

THE NATIONAL SHERIFFS' ASSOCIATION
VICTIM ASSISTANCE PROGRAM

NEW JERSEY STATE TRAINING CONFERENCE
ON VICTIM ASSISTANCE

PARTICIPANT HANDBOOK

FEBRUARY 5-6, 1987

THE NATIONAL SHERIFFS' ASSOCIATION
1450 DUKE STREET
ALEXANDRIA, VIRGINIA 22314

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THE NATIONAL SHERIFFS' ASSOCIATION
THE COUNTY SHERIFFS' ASSOCIATION OF NEW JERSEY
THE COUNTY PROSECUTORS ASSOCIATION OF NEW JERSEY
AND
THE NEW JERSEY STATE OFFICE OF
VICTIM-WITNESS ADVOCACY

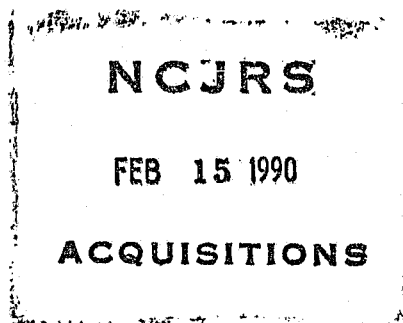
NEW JERSEY STATE CONFERENCE
ON VICTIM ASSISTANCE TRAINING

PARTICIPANT HANDBOOK

CONFERENCE AND TRAINING CENTER
RICHARD J. HUGHES JUSTICE COMPLEX
TRENTON, NEW JERSEY

FEBRUARY 5-6, 1987

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PREFACE

This **HANDBOOK** has been specifically prepared for the first New Jersey State Training Conference on Victim Assistance by the National Sheriffs' Association Victim Assistance Program. The Conference was first proposed by the President of the County Sheriffs Association of New Jersey, Sheriff James Plousis, Cape May County, New Jersey. Planning for this Conference has been the responsibility of members of the County Sheriffs Association, the County Prosecutors Association of New Jersey and the New Jersey Office of Victim-Witness Advocacy of the Office of the Attorney General, W. Cary Edwards and Donald R. Belsole, First Assistant Attorney General.

We are grateful to Ms. Pamela J. Fisher, Director, Office of Victim-Witness Advocacy and her staff for the care they exercised in the coordination and logistics needed to conduct a successful Conference.

Since May, 1985, the NSAVAP has conducted more than fifty separate state or local county conferences and workshops on the topic of victim assistance training for state and local criminal justice officials. Over 10,000 executives and leaders in our nation's criminal justice system have been trained by the NSAVP so that three major objectives can be accomplished by these leaders:

- To foster changes in state policies and procedures so that the rights of victims of crime can be clarified and enhanced and the needs of such victims can be served in a fair and humane manner;
- To enable local criminal justice officials to change the manner in which their agencies and the local justice system responds to the needs and rights of victims in an efficient and effective manner;
- To promote and establish county-wide coordinating mechanisms that will address the needs and rights of all victims of crime in a fair and effective manner.

This **HANDBOOK** has been designed to provide participants with sufficient knowledge and skill so that these objectives can be supported and accomplished in the State of New Jersey. This **HANDBOOK** contains information and materials which may not be found in other published texts of the NSAVAP.

Our hope is that the participants in this Conference will be able to return to their localities and implement actions that can be of benefit to the principle clients served by the criminal justice system...the victims of crime.

H. Jerome Miron
Director
NSA Victim Assistance Program

February 5, 1987

SESSION 1

INTRODUCTION AND ORIENTATION

**THE NATIONAL SHERIFFS' ASSOCIATION
VICTIM ASSISTANCE PROGRAM**

PURPOSE

The National Sheriffs' Association Victim Assistance Program (NSAVAP) works in partnership with the U. S. Department of Justice and State Sheriffs' Associations. NSAVAP takes the results of research and current practice and uses them in an organized manner to train and assist sheriffs and other officials of the criminal justice system. The goal of the program is to enable sheriffs and other officials to implement actions at the state and local level of government so that the needs and rights of victims are responded to in a fair and compassionate manner.

ACTIVITIES: 1984-1986

- Organized and established over 43 State Task Forces on Victims of Crime, comprised of over 500 sheriffs and other officials;
- Trained these Task Force members to be active state and local leaders in the establishment of programs to assist victims and coordinate services in the states and several thousand localities;
- Trained an additional 5,000 persons at 23 national and international conferences and workshops;
- Assisted and trained an additional 4,000 sheriffs, deputy sheriffs and other officials at 40 state conferences and workshops;
- Published over 16 separate manuals, handbooks, Newsletters and other materials in support of these training and assistance conferences;
- Presented testimony and reports to the U. S. Senate and House of Representatives and state legislatures; and
- Provided on-going assistance in responding to individual requests from sheriffs, government officials and citizens.

CONTACT INFORMATION

Information about the NSAVAP, State Task Force programs, and the future work of the NSA can be obtained by writing or calling, toll-free:

**THE NATIONAL SHERIFFS' ASSOCIATION
VICTIM ASSISTANCE PROGRAM
1450 DUKE STREET
ALEXANDRIA, VIRGINIA 22314
1-800-424-7827**

Program Activities
1986 - 1988

Introduction:

The National Sheriffs' Association Victim Assistance Program (NSAVAP) conducts three major activities in support of its goal to enable sheriffs, law enforcement executives, criminal justice officials and others to implement actions so that the needs and rights of victims of crime are responded to in a fair and effective manner. These activities include: (1) national training events; (2) state and local technical assistance conferences; and (3) various publications including a Newsletter, Training Assistance Handbooks, Manuals, and Briefing Papers.

TRAINING ACTIVITIES

National training events are several day workshops conducted for sheriffs, members of the State Sheriffs Association Task Forces on Victims of Crime, and others from multiple states and localities. These events are: the NSA Eastern Victim Assistance Conference scheduled for Alexandria, Virginia in February, 1987 and 1988; the NSA 47th Annual Conference scheduled for Grand Rapids, Michigan, in June, 1987; the NSA Western Victim Assistance Conference scheduled for the west coast in September, 1987; and the Urban County Sheriffs' Group Conference on Victims' Rights to be held in October, 1987. Other national events scheduled include, by invitation only, training at the National Sheriffs' Institute which is held quarterly at the FBI National Academy in Quantico, Virginia.

STATE TECHNICAL ASSISTANCE ACTIVITIES

The NSAVAP also designs and delivers customized multi-day workshops in collaboration with the members of each State Sheriffs' Association Task Force on Victims of Crime. Participants include sheriffs, deputies, law enforcement executives, criminal justice officials, and representatives from community-based groups. The NSAVAP has developed, and will deliver, at least three different types of multi-day state or local county-wide assistance conferences.

• Establishing a Law Enforcement Victim Response Unit

Participants from law enforcement and other criminal justice agencies will acquire sufficient skill and knowledge in order to implement local agency plans to establish or expand organized Victim Response Units or other activities that serve victims' needs and rights.

• Law Enforcement Response to Spousal Assault

Participants from law enforcement, prosecution, the judiciary, and local community-based organizations and support groups will acquire sufficient knowledge and skill in order to implement actions that improve the response of law enforcement and the criminal and civil justice system to the needs and rights of spousal assault victims.

• Neighborhood Watch Victim Assistance

Participants from law enforcement and community-based crime prevention groups will acquire sufficient knowledge and skill in order to implement a Neighborhood Watch Victim Assistance Program in localities using organized and trained cadres of volunteers and professional staff.

Approximately twenty-five state technical assistance conferences have been scheduled for 1986 - 1988. For further information about these state or local conferences contact the NSAVAP.

PUBLICATIONS ACTIVITIES

A Publications List and order form is available free of charge from the NSAVAP.

1450 Duke Street, Alexandria, Virginia 22314
(800) 424-7827 or (703) 836-7827

NEW JERSEY SHERIFFS' ASSOCIATION
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Undersheriff William Salter
Cumberland County Sheriff's Dept.
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(609) 451-8000

**THE NATIONAL SHERIFFS' ASSOCIATION
VICTIM ASSISTANCE PROGRAM**

REGIONS VI AND VII: STATE AND LOCAL TASK FORCE CHARTER

The Regional Workshop #6 was conducted in Philadelphia on May 7-10, 1985, for Task Forces from eight eastern seaboard states: Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Vermont and Virginia. One of the major objectives and one of the workshop outcomes were to enable the SSA Task Force members, as individual members of sheriff's departments or sheriffs, to draft specific actions that sheriffs should take in the ensuing twelve months to improve the quality of assistance to victims in their respective counties and to identify those actions that the State Sheriffs' Associations should take in this time period for the same purpose.

Following is a list of actions, representing a consensus, of the Task Force of the eight states for each, those that the State Associations should take and those that the sheriff should take in the next twelve months. This, then, represents the charter for the associations (including their respective Task Forces) and the sheriffs in these states, respectively.

● Actions that the State Associations will take:

1. Provide training to all sheriffs through conferences or workshops concerning victim's needs and the sheriff's response.
2. Review, analyze and identify needs for revision with regard to all legislation, including specific actions for the state association to take.
3. Develop a state-wide plan for program development and implementation, including specification for assistance to be provided to individual sheriffs by the Task Force.
4. Identify sources of funding at the state level and provide suggestions to sheriffs for funding sources at the local level.
5. Provide information to all sheriffs on a continuing basis through the State Association magazine and through periodic newsletters.
6. Assist in the establishment of training at the state level with regard to victim assistance and develop guidelines for training of sheriff's department personnel.

● Actions that the Sheriff will take:

1. Identify needs for victim assistance in the county.
2. Initiate a program within the department for assistance to victims that will be supportive of other efforts in the county and that will assure optimum assistance.
3. Develop a public awareness program with regard to the department's victim assistance program.
4. Coordinate efforts with other representatives of the criminal justice system and with others providing aid to victims.
5. Provide training to all members of the department concerning the department's program for victim assistance.
6. Develop appropriate policies and procedures to guide the functioning of the department with regard to victim assistance.

CONFERENCE SCHEDULE

DAY I

8:00 am		Registration and Continental Breakfast
8:30	Session 1:	Welcome, Introductions and Orientation to Conference
9:00	Session 2:	Description of the Problem: Victims and the Justice System
10:00		Break
10:15	Session 3:	Analysis of the Problem: Victims' Needs
11:30	Session 4:	Response to the Problem: Victims' Rights
12:15 pm		Swearing-in Ceremony of Victim Advocates
12:45		Luncheon
1:45	Session 5:	The New Jersey Response: Victims Treatment and Rights Statutes: Panel Discussion
3:00		Break
3:15	Session 6:	Exploring Local Options: What Your Agency and Jurisdiction Can Do: A Group Assessment Task
4:15	Session 7:	Reports from Groups
5:00		Reception for Participants

DAY II

8:00 am		Continental Breakfast
8:30	Session 8:	Victim Response Units
10:00		Break
10:15	Session 9:	Developing a County-wide Coordinated Approach to Victims Needs and Rights
12:00 pm		Luncheon
1:00	Session 10:	Planning a Victim Response Unit
2:00	Session 11:	Program Design Issues: A Group Planning Task
3:00	Session 12:	Reports from Groups
4:15		Summary and Conclusion

SESSION 2

DESCRIPTION OF THE PROBLEM:
VICTIMS AND THE JUSTICE SYSTEM

DEFINITION

A Victim is an individual who suffers physical, financial, or emotional harm as the result of the commission of a crime. This definition includes the families of children who are victims or the survivors of a homicide victim.

This definition is part of the federal law...

"The Victim and Witness Protection Act of 1982" (PL 97-291)
...and the definition has been incorporated into most state laws that provide financial compensation or services for crime victims and their families.

**NATIONAL DATA ABOUT CRIME VICTIMIZATION:
SERIOUS CRIMES ONLY***

<u>NATIONAL CRIME SURVEY (NCS)</u> <u>INCIDENTS OCURRED</u>	<u>YEARS</u>	<u>UNIFORM CRIME REPORTS (UCR)</u> <u>INCIDENTS REPORTED</u>	<u>PERCENTAGE</u> <u>DIFFERENCE</u> <u>(UCR/NCS</u> <u>INCIDENTS)</u>
35,661,000	1973	8,718,100	24.4%
41,454,000	1981	13,424,000	32.3%
39,756,000	1982	12,974,400	32.6%
37,001,000	1983	12,108,600	32.7%
35,476,000	1984	11,881,800	33.4%
34,489,500**	1985**	12,357,000**	35.8%**

* Serious Crimes: Rape, Robbery, Simple and Aggravated Assault, Personal and Household Larceny, Burglary, Motor Vehicle Theft.

** Preliminary estimates for 1985

Sources: National Crime Survey: Bureau of Justice Statistics, Department of Justice: Criminal Victimization, 1984
Uniform Crime Report: Federal Bureau of Investigation, Department of Justice: Crime in the United States, 1984

REPORTING CRIMES TO THE POLICE: Summary Tables from Special Report, Bureau of Justice Statistics, December, 1985,
633 Indiana Avenue, Washington, DC 20531, Special Report #NCJ-99432

[Of the 37,115,000 crimes that took place in 1983, as estimated from the National Crime Survey, 35% or 12,880,000 were reported to police. Other specific findings are reprinted in this NSAVAP Summary. These findings are based on interviews conducted twice a year with approximately 128,000 persons ages twelve and older in 60,000 households, conducted as part of the ongoing National Crime Survey (NCS). The tables reprinted here identify whether crime was reported in 1983 by type of crime and percent of victimization and the percent of crimes reported by selected victim characteristics.]

PERCENT OF CRIME REPORTED TO POLICE, 1983

Type of crime	Total number of victimizations	Percent of victimizations			Total
		Reported to police	Not reported to police	Don't know/not ascertained	
All crimes	37,115,000	35%	64%	1%	100%
Crimes of violence	6,015,000	48%	51%	1%	100%
Rape	154,000	47	52	---	100
Robbery	1,133,000	52	47	1	100
Aggravated assault	1,588,000	58	40	2	100
Simple assault	3,141,000	41	58	1	100
Crimes of theft	14,657,000	26%	72%	2%	100%
Purse Snatching	177,000	51	48	---	100
Pocket Picking	386,000	29	70	---	100
Larceny without contact	14,095,000	26	72	2	100
Household crimes	16,442,000	37%	62%	1%	100%
Burglary	6,065,000	49	50	1	100
Household larceny	9,114,000	25	74	1	100
Motor vehicle theft	1,264,000	69	31	---	100

Note: Crime categories include attempted crimes.
Figures may not add to total because of rounding.

--Too few cases to obtain statistically reliable data.

PERCENT OF CRIME REPORTED TO POLICE BY VICTIM CHARACTERISTICS, 1983

Victim characteristics ^a	Percent reported to police									
	All crimes	Crimes of violence					Household crimes			
		Total ^b	Robbery	Aggra- vated assault	Simple assault	Crimes of theft	Total	Bur- glary	House- hold larceny	Motor vehicle theft
Sex										
Male	35%	45%	45%	55%	38%	26%	38%	49%	27%	69%
Female	34	53	65	66	45	27	37	49	23	67
Race										
White	34	47	50	57	41	27	37	48	26	68
Black	37	54	58	63	41	26	39	52	22	70
Age										
12-19	22	38	41	48	32	13	26	33	18	40
20-39	36	51	54	60	44	29	36	48	23	68
40-64	40	57	58	73	50	33	41	51	29	72
65 and above	38	49	73	--	--	36	37	48	25	65
Family income										
Less than \$10,000	33	48	50	60	41	26	32	41	20	62
\$10,000-\$19,999	35	48	48	59	41	26	37	49	25	67
\$20,000-\$29,999	36	50	53	65	41	25	41	54	29	77
\$30,000 and above	35	45	56	49	40	27	42	57	29	68
Level of education										
Elementary	26	36	40	51	28	14	35	45	24	68
Some high school	31	47	54	56	38	19	34	45	22	69
High school graduate	37	51	56	59	46	29	38	48	26	71
Some college	37	53	56	67	46	30	37	49	25	66
College graduate	38	46	51	53	41	34	41	54	28	67

--Too few cases to obtain statistically reliable data.

^a Characteristics are those of respondent for crimes of violence and crimes of theft and of head of household for household crimes. Income is that of the family for all types of crime. Education is years completed for crimes of violence and crimes of theft and years attended for household crimes. ^b Includes rape, which is not displayed as a separate entry because of the small number in the sample.

Table 13. Most important reason for not reporting to police, 1983

Most important reason	All crimes	Crimes of violence				Crimes of theft			Household crimes					Motor vehicle theft
		Total	Robbery	Aggravated assault	Simple assault	Total	Completed	Attempted	Total	Completed	Attempted	Burglary	Household larceny	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Not serious														
Object recovered or offender unsuccessful	5	5	14	4	3	4	2	33	5	2	21	8	3	22
Did not think it important enough	30	22	15	20	26	30	30	24	32	34	22	21	38	13
Nothing could be done														
Didn't realize crime happened until later	7	1	—	—	—	7	7	5	8	9	8	11	7	9
Property hard to recover due to lack of identification number	4	—	—	—	—	5	5	—	5	6	—	3	7	—
Lack of proof, no way to find/identify offender	16	8	16	9	5	17	17	14	16	16	16	17	16	18
Police wouldn't do anything														
Police wouldn't think it was important enough—wouldn't want to be bothered	7	5	5	4	5	6	6	5	8	8	7	7	8	8
Police would be inefficient, insensitive	4	5	9	5	3	2	2	3	5	5	5	6	4	8
Reported to someone else	11	11	8	9	13	18	19	6	4	3	6	7	2	—
Private/personal matter or took care of it myself	9	28	13	33	30	4	4	3	8	8	4	8	7	10
Did not want to take time, too inconvenient	2	2	—	3	1	2	2	—	2	2	2	2	2	—
Afraid of reprisal by offender or his family or friends	1	4	5	4	4	0	0	—	1	1	—	1	0	—
Other	7	11	11	9	10	6	7	5	7	7	7	9	6	6

Note: Figures may not add to total because of rounding.
 —Too few cases to obtain statistically reliable data.

Table 14. Most important reason for reporting to police, 1983

Most important reason	All crimes	Crimes of violence				Crimes of theft			Household crimes					Motor vehicle theft
		Total	Robbery	Aggravated assault	Simple assault	Total	Completed	Attempted	Total	Completed	Attempted	Burglary	Household larceny	
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Economic														
In order to collect insurance	8	—	—	—	—	12	12	—	7	8	4	6	9	9
Desire to recover property	32	6	21	—	—	43	44	—	35	40	—	26	37	63
Obligation														
Because it was a crime	8	7	9	4	7	8	8	—	9	8	12	12	7	6
Because you felt it was your duty	7	8	7	11	8	7	6	23	7	6	7	7	7	4
To keep it from happening again	20	31	22	33	35	14	14	24	19	17	32	23	19	7
To stop or prevent this incident from happening	9	18	15	17	19	4	4	—	9	7	24	12	8	4
To punish offender	7	14	11	16	12	4	4	—	7	6	9	8	6	5
There was evidence or proof	1	—	—	—	—	1	—	—	1	1	—	—	1	—
Need for help after incident due to injury	1	3	—	—	—	—	—	—	—	—	—	—	—	—
Other	8	14	10	11	18	8	7	—	6	6	10	7	7	—

Note: Figures may not add to total because of rounding.
 —Too few cases to obtain statistically reliable data.

Source: Special Report: Bureau of Justice Statistics, Department of Justice: "Reporting Crimes to the Police", December, 1985

TABLE 1

**FACTORS RELATED TO VICTIMS' SATISFACTION
WITH LAW ENFORCEMENT SERVICES**

(RANK ORDER: HIGHEST TO LOWEST RANK)

TREATMENT BY OFFICERS	1	.48
VERDICT	2	.12
INFORMATION ON CASE	3	.09
FREQUENT CONTACTS BY OFFICERS	4	.09
SUSPECT ARREST	5	NA
VICTIM'S PRIOR POSITIVE ATTITUDE TO LAW ENFORCEMENT	6	.04
VICTIM'S PERCEIVED INFLUENCE	7	.04

SOURCE: "DELIVERING LEGAL SERVICES TO VICTIMS: AN
EVALUATION AND PRESCRIPTION", DEBORAH P. KELLY,
THE JUSTICE SYSTEM JOURNAL, Vol 9/1, Spring, 1984:
pages 62-86.

