tasks assigned to individual workers is specified in written directives. An example is the policy and procedure documentation of the Department. This is to have the effect of drawing the lines of

effort and authority in the conduct of work so that there is no conflict or duplication in the achievement of the work goals.

- By standardization of training. The same kind and extent of training is provided to all workers so that equal preparation and skills are brought to the tasks at hand. This method contributes to coordination, but often requires another form of coordination to be successful. In other words, just because a worker is trained to perform in a certain way doesn't necessarily mean he will work in that manner...without supervision or informal coordination with others.
- By standardization of employment of victim service providers. In this form, groups or categories of workers are given specific kinds of tasks which in themselves compliment the work of other groups. For example, volunteers may be assigned the task of answering hot line telephone calls only. Their work compliments that of other service providers.
- By committee or advisory group. In this form, an oversight body has the prescribed responsibility for bringing together diverse interests and activities to achieve a common goal.

All forms of coordination will be applicable in the effective operation of the Sheriff's Victim Assistance Program. The last, the use of a committee or advisory group, is the subject of this session and with which we deal below.

Pre-requisites for coordination. The organizational structure, the method of operation and the style of functioning of a coordinating body--which we will call the Countywide Coordinating Council for Victim Assistance (CCCVA)--will be dependent on some fundamental factors of group dynamics. These, in fact, describe the factors that should exist for the CCCVA to work effectively and on a timely basis. They are:

- Actors must see that they have a role to play. Members of the group must see that their role is clear, important and how it fits within the context of the purposes of the group.
- Each actor has to feel that there is an opportunity to be heard. Effective participation in the group is dependent on each member feeling that he can participate and that others do not obstruct his doing so.
- Each actor sees how his role fits with that of others. This is important to the coordination function of the group where an actor supports the role of another member because he understands what that role is and how it relates to his own and others.
- All actors believe in the "production". Continuing with the theater analogy, they must believe that what they are doing is important...and share a commitment in reaching common goals.

- All actors must "stick to the script". Each actor's efforts should contribute to the achievement of the overall goal. Diversion of efforts leads to higher cost and less chance of goal achievement.
- Someone has to "direct the production". Any group must have a leader and, as we have pointed out, we believe the sheriff is the ideal member of the criminal justice system to provide this "direction".
- Each actor must believe that participation will contribute to achievement of his "private agenda". Candidly, everyone has his own "agenda" or a set of priorities that govern his actions. We urge, of course, that an optimum level of assistance to victims should be high on the priority list of all practitioners of the system and many others in the county. In any event, each must also see the CCCVA as meeting subjective goals.
- Each actor must see the CCCVA as allowing greater effectiveness than can be achieved by the sum of its parts. This is a major and underlying reason for the existence of the CCCVA in the creation of optimum victim assistance in the county.
- Each actor must see participation in the CCCVA as essential and productive. Unfortunately, many committees are a waste of time. Each of the actors will be busy people and the time required for CCCVA meeting will have to be fit into their otherwise crowded schedule. If meetings are not productive, or, if they are seen as not essential, members will not attend subsequent sessions.

How can these pre-conditions be reached. There are three main kinds of actions that can be taken that will enlist the support of the actors and tend to create the kind of environment needed for successful and productive CCCVA operations. They are:

- First, development of a Council Charter. This is a written document, agreed to by all members, that:
  - Defines the goals of the Council;
  - Identifies its members;
  - Specifies the authority of the Council as a body, of the Chairman any officers, and for the creation of subcommittee;
  - Defines the scope of its activities to be used in reaching the Council's goals; assigns responsibility for specific kinds of activities;
  - Provides specifics as to how it will function: who is to provide leadership and how he or she is to be selected; when meetings are to be held and how they are to be called (a written agenda may be called for); and what records of Council activities are to be kept and how and by whom;
  - Any fiscal matters: it is expected that there would be little or no added cost for the operation of the Council, but if so, such matters (such as office space, meeting place costs,

secretarial support, office supplies, etc.) should be described and the source of funding for them defined.

In the preparation of the Charter, the sheriff should seek to work with others to develop the draft language. Thereafter, each Council member should approve the draft or make such suggestions for change as are indicated. Once finalized, the document should show signatures of all members and then become the basic operational guide for the functioning of the Council.

- Second, development of a County Action Plan. Why? This is not just another written plan to put on the shelf...it is important because it:
  - forms the primary working document for the CCCVA and for coordination of its members in their efforts during the time frame of the plan;
  - illustrates the county's efforts toward increased victim assistance that will be needed when applying for grants from state or federal sources;
  - provides direct linkage between the CCCVA goals and the individual plans and budget documents of the respective members, thus lending support for the letter when submitted to those who must approve county budgets,
  - provides a ready reference at any time for the news media to see the broad range of efforts underway to enhance the service to victims and witnesses; and
  - provides the framework for the understanding of the respective members of the CCCVA of the roles and activities of each of the other members.
- Elements of the County Action Plan. The elements of the Action Plan are similar to those of the Sheriff's Victim Assistance Program, and presumably, to similar plans that may exist in other departments or offices in the county involved in such assistance. They are:
  - Goals of the Plan. What is the situation to be strived for in victim and witness assistance, in general terms?
  - Objectives of the Plan. There are targets aimed for in achieving the Plan's goals. Examples are:
    - provide council and guidance to state legislature to establish a requirement for the victim impact statement at the time of sentence determination and to provide for notification of victims at the time of a parole hearing.
    - develop an index of all possible funding sources for support of victim assistance.
    - provide for joint training of law enforcement and other service providers.
    - ensure that all assistance efforts are complimentary.

- Plan activities. This is a description of the specific actions that the CCCVA will take to reach Plan objectives; it identifies the agency or group that will take the action; specifies the time when such actions are to take place and how long the action will take; and defines issues that may be involved, such as personnel, coordination with others, training needs and funding. Such specific actions and issues become agenda items for CCCVA meetings.
  - Relationship with the State Sheriffs' Association Task Force Action Plan. In the next session we will address the SSA Task Force Plan, one element of which will be the development of State Action Plans. The latter should reflect the relationship of the County Plan to the State Plan and to the efforts underway in neighboring counties and in the state overall.
  - Media relations and the Public Information Program. The media, represented as a member of the CCCVA, have an important role to play in its success. The Plan should describe the Council's role in this respect and how this relates to the interests and activities of the individual members. For example, the sheriff can be expected to have an active public information program that provides information of media interest. How should this interest be blended with that of the Council and with its public information program?
- ④ Third, Council Leadership. The third action is the provision of leadership to the Council by the sheriff. This function will be to:
- bring together cooperative council representatives...the "actors".
  - assure that the meeting place and time are arranged
  - provide a written agenda for each meeting and for its distribution in advance, and
  - assure that meeting records, as appropriate, are complete, and prepared and distributed on a timely basis to all members.