TABLE 2

**FACTORS RELATED TO VICTIMS' SATISFACTION
WITH PROSECUTORS' SERVICES**

(RANK ORDER: HIGHEST TO LOWEST RANK)

TREATMENT BY PROSECUTOR	1	.80
REPRESENTATION	2	.69
INFORMATION ON CASE DEVELOPMENTS	3	.43
VICTIMS' PERCEIVED INFLUENCE	4	.39
VERDICT	5	.29

TABLE 3

**FACTORS RELATED TO VICTIMS' IDENTIFICATION
OF COURT RELATED PROBLEMS**

(RANK ORDER: HIGHEST TO LOWEST RANK)

LOSS OF TIME	1	.76
GETTING PROPERTY RETURNED	2	.71
WAITING	3	.34
THREATENING PERSONS	4	.28
FINANCIAL LOSS	5	.25
PROPERTY DAMAGE	6	.21
SECURING TRANSPORTATION TO COURT	7	.08
PARKING AT COURT	8	.06
FINDING COURTROOM	9	.05
HIRING BABYSITTER	10	.05

TABLE 4

VICTIMS' SUGGESTIONS FOR CRIMINAL JUSTICE REFORMS

(RANK ORDER: HIGHEST PERCENTAGES TO LOWEST)

1. LAW ENFORCEMENT SHOULD PROVIDE MORE INFORMATION
2. PROSECUTORS SHOULD PAY MORE ATTENTION TO THE VICTIM'S OPINION
3. TREAT VICTIMS AS PEOPLE AND NOT AS EVIDENCE: INCLUDE THEM IN DELIBERATIONS
4. GIVE VICTIMS MORE INFORMATION ON DEVELOPMENTS IN THE CASE
5. BETTER SCHEDULING
6. EDUCATE LAW ENFORCEMENT TO VICTIMS' EMOTIONAL REACTIONS
7. LAW ENFORCEMENT SHOULD PURSUE THE CASE MORE
8. PROSECUTORS SHOULD REPRESENT AND DEFEND VICTIMS
9. PROSECUTORS SHOULD PREPARE CASES BETTER
10. PROSECUTORS SHOULD PROVIDE VICTIMS WITH MORE INFORMATION
11. ALL SHOULD PROVIDE INFORMATION ON VICTIM SERVICES
12. MAKE COURT STOP REVOLVING DOOR JUSTICE
13. LAW ENFORCEMENT SHOULD NOT "DUMP" THE VICTIM: KEEP IN CONTACT UNTIL FINAL DISPOSITION AND CLOSURE
14. IMPROVE JURIES
15. TAKE THE VICTIM AND THE CRIME SERIOUSLY
16. ALLOW VICTIMS TO HAVE PRIVATE COUNSEL OR PRIVATE CO-COUNSEL IN CRIMINAL PROCEEDINGS

VICTIM AND PRACTITIONER ATTITUDES

Table 3.
Perceptions of which practitioner keeps the victim most informed

Practitioner:	Respondent			
	Victim (N = 358)	Police (N = 106)	Prosecutor (N = 100)	Judge (N = 39)
Police	25%	51%	11%	5%
Prosecutor	35	25	60	90
Victim-witness staff	14	13	28	5
No one	21	12	2	0
Other	6	0	0	0
	100%*	100%*	100%*	100%

*Total over 100% due to rounding.

Table 4.
Victim satisfaction with practitioners, six sites

	Victims satisfied with			
	Police	Prosecutor	Judge	Victim assistance staff
Percent satisfied or very satisfied ¹	80	67	54	67
Number of victim respondents	338	290	208	153

1. There were two other categories: "dissatisfied" and "very dissatisfied."

VICTIM AND PRACTITIONER ATTITUDES

Table 5.
Victim attitudes about the court system
(N = 301)
Percent who agreed that:

Guilty offenders are not punished enough	86
In general, judges make fair decisions	63
Courts do about as good a job as we can expect	32
The court system cares about victims' needs	30

Table 6.
Victim and practitioner suggestions to improve relations
between victims and the courts

	Respondent			
	Victim (N = 247)	Police (N = 111)	Prosecutor (N = 101)	Judge (N = 48)
Keep victims better informed	30%	25%	25%	21%
Improve social services for victims	19%	18%	16%	17%
Require restitution more frequently	11%	11%	14%	13%
Treat offender more harshly	36%	38%	6%	—

Tables are reprinted from Research in Brief "The Criminal Justice Response to Victim Harm" National Institute of Justice, Washington, D.C., June, 1985.

CRITICISMS OF THE MANNER IN
WHICH THE JUSTICE SYSTEM TREATS VICTIMS

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

--1931: Wickersham Commission

- "Justice, though due to the accused, is due the accuser [victim] also. The concept of fairness must not be strained till it is a filament. We are to keep the balance true."

--1934: Justice Benjamin Cardozo
Snyder v. Mass, 291 US 97, 122

- "The inept handling which victims often receive...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..."

--1951: Michigan Governor's Study Commission

- "At the present time the victim is the subject of fewer rights and fewer programs of service than any other group coming in contact with the criminal justice system."

--1975: Philadelphia Bar Association

- "Victims who do survive their attack, and are brave enough to come forward, turn to their government expecting it to do what a good government should--protect the innocent. The American criminal justice system is absolutely dependent on these victims to cooperate. Without (their) cooperation...it is impossible in a free society to hold criminals accountable. When victims do come forward to perform this vital service, however, they find little protection. They discover instead that they will be treated as appendages of a system appallingly out of balance. They learn that somewhere along the way the system has lost track of the simple truth that it is supposed to be fair and to protect those who obey the law while punishing those who break it. Somewhere along the way, the system began to serve lawyers and judges and defendants, treating the victim with institutionalized disinterest."

--1982: President's Task Force on Victims
of Crime

- "Officials and police officers are under an affirmative duty to preserve law and order and to protect the personal safety of persons in the community. Failure to perform this duty would constitute a denial of equal protection of the laws."

--1984: USDC Conn, Civil No. H-84-120
Thurman v. City of Torrington

SOME FACTS AND A CONCLUSION

The FBI/Uniform Crime Report defines serious index crimes as:
violent crimes: murder, rape, robbery, and aggravated assault;
and **nonviolent crimes:** burglary, larceny-theft, and motor vehicle theft.

FACT: 65% of victims of all serious crimes do not report these crimes to law enforcement;

FACT: 50% of victims of violent crime do not report these crimes to law enforcement;

FACT: Between 62% and 72% of victims of nonviolent crime do not report these crimes to law enforcement;

FACT: Of the total number of serious index crimes reported in 1985, nationally, to law enforcement:

- 21% were cleared/solved by law enforcement;
- 48% of violent crimes were cleared/solved by law enforcement;
- 18% of nonviolent crimes were cleared/solved by law enforcement;

CONCLUSIONS:

Law enforcement agencies (sheriffs, police agencies) have more contacts with victims and their families who report crimes;
It is estimated that prosecutor's offices will accept for prosecution and trial 10% or less of all serious reported crime;
Judges will be involved at trial settings with about two or three percent of reported serious crime.

Law enforcement agencies and officials are the singular agency of the local criminal justice system who have more contact with victims and families and must provide to them support, assistance, and services so that these victims and witnesses can be convinced of the importance of collaboration and cooperation with the system.

The victim and witness are the principle clients of the system; without their cooperation, there is no justice and no justice system.

NEW JERSEY: UNIFORM CRIME REPORT
1985

TOTAL CRIME INDEX CLEARED: 19%

VIOLENT CRIMES CLEARED: 46.8%

NONVIOLENT CRIMES CLEARED: 15.7%

SESSION 3

ANALYSIS OF THE PROBLEM: THE NEEDS OF VICTIMS OF CRIME

CRIME AS A PERSONAL AND FAMILIAL CRISIS

In psychological terms, a crisis is a threatening or traumatic event that is normally outside the range of an individual's normal life experience prior to the event itself. The key element in this definition is that the event is an unanticipated threat. A crisis, therefore, is not considered a part of the individual's normal experience and, as such, this person or family may not have been able to prepare for its impact or effects. Examples of such events are natural disasters like earthquakes and floods, a large scale accident such as an airlines crash, or the announcement of the sudden accidental death of a loved one.

The effects of such events on individuals and families act as stressors that may directly and adversely affect the ability of the individual or family to function in a meaningful manner. The stress associated with the event is manifested in a variety of ways: anxiety, recurrent nightmares and flashbacks, eating or sleep disturbances, temporary inability to think clearly or to concentrate, and inability to work or to carry out normal tasks. In a very real sense, a threatening event can seriously affect the ability of the individual to function as the type of whole person they may have been before the event took place.

In the past decade, many studies have begun to recognize that a crime can produce the symptoms associated with these types of stress. For many victims, crime is an event that they did not anticipate; it may be a random violent act done to them or their loved ones. The event -- whether burglary, robbery, assault, rape or murder -- may produce such a sense of threat and violation to the self that the characteristic symptoms associated with a crisis may be triggered. Indeed, any crime has clear elements of threat and terror. To gain some insight into the impact of crime-as-a-crisis, Dr. Mortimer Bard, a police psychologist and an expert in crime victimization developed a model which attempts to describe the severity of a crime on the person or the self. This model is described in Figure 1 on the next page.

CRIME-AS-CRISIS MODEL

In this model, the self -- or the person -- is seen as possessing very basic and fundamental characteristics such as freedom, personal control, independence and the ability to function in life as a responsible and reasoning individual. The model assumes that these characteristics are found in the very definition of being a human person. In short, these characteristics are to be found in each of us. In the model, crimes against a person show increasingly complex elements that impact the person's very sense of self. Increasing levels of stress can be induced in the person as a result of different types of crime. Different stages of reactions by the person to the crime are also experienced.

FIGURE 1

VIOLATION OF SELF IN PERSONAL CRISIS

<u>BURGLARY</u>	<u>ROBBERY</u>	<u>ROBBERY WITH PHYSICAL ASSAULT</u>	<u>RAPE</u>	<u>HOMICIDE</u>
(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) ULTIMATE VIOLATION: DESTRUCTION OF SELF
	(2) LOSS AUTONOMY	(2) LOSS OF AUTONOMY	(2) LOSS OF AUTONOMY	
		(3) INJURY TO EXTERNAL SELF	(3) INJURY TO EXTERNAL SELF	
			(4) VIOLATES PERSONAL IDENTITY	

-----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 80's, Emilio C. Viano, Editor (1981)

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 or apartments are representatives 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 he or she is also coercively deprived of independence and autonomy and 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. It, like other crimes, is a terror-inducing event.

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 upon that deepest part of the self that defines the self by gender and by sexuality. This is a 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. 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 through homicide or manslaughter often has profound effects on surviving family members, relatives, and friends.

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. Some psychologists have described these stages as initial impact, recoil and reorganization stages.

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. These are a natural reaction and not abnormal. This impact is experienced, to some degree, by all victims of crime.

Stage Two: Recoil

The beginning of the process of repair and healing which never proceeds smoothly; victims may experience feelings 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; the 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 healing 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 this type of 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.

WHAT DO VICTIMS NEED?

Both the personal and physical impact of a criminal event brought on by an arbitrary and sudden action by another can be ameliorated through supportive and positive behavior of others. The "bad" action of the criminal can be countered by the "good" action of the on-scene officers, victim assistance personnel, family members, neighbors and others. The best antidote for hurtful actions of one person is the intentionally compassionate and helpful actions of another.

Specific actions or attitudes that should be involved are:

- Victim Safety: Statements such as "I'm glad you're all right," and assurances that the victim will be no longer harmed both are important where there has been a physical attack or the threat of an attack. The responding officer can alleviate such fears.
- Listening-Ventilation: Victims should be allowed to vent their feelings and express rage, disbelief, denial and "why me?" attitudes. It can be helpful to say, "I'm sorry it happened," and "You did nothing wrong." Offenders, not victims, are blameworthy.
- Direction: Helplessness and feelings of disorientation often accompany the impact of a criminal event. Helpful actions include the quiet and firm suggestion as to actions that should be taken without imposing a moral tone.
- Second Guessing: Helpers should avoid making judgmental statements relative to the victim's actions or lack of them. Questions such as "Why didn't you fight back?" "Why didn't you scream?" "Why were you out on the street at that time of night alone?" may often lead to inappropriate guilt feelings on the part of the victim.
- Guilt: The helper should understand that guilt feelings on the part of the victim are usual and normally temporary. These feelings arise, not because of a complicity of the crime, but because of a need of the victim to explain what happened.
- Anger: This is a normal means of expression used by victims which may be directed at the helper or anyone else. Giving full rein to these expressions can have a therapeutic effect on helping the victim to focus this energy on assisting the justice system to hold offenders accountable for criminal acts.
- Rescue Fantasy: Helpers, because of their actions and attitudes, can fall into the trap of being seen as the "rescuer" by the victim, leading to long term dependency.

In short, proper, timely and helpful actions can reduce much of the pain and long term disability that may follow in the wake of crime victimization. Supportive relationships can do much to reduce the need for mental health professional intervention at a later date.

These helpful actions and attitudes require committed people, training and institutional bases...and a coordination of the efforts of all who are so involved.

Victims, families of victims and witnesses also need direction and guidance from criminal justice system officials. The justice system is a mysterious process to many victims who may never have had any prior relationship with the system. Professionals in the justice system often take for granted the terms used—such as plea bargaining or a pre-trial conference—or often understand and are familiar with legal procedures associated with an arrest—such as probable cause, warrants, search and seizure, bonds, or release on recognizance. Victims often do not understand either the meaning or purpose of such terms or procedures.

Thus, victims need information, guidance, instruction and advice about what they must do and what they can expect from the system that is designed—in theory at least—to serve and protect them.

A victim wonders:

- What happens after I report a crime?
- Who do I contact for information?
- Will I be notified about the progress of the case?
- What are the names and phone numbers I should call?
- How do I go about having stolen documents replaced, such as Social Security cards, driver's licenses, and other official materials that may have been stolen?
- Where do I go when I am interviewed?
- Will the suspect or offender harm me or my family?
- How do I get advice and help to be protected from intimidation?
- What am I expected to do in a line-up, at a pre-trial conference, at other proceedings? Who will be there? Can I have an escort who explains what is to occur?
- What is a trial? Where? Can I speak about the effects of the crime on me and my family to the prosecutor? The judge? The probation officer?
- What is victim compensation? Am I eligible?
- What are the forms to be used? Can I get help?

These and other similar questions are constantly being asked, but are often unanswered by justice system representatives. These questions must and can be easily answered if you and your colleagues in the justice system—especially your officers and deputies—were to take time to organize a response by publishing letters, and pamphlets, or by using single phone numbers to advise victims, and by continual public education and service. Through such actions many important messages are given to victims: we care; you are not to be blamed by being a victim; we in the justice system will help you. Such actions and messages will have the effect of enhancing the partnership-role of the victim in the operations of our justice system. For without these partners there is no system, no justice, and no way to hold offenders accountable, under law, for criminal actions.

THE IMPORTANCE OF INFORMATION:
THE JUSTICE SYSTEM PUZZLE PROCESS!

Displayed on the next page is a short version of a flow-chart which describes the processing of a victim's case from the time of reporting to the exiting of the case from the system.

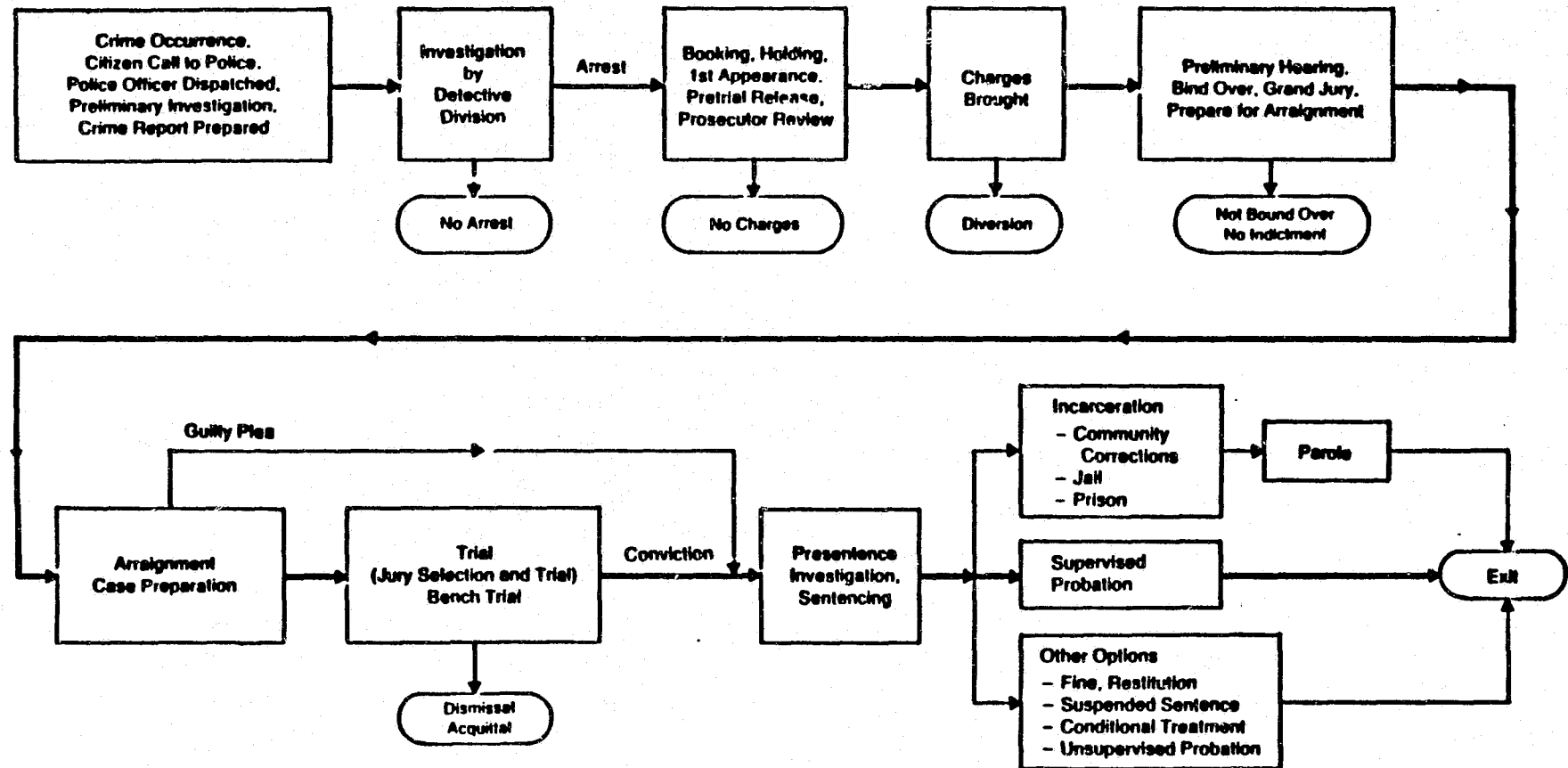
Thirty or more separate transactions can occur between officials of the system and the victim. In some transactions, victims will interact face to face with officials. For most transactions, other officials will handle the case as a paper processing transaction.

Findings from studies and interviews with victims (and witnesses) demonstrate that they need to be informed about what is happening or what has happened to their case.

Failure to keep victims informed about who is doing what with their case, and why certain decisions and actions were done with their case, are but two of the most important reasons given by victims (and witnesses) who have refused to cooperate with officials of the system or who believe that the system has failed them and their families.

Victims of crime, their families, and witnesses are the major clients of the criminal justice system. As such, they need and have a right to information about the status of their case.

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)

VICTIMS' NEEDS

- Prior to Victimization

- Guidance, instruction and direction concerning crime prevention
- Instruction concerning reporting of crime
- Instruction concerning how to help others who are crime victims

- After a Crime is Committed

- On scene assistance and positive support from first responders
- Psychological first aid
- Medical attention
- Information about referral to others
- Information about compensation
- Assistance with practical matters
- Information about case status
- Information and guidance about role of victim in investigation, arrest, post-arrest processes, pre-trial, trial, and post-trial processing of case
- Information about state's victims' rights statutes

- Important Variables

- Type of crime
- Age and sex of victim
- Availability of local services and local networks of helpers

"WHAT ABOUT THE VICTIM"

A videotape about victimization and crime prevention. Information about how to obtain this tape and other tapes is given on the next page.

VIDEOTAPE INFORMATION

1-21-86

The National Judicial College
Judicial College Building
University of Nevada, Reno Campus
Reno, NV 89557
(702) 784-6747

Victim's Experience
Victim's Panel/Dr. Patricia Resick
National Conference on the Judiciary
on the Rights of Victims of Crime
Cost: \$15

Jayne Fitzgerald Productions
9689 Lindenbrook Street
Fairfax, Virginia 22031
(703) 281-2260

What About the Victim?
with Mark Moseley
Cost: approx. \$300-\$400

James Vanden Bosch
Terra Nova Films, Inc.
215 West Chicago Avenue
Chicago, IL 60610
(312) 944-1102

Take A Stand
Purchase \$435
Rental \$ 45

National Institute of Justice/NCJRS
CRIME FILE
Box 6000 BCD
Rockville, MD 20850

Crime File Series:
two possibilities:
Victims
Domestic Violence
Purchase: \$17-\$23

MTI Teleprograms
3710 Commercial Avenue
Northbrook, IL 60062
(800) 323-5776

Aftershock: Victims of Crime
Someone Else's Crisis
Films may be previewed before
purchase.