#### A Model Coordinating Council for Victim Assistance

- ④ Membership...the Principal Actors. The members of the council should reflect all of those in the county representative of agencies or groups that are active now or should be active in the provision of victim or witness assistance. The representative should be the most senior administrator of the agency or group. Examples of agencies are:
  - The criminal justice system:
    - ④ The Sheriff.
    - ④ Chief of Police: largest municipal police department.
    - ④ the prosecutor.
    - ④ the presiding judge or administrator of the criminal court.
    - ④ probation office.
    - ④ parole board.

- Others
  - hospitals: administrator of emergency rooms.
  - mental health: representative of psychological counseling services.
  - citizen based groups: rape crisis center, battered spouse shelter, other social services agencies or groups, and.,
  - ministry.
  - private business, such as the largest employer in the county.
  - the media.
- "Bit Players" who may be called on to participate depending upon the agenda:
  - the County Chief Executive.
  - Chairman of the County Commission.
  - State representatives, such as from the Governor's office, from state victim and witness assistance office, Attorney General.
  - federal prosecutors.
  - federal law enforcement.
  - special interest groups: MADD, Crimes Against Children, etc.
- The Charter, covering such matters as discussed above.
- Examples of Council Activities. Each Council can be expected to have a list of activities that is directly responsive to the needs for victim assistance in that county and which are mutually supportive. Some examples:
  - specific program activities focus on gaps that have been identified in victim and witness services;
  - appropriate legislation is sought;
  - provide information to the public about the activities of the Council and of individual members through the media and public speaking engagements; participation in meetings of state networks on victim assistance; and the provision of assistance in the development of victim assistance abilities in neighboring counties.

Evaluation of the Council's County Action Plan. An evaluation of the activities of the Council, as expressed in specific terms in the County Action Plan should be conducted regularly...at least each year. Such an evaluation should address:

- What actions were taken, when and what was the result; what impact did this have on services to victims and witnesses and on the criminal justice system?
- What was the cost for each of the actions taken; where did the funds come from?
- What were specific activities of the individual members of the Council that contributed to the achievement of Council objectives?
- What are the plans for the future?

The product of this review should provide the basis for:

- development of next year's County Action Plan, and
- news media releases and other documents relative to the Council's activities (brochures, grant requests, etc.)

### Strategies for Getting Started

● The Sheriff's Professional Conference on Victim and Witness Assistance. The first step, and a suggested approach, is for the sheriff to host a professional one day conference for all "actors" in the county involved in victim assistance.

- Purposes: to bring together those persons now working to provide victim and witness assistance in order that:
  - a review of victim assistance needs can be made
  - an examination of the manner in which the county now responds to such needs can be made
  - preliminary views with respect to what actions can be taken to bridge gaps in service delivery, and
  - emphasis the need for coordination and the establishment of a County Coordinating Council for Victim Assistance.

- Procedures. A sample set of instructions and guidelines for organizing and delivery of a similar conference is provided, in the Appendix to this Handbook.

- Product expected. Attendees at the conference should obtain:
  - increased awareness of the scope of need for assistance
  - understanding of what aid is now provided
  - awareness of the gaps in services
  - understanding of what the sheriff plans to do about the gaps in assistance and what others plan to do, if anything
  - awareness of the need for a coordinating mechanism and a preliminary willingness to participate in this respect in a coordinating body.

- Follow-up Action. Following the conference the sheriff should:
  - prepare and send a letter to each of the principal actors that provides a rough draft of the Charter of the CCCVA; indicates what the next steps should be, including a suggestion for the agenda for the first meeting (such as the drafting of the County Action Plan); and requests addresses to participate as members of the Council.

● Prepare a draft Charter and distribute to all CCCVA members. This may be an action that takes place after the membership has been confirmed or a rough draft may be sent with the follow-up letter, above. All differences or changes proposed in the draft should be negotiated.

● Develop a key issues list. This provides a listing of those subjects that can be covered in the early agenda of the Council meeting and certainly represents those matters that should be addressed by the Council during its first year.

● Develop a Public Information Release regarding the CCCVA. This should be approved by the members of the Council prior to its first meeting. It should describe the Council, its membership should be identified, its purposes defined and the issues it will be addressing described. Distribution, aside to members, could be to the Governor, to state and federal legislators, to members of Congress and to the local media (electronic and print).

## SESSION 14

---

### THE STATE SHERIFFS' ASSOCIATION TASK FORCE ACTION PLAN

---

#### SUMMARY OF SESSION

The development of an Action Plan for the state is one of the major purposes of this workshop.

A quick review of what we have covered in the past sessions shows that:

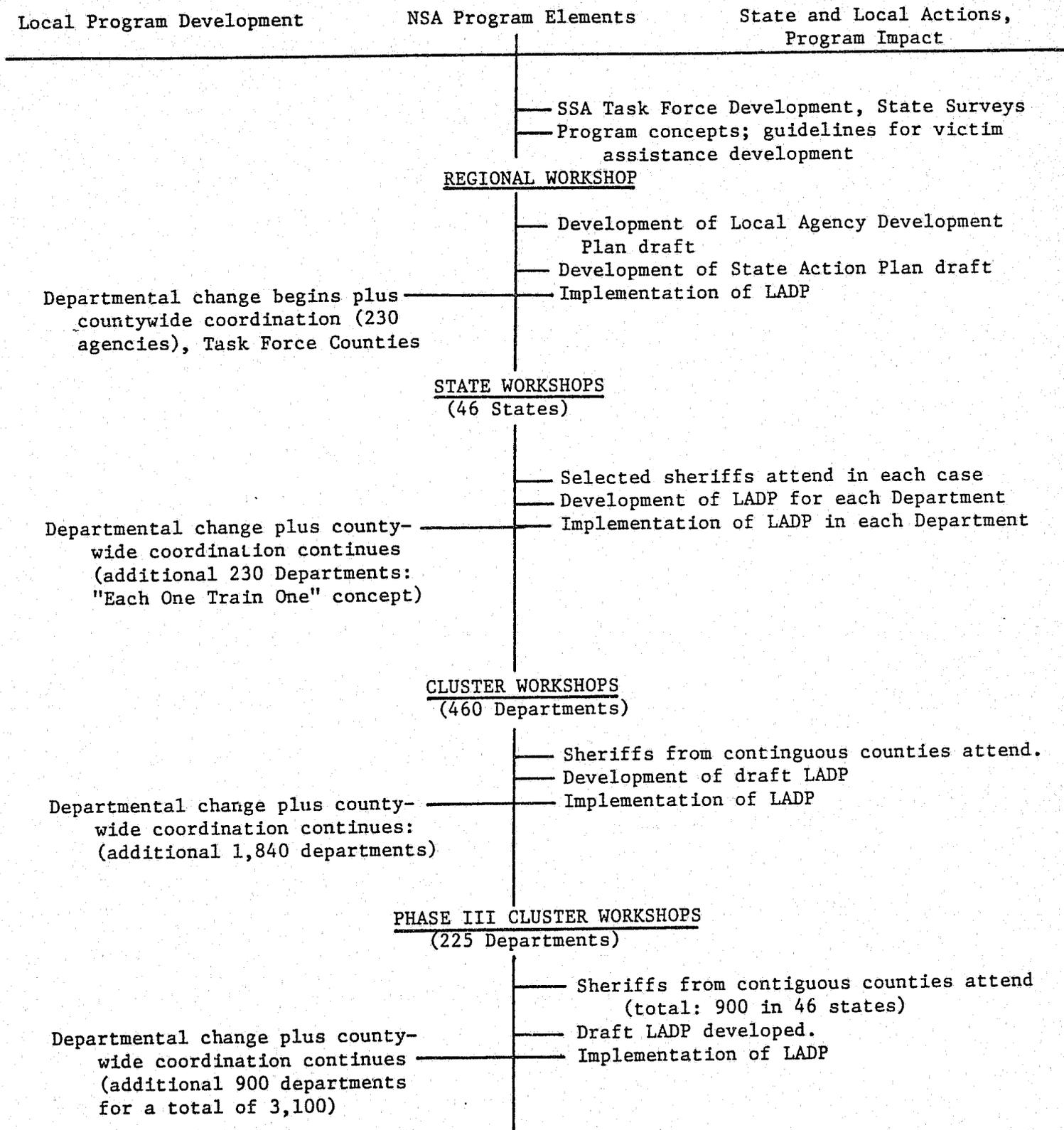
- victims have a wide range of often serious problems when victimized and when coming into contact with the criminal justice system;
- there are a number of kinds of activities underway to help victims throughout the country;
- there is a surge of interest at the federal and state level... and in some cases at the local level...to do more to help;
- the sheriff has a key pivotal role to play in assuring that an optimum level of aid is available to victims of all kinds;

We have also addressed how:

- to plan for victim assistance programs;
- to develop an organizational element within the Sheriff's Department,
- and, how the sheriff can take an active leadership role in assuring that all efforts in the county are coordinated.

In this context let us examine the National Sheriffs' Association strategy for enhancing the ability of the sheriff for assisting victims, illustrated on the following page. We can see that state workshops represent a key factor in the outreach efforts for providing guidance and assistance to individual sheriffs concerning improvement of abilities for assisting victims. This session deals with the State Action Plan, an essential part of which is the delivery of the state workshop by the SSA Task Force.

THE NSA VICTIM/WITNESS PROGRAM  
GRASSROOTS DEVELOPMENT  
STRATEGY



Why have a plan? A plan is not an end unto itself...it is a means for assuring that all participants, particularly Task Force members, understand the scope of the program and what their respective roles and activities are in terms of time. It also provides the only sure way to provide accurate information concerning its program to others who are involved or otherwise interested in the outcome. What is the alternative? Isolated efforts, if any, that are designed by one agency or group without much consideration of what others do and possibly inaccurate or conflicting information provided to others as to what is happening and why.

Approaches to Plan Design and Implementation. Aside from the substance with which the plan deals, certain conceptual approaches are urged:

- Keep the scope of the planning within the range of Task Force abilities to implement them;
- Chose goals and objectives that are practical, directly relate to the problem and are achievable;
- Chose activities that will meet objectives chosen and omit others;
- Be cost conscious in plans and in preparing for the workshop:
  - what can be done to reduce costs?
  - if funds are absolutely needed, can they be obtained from SSA funds, a state grant, general budget revenues of one or more agencies or the private sector?
- Plan to keep records of what is done...the way you solve a problem (funding, for example) may be of help to someone else.

#### THE SSA ACTION PLAN...AN OUTLINE AND DESCRIPTION OF ITS PARTS

The basic parts of the Plan should be:

Introduction  
Background  
Goals  
Objectives  
Activities  
Plan Implementation, including the Work Plan  
Budget  
The Evaluation Program  
Monitoring procedures and reporting.

Introduction. This should set the stage as to what the document consists of, what its purposes are and how it is organized.

Background. This should provide information for a reader that is not fully familiar with the nature of the problem faced by victims, and the kinds of assistance that are being provided for victims and by whom at the present time. Examples of subjects to be covered are:

- What are the needs of victims for help, physically, emotionally and financially?

- What problems do victims face when coming into contact with elements of the criminal justice system?
- What kinds of assistance are now being provided victims and witnesses at the state, county and local level?
- A discussion of the needs for enhancement of the nature and degree of assistance throughout the state: such as legislation, state program funding support, establishment of assistance abilities (programs) in sheriff's departments, creation of assistance resources in other parts of the criminal justice system and in social or medical services, and the coordination of efforts at the county level.

The Action Plan Goal. This is a statement of what condition is sought in general terms. It should be recognized that the Task Force holds a goal or goals that cannot be reached in one year, yet the Action Plan timeframe should be one year to coincide with other planning and with respective budget processes. A statement should be included here to describe what the longer term goals of the Task Force are.

Plan Objectives. These are statements of what is to be accomplished within the plan timeframe in order that the goal can be achieved. Examples are:

- Assure that the Task Force Action Plan is finalized and receives appropriate distribution.
- Conduct a state-wide workshop for sheriffs of ten selected departments.
- Assist in the initiation of Victim Assistance Programs in ten sheriff's departments.
- Conduct a Workshop for the review of the Action Plan and the development of replication strategies and machinery.

Plan Activities. These describe the specific actions to be taken in reaching each Plan Objective. Each activity shows what will be done, when it is to be started, how much time is expected to be required and who (or the agency) will be responsible for taking the action. Examples are:

- The holding of a one-day planning conference within 45 days of the end of the Regional Seminar to involve others within the state who are active in victim and witness assistance in order to finalize the Action Plan and to prepare for the Workshop.
- Distribute the finalized Action Plan.
- Select sheriff's as key leaders from ten departments for participation in the State Workshop on Victim Assistance based on pre-selected criteria, within 60 days after the end of the Regional Workshop.
- Provide all pre-workshop materials to key sheriffs.
- Make all preparations for the workshop. (This Regional Workshop is a model that may be followed).
- Conduct a state-wide Workshop on Victim Assistance for

representatives from the ten key sheriff's departments within 120 days of the end of the Regional Workshop.

- Develop and define the Task Force Monitoring Plan.
- Monitor the development of victim assistance programs within the selected key departments.
- Provide reports of the progress and status of the implementation of the Action Plan to all Task Force members, to the SSA, to each of the selected departments and to NSA during the fourth, eighth and tenth month of the plan life (or a similar prescribed frequency).
- Identify specific individuals and skills needed for the delivery of technical assistance.
- Prepare request and response procedures for the provision of technical assistance to sheriffs, including means for and procedures for funding.

Activity components...an illustration. An examination of what can be involved in one of the activities given as a sample above may be useful in seeing the depth to which planning for such an activity is needed.