National Sheriffs' Association
Victim Assistance Program
1450 Duke Street
Alexandria, Virginia 22314
(800) 424-7827

SESSION 4

RESPONSE TO THE PROBLEM:

VICTIMS' RIGHTS

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

State Legislation Mandating the Fair Treatment of Crime Victims

	Pre-1982	As of July 1985
Enacting comprehensive laws that include a majority of the reforms below	4	31
Requiring a victim impact statement at sentencing	8	39
Victim allocution at sentencing	3	19
Permitting victim input into key prosecutorial decisions	1	10
Opening parole hearings	6	19
Abolishing parole	5	8
Requiring that victim be notified of crucial developments in case	2	27
Keeping victim counseling records confidential	6	20
Not disclosing addresses and phone numbers of victims	0	5
Allowing hearsay at preliminary hearings	23	26
Assuring prompt property return	4	20
Protecting victims from intimidation and harassment	4	27
Providing separate and secure waiting rooms	1	17
Checking people who work with children for a history of sex offense convictions	1	20
Mandating restitution to victims as part of sentence	8	29
Providing funds for services to all victims of crime	7	28
Preventing criminals from profiting from the sale of their stories	14	32
Victim compensation	37	43

SOURCE: U.S. DEPARTMENT OF JUSTICE, 1986

EMERGING DOCTRINE ON VICTIM RIGHTS

● STANDING

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

CLASSIFICATION CATEGORIES

Following are descriptions of the major subject matter categories into which state laws have been classified for both the Summary Tables in Section 2 of this part and the Individual State Tables in Part III. More detailed discussions of the categories may be found in the summary and analysis set out in Part I.

1. Victim Compensation Program

A statutorily-established program which compensates designated classes of crime victims from state funds for specified crime-related losses resulting from specified crimes.

2. Restitution

A court-imposed sanction requiring offenders to personally compensate their victims for crime-related losses. Restitution may be mandatory or discretionary with the sentencing court. It is usually ordered as a condition of parole, probation or suspended sentence.

3. Escrow and Forfeiture of Offender Profits

Statutory provisions which prohibit offenders from obtaining profits resulting from the publicity related to their crimes and permit victims access to these revenues.

4. Witness Fees

Statutory provisions authorizing the payment of fees by the state to witnesses for attending criminal proceedings.

5. Victim's Bill of Rights

Comprehensive (as opposed to piecemeal) legislation entitling victims to a

broad range of rights, protections and services.

6. Protection From Intimidation

Statutory provisions establishing criminal penalties for persons who intimidate or attempt to intimidate victims, witnesses or informants with intent to prevent their appearance at proceedings, alter their testimony or discourage the reporting of a crime. Laws authorizing courts to enjoin such activities are also included.

7. Victim Notification

Statutory provisions designed to ensure that victims and witnesses are advised of the existence of available services, given formal notice of the scheduling or cancellation of criminal proceedings against the offender, and/or are advised of available opportunities to participate in specified criminal proceedings (see category 8).

8. Victim Participation in Proceedings

Statutory provisions which permit victims to present oral or written statements or otherwise influence specific criminal proceedings or decisions involving the offender, including plea bargains, sentencing hearings and parole hearings.

9. Employment Assistance

Statutory provisions which require or encourage courts, law enforcement officials or publicly funded victim-witness groups to contact employers to explain the importance of court appearances by their employees. Statutes which prohibit employers from penalizing their employees for attending criminal proceedings are also included.

Source: **Victim/Witness Legislation: An Overview**
Bureau of Justice Statistics, July 1984

10. Return of Seized Property

Statutory provisions describing the procedures by which the victim of a property offense may regain possession of his property once it has been recovered by law enforcement officials.

11. Victim-Witness Assistance

Statutory provisions designed to provide victims and witnesses with personal advice or support, including measures designating ombudsmen for victims, allowing some victims to be accompanied by persons of their choice in closed proceedings and providing funding for local victim/witness advocacy groups.

12. Elderly Victims

Statutory provisions designating specific criminal penalties for crimes committed against elderly victims or establishing programs to prevent abuse, neglect or exploitation of the elderly, including laws requiring law enforcement officials or medical personnel to report incidents of abuse, neglect or exploitation of elderly persons.

13. Sexual Assault Victims

Statutory provisions which authorize compensation to sexual assault victims for

special medical services, establish special programs dealing with the problem of sexual assault (including counseling and special prosecution programs), or allow child sexual assault victims a less public atmosphere in which to testify.

14. Domestic Violence

Statutory provisions addressing the problem of violence between household members, including measures which establish funds for domestic violence shelters, require police officers to maintain more accurate records of domestic violence, or authorize courts to issue protective orders.

15. Privacy and Security of Victim Information

Statutory provisions which regulate the compilation of and access to some types of victim information, including provisions requiring the maintenance of statistics on victims, provisions giving victim compensation agencies access to data held by law enforcement agencies, provisions addressing the confidentiality of victim data held by victim assistance agencies, and provisions creating a privilege for communications to sexual assault counselors.

PROPOSED VICTIM LEGISLATION

- Victim's right to privacy and protection from harassment as a result of disclosure of victim's data;
- Victim's attendance at trial court and right not to be sequestered except in special instances;
- Speedy trial rule and speedy disposition rule for victim's cases;
- Victim's Bill of Rights or piecemeal legislation regarding children as victims or witnesses, including:
 - amending child competency requirements;
 - amending hearsay admissibility requirements;
 - requiring counselors or guardians ad litem for children;
 - extending the statute of limitations for crimes against children;
 - requiring speedy trials for offenses against children;
 - protecting children's privacy during prosecution;
 - using and admitting into proceedings video-taped depositions or testimonies of children;
 - authorizing employers in child-caring occupations to obtain access to records of arrest and conviction of sex-related offenses of prospective employees;
 - mandating background checks of employees working with children.
- Compensation for counselling victims and confidentiality shields for such counselors;
- Enacting, or extending by statute, laws that authorize warrantless arrests for misdemeanor spousal assaults; authorizing arrest as a preferred intervention in spousal assaults or domestic violence;
- Tightening up by law or procedure the enforcement and investigation of abuse, neglect, and exploitation of the elderly under the doctrine that elder abuse is a criminal act.

**FEDERAL DISTRICT COURT DECISION:
THURMAN V. CITY OF TORRINGTON**

- I. Police may not treat instances of domestic violence upon women less seriously than other comparable assaults simply because of the relationship between the persons involved, the U.S. District Court for the District of Connecticut indicates. With this in mind, the court refuses to dismiss, for failure to state a claim, a civil suit brought against a municipality and its police officers by a plaintiff who alleges that the officers' tardy response to her pleas for help allowed her estranged husband to inflict multiple stab wounds upon her. Brought under various civil rights provisions as well as the Fifth, Ninth, and Fourteenth Amendments, the claim alleges that the nonperformance or malperformance of official duties denied the plaintiff equal protection.

Although the common law at one time supported the right of a husband to "physically discipline" his wife, that idea must join other "archaic and overbroad" concepts that have been rejected as unconstitutional, the court concludes. Therefore, since a husband has no right to abuse his wife, police officers may no more refrain from interfering in domestic violence than they can refrain from interfering in any other kind of violence, the court reasons. Police must provide protection for women they know to be potential victims of domestic violence.

As for the city, the court says the pattern of non-response alleged by the plaintiff raises an inference of custom or policy that satisfies the test for municipal liability laid down in *Monell v. New York City Department of Social Services*, 436 U.S. 658 (1978). (*Thurman v. City of Torrington*, 10/23/84)

- II. Digest of Opinion: Plaintiffs brought this action under 42 USC 1983, 1985, 1986, and 1988, as well as the Fifth, Ninth, and Fourteenth Amendments, alleging that their constitutional rights were violated by the nonperformance or malperformance of official duties by the defendant police officers and, through them, the city. The sole issue on this motion to dismiss under Fed.R.Civ.P. 12(b) is whether, under the facts alleged in the complaint, it appears to a certainty that the plaintiff is entitled to no relief.

Between October 1982 and June 1983, Tracey Thurman and others on her behalf notified the defendant city through the defendant police officers of repeated threats upon her life and the life of her child made by her estranged husband, Charles Thurman. Attempts to file complaints in response to these threats were ignored or rejected by the defendants. During one incident Officer Neil Gemelli stood on the street watching Charles Thruman scream threats at Tracey until he broke the windshield of the car in which she was sitting. Although Charles was then arrested and, the following day convicted of breach of the peace, police officers refused to respond when notified that he had broken the terms of his "conditional discharge" calling for him to stay completely away from Tracey. Attempts to file complaints against Charles were futile; the plaintiff was given excuses such as that the only officer who could handle her complaint was on vacation. This was the situation even after she obtained a restraining order against Charles. Finally, Charles appeared at the residence where Tracey was staying and demanded that she speak with him. Tracey remained inside and telephoned the police to pick up Charles for violating his probation terms. After waiting 15 minutes, Tracey went outside to persuade Charles not to hurt their son; Charles began stabbing her repeatedly in the chest, neck, and throat. A single officer arrived at the scene 25 minutes after Tracey's call and found Charles holding a bloody knife. The officer observed Charles drop the knife, kick Tracey in the head, run into the residence and get his son, drop the son on his mother, and kick Tracey again. Soon thereafter, three other officers arrived. Finally, after watching Charles mill around for a while and continue to threaten Tracey, they arrested him as he approached Tracey while she lay on a stretcher.

Classifications on the basis of gender will be held invalid under the equal protection clause unless they are substantially related to an important governmental objective. *Craig v. Boren*, 429 US. 190, 197 (1976).

In the instant case, the plaintiffs allege that the defendants use an administrative classification that manifests itself in discriminatory treatment violative of the equal protection clause. Police protection in the City of Torrington, they argue, is fully provided to persons abused by someone with whom the victim has no domestic relationship. But the Torrington police have consistently afforded lesser protection, plaintiffs allege, when the victim is (1) a woman abused or assaulted by a spouse or boyfriend, or (2) a child abused by a father or stepfather. The issue to be decided, then, is whether the plaintiffs have properly alleged a violation of the equal protection clause of the fourteenth amendment.

Police action is subject to the equal protection clause and section 1983 whether in the form of commission of violative acts or omission to perform required acts pursuant to the police officer's duty to protect. *Smith v. Ross*, 482 F.2d 33, 36-37 (6th Cir. 1973) *** City officials and police officers are under an affirmative duty to preserve law and order, and to protect the personal safety of persons in the community. Failure to perform this duty would constitute a denial of equal protection of the laws.

The equal protection clause is applicable not only to discriminatory legislative action, but also to discriminatory governmental actions in administration and enforcement of the law. Over the course of eight months the police failed to afford the plaintiffs protection against assaults, and failed to take action to arrest the perpetrator of these assaults. The plaintiffs have alleged that this failure was pursuant to a pattern or practice of affording inadequate protection to women who have complained of abuse by their husbands or others with whom they have had close relations. Such a practice is tantamount to an administrative classification used to implement the law in a discriminatory fashion.

The City has failed to put forward any justification for its disparate treatment of women. (It may develop that the classification in the instant case is not one based on gender, but instead consists of all spouses who are victims of domestic violence -- male and female. At this stage of the proceedings, however, plaintiffs' allegations of gender-based discrimination will be taken as true.) "English common law during the eighteenth century recognized the right of husbands to physically discipline their wives. Subsequently, American common law in the early nineteenth century permitted a man to chastise his wife 'without subjecting himself to vexatious prosecutions for assault and battery***.'" B. Finesmith, *Police Response to Battered Women: Critique and Proposals for Reform*, 14 Seton Hall L. Rev. 74, 79 (1983). Today, however, any notion of a husband's prerogative to physically discipline his wife join other "archaic and overbroad" premises which have been rejected as unconstitutional. Concomittantly, a police officer may not knowingly refrain from interference in such violence. Such inaction on the part of the officer is a denial of the equal protections of the laws.

In addition, any notion that defendants' practice can be justified as means of promoting domestic harmony by refraining from interference in marital disputes has no place in the case at hand. Rather than evidencing a desire to work out her problems with her husband privately, Tracey pleaded with the police to offer her at least some measure of protection. Further, she sought and received a restraining order to keep her husband at a distance. Accordingly, her action is not subject to dismissal under Rule 12(b)(6).

While a municipality is not liable for the constitutional torts of its employees on a respondeat superior theory, a municipality may be sued for damages under section 1983 when "the action that is alleged to be unconstitutional implements or executes a policy statement, ordinance, regulation, or decision officially adopted and promulgated by the body's officers" or is "visited pursuant to governmental 'custom' even though such a custom has not received formal approval through the body's official decision-making channels." *Monell v. New York City Department of Social Services*, 436 U.S. 658, 690 (1978).***

As this court has pointed out, a plaintiff must typically point to facts outside his own case to support his allegation of a policy on the part of a municipality. *Appletree v. City of Hartford*, 555 F.Supp. 224,228 (D.Conn. 1983).

However, Tracey Thurman has specifically alleged an eight-months' series of acts and omissions that constitutes such an ongoing pattern of deliberate indifference as to raise an inference of "custom" or "policy" on the part of the municipality. See *Estelle v. Gamble*, 429 U.S. 97, 106(1976). Furthermore, this pattern of inaction climaxed in an incident so brutal that under the law of the Second Circuit that "single brutal incident may be sufficient to suggest a link between a violation of constitutional rights and a pattern of police misconduct." *Owens v. Haas*, 601 F.2d 1242, 1246 (2d Cir. 1979). Accordingly, the motion to dismiss the claim against the city and the officers on the ground that the plaintiffs failed to properly state a claim is denied. -- Blumenfeld,J.

(*Thurman v. City of Torrington*; USDC Conn, Civil No. H-84-120,10/23/84; 36 CrL 2/22-2/23, 11/14/84)

III. Award Granted: Domestic Violence -- Police Failure to Respond

A jury in the U.S. District Court for the District of Connecticut awards a battered wife \$2.3 million for the failure of local police to act on her complaints regarding her estranged husband's violations of the stay-away order, which resulted in a severe beating. The award includes \$300,000 to the victim's three-year-old son, who witnessed the husband's attack. The court paved the way for the verdict by ruling last October that the Fourteenth Amendment's Equal Protection Clause requires police to treat incidents of domestic violence just as seriously as any other violent conduct; 595 FSupp 1521, 36 CrL 2122. The jury found that the police violated the plaintiff's equal protection rights and that the police were negligent in handling the case. (Thurman v. City of Torrington; USDC DConn, No. H-84-120, 6/25/85)

**NEW YORK STATE DECISION:
SORICHETTI V. CITY OF NEW YORK**

- I. The New York Court of Appeals approves a large damage award against a police department for failing to prevent severe injuries inflicted by a man upon his six-year-old daughter. The "special relationship" between citizen and police department necessary to hold the municipality liable was created by three factors in this case: the existence of a judicial order of protection forbidding the man from threatening or assaulting his wife, knowledge by the police department of the man's history of assaulting his family, and officers' assurances to the wife that they would soon look into her complaint.

In discussing the effect of the protective order, the court notes that the New York legislature has attempted by statute to temper, at least, traditional police reluctance to intervene in domestic problems. The legislature has done so by broadening the circumstances in which an officer may make an arrest: A person who reasonably appears to have violated a protective order may, without anything more, be taken into custody. (Sorichetti v. City of New York, 7/9/85)

- II. Digest of Opinion: The plaintiffs in this case, Josephine Sorichetti and her minor daughter Dina, have sued the City of New York to recover damages for serious injuries inflicted on Dina by her father Frank Sorichetti. Josephine and Frank were married in 1949 but had a stormy relationship, with Frank becoming violent and abusive when under the influence of alcohol. Josephine obtained a series of protective orders, four in all, concerning Frank's behavior toward her. The fourth order forbade Frank from assaulting, menacing, or endangering Josephine. The court also granted Frank visitation privileges with Dina each weekend from 10 a.m. Saturday until 6 p.m. Sunday. When Josephine delivered the child to the father the first weekend, he shouted to Josephine that "I'm going to kill you." He also told Dina that she had "better do the sign of the cross before this weekend is up." Josephine interpreted these statements as death threats and reported them to the police, as she had previous violence and threats.

When Frank had not returned the child by the end of the visitation period, the police, who were shown a copy of the protective order, told Josephine "to just wait." A police officer, who was familiar with the father's violent history, reported this history to his superior and suggested that a patrol car be sent to Frank's home. The police lieutenant rejected this suggestion. At 7 p.m., the lieutenant sent Josephine home. At the same time, in the apartment where he lived, Frank attacked Dina repeatedly with a fork, knife, a screwdriver and attempted to saw off her leg. Frank's sister found the child and the father, who was passed out on the floor with empty whiskey and pill bottles nearby, and called the police. The child was hospitalized for 40 days and remains permanently disabled. Frank was convicted of attempted murder.

Dina and Josephine sued the city on the theory that the police department negligently failed to take Frank into custody or otherwise prevent his assault upon Dina after being informed that he may have violated the order of protection or threatened to do harm to the girl. The jury returned a verdict in the plaintiff's favor. In accordance with the instructions it had been given, it found that the city had breached its duty under the order of protection on Sunday evening; also, the jury found that the city had knowledge of Frank's past history and conduct and, in light of this knowledge, breached a duty to protect Dina. The verdict, as modified on order of the Appellate Division, was \$2 million for Dina and \$40,000 for Josephine.

A municipality cannot be held liable for injuries resulting from the failure to provide adequate police protection absent a special relationship between the municipality and the injured party. *DeLong v. County of Erie*, 60 NY2d 296, 34 CrL 2187 (1983). Where there is no such relationship, a municipality owes no duty to its citizens in the performance of governmental functions. In cases where such a relationship has been found, a key element is some direct contact between agents of the municipality and the injured party.

In the present case, we hold that a special relationship existed between the City and Dina Sorichetti which arose out of (1) the order of protection; (2) the police department's knowledge of Frank Sorichetti's violent history, gained through and verified by both its actual dealings with him, the existence of the order of protection, and its knowledge of the specific situation in which the infant had been placed; (3) its response to Josephine Sorichetti's pleas for assistance on the day of the assault; and (4) Mrs. Sorichetti's reasonable expectation of police protection.

In enacting Family Court Act §168, the Legislature intended to encourage police involvement in domestic matters, an area in which the police traditionally have exhibited a reluctance to intervene (see, e.g., *Bruno v. Codd*, 47 NY2d 582, 590; *Bersharov*, Practice Commentaries, McKiney's Cons Laws of NY, Book 29A, Family CtAct §168, pp 131-132).*** By its terms, section 168 provides that a certificate of protection "shall constitute authority" for a peace officer to take into custody one who reasonably appears to have violated the order. As such, it "broadens the circumstances under which a peace officer may take a person into custody beyond those enumerated in Article 140 of the Criminal Procedure Law" (*Bersharov*, Practice Commentaries, at 131). When presented with an order of protection, a police officer is not mandated to make an arrest. Nonetheless, such presentation along with an allegation that the order has been violated, obligates the officer to investigate and take appropriate action.***

The order evinces a pre-incident legislative and judicial determination that its holder should be accorded a reasonable degree of protection from a particular individual. It is presumptive evidence that the individual whose conduct is proscribed has already been found by a court to be a dangerous or violent person and that violations of the order's terms should be treated seriously. Significantly, the class of potential victims to whom a duty to investigate might arise is necessarily limited by the terms of the order.***

The fact that an injury occurs because of a violation of an order of protection does not in itself create municipal liability. An arrest may not be warranted in each case, and the police's failure to take such action will not alone be determinative of the reasonableness of their conduct. But when the police are made aware of a possible violation, they are obligated to respond and investigate, and their actions will be subject to a "reasonableness" review in a negligence action.

In this case, the police had particular knowledge of the father's abusiveness, assaultiveness, and chronic alcoholism. This knowledge was obtained by direct experience resulting from numerous instances in which the police had intervened in disturbances caused by the father. Indeed, on the day of the assault, the police supervisor was emphatically informed by one of his officers that the father was a "very violent man" whose threat should not be taken lightly, and was given information relating to the father's past violence. In addition, the certificate of protection represented a judicial affirmation of the seriousness of the father's past conduct.

A critical factor in the creation of a special duty of protection in this case is the police officers' conduct toward the mother on the day of the assault. The police supervisor told the mother to wait until 6 p.m., creating the clear impression that at the time when the father's failure to return the child would be a violation of the visitation order some action would be taken. The mother had no alternative but to seek the assistance of the police to assure her daughter's safety. The passage of time was critical inasmuch as the assault did not take place until approximately 6:55 p.m. Thus, a special relationship existed between the police and the mother and her six-year-old daughter such that whether the police conduct satisfied the duty of care owing to the child properly became a jury question -- Alexander, J.