- Activity: Make all preparations for the Workshop. There are relationships to other activities, such as the selection of the ten key sheriff's. Components of this activity might be:
  - preparation of an agenda and schedule of sessions
  - obtain or prepare training materials
  - prepare hand-outs
  - identify those who will attend: principal staff and instructors, representatives from ten sheriff's departments, special invitees (representatives from the Governor's office, the Executive Director of the State Sheriff's Association, representatives from NSA, Department of Justice); speakers other than Task Force members (special skills or preparation, luncheon or banquet speaker)
  - develop a logistics plan for support, providing travel arrangements and mailing
  - select a site for the workshop
  - provide notification about the workshop, including the preparation of a flier describing it, to all attendees (a more formal letter of invitation may be chosen)
  - others?

The Work Plan. Objectives should be arrayed in terms of the timeframe of the Plan to provide a specific illustration of what is to be accomplished in reaching the Plan goal. Also, specific activities of the Plan should be shown in the same way. The Work Plan format should look like the example provided in connection with the local Agency Development Plan exercise in Session 10.

The Budget. There may be costs attendant to the pursuit of specific activities. These should be estimated and summarized into the following categories:

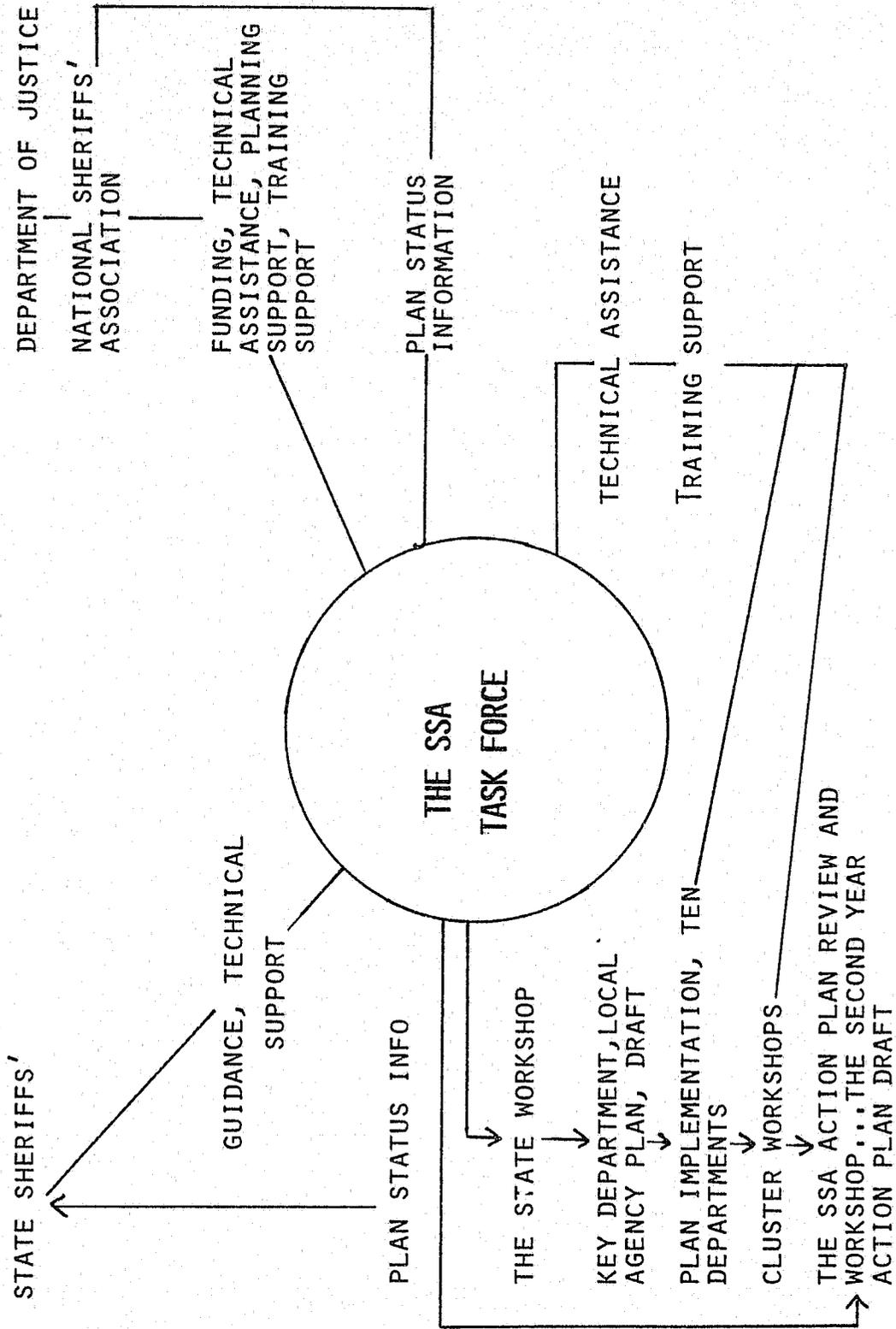
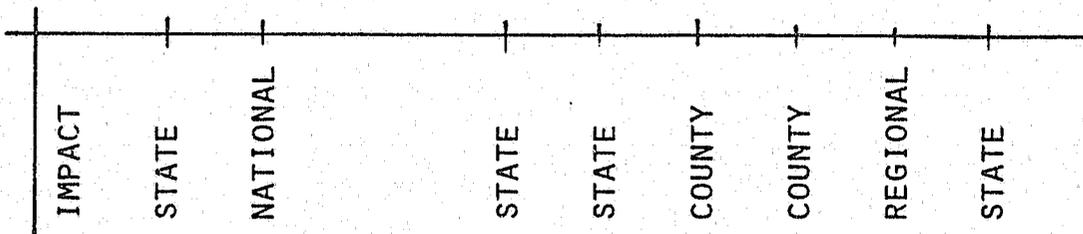
- Personnel costs. While it is not expected that Task Force salary costs or fringe benefits will apply, it may be necessary to pay for part-time assistance (secretarial) or for certain speakers that will participate in the workshop.
- Travel. Travel costs for all participants in the workshop and the review session at the end of the year should be estimated, showing each as a line item.
- Subsistence. Costs for food and lodging and related expenses for participants at the workshop and the end of year review session should be shown.
- Workshop costs. If it is not possible to use a local academy for the workshop or otherwise obtain space at no cost, it may be necessary to pay for space. Such costs should be shown as line items.
- Printing costs. Costs for printing and for photocopies for all activities should be shown, by activity.

Many of the costs necessary for the actions to be taken by the Task Force in implementing the Action Plan may be absorbed by parent departments. Others will be offset by contributions from the SSA and the NSA. It is expected that there will be very little in the way of added costs for which the Task Force will have to obtain funds...if a hard-nosed, cost conscious approach is taken in planning and implementation actions.

Plan Implementation and the Task Force Role. Implementation of the Action Plan rests on the shoulders of the Task Force primarily...but, they won't have to go it alone! The State Sheriffs' Association and the National Sheriffs' Association will be ready to provide all assistance possible to each Task Force as each of the activities of the plan are undertaken.