(Sorichetti v. City of New York; NY CtApp, No. 304, 7/9/85; 37 CrL 2327-2328, 7/31/85)

SESSION 5

THE NEW JERSEY RESPONSE:

A PANEL DISCUSSION

Category	Citation
1. Victim Compensation Program	52:4B-1 et seq.
1.1 Responsible Agency	52:4B-3
1.2 Eligible Claimants	52:4B-10, 52:4B-18
1.3 Losses Covered	52:4B-12
1.4 Minimum and Maximum Award	52:4B-18(d)
1.5 Required to Show Financial Need	
1.6 Required to Report Crime - Time Limit	52:4B-18
1.7 Filing of Claim - Time Limit	52:4B-18
1.8 Emergency Award	52:4B-10.1
1.9 Funding	2C:43-3.1, 2C:46-1, 2C:46-4
2. Restitution	
2.1 Sentencing Option	2C:43-3; 2C:45-1(b)(8)
2.2 Mandatory Condition of Probation	
2.3 Mandatory Condition of Parole	
2.4 Mandatory Sentence	
2.5 Administration/Enforcement	2C:46-1 et seq.; 2A:8-31.1 et seq. (by offender on work program)
3. Escrow and Forfeiture of Offender Profits	52:4B-26 et seq.
4. Witness Fees	22A:1-4
5. Victim's Bill of Rights	52:4B-34 et. seq.
6. Protection from Intimidation	
6.1 Crime Defined	2C:28-5; 2C:29-3, 2C:29-4
6.2 Protective Orders	2C:28-5.1 et. seq.
7. Victim Notification	
7.1 of Compensation Program	52:4B-22, 52:4B-36
7.2 of Witness Fees	52:4B-44(10)
7.3 of Final Disposition	52:4B-44(2), (14), 52:4B-36(k)
7.4 of Plea Agreement	52:4B-44(5)
7.5 of Cancelled Proceeding case status	52:4B-44(2), 52:4B-36(k)
7.6 of Right to Participate in Sentencing Hearing	
7.7 of Parole Hearing victim input	52:4B-44(15), 30:4-123.54-.55
7.8 of Release of Offender	
7.9 of Escape of Offender	
8. Victim Participation in Proceedings	
8.1 Victim Impact Statement in Presentence Report	2C:44-6 et. seq.
8.2 Written Statement at Sentencing Hearing	

Category	Citation
8.3 Testimony at Sentencing Hearing	
8.4 Written Statement at Parole Hearing	30:4-123.54(b), (2), -.55(c)
8.5 Testimony at Parole Hearing	30:4-123.54(b), (2), -.55(c)
8.6 Comment on Plea Bargain	
8.7 Participation in Other Proceedings	
9. Employment Assistance	
9.1 Employer Intercession Services	52:4B-44(13)
9.2 Criminal Sanction for Penalizing Employee-Witness	
10. Return of Seized Property	2C:65-1 et seq., 52:4B-36(1), 52:4B-44(16)
11. Victim-Witness Assistance	
11.1 Ombudsmen	52:27G-1 et. seq. (Institutionalized Elderly Only.)
11.2 Support Attendants	52:4B-44
11.3 Funding for Local Victim-Witness Groups	
12. Elderly Victims	
12.1 Sentencing for Offenses Against Elderly	2C:43-6(b), (d), 2C:44-1(2), 2C: 44-6(b)
12.2 Abuse, Neglect, Exploitation - Criminal Penalty	52:27G-14, 52:27G-7.1
12.3 Abuse, Neglect, Exploitation - Reporting	52:27G-7.1
12.4 Abuse, Neglect, Exploitation - Protective Services	52:27G-1 et. seq.
13. Sexual Assault Victims	
13.1 Payment for Medical Services	
13.2 Special Programs	
13.3 Child Sexual Assault Victim - Closed Proceedings	
13.4 Child Sexual Assault Victim - Admissible Depositions	
14. Domestic Violence	2C:25-1 et seq.
14.1 Protective Orders	2C:25-10 et seq.
14.2 Domestic Violence Shelters	30:14-1 et seq.
14.3 Domestic Violence Reporting	2C:25-8, 2C:25-16
15. Privacy and Security of Victim Information	
15.1 Statistical Information on Victims Maintained	2C:25-16 (domestic violence incidents)
15.2 Authority of Victim Compensation Agency to Request Data from Law Enforcement Agencies	
15.3 Confidentiality of Victim Information Held by Victim-Assistance Agencies	2C:25-16 (domestic violence reports)
15.4 Sexual Assault Counselor Privilege	2A-84A-22.11, 2A:84A-22.12

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(Institutionalized Elderly Only.)

(For the institutionalized Elderly only.)

NEW JERSEY

ENACTED:

COMPENSATION

NJSA 52:4B-1-33 1983
Max. award: \$25,000; Emerg. award:
\$1500; Source: gen. revs., fines,
and penalties. Requires applica-
tions for Violent Crimes Compensa-
tion Board be made available to
victims in police stations and
hospital emergency rooms.

COMPENSATION

NJSA 52:4B-18 1982
Eliminates minimum loss require-
ments for senior citizens or
disabled.

COMPENSATION

NJSA 2C:43-3-1 1982
Expands pen. assmts. to include
crimes of disorderly persons,
juveniles, and drug offenders.

COMPENSATION

NJSA 52:4B-18 1982
Increases the maximum award to
\$25,000.

COMPENSATION/COUNSELING

NJSA 52:4B-25 1982
Provides funds for counseling unit
within Compensation Board.

COMPENSATION

NJSA 52:4B-18(a), (b) 1983
Expands coverage to include rela-
tives of offender provided victim
does not live with offender at
time claim is filed.

FUNDING FOR SERVICES/DOMESTIC
VIOLENCE

NJSA 37:1-12.1 to 12.3; 1968
30:14-1 to 14-13 & NJ 1981
Admin. Reg. 97 & 1982
\$1.5 million state approp. in FY
83-84. \$5 marriage surcharge
expected to yield \$200,000 in
1983 to fund all dom. viol.
services. Requires bilingual
services, prohibits release of
minor to anyone other than one
who sought shelter. Shelter
legislation without approp.
Shelter records are confidential.

VICTIM IMPACT STATEMENT

Amends NJ Laws Title 2C, 1980
Chpt. 44-6
Permits VIS as part of PSI.

PROTECTION FROM INTIMIDATION

NJSA 2C:28-5, 2C:29-3-4 1982
Makes it a crime to tamper with
witnesses, or to retaliate
against them. Prohibits
volunteering false information
or receiving pecuniary benefits
for refraining from reporting.

PROTECTION FROM INTIMIDATION

Ammends supplements Title 2C of
NJ Stats. 1983
Strengthens already existing
statute on intimidation by
providing for protective orders
to be issued when intimidation
or retaliation is suspected or
threatened. Also provides for
revocation of pre-trial release
when order is violated.

PROTECTION FROM INTIMIDATION

NJSA 2C:28-5.1 1985
Provides for protection of
victims where defendants are
out on bail.

PAROLE INVOLVEMENT

NJSA 30:4-123.54 1983
Allows VIS/Allocation at parole
hearings.

DOMESTIC VIOLENCE

NJSA 2C:25 et. seq. 1968
1981 &
1982

Establishes "Prevention of
Domestic Violence Act".

CHILD PROTECTION/VIDEOTAPED
TESTIMONY

NJSA 2A:84-32.4 1985
Allows videotaped or closed
circuit testimony for child
victims or witnesses under the
age of sixteen years.

MISSING CHILDREN

NJSA 52:17B-9.6 1985
Establishes the Commission on Missing Children in the Attorney General's Office to coordinate statewide efforts on missing children.

NOTERIETY-FOR-PROFIT

NJSA 52:4B-26-33 1983
Offenders not permitted to benefit from financial proceeds resulting from media coverage of crime. Profits held in escrow for five years. Victim may receive funds through civil judgements or restitution order. Remaining funds are returned to compensation fund.

DRUNK DRIVING

SJR 31, Chpt. JR-8 1984
Establishes a permanent state commission on drunk-driving to study recently enacted laws.

VICTIM BILL OF RIGHTS

NJSA 52:4B-34-38 1985
Establishes the following rights: (1) Notification of court procedures; (2) Protection from intimidation; (3) Property return; (4) Information on the criminal justice system; (5) Secure waiting areas; and (6) Employer Intercession.

VICTIM ADVOCATE

NJSA 52:4B-39-49 1985
Establishes a state office of victim-witness advocacy and a state office of victim-witness assistance.

RESTITUTION

NJSA 2C:46-1 1986
Gives victims right to seek civil judgement against offenders wages where restitution order is pending.

RESTITUTION

NJSA 2C:43-3.1 1985
Authorizes withholding inmates wages to pay for victim restitution or penalties to the Violent Crimes Compensation Board.

SERVICE FUNDING

NJSA 2C:43-3.1 1985
Establishes funding mechanisms for statewide victim services funding through raising penalty assessment by \$5.

VICTIM PARTICIPATION

NJSA 2C:44-6 1986
Extends VIS in PSI to include juvenile delinquency victims and nearest relative of homicide victim.

DRUNK DRIVING

NJSA 39:4-50.9-13 1985
Establishes certain rights for drunk driving victims, including the right to notification and information about the court proceedings.

INTRODUCED

VICTIM INVOLVEMENT/SENTENCING

S 1311 S 859 1986
A 3533 A 235
Grants victims the right of allocation at sentencing.

RESTITUTION

A 2804 A 2114 1986
Mandatory restitution shall be ordered as a general rule for all pecuniary losses to the victim.

CHILD PROTECTION/SPEEDY TRIAL

A 3548 A1940 1985
Establishes right to speedy trial for child victims.

NOTERIETY-FOR-PROFIT/INSANITY DEFENSE

SB 785 S1423 1986
Provides coverage for victims of person found "not guilty by reason of insanity" where said person contracts to sell accounts of the criminal actions.

SESSION 6

EXPLORING LOCAL OPTIONS:

WHAT YOUR AGENCY CAN DO!

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 is different..
- **THE PROBLEM** your group is to address is:

WHAT ARE THE ACTIVITIES THAT A SHERIFF OR LAW ENFORCEMENT AGENCY 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 following pages.
- **THE REPORT** from your group which summarizes your results should contain at least five statements that specify your answers.

NOMINAL GROUP TECHNIQUE: STEPS *

1. Individual Generation of Ideas in Writing
Each individual re-reads the task statement. Each individual takes about 7 minutes to list in writing his or her individual response to the statement. This is done silently and independently; simply jot down ideas or phrases that come to mind.
2. Choose a Representative for the Conference Report
This should take no more than 1 minute; a volunteer will be adequate. The Rep should take notes from what follows next.
3. Round-Robin Listing of Written Ideas
Each individual states his or her ideas until each member has presented his or her comments. Merely state the idea; there should be no debate or lengthy clarifications. The important thing is to have ideas or problems listed by the Rep on a chart for all to see. This should take about 15-20 minutes--no more.
4. Clarification of Ideas Listed on Chart(s)
Statements that need clarification are clarified--but no lengthy discussions need take place. If necessary or useful some ideas may be consolidated if the statements are similar or redundant. This process should take about 15 minutes--possibly more.
5. Priority Voting
The Rep then asks the group to vote on the clarified statements. Four (4) rank ordered choices must be made. Voting is done as follows: Rank #1 = Most Important and Most Immediate; #2 = Most Important Future; #3 Less Important and Most Immediate; #4 = Less Important and Less Immediate. Each member merely lists a 1, 2, 3, or 4 behind four of the statements. The Rep tallies the scores. **REMEMBER THAT THE TALLY WILL SHOW THAT THE LOWEST SCORE IS THE HIGHEST RANK.** This should take about 4-5 minutes.
6. IF TIME PERMITS, Discussion of Voting Outcomes
Open discussion is used to examine inconsistencies in the voting pattern, and to justify or evaluate different positions, and, rediscuss items which are perceived to have too many votes or too few votes. If time permits, the group may, after discussion, vote again using the process described in step 5.
7. Reporting
The Rep will list the four (4) statements on a single flip chart page for use in making a verbal report to the Conference. Charts will be posted in the Conference Room for others to review and compare with other Reports.

* Source: Wharton School of Business: Unpublished

NOTES

SESSION 7

REPORTS FROM GROUP TASK:

SESSION 6

NOTES

SESSION 8

AN ORGANIZED APPROACH:
VICTIM RESPONSE UNITS

I. EXAMPLES OF VICTIM RESPONSE UNITS: PURPOSES,
POLICIES AND PROCEDURES

- (1) Davis County, Utah
- (2) City of Bristol, Virginia
- (3) Pinellas County, Florida
- (4) Arapahoe County, Colorado

II. EXAMPLES OF VICTIM RELATED ACTIVITIES

- (1) Victim Bill or Rights Cards:
Nebraska, Florida, Texas
- (2) Victim Impact Statement:
Austin, Texas
- (3) Brochures:
Williams County, Ohio;
Monroe County, Georgia;
Sevier County, Utah;
Marion County, Indiana;
Warren County, Virginia;
St. Joseph County, Indiana
- (4) A media company's Victim Bill of Rights:
WYFF-TV, Channel 4, Greenville,
South Carolina

SHERIFF'S AND LAW ENFORCEMENT BASED
VICTIM RESPONSE UNITS (VRUs)

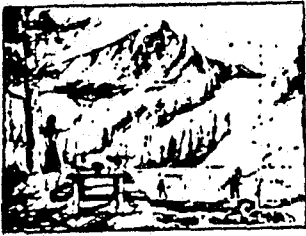
The Victim Response Unit: Characteristics

- Formal unit that is staffed and organized in a visible manner within the Department;
- Staffing: sworn personnel complemented by civilian staff and/or trained volunteers
- Organizational Placement: Office of Sheriff; Patrol or Field Services; Criminal Investigation; Administrative Services; Support Services--Crime Prevention or Community Relations;
- Responsibilities:
 - Identification of needs and rights of victims within jurisdiction;
 - Provide policies and procedures to ensure that agency and its personnel conform to identified needs and rights;
 - Design and deliver training and orientation of personnel of agency and staff of VRU;
 - Supervision of programs and activities delivered to victims in collaboration with appropriate personnel;
 - Oversee and maintain or expand programs as needed;
 - Representing the agency in coordination of county-wide programs with other justice system officials and with community based organizations;
 - Designing forms and files and maintaining records for monthly and quarterly reports;
 - Conducting public information and awareness programs through pamphlets, brochures, media and community presentations.
- Program Activities:
 - On call 24 hours a day, 7 days a week to be available to assist victims during the initial and follow-up investigation, post-arrest phase, pre-trial and trial proceedings, sentencing and post-sentencing proceedings.
 - Provide information and referral services for victims in need of counselling, medical, or financial support services
 - Provide court-related services associated with notifications and dispositions of cases

OKANOGAN COUNTY SHERIFF'S OFFICE
OKANOGAN, WASHINGTON
(509) 422-3130

1st Letter -- no arrest made

VICWILL.DIR

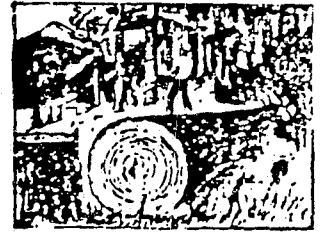


OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032

Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy



LARRY THOMAS
Chief Jailer
JANE LAMB
Chief Civil Deputy

Jane Doe
P.O. Box 000
Okanogan, WA 98840

May 20, 1986

Dear Jane,

This is to inform you of the status on the report you made to our office on 05/19/86 involving a Burglary.

Deputy White has been assigned to investigate your case, which has been given Okanogan County Sheriff's Office case number 86-00000.

Please do not hesitate to contact Deputy White or the Okanogan County Sheriff's Office if you receive additional information that may assist us in the investigation.

If you have any questions regarding the investigation, please contact Deputy White at the Okanogan County Sheriff's Office at the Court House in Okanogan or by calling the above number.

As a victim, the County Prosecuting Attorney's Office, with the assistance and cooperation of police officers and deputy sheriffs throughout the County, operates a Victim-Witness Assistance Program. If you, as a victim or surviving dependent of a victim of a crime, desire our help in any of the following areas;

- *If you have suffered physical injury, you may be eligible for compensation.
- *If you are a surviving dependent of a victim of crime, you may be eligible for compensation.
- *If you have suffered property damage and we can identify and convict the persons responsible, the County Prosecuting Attorney may be able to obtain restitution for you.
- *If you need help because of the crime, the Prosecuting Attorney may be able to refer you to someone who can help.

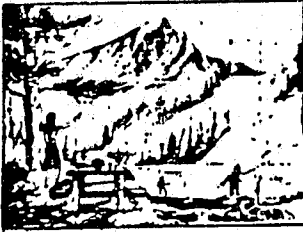
please write, call or visit the Victim-Witness Coordinator, Patricia Behrmann, at the Prosecuting Attorney's Office on 3rd and Oak Streets in Okanogan, or at 509-422-3071, at your earliest convenience.

Sincerely,

Samuel R. Johnston, Sheriff
Okanogan County Sheriff's Office

1st Letter -- arrest made

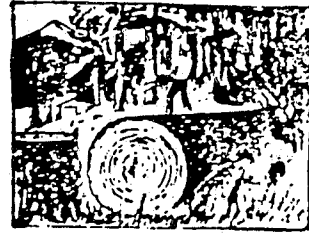
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OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032
Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy



LARRY THOMAS
Chief Jailer
JANE LAMB
Chief Civil Deputy

John Smith
Rt 1 Box 11
Okanogan, WA 98840

May 20, 1986

Dear John,

This is to inform you of the status on the report you made to our office on 05/19/86 involving a Auto Theft. Deputy White has been assigned to your case, which has been given Okanogan County Sheriff's Office case number 86-00001.

A suspect has been arrested and the case has been referred to the Okanogan County Prosecutor's Office. For any questions regarding this matter, please contact the Prosecutor's Office in person or by phoning 509-422-3071.

As a victim, the County Prosecuting Attorney's Office--with the assistance and cooperation of police officers and deputy sheriffs throughout the County, operates a Victim-Witness Assistance Program. If you, as a victim or surviving dependent of a victim of a crime, desire our help in any of the following areas;

- *If you have suffered physical injury, you may be eligible for compensation.
- *If you are a surviving dependent of a victim of crime, you may be eligible for compensation.
- *If you have suffered property damage and we can identify and convict the persons responsible, the County Prosecuting Attorney may be able to obtain restitution for you.
- *If you need help because of the crime, the Prosecuting Attorney may be able to refer you to someone who can help.

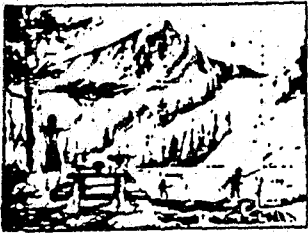
please write, call or visit the Victim-Witness Coordinator, Patricia Behrmann, at the Prosecuting Attorney's Office on 3rd and Oak Streets in Okanogan, or at 509-422-3071, at your earliest convenience.

Sincerely,

Samuel R. Johnston, Sheriff
Okanogan County Sheriff's Office

Sent out with 1st letter

VICWITIN.LTR



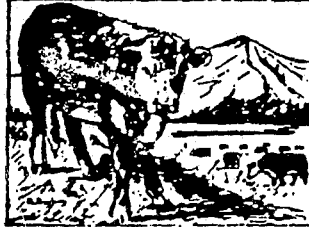
OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032
Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy



LARRY THOMAS
Chief Jailer
JANE LAMB
Chief Civil Deputy

INFORMATION FOR A CRIME VICTIM

Your case is one of many received by the Okanogan County Sheriff's Office. Each case is important, and we will give your case as much consideration as possible. Please be advised that certain things will be done in each case, but that you WILL NOT be contacted by the Deputy unless we need further information or we have solved the case.

INVESTIGATION INCLUDES:

1. All serial numbered items will be entered into a statewide computer system (WACIC) and a nationwide system (NCIC).
2. Pawn records, when available, are checked against stolen property.
3. Similar cases are coordinated with other areas of our county as well as other agencies when appropriate.
4. Arrests of criminals made by our department will be reviewed to see if they could be responsible for the offense you have reported. Their fingerprints will be checked where applicable.
5. Property held by our Department will be checked in an effort to return it to the legal owner.

YOU HAVE RESPONSIBILITY TO:

1. Make every effort to obtain serial numbers of stolen articles.
2. Keep our Department advised of any information you may become aware of that will be of assistance in our investigation.
3. Make sure you have given the officers taking your report accurate information to the best of your ability.
4. If the return of your property or prosecution of the offender(s) is important to you, you must keep our Department advised of any new information you might discover. We CAN NOT return your property or prosecute an offender without YOU.