The role of the Task Force in this respect, and its relationship with others is shown in the following figure. This also illustrates the supportive roles of both, the SSA and the NSA. Reference should be made to the replication strategy illustrated at the beginning of this session. The Task Force, clearly, is a key element in assuring that development opportunities reach sheriffs within the state.

# THE SSA TASK FORCE...ROLE AND RELATIONSHIPS



## SESSION 15

---

### COMPOSING THE STATE ACTION PLAN

---

#### Introduction

The foundation of efforts that Task Forces will pursue in the coming year will be the expression of intentions and objectives in the form of the written Action Plan for the State.

While each plan must be constructed to specifically meet the needs of the respective state, certain key elements are to be included in order that the basic replication strategy can be followed.

By combining information and ideas derived from all previous sessions with the outline of a plan of action, each Task Force will be able to construct their own state plan which must address, at a minimum, the SSA Task Force planned approach regarding the following:

- How and when the Task Force will conduct a final planning meeting-- with others in the state--in order to inform others about the specifics of the final SSA State Plan of Action; this next meeting must be held within 8 weeks after the Regional Workshop. Topics in the plan are:
- Specifically, how the Task Force will implement its plan to conduct, once within the next 12 months, a training conference or workshop for up to 10 other sheriff's departments/representatives within the state. The training conference is to be based on the Regional Workshop so that information and ideas can be transmitted to other departments.
- Specifically, how the Task Force will transmit information about the role of the SSA and Sheriffs in the state concerning activities they will adopt to (a) assist victims, (b) recommend changes in laws, (c) link together various local, county, state and federal efforts on behalf of victims and witnesses.
- Specifically, how the Task Force will transmit a simple report, every four months, to NSA about the accomplishments of the Task Force.

## Instructions

Each Task Force will have prepared information concerning the kinds and extent of victim assistance in their state (state surveys). This will provide basic information concerning probable gaps in assistance that need to be addresses in the Action Plan.

While Session 14 provided some examples as to what the individual parts of the Action Plan should look like, Task Force members should prepare as much of the details as possible reflective of the situation in their state. Certain questions might apply?

- What criteria should be used in selecting the "key" sheriffs for participation in the workshop?
- Are there other examples of actions that are needed in preparing for the workshop than those mentioned in Session 14? Do those mentioned apply in your case?
- What are the expected workshop products?
- If, you as a Task Force member are not a sheriff, what strategies do you see useful in communicating the content and intent of the Action Plan to the sheriff in your county?

## Steps

For this exercise it is requested that each Task Force prepare an outline of the State Action Plan, taking note of the minimum requirements mentioned earlier. The Task Force Chairman should assure that the Task Force together determine and articulate:

- The goals and objectives of the State Action Plan
- Identification of major activities to be conducted to achieve specific objectives. In this respect, the timing for training conferences and for the State Workshop should be indicated.
- A monitoring strategy for the Task Force use in assuring that efforts following the Workshop in respective departments for establishment of victim assistance abilities are followed closely.
- The procedures to be used in recording the activities of the Task Force and for disseminating information regarding its activities.

When the draft outline has been completed, the Task Force Chairman should prepare a briefing outline for use in his presentation in plenary session, Session 16.

1. What is the goal of the State Action Plan?
  
2. What are its objectives? Can these be listed in order of priority?
  
3. For each of the objectives, what major activity or activities are planned?
  
4. What is the date for your final planning meeting concerning the full description and finalization of your Action Plan?

5. What is the criteria used for the selection of the key sheriff's departments to be represented at the State Workshop?
  
6. What is the date planned for the State Workshop?
  
7. What plans to you have with respect to monitoring program development progress following the State Workshop?
  
8. What plans do you have for recording Task Force activities and for disseminating information concerning these and victim assistance information generally?

SESSION 16

---

PRESENTATION OF SSA TASK FORCE  
STATE ACTION PLAN  
OUTLINES

---

In this session Task Force Chairmen will each make a presentation in plenary session that illustrates the major aspects of their State Action Plan. All other participants will be expected to ask questions for purposes of clarification.

NOTES

<u>State</u>	<u>Presenter</u>	<u>Comments</u>
--------------	------------------	-----------------

## SESSION 17

---

### SUMMARY OF WORKSHOP/EVALUATION AND NEXT STEPS IN PROGRAM

---

#### SUMMARY OF SESSION

This is the concluding session of the regional workshop.

In this session, we shall focus on the following:

- A brief review of the entire workshop with special emphasis on the workshop outcomes;
- A verbal debriefing from participants about the workshop; what worked, what needs to be adjusted, suggestions for other workshops;
- The completion of a final evaluation form by participants;
- A summary review of the next steps for SSA Task Force members:
  - SSA State Plan
    - Planning Conference: dates
    - State Workshops: date
    - Reports to NSA: deadlines
  - Local Agency Plans
    - Policies, procedures, training: deadlines
    - The Sheriff's Victim Response Unit
    - The Countywide Coordinating Committee for Victims
    - Reports to NSA: deadlines
  - What NSAVWP can do:
    - Assistance: phone/on site
    - State Workshops
    - One-day Conferences
    - Newsletter/Reports
    - Grant Application assistance

At the conclusion of this session, certificates will be distributed to each participant; final instructions will be given on reimbursement procedures.

A P P E N D I X

	<b>PAGE</b>
1. <b>HANDOUT # 1:</b> "Assessment Worksheet--Guidelines for Victim Assistance" : For use in Session 6 and Session 9 of NSA Victim Assistance Training Program.....	395
2. <b>HANDOUT # 2:</b> "Guidelines for the Preparation of the Department's Policy and Procedure Manual": For use in Session 9 of NSA Victim Assistance Training Program.....	401
3. <b>HANDOUT # 3:</b> "Instructions and Guidelines for the Sheriff's Professional Conference": For use in Session 13 of NSA Victim Assistance Training Program.....	425

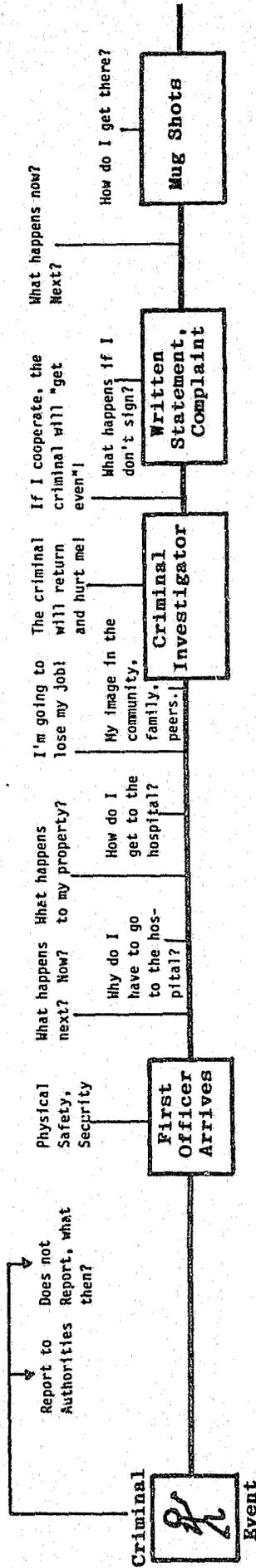
H A N D O U T # 1

**"ASSESSMENT WORKSHEET--GUIDELINES FOR  
VICTIM ASSISTANCE"**

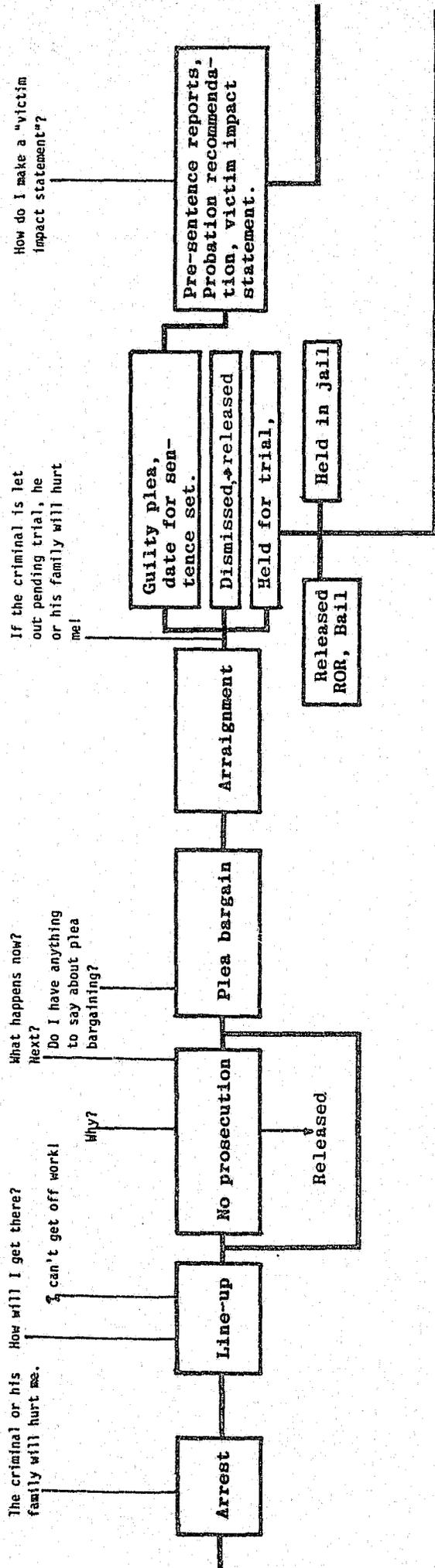
For use in Session 6 and Session 9  
of The NSA Victim Assistance  
Training Program

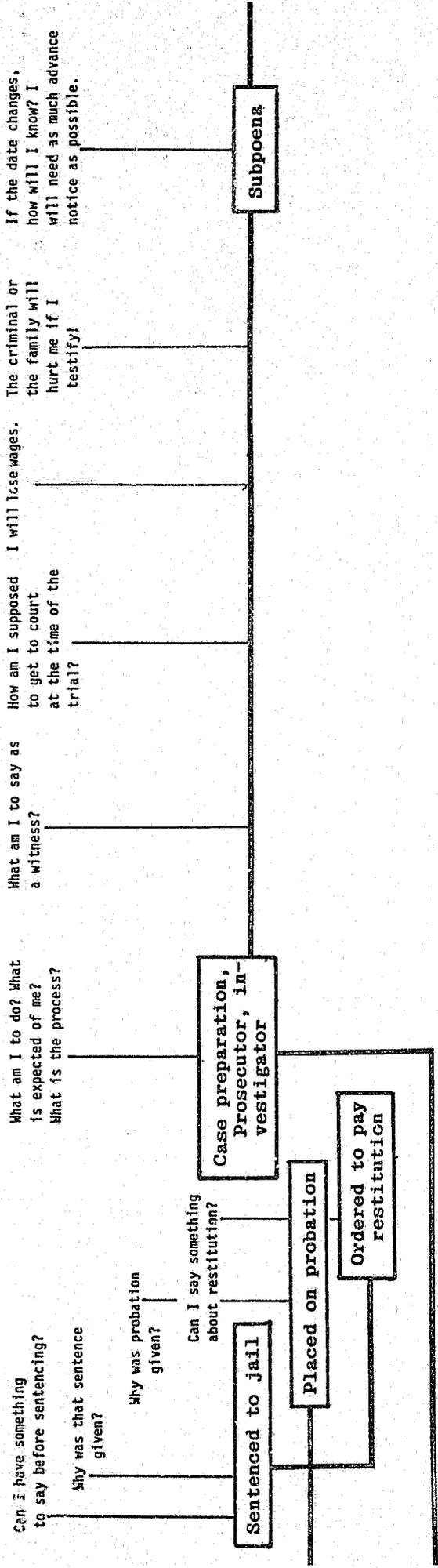
VICTIM/WITNESS ASSISTANCE PROGRAM COVERAGE WORKSHEET

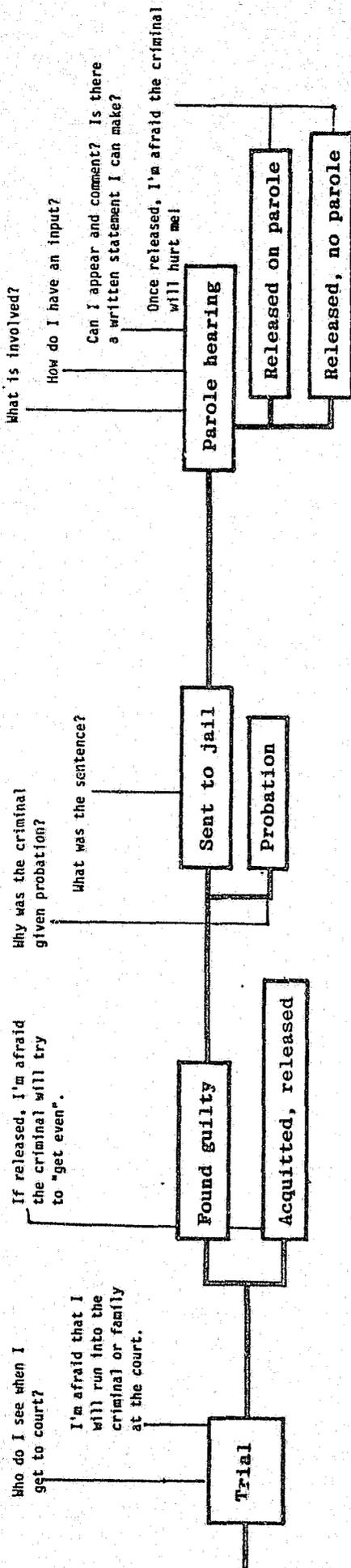
COUNTY: \_\_\_\_\_ STATE \_\_\_\_\_  
 CITY(S) \_\_\_\_\_



Date of review: \_\_\_\_\_  
 Reviewer: \_\_\_\_\_







H A N D O U T # 2

**"GUIDELINES FOR THE PREPARATION OF THE DEPARTMENT'S  
POLICY AND PROCEDURE MANUAL"**

For use in **Session 9** of  
The NSA Victim Assistance Training Program

**Guidelines for the Preparation  
of the Department's  
Policy and Procedures Manual**

Most law enforcement agencies use written directives to govern the provision of law enforcement services and for the administration and management of the resources devoted to this purpose. However, in many instances these directives fall short of that needed to assure that all necessary aspects of the agency's activities are covered.