OTHER POINTS TO CONSIDER

1. Take measures to make yourself, your dwelling, and your business more secure against future attacks from intruders. Consider marking your valuable items with your name and/or Driver's License number.
2. Record serial numbers of items and keep them in a safe place.
3. Place valuable items in a safe deposit box for better security.

INFORMATION FOR A CRIME VICTIM
Page 2

OTHER POINTS TO CONSIDER (cont'd)

4. Keep in mind that your Sheriff's Office will make every effort to locate your property and/or arrest the offender, but officers must rely on you to supply the most accurate and updated information available.
5. If you have further information or questions, check for the appropriate number listed in the phone book under:

OKANOGAN COUNTY SHERIFF'S OFFICE

OPERATION IDENTIFICATION

The Okanogan County Sheriff's Office vigorously supports Operation Identification. We urge you to take advantage of this program and ETCH your Driver's License number on valuables. The problem of ownership identity of stolen property is widespread. Unidentified property is continually being recovered by Law Enforcement Agencies throughout

the State, without identifiable markings, most of these valuable items cannot be returned to the victim/owner.

Remember, Operation Identification can help YOU get your stolen property back. Take advantage of this program by contacting the Chief Criminal Deputy of the Okanogan County Sheriff's Office at 422-3130. Engravers are currently available at the Sheriff's Office. These engravers are loaned out for the purpose of marking your property.

AS A VICTIM OF A CRIME,
YOU HAVE A RIGHT:

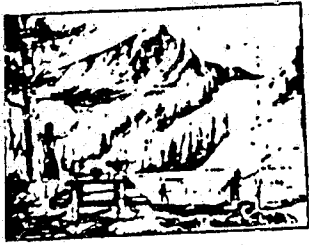
- * To be free from intimidation.
- * To be told about available compensation for court appearances.
- * To be told about Social Service Agencies which can help you.
- * To be assisted by your Criminal Justice Agencies.

Sincerely yours,

Samuel R. Johnston, Sheriff
Okanogan County Sheriff's Office

2nd Letter -- no arrest
(follow-up letter)

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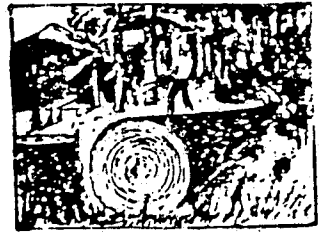


ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy

OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032
Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



LARRY THOMAS
Chief Jailer
JANE LAMB
Chief Civil Deputy



Jane Doe
P.O. Box 000
Okanogan, WA 98840

June 20, 1986

Dear Jane,

This is to advise you that Okanogan County Sheriff's Office case number 86-00000, the Burglary, reported on 05/19/86, is continuing to be investigated by Deputy White.

Please contact our office if you have any further information regarding this case that may assist us in bringing it to a successful conclusion.

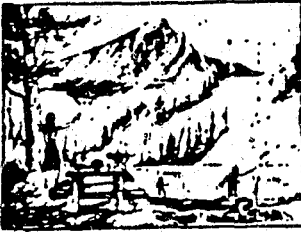
If anything further develops in our investigation, we will notify you.

Sincerely,

Samuel R. Johnston, Sheriff
Okanogan County Sheriff's Office

2nd Letter -- referred to Prosecutor
(follow-up letter)

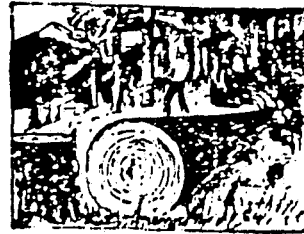
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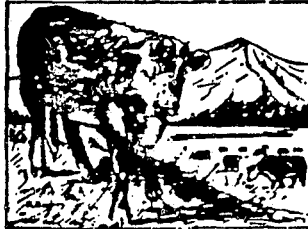
OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032
Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy



LARRY THOMAS
Chief Jailer
JANE LAMB
Chief Civil Deputy

Jane Doe
P.O. Box 000
Okanogan, WA 98840

June 20, 1986

Dear Jane,

Your Okanogan County Sheriff's Office case, number 86-0000, on the Burglary, reported on 5-19-86, has been referred to the Okanogan County Prosecutor's Office for further action. This is a result of a suspect being identified and/or arrested.

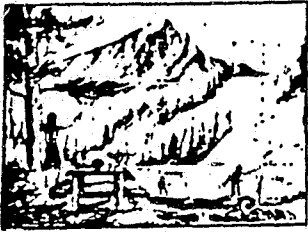
Any further inquiries regarding the case should be referred to the Okanogan County Prosecutor's Office by calling 509-422-3071 or stopping by their office at the corner of 3rd and Oak Streets in Okanogan.

It has been a pleasure to serve you.

Sincerely,

Samuel R. Johnston, Sheriff
Okanogan County Sheriff's Office

1st Letter sent out for survey



OKANOGAN COUNTY SHERIFF'S OFFICE

Post Office Box 32 • Okanogan, Washington 98840-0032

Telephone (AC 509) 422-3130

S. R. (John) Johnston, Sheriff



ROBERT E. HULL
Undersheriff
TONEY V. FITZHUGH
Chief Criminal Deputy



Chief Jailer
JANE LAMB
Chief Civil Deputy

May 5, 1986

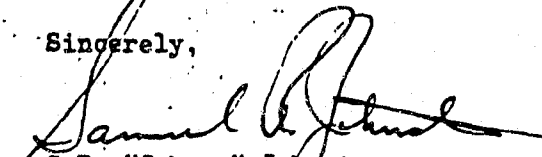
Within the last three years, you reported to the Okanogan County Sheriff's Office that you were a victim of a crime. Your name has been randomly drawn from all of the Sheriff's Office files of crime victims to participate in a survey about your feelings toward the Sheriff's Office and about crime in general.

Our telephone surveyors will be calling you sometime between May 19 and May 28 during the hours of 6:30-8:30 p.m. It will take approximately 20 minutes to complete our survey. Your answers will be used by a Victims' Advisory Board made up of seven Okanogan County residents to make the department more sensitive to the needs of crime victims. Your answers will be contained in a final report along with the answers of all of the other survey participants.

Your name, however, will never be mentioned in the report the Victims' Advisory Board will make to the County Sheriff. Even the person calling you on the telephone will not know your full name. You may request a copy of the survey from the Sheriff's Office in late June.

Once again, our surveyors will be calling you between May 19 and May 28 somewhere during the hours of 6:30-8:30 p.m. Approximately one week before you are scheduled to be called, we will send you a postcard reminding you about the survey and giving you a specific date to plan on for answering our questions. Please plan to be home and PLEASE agree to participate in the survey.

Sincerely,


S.R. "Johnny" Johnston
Okanogan County Sheriff

Postcard sent out 1 week ahead of appointment for survey

S. R. JOHNSTON, Sheriff
Okanogan County Sheriff's Dept.
P. O. Box 32
OKANOGAN, WASHINGTON 98840

Jane Doe
P.O. Box 000
Okanogan, WA 98840

Ms. Doe:

Thank you for your participation in the survey being conducted by the Victim's Assistance Program through the Okanogan County Sheriff's Office. A member of the Program will be contacting you on Thursday, May 28, 1986 between the hours of 6:30 and 8:30 p.m. Please be home to help us with the survey.

Thank You!

VICTIMS OF CRIME -- TELEPHONE SURVEY

GOOD Evening, (NAME) _____. MY NAME IS _____

_____, AND I'M A VOLUNTEER WITH THE OKANOGAN COUNTY SHERIFF'S OFFICE WORKING ON A SURVEY ABOUT HOW VICTIMS OF CRIME ARE TREATED IN OUR CRIMINAL JUSTICE SYSTEM. YOU WERE IDENTIFIED TO BE INVOLVED IN THE SURVEY BECAUSE YOU WERE A VICTIM OF A FELONY CRIME WITHIN THE PAST 3 YEARS IN OKANOGAN COUNTY.

AS YOU REMEMBER, WE SENT YOU A LETTER ABOUT TWO WEEKS AGO DESCRIBING THE SURVEY, AND YOU SHOULD HAVE RECEIVED A POSTCARD WITHIN THE LAST FEW DAYS REMINDING YOU AGAIN ABOUT THE SURVEY.

I SHOULD SAY RIGHT HERE THAT ANSWERS YOU GIVE TO SURVEY QUESTIONS WILL BECOME PART OF A REPORT WE ARE PREPARING FOR THE SHERIFF'S OFFICE RECOMMENDING CHANGES IN THE WAY VICTIMS ARE TREATED. YOUR ANSWERS WILL BE CONFIDENTIAL AND YOUR NAME WILL NOT BE USED IN ANY MANNER IN THE REPORT.

15

THE SURVEY WILL TAKE ABOUT ~~TWENTY~~ MINUTES. LET'S BEGIN THE FIRST SECTION. IT DEALS WITH HOW FAST AN OFFICER RESPONDED TO YOUR CRIME.

VICTIMS' SURVEY, OKANOGAN COUNTY

1. DID YOU CALL THE SHERIFF'S OFFICE AFTER BECOMING THE VICTIM OF A CRIME?
Yes _____ No _____ (Proceed to #4)
2. AFTER YOUR CALL, HOW LONG DID IT TAKE FOR A DEPUTY TO RESPOND TO YOUR CALL?
Immediately..... _____
Within 15 minutes _____
Within an hour _____
Less than 8 hours..... _____
Longer than 8 hours... _____
3. IN WHAT MANNER DID THE DEPUTY RESPOND TO YOUR CALL? DID HE...
Telephone you _____
Personal visit..... _____
Letter..... _____
Meet at Sheriff's Office... _____
Other..... _____
4. IF YOU DID NOT CALL, HOW DID THE SHERIFF'S OFFICE BECOME AWARE OF YOUR CRIME?

5. HOW WAS CONTACT MADE FROM THE SHERIFF'S OFFICE? WAS IT BY...
Telephone call..... _____
Personal visit _____
Letter..... _____
Meet at Sheriff's Office _____
Other..... _____
6. PRIOR TO CONTACT WITH THE OFFICER, DID YOU KNOW YOU WERE A VICTIM OF A CRIME?
Yes _____ No _____
(Proceed to #7)
7. WAS THE DEPUTY'S RESPONSE TIME FAST ENOUGH FOR YOU?
Yes _____ No _____ (Proceed to #8)
(Proceed to #9)
8. WAS IT...
A little slow..... _____
Slow _____
Extremely slow _____
(Proceed to #9)

Victims' Survey, Page Two

9. HOW DID THE RESPONSE TIME MAKE YOU FEEL ABOUT THE SHERIFF'S OFFICE? THESE ARE YOUR CHOICES.

Very good
Good
Discouraged.....
I'll never call again

10. CAN YOU REMEMBER THE OFFICER'S NAME?

Yes _____ No _____

11. WHO WAS IT?

12. DID YOU FEEL THREATENED DURING THE CRIME?

Yes _____ No _____

13. DID THE SPEED OF THE RESPONSE BY THE DEPUTY MAKE YOU FEEL SAFE?

Yes _____ No _____

14. DID ANYONE CONTACT YOU FROM THE SHERIFF'S OFFICE AFTER THE INITIAL CONTACT?

Yes _____ No _____ (Proceed to #15)

15. DID YOU FEEL FOLLOW-UP CONTACT WAS NECESSARY?

Yes _____ No _____
(Proceed to #16)

16. WHAT TYPE OF CONTACT?

Telephone call.....
Personal visit
Letter
Meet at Sheriff's Office ...
Other

17. WHY DID THE SHERIFF'S OFFICE CONTACT YOU AGAIN? WAS IT FOR...

Further investigation.....
Status update on your case ..
Urge you to contact again ...
Reassure or comfort you
Other

18. WERE YOU THERE WHEN THE CRIME WAS COMMITTED?

Yes _____ No _____

(Proceed to #19)

Victims' Survey, Page Three

19. DID YOU DO ANYTHING TO TRY TO STOP THE PERSON COMMITTING THE CRIME?

Yes _____ No _____

20. DID YOU DO ANY OF THE FOLLOWING?

Try to physically restrain him/her.._____
Scream
Telephone authorities.....
Threaten with a weapon
Other.....

This completes our first section. I want to thank you again for helping us out. This information will be very valuable in making recommendations to the Sheriff's Office about how they should handle victims of crime...like yourself.

Our next section concerns how sensitive the deputy was to your feelings and how he went about his duties.

Let's begin.

21. DID THE DEPUTY SEEM CONCERNED WITH RESOLVING THE SITUATION?

Yes _____ No _____

22. HOW WOULD YOU RATE THE OFFICER IN TERMS OF HIS INTEREST IN THE CASE? THESE ARE YOUR CHOICES.

Didn't care at all.....
Somewhat sensitive
Showed a lot of concern
Was very concerned

23. DID THE DEPUTY SEEM CONCERNED ABOUT YOU?

Yes _____ No _____ (Proceed to #25)

24. WHAT DID HE DO TO SHOW YOU HE WAS CONCERNED?

Listened to me
Just seemed concerned
Made sure I was all right.....
Made arrangements for me
Other.....

(Proceed to #26)

25. WHAT DID THE OFFICER DO TO SHOW YOU HE WAS NOT CONCERNED?

Wouldn't listen to me
Acted like I was wasting his time..
Never asked how I was.....
Didn't try to help me.....
Other

(Proceed to #26)

Victims' Survey, Page Four

26. DID THE OFFICER SEEM TO KNOW WHAT HE WAS DOING?

Yes _____ No _____

27. DID THE DEPUTY'S PERFORMANCE IMPROVE YOUR OPINION OF THE SHERIFF'S OFFICE?

Yes _____ No _____ (Proceed to # 29)

28. HOW MUCH DID YOUR OPINION IMPROVE? THESE ARE YOUR CHOICES.

Very little improvement.... _____

A little improvement..... _____

A big improvement _____

A very big improvement _____

(Proceed to # 30)

29. HOW MUCH DID YOUR OPINION DECREASE? THESE ARE YOUR CHOICES.

Very little decrease _____

A little decrease _____

A big decrease _____

A very big decrease _____

(Proceed to # 30)

We're through with this section. Good job! Our next section concerns evidence and how your property was handled by the Sheriff's Office. Let's begin.

30. WAS ANY OF YOUR PROPERTY TAKEN INTO CUSTODY TO BE USED AS EVIDENCE?

Yes _____ No _____ (Proceed to # 42)

31. DID YOU GET A RECEIPT FOR THE ITEMS TAKEN?

Yes _____ No _____

32. WERE YOU INFORMED WHY THESE ITEMS WERE TAKEN?

Yes _____ No _____

33. DID THE DEPUTY TELL YOU WHERE YOUR PROPERTY WAS TO BE TAKEN?

Yes _____ No _____

34. DID THE DEPUTY TELL YOU WHEN YOU WOULD GET YOUR PROPERTY BACK?

Yes _____ No _____

35. WAS YOUR PROPERTY EVER RETURNED TO YOU?

Yes _____ No _____

(Proceed to # 36)

Victims' Survey, Page Five

36. HOW WAS IT RETURNED? WAS IT BY...

Personal pick-up.....
Deputy
Friend.....
Other.....

37. HOW DID YOU FIND OUT YOU COULD GET YOUR PROPERTY BACK? HERE ARE YOUR CHOICES.

Sheriff's Office called me ...
You called Office.....
Another agency contacted you.....
Other.....

38. IF YOU HAD TO PICK UP YOUR OWN PROPERTY, HOW FAR DID YOU HAVE TO TRAVEL ROUND-TRIP TO GET YOUR PROPERTY BACK?

Does Not Apply.....
0-15 miles.....
16-30 miles.....
31-60 miles.....
61-100 miles.....
More than 100 miles.....

39. HOW LONG WAS YOUR PROPERTY IN THE CUSTODY OF THE SHERIFF'S OFFICE AS EVIDENCE? THESE ARE YOUR CHOICES.

Less than a month.....
1-3 months.....
3-6 months.....
6-9 months.....
More than 9 months.....

40. WAS YOUR PROPERTY RETURNED TO YOU IN THE SAME CONDITION THAT IT WAS TAKEN?

Yes _____ No _____ (Proceed to #41)
(Proceed to #42)

41. WHAT WAS DIFFERENT? THESE ARE YOUR CHOICES...

Appeared to have been used.....
Pieces broken.....
No longer works.....
Other
(Proceed to #42)

42. DO YOU KNOW WHAT THE STATUS OF YOUR CASE IS?

Yes _____ No _____

(Proceed to #43)

Victims' Survey, Page Six

43. WAS YOUR CASE RESOLVED IN COURT?

Yes _____ No _____

44. HOW DID YOU FIND OUT? HERE ARE YOUR CHOICES.

Friend told you.....

Deputy told you.....

Media

You were in court.....

Other.....

45. WERE YOU EVER UPDATED REGARDING THE STATUS OF YOUR CASE WHILE IT WAS BEING INVESTIGATED?

Yes _____ No _____

46. DID YOU KNOW WHO TO CONTACT FOR MORE INFORMATION WHILE YOUR CASE WAS BEING INVESTIGATED?

Yes _____ No _____

Okay, we're three-quarters through. Thank you for your attentiveness and answers. Your information is really going to help us. Let's move on to the next section, preparation for a court appearance as a witness.

47. DID YOU HAVE TO APPEAR IN COURT?

Yes _____ No _____

48. DO YOU FEEL THE CRIMINAL JUSTICE SYSTEM PREPARED YOU FOR YOUR COURTROOM EXPERIENCE?

Yes _____ No _____

49. WERE YOU INFORMED BY THE CRIMINAL JUSTICE SYSTEM ABOUT WHAT WOULD BE EXPECTED OF YOU IN COURT?

Yes _____ No _____

50. DID YOU LOSE INCOME BECAUSE OF COURT TIME?

Yes _____ No _____ (Proceed to # 52)

51. HOW MUCH TIME FROM WORK DID YOU LOSE BECAUSE OF COURT? THESE ARE YOUR CHOICES...

Less than one day.....

More than one day.....

1-3 days

3-5 days

More than one week

Victims' Survey, Page Seven

52. DID YOU HAVE ANY LOSS IN DAMAGED PROPERTY AS A RESULT OF THE CRIME IN WHICH YOU WERE A VICTIM?

Yes _____ No _____ (Proceed to # 54)

53. HOW MUCH? THESE ARE YOUR CHOICES...

Less than \$50.....
Between \$50 - \$250.....
Between \$250 - \$500.....
Between \$500 - \$1,000.....
More than \$1,000.....

54. DO YOU HAVE, OR DID YOU HAVE, ANY MEDICAL COSTS BECAUSE OF THE CRIME AGAINST YOU?

Yes _____ No _____

This is the last section. It deals with the prevention of crime. How can we keep crime from happening in the first place? Let's start.

55. HAVE YOU EVER HEARD PRESENTATIONS ABOUT HOW TO PREVENT CRIME?

Yes _____ No _____ (Proceed to # 58)

56. HAVE YOU HEARD PRESENTATIONS THROUGH...

Radio.....
Schools.....
Service Groups.....
Business Organizations.....
Other.....

57. WHO MADE THE PRESENTATIONS YOU HEARD? HERE ARE YOUR CHOICES.

County Sheriff.....
City Police
State Police
School Teacher.....
Other.....

(Proceed to # 60)

58. DO YOU THINK A PRESENTATION ABOUT CRIME WOULD HAVE MADE YOU TAKE ACTION TO PREVENT YOUR CRIME FROM HAPPENING?

Yes _____ No _____
(Proceed to # 59)

59. DO YOU FEEL ANY OF THE FOLLOWING
WOULD HAVE PREVENTED YOUR CRIME
FROM HAPPENING?

Buying a gun.....
Taking a self-defense course.....
Buying new locks for doors
Locking all opening windows
Others
(Proceed to #62)

60. DID INFORMATION YOU HEARD AT THE
PRESENTATIONS CAUSE YOU TO TAKE ANY
ACTION TO PREVENT CRIME?

Yes _____ No _____

61. WHAT TYPES OF ACTION DID YOU TAKE?

Bought a gun.....
Bought new locks for doors....
Locked all opening windows....
Took a self-defense course....
Other.....

62. DO YOU PRESENTLY EMPLOY ANY OF THE
FOLLOWING TO PREVENT CRIME?

Have a gun.....
Strong locks for doors.....
Windows are locked.....
Have taken self-defense lessons.....
Other.....

63. ARE YOU FAMILIAR WITH THE TERM,
"BLACKWATCH"?

Yes _____ No _____ (Proceed to #65)

64. HOW WOULD YOU DESCRIBE THE PROGRAM? HERE
ARE THREE CHOICES. LISTEN CAREFULLY.

Policeman for every neighborhood.....
Security guards to check doors.....
Residents report suspicious activity.....

65. WHICH OF THE FOLLOWING STATEMENTS IS CLOSEST
TO YOUR BELIEFS? LISTEN CLOSELY.....

There should be enough police to assure thorough
around-the clock coverage for all citizens.....
Or, Neighbors should watch out for each other and
call police if they see something suspicious....