In a number of instances there is documentation regarding what is to be done and how, but is in the form of memoranda, instructions and bulletins. Such documents are usually prepared following the recognition of a problem and are intended to provide direction to overcome it. There is little or no internal recognition of the need for a comprehensive manual in these agencies and it is rare when policies and procedures implied in the more or less informal directives receive any review.

Written policies and procedures have several distinct and key advantages to the agency. And there is one aspect that might be considered to be a disadvantage: there is a management requirement to assure that the individual directives are followed and receive periodic review. Obviously, if the agency prepares a manual of directives and then places it on the shelf...the agency receives no benefits therefrom.

Benefits to an agency with an appropriate policy and procedures manual are:

1. It provides the basis for understanding by all employees of what is to be done and why. The manual should be provided to each employee and he or she should be made accountable for it. By having the policies written and the procedures for implementing them defined, each employee is then held accountable for knowing what is to be done, when, and why. New employees are able to fit more easily into the work force and it is not necessary to rely on the old method of "word of mouth" to train new employees on procedures that are expected to be followed.

2. It provides for uniformity of performance. Capabilities of employees can be expected to vary. But with written directives the supervisors and leadership for the agency can expect that these will be applied equally to the performance of work...in accordance with the written directives.

3. It is a key supervisory instrument. Supervisors rely greatly on the manual in providing guidance to those for which they are responsible. Where performance varies from that prescribed, supervisors are able to discuss this with the employee using pertinent written directives as the principal reference.

4. It is essential to effective personnel management. The agency's performance evaluation system relies heavily on the job descriptions for positions within the agency, which in turn rely on the policies and procedures manual. What an employee must do, how and when represent the work he or she performs during the year that is measured in this system. Without written directives, such a system would be impossible.

5. Training of personnel can be job related. The manual forms a basic and key resource for providing recruit and in-service training to employees of the agency.

6. It is critical in protecting the agency and its employees from litigation. Since the activities of the agency are derived from the written directives...and it is vital that these be followed in the performance of the agency's work...the vulnerability of the employees is reduced. Clearly, if all policies and procedures are consistent with the law and the protection of individual constitutional rights, legal action concerning the violations that otherwise might occur becomes remote.

7. It protects employees who are sued. The courts have ruled in a number of instances that if there is no written documentation concerning policies or procedures that the plaintiff's allegations have greater acceptance. However, the reverse is true...where the agency can show that its policies and procedures are written, are proper and are followed such allegations often do not reach court. And if they do are dismissed.

8. It provides directives for agency records management and analysis. One of the important aspects of agency management is the analysis of data concerning its activities and of the need for services. This requires the collection of data and the study of such information to provide decision makers with timely information. Written procedures are essential in this process to assure that data is collected uniformly and properly analyzed.

Thus, there are many arguments for the agency to develop proper policies and procedures in written form....those mentioned above being the most obvious. But how does an agency proceed?

### Terminology

In the discussion of what an agency's responsibilities are, what it should be doing to carry them out and how such efforts can be articulated in the form of policies and procedures it is important to understand what the words mean. The terms "policy", "goal" and "objective" are often used interchangeably by drafters of policy and procedure manuals. Definitions of these terms are:

Policy. A policy is a statement of what is to be done in relation to a particular issue or subject. For example, with respect to the operation of a jail, the Department's policy with respect to attorney's visits within the jail may read: "It is the policy of the facility that attorneys may visit with any inmate at any time consistent with the security needs of the facility"

Goal. A goal is an expression of a desired future condition yet to be achieved. Goals may or may not be expressed in quantitative terms. An example: "One of the goals of the Department will be to reduce traffic fatalities by 10% per year over the next five years."

Objective. An objective is a definition of specific actions, related to time and expressed in quantitative terms, for the achievement of goals. An example relative to the sample goal above might be: "To increase the numbers of public education

programs regarding pedestrian and driver safety by 25% during the year 1983."

Procedures, less often misunderstood, concern the actions that are to be taken as to how a policy is to be carried out. They are usually expressed in some detail and set forth responsibilities for action by position.

#### Basic Characteristics of the Policy and Procedures Manual.

The manual is composed of individual policy statements, followed in each instance by detailed procedures to be used in carrying them out.

The organization of the manual should be by chapter, each of which concerns a specific category of agency functions. An example of how functional subjects are organized into chapters is shown in the sample table of contents at Tab 1.

Where appropriate, each of the procedures should include reporting requirements to allow for the timely collection of data and indicate frequency of reporting needs. One chapter of the manual will deal with the agency's records. All others should be consistent with the directives in this chapter and cross-indexed appropriately.

Each directive should be reviewed periodically, at least annually, to assure that the contents are responsive to the current needs of the agency. The review process is discussed below, and each directive should be signed by the agency's chief executive to reflect the fact of review and approval.

Policies and procedures are dynamic in that they are intended to represent the ways in which the agency is responsive to the changing

demands for service for the public it serves. Thus, the review process assumes critical importance. Following the review, modifications of existing policies and procedures should be made, where needed.

Format. The manual itself should be a loose leaf notebook so that changes can be made easily to it. The format of the individual policies and procedures can vary according to the individual preference of the agency chief executive. However, there are basic elements that should be included, as follows:

1. Chapter title.
2. Title of the policy and procedure (defining the subject addressd).
3. The policy and procedure number. This is usually a chronological number given to a directive within the category of the chapter title. For example, Chapter 5 of a manual may provide directives for Personnel. One of the directives dealing with uniforms may be numbered 5.6.
4. Cross references should be provided. Such references should be made to other policies and procedures in the manual and to pertinent state and national performance standards where they exist.
5. Definition of terms. Where needed, terms used in the directive should be defined.
6. Signature of approval and issuance. The agency chief executive should sign at the proper place indicating approval and the date of signature shown.

7. Date of review. The date for review of the document should be shown below the signature of the chief executive. The date of the last review should also be given to reflect the fact of review, along with the initials or signature of the chief executive.

A sample format, showing the arrangement of requirements for information mentioned above is provided in Tab 2.