(Proceed to #66)

Victims! Survey, Page Nine

66. WHICH OF THESE STATEMENTS IS CLOSEST TO YOUR BELIEFS? HERE ARE YOUR CHOICES...

Police should spend more time on patrol around their jurisdictions to prevent crime from happening.....
Or, Police officers should spend more time teaching people how to prevent crime.....

67. WHAT IS THE FASTEST WAY TO CONTACT YOUR LOCAL POLICE DURING AN EMERGENCY? HERE ARE YOUR CHOICES...

Call the local office.....
Drive to the local station.....
Call 9-1-1.....
Other.....

THANK YOU VERY MUCH FOR YOUR TIME AND INFORMATION!!!

DAVIS COUNTY, UTAH
SHERIFF'S OFFICE
(801) 451-3524



VICTIM RESPONSE UNIT

Victim's Bill of Rights

1. Victims and witnesses have a right to be treated with dignity and compassion.
2. Victims and witnesses have a right to protection from intimidation and harm.
3. Victims and witnesses have a right to be informed concerning the criminal justice process.
4. Victims have a right to provide input into the criminal justice process, especially at such key points as plea bargaining, sentencing, and parole release hearings.
5. Victims and witnesses have a right to reparations.
6. Victims and witnesses have a right to preservation of property and employment.
7. Victims and witnesses have a right to due process in criminal court proceedings.
8. Victims and witnesses have a right to timely notice of judicial proceedings they are to attend, and timely notice of cancellation of any proceeding.

Joint Resolution of the Utah State Legislature, 1985

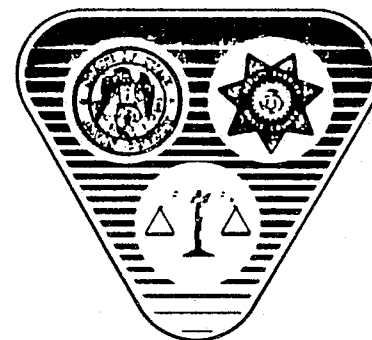
Victim Advocate Program

451-3525



We support the National
Children's Crime Prevention Campaign.
**TAKE A BITE OUT OF
CRIME®**

Help For Victims of Crime



Sheriff's Victim Response Unit

*Davis County Sheriff's Office
with the assistance of:*
The Davis County Attorney's Office
The Second District Court
Adult Probation and Parole
(Region 2D)

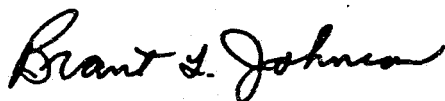
Citizens.

No one likes to think about the chances of becoming a victim of crime. But the statistics show that it could happen to anyone.

In 1984, there were nearly 5,000 serious crimes committed against the citizens of Davis County. The reported crime rate is 27.8 crimes per each 1,000 residents.

Crime has no respect for the young, the old, the rich, the poor. Victims of crime experience not only emotional trauma but physical pain and oftentimes financial losses as well. For most, there is tremendous confusion regarding the criminal justice system and how it works.

As the Sheriff of Davis County, I am pleased to announce the inception of the Sheriff's Victim Response Unit. This Unit is composed of a group of dedicated people whose goal is to provide an extensive, support oriented program to assist victims of crime in returning to a state of happiness and well-being.



Brant L. Johnson
Davis County Sheriff

Victim Advocate Program

A victim advocate is available 24 hours a day, 7 days a week, to assist victims of crime and their families. Victims can request and utilize the services of the advocate. Victim Advocates can be available immediately when needed.

Information and Referral Services

The Victim Advocate can refer victims to social service agencies for short and long term counseling; abuse shelters and legal aid.

Court Support Services

The Victim Advocate acts as a liaison between the victim and the criminal justice system - law enforcement officers, the prosecutor, the court and probation services. The Victim Advocate can escort the victim throughout the court process and provide support for the victim. The Victim Advocate will keep the victim informed about each step in the criminal justice process.

Specialized services are available for child victims of crime.

Community support is needed. If you can volunteer your time and talents, please call:

Sheriff's Victim Response Unit 451-3525

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PREFACE

The President's Task Force on Victims of Crime, established by President Reagan in 1982 to examine the problems victims face and to offer recommendations for improvement, concluded that the treatment of victims of crime in America is a national disgrace. We cannot expect to hold criminals accountable without the victim's cooperation, yet we have offered these innocent victims little or no support.

In fact, the system too often extends and intensifies the nightmare, which only begins with the crime itself. Once they survive the initial impact of a crime, victims are drawn into a system that treats them with indifference at best and abuse at worse. They are subjected to the case, required to appear repeatedly in court, often lose property and wages, and generally are treated as pieces of evidence to be manipulated by the criminal justice system. Given almost no support in many instances, the victim faces the crime and the system designed to address it alone. The victim currently has none of the procedural safeguards that the system quite properly affords the alleged victimizer. On his own, the victim must try to repair all that crime has destroyed, and what he cannot repair he must endure.

Justice requires that we no longer close our eyes to the human impact of the criminal's conduct. We must improve treatment of victims. After talking to more than 1,000 victims and the professionals who serve them, the Task Force issued its Final Report with sixty-eight recommendations for action throughout the public and private sectors.

This Task Force Report has become the guide for a major new federal initiative. A special victims unit has been created in the Justice Department to carry forward with the implementation of the Task Force's recommendations. This unit recently established the National Victims Resource Center to provide information and assistance to victim service providers across the country. It is also developing victim-oriented training guidelines for judges, prosecutors and law enforcement officials. Of particular interest is the development of model legislative proposals for possible use by the states to overcome certain legal barriers to the fair treatment of crime victims.

Another of the Task Force's recommendations was answered by this Administration's introduction, in March of this year, the Victims of Crime assistance Act of 1984. This legislation proposes federal support for state victim compensation and victim assistance programs. The revenue for this initiative would come from the fines paid by convicted federal criminals - not from the taxpayer.

We are excited by the progress we see. Throughout the country increasing attention is being paid to the victim by criminal justice professionals, and the public is taking an even more active and informed role in seeking improved treatment of victims. The Justice Department is committed to providing a permanent focus within the federal government for the interests of victims. It will continue to provide leadership at the national level, and to support the efforts of state and local agencies and organizations to provide proper treatment for victims.

Until a very few years ago, the victim of crime was the unheard voice in our criminal justice system. This year marked the fourth consecutive year in which President Reagan has established and proclaimed Crime Victims Week in recognition of our nation's obligation to respond fairly to the innocent victim of crime. As the President noted during the 1984 Crime Victims Week Proclamation Ceremony, "For too long, America's criminal justice system has protected the rights and privileges of the criminal before the victim. In the end, society is the greatest victim."

Sincerely,

Lois Haight Herrington
Assistant Attorney General
U.S. Department of Justice

DAVIS COUNTY SHERIFF'S OFFICE

VICTIM RESPONSE UNIT

Summary

More than 50 years ago, United States Supreme Court Justice Benjamin N. Cardozo wrote: "Justice, though due to the accused, is due the accuser also. The concept of fairness must not be strained till it is narrowed to a filament. We are to keep the balance true. Somewhere along the way the system began to serve lawyers and judges and defendants, treating the victim with institutionalized disinterest."

The role of the victim in the first 200 years of the American justice system evolved from one in which the victim alone actively initiated and managed a criminal investigation and prosecution to one in which public bureaucracies performed and acted on behalf of the state's interest in crime control, criminal investigation and prosecution.

Within the past decade, reforms have been initiated or proposed at every level of government to restore a balance to the administration of justice by granting or establishing a standing role for victims, a wide range of participatory rights for victims and a significant increase in the promulgation, by law, of due process rights for victims.

As the arm of the Criminal Justice System that is in contact with the victim immediately following the crime, the police need to place greater emphasis on his/her plight. The victim is continually revictimized by our system, leading to disinterest, bitterness and often scorn, towards their local law enforcement agency.

The mere expression of concern, coupled with sincere efforts to assist the victim in regaining his/her pre-crime state, will greatly enhance police-community relations. The process of implementing the Sheriff's Victim Response Unit for the citizens of Davis County shows a leadership role in the state of Utah. The influence of the Sheriff penetrates through the criminal justice system--from law enforcement through court services to the corrections area.

In time, with the acquisition of skills and knowledge about victim services, the Sheriff's Office can become a resource center for training and assistance to other law enforcement agencies, local justice executive and staff, and community and neighborhood organizations.

The program proposed in the following document is designed to provide a comprehensive service-oriented program to victims, witnesses and co-victims. With the inception of a "Victim Advocate", the following services will be provided to those in need:

- Immediate emotional support
- Immediate provisions for food, shelter and clothing if needed
- Transportation to the hospital for required medical examinations
- Referral to the appropriate social service or direct aid agency
- Explanations of the follow-up investigative phase of the case; as well as the arrest; prosecution; sentencing and probation/parole phases
- Accompaniment to interviews and/or court
- Employee intercession if repeated court appearances are necessary
- Child care arrangements if required
- Transportation
- Other needs and/or requirements of the victim will also be handled by the Victim Advocate, as they become apparent.

A continual, cooperative rapport among all aspects of the criminal justice systems is a must to make this a successful program.

POLICY STATEMENT

The purpose of this program is to set forth guidelines for an effective and comprehensive Victim/Witness Response Unit. It is the goal of the Davis County Sheriff's Office to provide an extensive, service-oriented support system for victims and witnesses of crime. Victims have a need and an expectation to obtain fair and humane treatment from justice system representatives. They desire to be considered as an important client and pertinent actor within the justice system, rather than appendages or passive presenters of evidentiary testimony. It is the objective of this program to meet those desires.

To insure the operation of an effective program, the Sheriff and/or his staff will periodically review and evaluate the Victim Response Unit and the volunteer victim advocates.

RESPONSIBILITIES/DIRECTION

- A. The Sheriff, as the chief law enforcement officer, is ultimately the program director.
- B. The Public Information and Crime Prevention Deputy, is responsible for coordinating the program and providing training and guidance to the volunteer victim advocates.
- C. The Detective Division Commander, is responsible for determining when there is a need for a Victims Advocate and for coordinating efforts between the investigating officer or in his absence, the officer acting in his stead and the advocate.
- D. The Victim Advocate's primary responsibility is to assist crime victims and witness (and co-victims, meaning family members) who have suffered emotional, physical or other difficulties, as a result of being victimized. He/she will insure that the victim is made aware of or involved in all social service or direct aid service agencies that are appropriate.

It will also be the responsibility of the victim advocate to assist the victim in regaining the physical and emotional well being enjoyed prior to being victimized.

Although the term "Victim Advocate" has been coined and is a common term nationwide in victim's groups, in the Sheriff's Victim Response Unit the volunteer may be called a "Victim Consultant."

DAVIS COUNTY SHERIFF'S OFFICE

DESIRABLE SKILLS

For

VOLUNTEER VICTIM ADVOCATE

The following is a list of those skills and personal characteristics that would make up the qualities desired for the ideal volunteer victim advocate. It is preferable, although not required, that the individual have a background in the criminal justice system, counseling, and/or social service agencies.

However, it should be noted that great care must be taken in choosing the volunteer whose personality is in keeping with the department policy of those who work with victims. The volunteer should be able to represent the Sheriff in a manner of the upmost professional appearance.

DESIRABLE SKILLS

1. Ability to get along well with people.
2. Ability to communicate effectively.
3. Demonstrate a willingness to learn.
4. Open, non-judgemental attitude, regardless of circumstances and victim's race, religion, age or national origin.
5. Ability to think clearly under pressure and to respond quickly.
6. Ability to make good, sound decisions.
7. Exude genuine concern and empathy for victims and their families.
8. Self-directed and motivated.
9. Ability to be assertive when necessary; passive when necessary and the common sense to know when each is required.
10. Ability to relate to child victims.

TASKS

1. Able to be on-call, on schedules that will be developed by the director of the Sheriff's Victim Response Unit.

2. Providing moral and emotional support to victims and their families and referral to appropriate social services or direct aid service agencies.
3. Learn and utilize the fundamentals of basic crisis intervention skills.
4. Become familiar with the criminal justice system and it's intricacies. (Investigatory and court process.)
5. Attend interviews, investigations, court hearings and trials with those victims that require the emotional support.
6. Assist with the maintenance of victim records.
7. Attend meetings and training sessions as provided for victim advocates.
8. Provide limited transportation to court for reluctant or disable victims.
9. Continually update their knowledge of victims rights by reading current, relevant and pertinent literature.

PROGRAM

The Sheriff's Victim Response Unit is being designed to insure that victims, witnesses and co-victims are made aware of, and introduced to all aspects of community services that are appropriate in their particular situation. Specific areas of cooperation between the various departments in the criminal justice system are a must, to appropriately support the victim, and will be addressed subsequently within this proposal.

A. INITIAL INVESTIGATION:

1. Upon receipt of a call to investigate a crime, the detective who has been assigned the case will determine if there is a need to call a victim advocate. He/she will then contact the Detective Division Commander who will confirm that decision and make the actual "call-out". The victim advocate will respond to the scene and provide crisis intervention skills for the victim, witness or co-victims.
2. Assessment of the immediate need for food, clothing and/or shelter will be the responsibility of the victim advocate. Arrangements will be made for these items as soon as feasible, without interfering with the investigative process.
3. Providing transportation and accompanying the victim to the hospital for medical care, such as in the case of sexual assault or rape, will be handled by the Sheriff's Victim Response Unit. Mutual agreement and cooperation between the investigative detective and victim advocate in this situation is a must.
4. In the case of sexual assault or rape, the need for the examination and an explanation of the evidence required will be explained by the victim advocate or the investigative detective, whichever is deemed appropriate at the time.
5. Making contact with the victim's friends, relatives or individual of his/her choice, to provide immediate support and companionship will be the responsibility of the victim advocate.

6. In the case of a crime such as burglary, where the patrol deputy takes the initial report, and it is not felt necessary to call-out a victim advocate, a brochure should be given to the victim. The information contained therein should explain the following steps taken in the case, the case number, the report taking deputy's name, who to contact next, etc.
7. If any of the victim's property is taken for purposes of investigation or evidence, a receipt should be prepared and left with him/her.

B. FOLLOW-UP INVESTIGATION:

1. Assessment of the situation will be made by the victim advocate and further referral to the appropriate social service or direct aid agency will be initiated.
2. The victim advocate will explain the follow-up phase of the case to the victim.
3. The victim advocate will explain any additional procedures necessary such as fingerprinting or taking pictures of the victim; possible identification of an arrested suspect; videotaping of a child victim, etc.
4. The victim advocate will develop a rapport with the victim, especially important in the case of a child, and be in attendance at subsequent interviews or videotaping.
5. Explaining the closing of a case without arrest or prosecution, and the reasons for doing so will be handled by the investigative detective, the victim advocate and possibly the County Attorney.

C. ARREST AND POST ARREST:

1. The victim and/or family member should be notified immediately when an arrest is made. Charges filed and custody status of the defendant should also be part of this notification. This may be done by the investigative detective or the victim advocate, as deemed appropriate.
2. In the case of bond-setting hearings, the victim should be notified of the date and time, as well as the role he/she may play in this hearing. If at all possible, a victim impact statement should be made a part of the decision making process in this hearing.
3. Pre-trial releases of the suspect should be made known to the victim, as well as the information on what procedure to follow to obtain other legal protection from victim intimidation, harm or harassment.

D. PROSECUTION:

1. The victim will be kept apprised of any decisions to increase or decrease the original charge, as well as the reasons for the decision. Notification should be made by the victim advocate or investigative detective.
2. The victim will also be notified, by either of the above, of any plea bargaining with the defendant, and the reasons for such.
3. The victim advocate will explain the court/trial process and the intricacies of the criminal justice system to the victim.
4. The victim advocate or investigative detective, will introduce the victim to the County Attorney handling the case; explain the logistics of the court room; how to get there; where to park; where to report and what is expected of him/her in court.
5. The victim will be kept apprised of court dates and times and of any postponements or continuances, by the victim advocate.
6. The victim advocate will accompany the victim to court and provide transportation for the reluctant or disabled individual.
7. The victim advocate will provide employer intercession if necessary.
8. The victim advocate will help to arrange child care if necessary.
9. The victim advocate will make arrangements for "special" victims. This category will include, but not be limited to: children; the blind, deaf or mute; the elderly; non english speaking individuals and the mentally or physically handicapped.
10. If a plea of guilty is entered, or the defendant is subsequently found guilty. the victim should be allowed to provide a victim impact statement prior to sentencing. This may be through Adult Parole and Probation; the individual court; or the victim advocate and will most probably vary from case to case.

E. PROBATION/PAROLE:

1. During the pre-sentence investigation conducted by the Adult Parole and Probation department, a victim impact statement will be solicited. If it is necessary for the victim to report to the AP&P office, great care must be taken to schedule his/her appointment on a different day than that of the defendant.

If at all possible, the form should be given to the victim advocate, who will then make arrangements for it's completion by the victim. This will avoid any possible confrontation between victim and defendant.

2. When parole hearings are in the offing, the victim advocate should be notified. Again, a victim impact statement should be requested and made a part of the decision making process by the parole board.
3. At any time there is a custody status change, or a change of location of the defendant which may affect the victim, the victim advocate should be notified.

GENERAL RECOMMENDATIONS

- A. The Sheriff or Coordinator of the Sheriff's Victim Response Unit should:**
1. collaborate with the prosecutor and judges to implement procedures that permit seized property-as-evidence to be photographed and the photograph to be admissible for evidence. This will aid in the prompt return of property to the victim.
 2. meet with judges, prosecutors and parole/probation officers on a regular basis to discuss problems and encourage that victims be treated with fairness, courtesy and respect by all members of the criminal justice system.
 3. work with the prosecutors office to develop policies of keeping each other informed with regard to all matters relating to the prosecution process.
 4. work with prosecutors, judges and court officials to insure that the victim, witnesses or co-victims have a separate waiting area outside the court room, to avoid possible harassment by the defendant or his/her friends or relatives.
 5. meet with judges and prosecutors to establish a procedure to permit the victim advocate to accompany the victim in the court room. This procedure should be extended to include those cases where the general public and the press may not be allowed.
 6. collaborate with AP&P to develop a method for establishing a procedure to respond to victim complaints about defendant-probationer harassment or intimidation.
 7. collaborate with the Parole Board to insure that a procedure is developed to notify, within 24 hours, the victim advocate about the release on parole of a defendant.
- B. Judges are encouraged to order restitution in all cases where deemed appropriate. Restitution should be ordered whether the suspect is incarcerated or placed on probation.**
- C. AP&P is encouraged to recommend to the Court, in appropriate cases, that the defendant is specifically ordered not to have contact with a victim if there have been any instances of threats or intimidation made by the defendant to the victim.**
- D. AP&P is encouraged to develop a procedure for notifying the victim advocate if there are any changes in the status of a probationer that would affect the victim.**

OPERATIONAL POLICY

The Sheriff's Victim Response Unit will be administered as follows:

A. CONSULTANT VOLUNTEERS

Consultants who are involved in the system will be comprised of volunteers from within the community.

An interview board will carefully screen all applicants to insure that each volunteer is adapted for this service. All volunteers will be thoroughly trained in all aspects of this program.

B. REQUEST FOR SERVICES

1. The consultants will be used in connection with any type of major crime where victims or witnesses may be suffering from physical, emotional or personal trauma.
2. When a detective determines that he has a case that would fit the victim/witness profile, he will immediately contact the Detective Division Commander.

The Division Commander will make the determination as to which consultant will be called, and will supervise notification and assignment. The consultant will be notified to respond to the appropriate place.

3. When a consultant is assigned to a case, he/she will follow that case to its completion. Only in rare instances will cases be reassigned. If such incidents occur, the Division Commander will supervise the reassignment of the case to another consultant. The original consultant will be responsible for briefing whomever will be handling the case. The newly assigned consultant will immediately contact the detective to receive further direction on the case.

C. DOCUMENTATION

1. Specific file numbers will be assigned all victim/witness incidents, and documentation will be kept on all cases. The updated information will be submitted to the file each time a contact is made concerning the case.
2. Upon completion of the consultant's interaction with the victim, the final entry will be made indicating that the case is closed.

D. USE BY OUTSIDE AGENCIES

1. The Sheriff's Victim Response Unit is at the disposal of any police agency in Davis County. To request the services of the program, contact must be made with the Detective Division Commander, with a synopsis of the case and what the required need of the consultant will be.
2. A consultant and a file number will be assigned from this office, and he/she will maintain proper documentation of the case. That documentation will be made available to the requesting agency as needed.
3. Transportation for the consultant will be the responsibility of, and provided by the requesting agency, as well as any expenses incurred during the servicing of the victim.

E. CONFIDENTIALITY

Confidentiality is of the utmost importance. Consultants must not discuss matters pertaining to any case in which they are involved, with anyone except the detective assigned to the case or the Detective Division Commander.

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CITY OF BRISTOL SHERIFF'S DEPARTMENT
BRISTOL, VIRGINIA
(703) 466-2115

GOALS AND OBJECTIVES

The goal of the City of Bristol Victim/Witness/Juror Assistance Program (hereinafter noted as BVWJA) is to address the informational, emotional, and social needs of crime victims and witnesses through the promotion of sensitive treatment, speeding recovery in cases of compensable financial losses, reduction of physical and emotional suffering of innocent crime victims, and promotion of understanding the criminal justice system by all parties. It is believed that the successful attainment of this goal will improve the efficiency of the criminal justice process, as well as enhance its power to produce positive results. Listed and qualified below are the specific program objectives:

- 1) To provide to victims, on request, information on any significant development in the investigation and prosecution of the cases in which they are involved.

The Victim/Witness Coordinator will act as liaison with law enforcement officials and the Commonwealth's Attorney's offices and will notify victims promptly upon request of any significant developments in their cases. Examples of such developments are delays or break-throughs in the investigation process, plea bargain arrangements or other agreements entered into by the prosecution, and circumstances of any delays encountered in the prosecution of cases.

- 2) To provide information to victims, witnesses, and jurors which explains the various steps in the criminal justice system and how they will be involved or affected. Informational brochures will be provided to victims, witnesses, and jurors to orient them to criminal justice proceedings and to answer general questions about the system. The Victim/Witness Coordinator and volunteers will be available to provide individual assistance with understanding one's involvement in specific proceedings.

- 3) To inform the victims that restitution from the offender may be available in cases where the crime resulted in damage, loss, or destruction of victims' property.
In appropriate cases, the Victim/Witness Coordinator and volunteers will assist in preparing victim impact statements, and, in cooperation with probation staff, will conduct restitution investigations to determine the extent of the individual's loss. In cases where restitution is made a part of the case disposition, the Victim/Witness Coordinator and volunteers will assist in assuring that restitution is made as ordered.
- 4) To assist in the protection of victims and witnesses from harm and threats of harm arising out of their cooperation with law enforcement, prosecution or defense efforts and to provide information as to the level of protection available.
Through cooperative agreements with law enforcement officials, victims, and witnesses will be assisted by the Victim/Witness Coordinator and volunteers in receiving protection from harm and intimidation arising from their cases. Such protection will be made available in appropriate cases through the course of the investigation and prosecution.
- 5) To assist in the return to victims promptly any stolen property held for evidentiary purposes, unless there is a compelling law enforcement purpose for retaining it. The program will assist in the timely retrieval of stolen property by establishing a protocol in which the prosecutors' offices and law enforcement agencies agree to the substitution of photographs for the actual property in all cases where this is possible. In cases where this is not possible, the Victim/Witness Coordinator or assigned volunteer will clearly explain the necessity of this inconvenience and will continue to pursue an expedient return of the property involved.

- 6) To notify victims and witnesses, promptly and in advance, whenever possible, of judicial proceedings relating to their cases, including notices of continuances and cancellations. A major thrust of the program will be to reduce the inconveniences faced by people involved with the criminal justice system. This will be accomplished by notifying victims and witnesses ahead of time of continuances, cancellations, appeals, etc., by providing transportation to court in a limited number of instances, and by providing referrals for child care or care for elderly when necessary.
- 7) To provide, within 30 working days of the disposition of their cases, information about the dispositions to all victims and witnesses assisted by the program. It is anticipated that in a good number of cases, victims and witnesses will not be present at the time of disposition or sentencing. On a regular basis, court dockets will be reviewed by the Victim/Witness Coordinator or designated volunteers, and witnesses and victims will be notified by mail or telephone of the dispositions of cases in which they are involved.
- 8) To provide information on financial assistance available as a result of being a victim of crime, including information on how to apply for assistance and, where appropriate, assistance in completing compensation applications. The Victim/Witness coordinator will provide written information on financial assistance available to victims of personal and property crimes. This information will include instructions on where and how to apply for this assistance. The V/W coordinator or volunteer, on request, will provide assistance in completing Crime Compensation Act applications in appropriate cases involving personal injury.
- 9) To provide liaison services between claimants (victims) and the Division of Crime Victims' Compensation. The V/W coordinator and volunteers will work as a liaison between the victim and the Division of Crime Victims' Compensation and provide follow-up on all compensation claims filed by victims.

- 10) To provide information to victims on social services available as the result of their being crime victims, including information on how to apply for services and crime prevention information. Crime victims will be provided with written information regarding the availability of various social services in the community. In the City of Bristol, these include the local Department of Social Services, the Bristol Crisis Center, the Bristol Regional Mental Health Center, Victims of Domestic Violence, as well as services offered by area churches and local civic groups. Very often, these resources are not utilized by victims simply because they are not aware that they exist. Referrals will be made to appropriate agencies when such needs are identified. Finally, information will be provided to victims on how to receive crime prevention information from local law enforcement agencies.
- 11) To provide emergency assistance, such as food and shelter, if necessary, or referrals for these services. A number of agencies in the area currently provide emergency assistance, including the Salvation Army, the Emergency Food Pantry, American Red Cross, Haven of Rest Mission, and several others. Referrals for these services will be made in appropriate cases.
- 12) Develop and maintain a community resource directory. There are currently in existence a number of excellent community resource directories on file with local agencies in the Bristol area. The Victim/Witness coordinator will compile copies of these directories in the Victim/Witness office, and develop an updated directory on an as-needed basis.
- 13) To provide escort and other transportation services related to the investigation or prosecution of the case. In a limited number of cases the V/W coordinator and volunteers will provide transportation, or referrals for transportation, of victims, witnesses, jurors when necessary for investigation or prosecution of the case, after determining that no other means are available.

In appropriate cases, particularly those involving children victims and witnesses, clients will be escorted through judicial proceedings by the V/W coordinator or designated volunteer.

- 14) Explain, in written material, the steps in the criminal justice process.
Additionally, printed materials such as maps, parking information, the physical layout of the courthouse, the Victims' Compensation Fund, and other available financial assistance will be provided. Pamphlets and brochures containing the above noted information will be printed and made available to all victims, witnesses, and jurors involved in the program.
- 15) Provide employer intercession services in order to minimize an employee's loss of pay and other benefits resulting from court appearances, to insure that employers of victims, witnesses, and jurors will cooperate with the criminal justice process. In all cases where it appears that victims, witnesses, and jurors will be penalized by their employers because of their involvement with the criminal justice process, the V/W coordinator and volunteers will intervene on that person's behalf by providing a written statement to be presented to the employer in an attempt to minimize losses resulting from their court involvement. When necessary, personal contact will be made with employers in an attempt to prevent loss of pay or loss of benefits.
- 16) To provide a separate waiting area during court proceedings that affords victims, witnesses, and jurors privacy and protection from intimidation. Separate witness rooms are currently available outside the Circuit Court rooms. While rooms are not specifically designated in the lower courts, adequate space is available for the separation of victims and witnesses. Designation of a separate seating area for victims, witnesses, and jurors, within the courtrooms themselves and separated from criminal defendants

- and the general public, will be requested of the judiciary when necessary.
- 17) To provide public information and public education presentations to schools and community groups about services to victims and witnesses. The V/W coordinator will actively solicit opportunities to speak to interested groups about services to victims, witnesses, jurors, as well as respond to requests for such presentations in the community. Additionally, the V/W coordinator will initiate a public information campaign through liaison with the local newspaper and radio and television stations.
 - 18) To provide referrals for child care services or care for dependant elderly persons, when necessary. In instances where arrangements for dependant care are necessary and essential for a person's appearance in court as a victim, witness, or juror, referrals will be made to appropriate service providers.
 - 19) To coordinate with probation officers for the preparation of victim impact statements. To the extent necessary, the V/W coordinator and volunteers will assist victims in the preparation of victim impact statements and the submission of same to the court.
 - 20) To provide referrals for crisis-intervention services on a 24-hour basis in specialized counseling, such as for rape victims or victims of domestic violence. Through recorded telephone messages on line after normal working hours, victims contacting the program office will receive referrals to local agencies for crisis-intervention services and specialized counseling.
 - 21) To advise victims of their right to victim notification of parole consideration and inform them how input can be provided to the Virginia Parole Board prior to parole consideration. In cases where victims desire this input, assistance will be provided in preparation of the Virginia Parole Board Victim Input form.

- 22) To take child victims/witnesses, and other appropriate clients, on tours of the courthouse and courtroom facility prior to trials to familiarize them with the physical layout, explain courtroom procedures, and develop realistic expectations of their court experience. This service will minimize the degree to unnecessary anxiety experienced by victims and witnesses, particularly children, who are unfamiliar with the system.

NEED JUSTIFICATION

With the exception of the efforts of some sensitive prosecutors and probation officers, the informational, emotional, and social needs of crime victims and witnesses are virtually ignored. By necessity, the attention of even prosecutors and probation officers must be focused on offenders, and, currently, they have neither the time, resources, nor manpower to address the needs of victims and witnesses in a meaningful and comprehensive way. Court appearances inevitably create some degree of fear and stress for the victim/witness, particularly when that person is a child who has to face the assailant, and the embarrassment of repeating the story of an assault in a public setting.

The need for services to victims, witnesses, and jurors has been identified by local judges, the Commonwealth's attorney, court clerks, local law enforcement officials, and the local bar association. Letters documenting their concerns and willingness to cooperate with efforts to establish a viable victim/witness/juror assistance program are contained in the appendix. The services to be provided by the proposed program are detailed in other sections of this application.

Based on information compiled from the court dockets, approximately 1,203 cases involving a victim(s) were brought before the General District Court, 242 cases in the Circuit Court, and 1,647 in the Juvenile and Domestic Relations Court during the year 1985. In addition, the Grand Jury handed down 161 indictments in 1985, and the Circuit Court recorded 619 jury days in the same year. Roughly 2,800 witnesses were involved in the Bristol City courts in addition to the aforementioned victims. Minor children are called upon to testify almost weekly.

Once the program is fully operational, it is hoped that at least 2,000 to 2,500 individuals in Bristol would receive one or more of the services provided by the program in the first year.

IMPLEMENTATION

The Bristol Victim/Witness/Juror Assistance Program will begin primarily in the Circuit Court of Bristol, Virginia and spread into the General District and Juvenile and Domestic Relations Courts. It is estimated that 4 to 6 months will be required for full program implementation, including recruitment and training of volunteers, development and refinement of all procedures relating to the program, development and printing of all informational brochures, pamphlets, and form letters, establishment of record-keeping and bookkeeping systems, establishment of liaison with local components of the criminal justice system and related social services agencies, and implementation of all program services to victims and witnesses.

The program will be established under the administrative management of the Bristol Virginia Sheriff's Office. The personnel policies of the Sheriff's office will be applicable as they relate to this program.

Referrals for services under the program will originate from several sources including intake officers, probation and parole officers, police, magistrates, clerks of the courts, and the Commonwealth's Attorney's office.

The following diagram tracks a hypothetical victim/witness through the criminal justice system and demonstrates the specific involvement of the Bristol Victim/Witness/Juror Assistance Program and other criminal justice and social service agencies that are involved throughout the judicial process. This diagram is applicable to all courts under expanded services.

1.
-A couple come home to
their residence at the end
of their work day and find
that their home has been
robbed.

-Police department is
summoned to the scene

2.

POLICE OFFICERS ARRIVE

- Interview victims take statements regarding stolen property
- Provides victims with information about how to contact BVWJA

4.

DETECTIVE DIVISION

- Further investigates crime scene, interviews victims and searches for possible witnesses
- apprehend suspect and recover stolen property
- sends prosecution report to Commonwealth's Attorney

6.

COMMONWEALTH'S ATTORNEY

- contacts BVWJA personnel if needed to discuss cases with victims and witnesses

7.

SHERIFF'S OFFICE

- delivers subpoena for Preliminary Hearing in General District Court

9.

GENERAL DISTRICT COURT

- Judge finds probable cause

11.

GRAND JURY

- a true bill

3.

BVWJA

- Introduces self, explains program services verbally and schedules appointment as required
- Makes referrals as needed to provide financial assistance to offset losses

5.

BVWJA

- accompanies victim to property identification after conferring with victim and police and Commonwealth's attorney
- make arrangements for return of property and provide information about Crime Compensation Act as applicable
- discuss arrangements for transportation and child/invalid/elderly care for court hearing days

8.

BVWJA

- contacts victim/witnesses to check receipt of subpoena, provide information on courthouse, etc. determines need for escort, transportation, child/elder care; contact court if special arrangements are necessary

10.

BVWJA

- explain purpose of Preliminary hearing and meet with victim after court to explain Grand Jury proceedings

12.

BVWJA

- contacts victim to inform of Grand Jury outcome and trial date. Victim has compiled list of losses; assist victim in application process for reimbursement by Virginia Crime Compensation Fund

13.

SHERIFF'S OFFICE

-delivers subpoena for
Circuit Court trial

15.

CIRCUIT COURT

-defendant found guilty,
pre-sentence report ordered

17.

PROBATION AND PAROLE OFFICER

-meets with victim, prepares
Victim Impact Statement

18.

-sentences defendant and
orders restitution

16.

BVWJA

-contacts victim to check on receipt
subpoena, instruct and assist in pre
paration for trial, assess needs for
escort, child/elder care; meet with
victim before court. Contact court
special arrangements.

16.

BVWJA

-meet with victim before court
-contact victim, arrange meeting with
Probation and Parole Officer for
preparation of impact statement

19.

BVWJA

-continues to follow case, including
restitution from defendant
-provides case disposition to all
victims and witnesses if they are r
in court
-provide crime prevention informati
solicit improvements to program. T
comes after judge orders restitutio

It is anticipated that volunteers, including student interns, will bear a significant role in the delivery of services to clients and achievement of the objectives of the program. The V/W Coordinator will bear the responsibility of recruiting volunteers. The Coordinator will establish a liaison with the local colleges (Virginia Highlands, East Tennessee State University, etc.) for the purpose of recruiting student interns to be assigned to the program on a temporary basis. Comprehensive training for volunteers and student interns will be arranged by the V/W Coordinator to include familiarization with the local court procedures.

Primary volunteers will be afforded the opportunity to accompany the V/W Coordinator to existing victim/witness programs in nearby localities for the exchange of ideas and program comparison purposes. Additional training opportunities for volunteers include state and local seminars on victim/witness services and related topics, as well as a Department of Criminal Justice Services sponsored training related to relevant subject matter.

Volunteers will be utilized in a wide variety of roles in the program, depending in large part upon their individual abilities and interests. A primary role will be in providing information to the public in general, and to victims, witnesses, and jurors in particular about the various program services available, and auxiliary services available in the community. This will be accomplished through direct client contacts, as well as through distributing informational brochures to places such as attorneys' waiting rooms, the court service unit intake office, magistrates' office, Commonwealth's Attorney's office, and various other public and private places.

Another primary role for volunteers will be in providing escort services related to the investigation or prosecution of cases. During the course of courtroom proceedings in particular, the role of the volunteer in minimizing victim/witness confusion and anxiety is viewed as critical. Additionally,

it is anticipated that volunteers will be involved in providing employer intercession services, particularly when personal contact is required in order to minimize an employee's loss of pay and other benefits resulting from court appearances.

Volunteers will be utilized in many of the program activities as a supplement to the efforts of the V/W Coordinator. As the volume of clients served grows, it will be physically impossible for the V/W Coordinator to handle each individual case to the degree required, although he/she will directly supervise all volunteer service delivery.

Finally volunteer services will be utilized to provide assistance in the program office when the demand for typing, record-keeping, reception duties, and telephone work so requires. In this way, it will eliminate the need, at present, for additional staff members on the payroll.

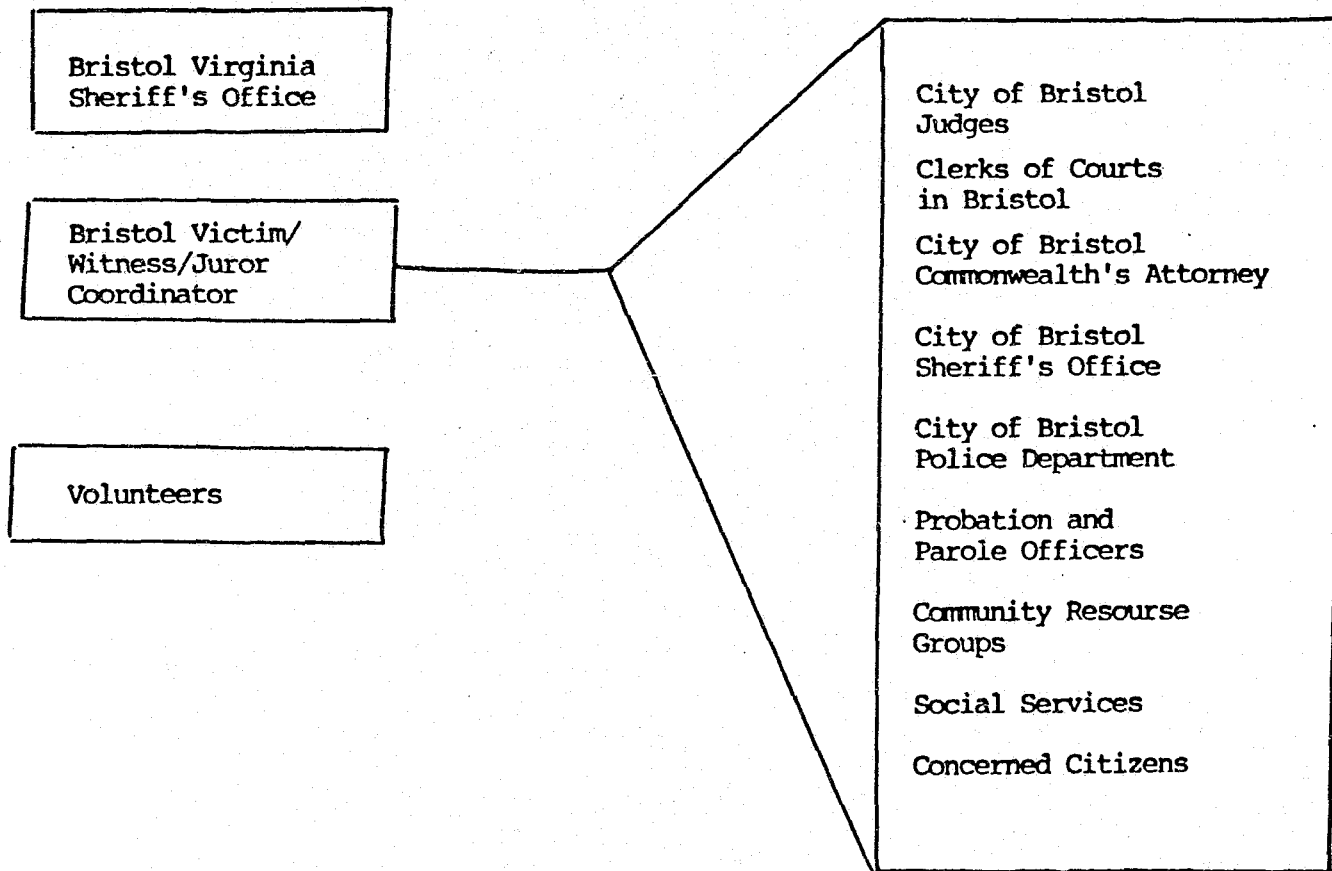
As can be seen from the supportive letters contained in the appendix, a number of officials of the courts in this area have expressed their concern for the needs of victims, witnesses, and jurors, and their willingness to cooperate fully with the efforts of the BVWJA. Once the program is fully operational and the benefits can be realized by local government officials, additional funding may be provided by the locality.

TELEPHONE INFORMATION SERVICE

The BVWJA will make every effort to contact any victims, witnesses, or jurors involved in an upcoming court action by mail or telephone at least 24 hours prior to court appearances. The office hours will be from 9:00 a.m. - 5:00 p.m. and the office telephone number will be published for the convenience of anyone wishing to call in for information. The Bristol Virginia Sheriff's Office and the Bristol Virginia Police Department will have necessary information to contact the BVWJA office. A telephone answering machine can be purchased for \$65.00. This amount could be subtracted, if necessary, from the budgeted amount for office supplies. The answering machine can be utilized by the V/W Coordinator to record messages of what cases are scheduled each day for those who cannot be contacted during office hours.

A proposal is currently being considered in the Bristol Court System for a recording machine to be purchased and based at the Bristol Courthouse. This system will allow jurors to call in daily for information regarding their appearance in court. The cost of this machine will hopefully be assumed by the Supreme Court of Virginia. If the Supreme Court cannot fund this purchase, a request may be made in budget application for the 1987-88 grant funding of the BVWJA.