Another format may be chosen that provide the same kinds of information as listed above. The terminology of the document can vary as well. For example, it may be desired to call the document a "Procedural Directive", a "General Order" or "Executive Directive". The choice of terms is not important, the content of them is.

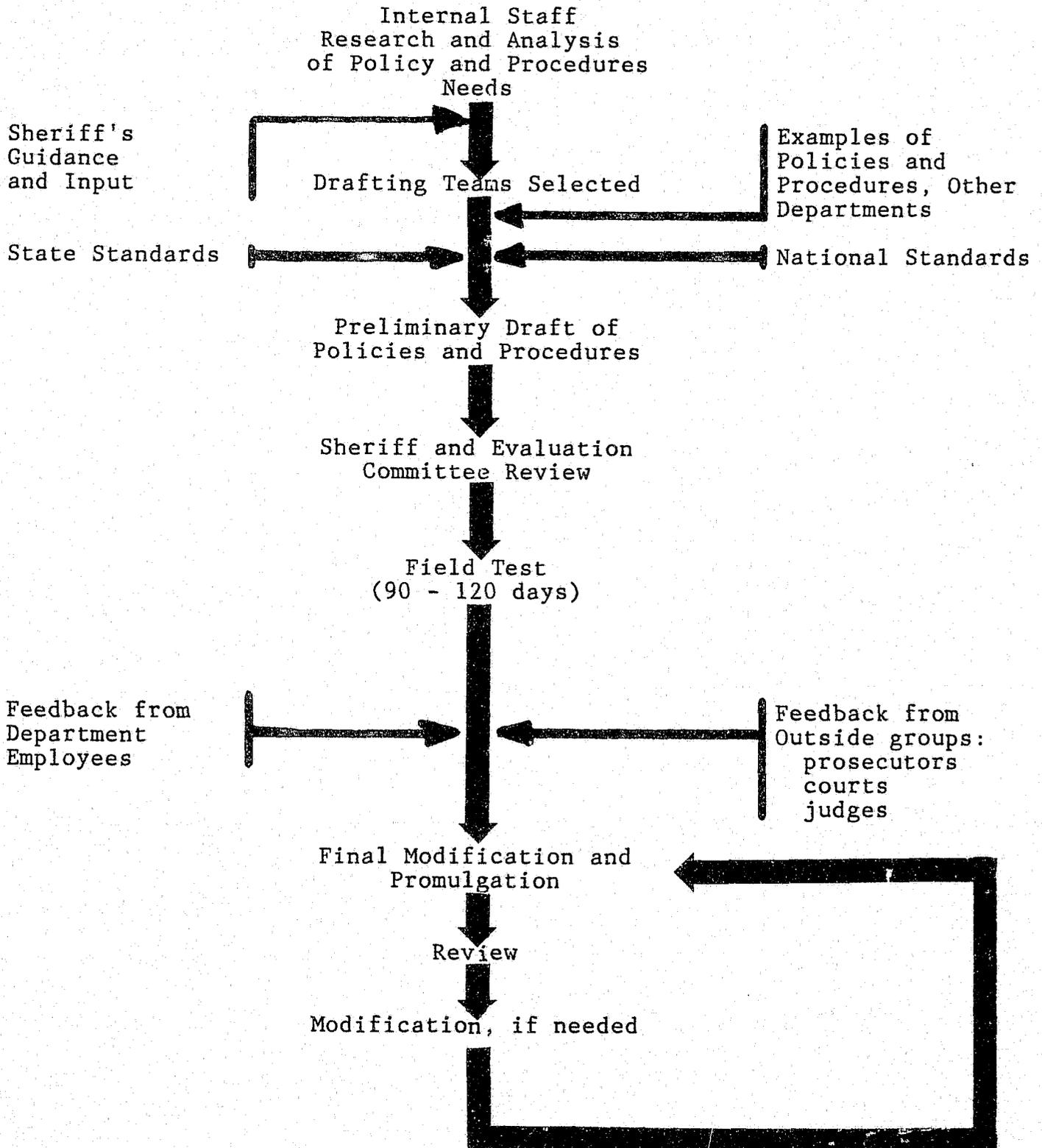
#### Preparation of the Manual

Guidelines for the preparation of the policy and procedures manual can only be expressed in general terms. The end product must reflect exactly the needs of the agency...and agency needs will vary. A general guide is offered, however, that features involvement of all elements of the agency, assures control by agency leadership and accomodates the concerns of other aspects of the criminal justice system, the public and the news media. Figure A presents a sequential flow of the steps in the suggested procedure for the development of each policy and procedure statement.

Internal Staff Research. The precise needs of the agency for written directives must first be identified. It has been found that these can best be defined through the use of staff teams drawn from the supervisors and officers of functional elements of the agency. For example, there are a number of policies and related procedures that will be needed having to do with the conduct of law enforcement

Figure A

Policy and Procedures Manual Development



patrol operations. It is suggested that in this case, a team of three or so members of the patrol element of the agency (or more) be selected and required to draft a) a list of topics that should be addressed by policies and procedures, b) obtain examples of such documents from other agencies, c) research the literature regarding the subject of policies and procedures, d) obtain copies of all state and national standards that exist, and e) obtain guidance from the agency chief executive.

There will be a number of vital areas that the agency chief executive will want to deal with directly....particularly in relation to what policies are prepared and how they are expressed. He then should provide this guidance directly to the research and drafting teams.

Drafting Teams. The drafting teams will probably be the same persons as were involved in the research effort. But this may not always be the case. Obviously, the time involved in the research may be considerable and can be expected to require officers to be detached from their regular duties for this activity. In many instances, agencies will not have the luxury of an independent planning and research unit to which such an assignment can be given. Therefore, the people involved in the drafting of the policies and procedures may be different than those that had performed the research. This will require careful transition in order that the drafters have as much benefit from the earlier work as possible.

Some agencies may wish to obtain services from outside of the agency to perform the drafting of the documents because of a limitation of manpower. Such services are available throughout the

country on a contract basis, but can be expected to cost more than using proprietary staff.

The responsibility of the drafting teams is to prepare drafts of all of the policies and procedures. It should be expected that they will receive close scrutiny and modifications at the time of the committee review and should be prepared at least in double space and not on the forms that will be used for the final version.

The Evaluation and Review Committee. The Sheriff or chief executive officer should select a group of functional commanders, supervisors and officers to form an evaluation group for review of all draft policies and procedures. In the case of the Harrison County Sheriff's Department, in West Virginia, as an example, such a committee could be composed of:

1. The Chief Deputy Sheriff (in this case, also the commander of the Patrol Division)
2. Chief of the Administration and Support Division
3. One shift commander, Patrol Division
4. One senior investigator, sergeant
5. One deputy sheriff assigned to patrol

The officers assigned to the committee may be changed from time to time to provide members responsible for specific functional activities when these are the subjects of policies and procedures being reviewed. For example, when the documents regarding civil process or court security are being reviewed, the sergeant responsible for the Court Services Division should be involved.