ORGANIZATIONAL CHART



JOB DESCRIPTION

Position: Victim/Witness/Juror Coordinator

Duties and Responsibilities:

- Responsible for development and implementation of all services under the BWJJA
- Responsible for the recruitment, training, and supervision of volunteers and student interns working with the program
- Responsible for accurate and comprehensive record-keeping of the program activities and of reporting of same to local government and state agencies
- Responsible for the establishment and maintenance of effective, professional liaison with the City Manager, Commonwealth's Attorney's office, Judges, Clerks of the Courts, Sheriff's Office, Department of Criminal Justice Services, and other components of the Criminal Justice System, as well as related public and private agencies
- Required to develop a familiarity with existing V/W/J programs in Virginia and to participate in training relevant to the position
- Required to make presentations to public groups and organizations for the purpose of furthering public awareness of victim/witness needs and program services

Qualifications:

- Must possess a sensitivity to the needs of crime victims and witnesses
- College graduate with major in criminal justice or social services preferred, but will accept equivalent work experience with court systems
- Knowledge of state and local criminal justice system preferred
- Must be able to work diplomatically and effectively with the public, and to interact effectively with public and private agencies

- Must possess the skills necessary to communicate effectively, orally and in writing
- Experience in public speaking helpful
- Ability to review and comprehend state and federal legislation regarding victim/witness/juror assistance programs
- Experience in preparing grant applications helpful
- Must possess the leadership skills necessary to recruit, train, and supervise volunteers
- Must possess sufficient organizational skills for required record-keeping and reporting
- Typing and clerical skills most helpful, but not required

VICTIM/WITNESS QUESTIONNAIRE

(Telephone Contact)

DATA:

DEFENDANT: _____

Victim/Witness: _____

Commonwealth's Attorney: _____

Defense Attorney: _____

Date of Offense: _____

Type of Offense: _____

INTRODUCTION:

Hello, my name is _____. I am a
Victim/Witness/Juror Assistant and am calling on behalf of the _____
_____ Court. I am contacting you to see if you have received
your subpoena to appear in the Bristol City _____
Court on _____ at _____.

_____ YES - Good, I just wanted to remind you to be on court on (date) at
(time), and, if you have time, I would like to cover a few points that
might help your court appearance.

_____ NO - I'm sorry but you should be receiving your subpoena in the very
near future. I realize that this is short notice, but is there any
possibility that you could be in court on (date) at (time).

QUESTIONS:

1. Tomorrow, before you appear in court, I will meet with you and talk to you
in person about the purpose of this (hearing, trial, etc.), your role in
court, and the steps in the hearing of your case. I will also try to
answer any questions you may have.

2. Have you ever participated in a criminal case in Court? _____
If so, in what capacity? To observe _____
To testify _____
Other _____

3. Do you know where the Courthouse is located? _____
Parking areas? _____
4. Do you need transportation to come to court? _____
5. Do you have any dependants (children or elderly people) at home who will require supervision while you are in court? _____

6. Will you be able to miss a(day, morning, afternoon) of work to appear in court? _____
Will there be any problem with loss or reduction of wages for doing so?

Would a letter from the Commonwealth's Attorney be of assistance?

7. Have you had to go to the hospital because of injury inflicted upon you during the commission of the crime? _____
Have you received the bill yet? _____ If so, bring it to court.
Was your property damaged or destroyed during the crime? _____
If so, has it been repaired/replaced? _____
Do you have a receipt/estimate of costs to repair or replace? _____
If so, bring it to court.

Will you need any financial assistance to pay your bills? _____

8. To your knowledge, are the Police holding any of your property for evidence? _____

Items: _____

9. Have you been harmed or received any threats of harm because of your involvement in this case? _____ If so, by whom? _____
_____ Of what nature? _____

_____ If you have, have you contacted the Police? _____

10. Do you know of any witnesses who may have been overlooked or not contacted by the Police who may be important to this case? _____

Do you have any questions you would like to ask me? Thank you very much. I appreciate your time. I would like to meet with you in person before you go to court to discuss just exactly what is going to happen in the courtroom and answer any additional questions you may have.

11. NOTE TO C.A.: (provide any additional information which may be helpful to attorney: Uncooperative witness, special needs of victim, etc.)

*Some of these areas may be addressed during the personal interview.

VICTIM/WITNESS QUESTIONNAIRE

(Personal Contact)

COMMONWEALTH V. _____

WITNESS: _____

DATE: _____

Hello, my name is _____. I have already talked with you on the telephone. The purpose of this interview is to give you some information about what is going to happen in Court.

1. Do you know what the general purpose of this hearing, trial, etc. is?

2. Are you familiar with the physical and procedural aspect of court?
If not:

- (a) Describe physical appearance of courtrooms: bench, witness stand, prosecuting and defense attorney's tables.
- (b) Explain procedures:
 - 1) All rise when judge enters courtroom
 - 2) Be seated until case called (called by defendants's name).
 - 3) Raise right hand for administration of oath or affirmation.
 - 4) Commonwealth's or Defense's Attorney may ask for separation of witnesses.

3. Do you know who the Commonwealth's Attorney is? _____
Do you know what he/she does? _____

4. Are you familiar with manner of testifying? _____ If not, explain to the witness that he/she?
- (a) Will be questioned by both the Commonwealth's and Defense's Attorney.
 - (b) Should speak loudly and clearly and direct his/her answers toward the judge to assure that all may hear.
 - (c) Should ask to have question repeated if it was not heard the first time.
 - (d) Should ask to have question explained if not understood.
 - (e) Should always tell the truth.
 - (f) Should never argue with the Defense Attorney.
 - (g) Should address the judge and attorneys as "sir" and "ma'am".

5. Did you bring any bills with you such as medical, repair, or replacement bills that occurred because of this crime?

6. Do you know what happens when a case is certified to the Grand Jury?

7. Do you know what "continuance" means? If for some reason, this hearing/trial is continued, where is the best place to reach you?

8. Do you have the answering service telephone number to call the night before your court date if you are not subpoenaed by the Police?

9. Would you be interested in having a Police Officer come to your house and tell you how you can make it more difficult for criminals to break in? _____
Would you be interested in participating in a Crime Watch in your neighborhood? _____

* Some of these questions may be asked during the telephone interview.

AFTER HEARING OR TRIAL:

10. Do you understand what happened in court today? _____
11. Are you satisfied with what happened in court today? _____
12. Do you still have our BVWJA name and telephone number? _____
13. Is there anything else I can do for you today? _____

**THE CRIMINAL JUSTICE SYSTEM
CONTINUED . . .**

TRIAL – Hearing held in Circuit Court before a judge or jury in which the guilt or innocence of the defendant is decided. If the defendant is found guilty, he may be sentenced at the conclusion of the trial, or at a later date at a sentencing hearing. Unless the case is on a plea of guilty, it is necessary for the Commonwealth to produce all witnesses at the trial.

SENTENCING – Hearing held in Circuit Court in which the court imposes a final disposition of the case. Sometimes victims are requested by the Commonwealth to attend sentencing hearings.

**THE ROLE OF THE VICTIM-WITNESS
COORDINATOR (some services provided) –**

- The Coordinator will contact you by phone or letter at each stage of your court case to advise you of what will take place with your case, and what your involvement will be
- Provide assistance to you in obtaining restitution when ordered by the court
- Provide assistance with the return of recovered stolen property
- Provide assistance in cases where crime compensation is applicable
- Notify you immediately of any changes in scheduled court dates

CALL THE VICTIM-WITNESS COORDINATOR
– Crystal Markham (703) 387-6175 –
**IF YOU HAVE ANY QUESTIONS ABOUT YOUR
COURT CASE**

**SOME POINTS OF INTEREST TO
YOU . . .**

The Roanoke County Courthouse is located at 305 E. Main Street in Salem, Virginia.

The General District Courtrooms are located on the first floor of the courthouse (left wing). Criminal cases are heard in courtroom #1, and traffic cases are heard in courtroom #2.

The Juvenile Courtrooms are located on the second floor of the courthouse (right wing).

General District (criminal and traffic divisions) and Juvenile Court sessions usually last approximately two to three hours.

The Circuit Courtrooms are located on the second floor of the courthouse (left wing).

If you are summoned to testify in a jury trial, you should plan to spend the whole day and may want to bring something to read while waiting to testify.

The Commonwealth's Attorneys Office is located on the second floor of the courthouse (left wing), last office.

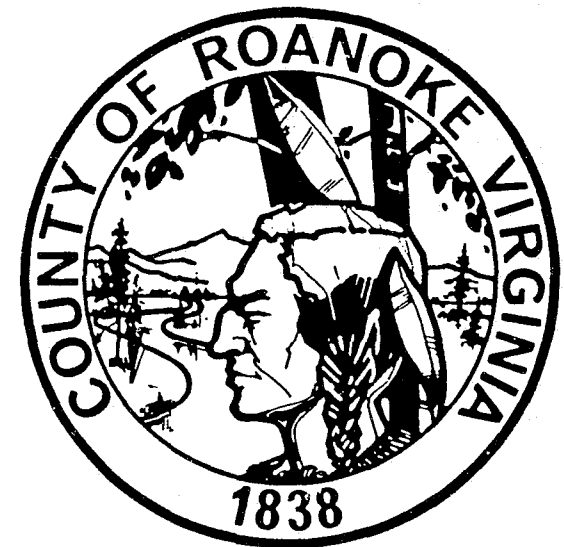
There is limited public parking available in the courthouse parking lot, or you may park across Thompson Memorial Drive behind the Hop-In Store.



Funded by grant monies made available through Department of Criminal Justice Services.

VICTIM WITNESS HANDBOOK

**ROANOKE COUNTY VICTIM-WITNESS
ASSISTANCE PROGRAM**



**ROANOKE COUNTY
COMMONWEALTH'S ATTORNEYS OFFICE
305 E. MAIN STREET
SALEM, VIRGINIA 24153**

(703) 387-6175



"I do solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help me God."

On taking this oath you have entered into the criminal justice system as a witness in a criminal prosecution. You may be testifying as a victim, or as a witness who has valuable information concerning an offense. Without your cooperation, it would be impossible to prosecute those who commit crimes in our community. In order to make your involvement with the court system as uncomplicated as possible, this office has initiated a Victim-Witness Assistance Program. It is the goal of this program to provide you with as much information as possible to keep you abreast of what is happening in your case. Too many times, the victims and witnesses of crimes have been forgotten or ignored by the criminal justice system. This program is designed to keep that from happening. This brochure will provide you with some information that will help you to better understand the court system in Roanoke County. If you have any questions about the information contained in this brochure, or about your case, please contact the Victim-Witness Coordinator.

Sincerely,

Thomas M. Blaylock

Thomas M. Blaylock
Commonwealth's Attorney for
Roanoke County

1. DRESS NEATLY AND BE COURTEOUS.

The way you look and act is a direct reflection on you and will affect the way your testimony is received.

2. UNDERSTAND THE QUESTION.

If you do not **understand** the question, ask the attorney to **rephrase** it; if you do not **hear** the question, ask the attorney to **repeat** it.

3. SPEAK CLEARLY.

Direct your answers to the judge or jury and **speak clearly and loudly**. This affects the impression that you make with the judge or jury.

4. GIVE SIMPLE DIRECT ANSWERS.

Give the most accurate answer you can give in as few words as possible. Do not volunteer any information.

5. DO NOT LOSE YOUR TEMPER.

The attorneys have an obligation to ask questions and test your memory to determine the truth.

6. BEFORE YOU TESTIFY, TRY TO RECALL THE INCIDENT.

Picture the scene in your mind, the objects, distances, and just what happened so that you can testify as accurately as possible.

Following is a brief overview of the various steps involved in the prosecution of a criminal case.

ARRAIGNMENT – This is the first step in the criminal justice process following a defendant's arrest. This is a hearing in which only the defendant appears before a General District or Juvenile Court judge and is formally advised of the charges against him, and a date for a preliminary hearing is set.

PRELIMINARY HEARING – This is a hearing in General District or Juvenile Court in which the victim and a limited number of witnesses may testify. The hearing is only to establish probable cause (reasonable grounds that a crime was committed). If the judge finds probable cause, the charge is certified to the Grand Jury for indictment. If the judge should happen not to find probable cause, and the Commonwealth feels it has sufficient evidence to prove the charge, then the Commonwealth may proceed directly to the Grand Jury. An indictment is a formal written accusation of a crime.

GRAND JURY – The Grand Jury is a panel made up of five Roanoke County citizens who listen to evidence presented by police officers on cases certified from the General District or Juvenile Court. The Grand Jury hearing is held in Circuit Court and is closed to the public. If the Grand Jurors consider the evidence presented by the police officer to be sufficient, they will return an indictment and a trial will be set in Circuit Court.

PINELLAS COUNTY, FLORIDA
SHERIFF'S DEPARTMENT
(813) 585-9911

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

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.

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

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 liaison 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.

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 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.

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.

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", is written over a horizontal line.

GERRY COLEMAN, Sheriff

Date: June 20, 1983

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.

Pinellas County Sheriff's Department
Gerry Coleman, Sheriff

VICTIM ADVOCACY PROGRAM

585-9911

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

VICTIM ADVOCACY PROGRAM



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.

Geney Coleman

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.

ARAPAHOE COUNTY COLORADO

SHERIFF'S DEPARTMENT

(303) 795-4701

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

DATE: _____

VOLUNTEER: _____

HOME: _____

VICTIM: _____ PHONE # WORK: _____

POLICE DEPARTMENT CALLING: _____

OFFICER'S NAME: _____

RESPONDED TO: HOSPITAL SCENE OTHER

TIME CALLED _____ AM
PM TIME ARRIVED _____ AM
PM TIME HOME _____ AM
PM

VICTIM'S EMOTIONAL STATE: _____

SUPPORT SYSTEMS NOTIFIED OR ACCOMPANYING VICTIM: _____

REFERRALS MADE/FOLLOW-UP PLAN BY V.A.P. COUNSELOR: _____

DISPOSITION (RETURNING TO FRIEND'S HOUSE, PARENT'S, OTHER): _____

COMMENTS OF PROCEDURES (ANY PROBLEMS, EXTENUATING CIRCUMSTANCES): _____

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

EXAMPLES OF OTHER VICTIM-RELATED

ACTIVITIES AND INFORMATION

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-430pm

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;

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 ~~advice~~ 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: _____



CRIME VICTIMS BILL OF RIGHTS

As a victim, as the guardian of a victim, or as the close relative of a victim, you have certain rights in the Texas criminal justice system. Among these are:

1. The right to **PROTECTION** from harm, and threats of harm, arising from cooperation with peace officers or prosecutors.
2. The right to have your **SAFETY**, and that of your family, taken into consideration when bail is set.
3. The right to be **INFORMED** about court proceedings, including whether they have been canceled or rescheduled.
4. The right to **INFORMATION** about procedures in criminal investigations.
5. The right to **INFORMATION** about procedures in the criminal justice system, including plea bargaining.

6. The right to **TELL** a probation department conducting a presentencing investigation about the impact of the offense on you and your family.

7. The right to be **INFORMED** about the *Crime Victims Compensation Fund*, the payment of certain medical expenses for victims of sexual assault, and of the availability of social service agencies that may provide assistance.

8. The right to be **NOTIFIED** about parole proceedings.

9. The right to **INCLUDE** information in the defendant's file to be considered by the Board of Pardons and Paroles.

10. The right to be **PRESENT** at all public court proceedings related to the offense, if the presiding judge approves.

Note: Article 56 of the Texas Code of Criminal Procedures states: "A judge, attorney for the state, peace officer, or law enforcement agency is not liable for a failure or inability to provide a right enumerated in this article."

ATTORNEY GENERAL OF TEXAS

Jim Mattox

Attorney General



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: _____

The Criminal Injustice System

SHERIFF J.C. BITTICK
MONROE COUNTY SHERIFF'S DEPARTMENT
P.O. Box 276
Forsyth, Georgia 31029

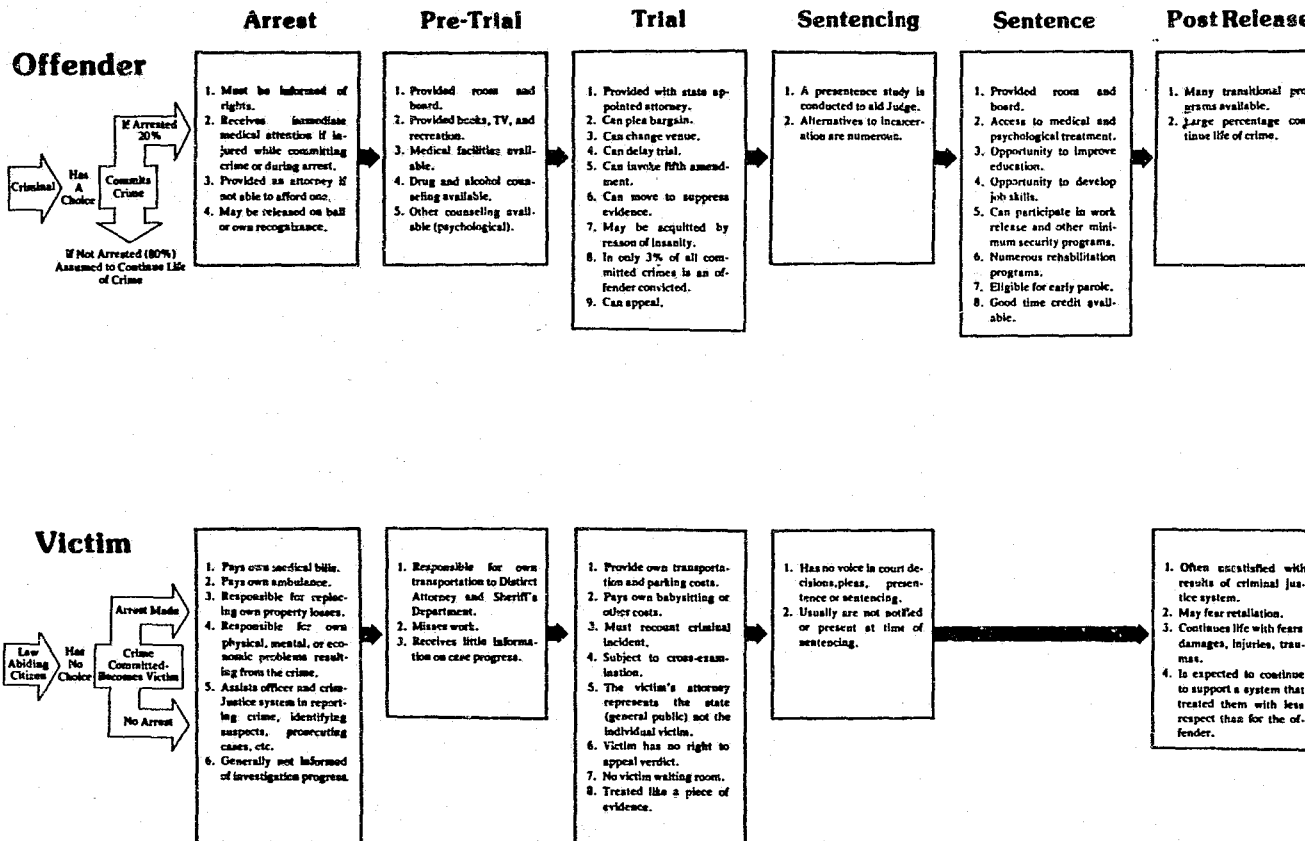
VICTIM WITNESS ASSISTANCE PROGRAM
912/994-5267 (Forsyth)
OR
912/781-8555 (Macon)

Keep This Card For Your Information
(see other side)

MONROE COUNTY SHERIFF'S DEPARTMENT
VICTIM WITNESS ASSISTANCE PROGRAM



BRING A STOP TO THE CRIMINAL
INJUSTICE SYSTEM



Type Incident _____
Deputy _____
Case # _____
Date _____

Please use the above information for requesting a copy of a report. If you need assistance please contact the Monroe County Sheriff's Department Victim Witness Program.

Dear Citizen,

I understand you have recently become a victim or witness of a crime in Monroe County, Forsyth, Georgia.

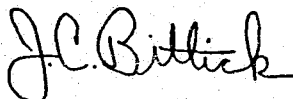
No one expects themselves, family members or friends to become a victim or witness to a crime.

There is a period of shock and confusion that follows. Crime leaves us all at a loss whether through direct injury or in the emotional aftermath. The complexity of the judicial system can often times prolong this confusion.

I hope you will find the answers to many of your questions in this pamphlet.

Those who have violated our laws cannot be brought to justice without your help and cooperation!

Sincerely,



John Cary Bittick, Sheriff

WHAT IS THE VICTIM WITNESS ASSISTANCE PROGRAM? (VWAP)

Many of the protections offered persons accused of committing crimes have not in the past been available to victims of crime. To remedy this the Monroe County Sheriff's Department; through its Victim Witness Assistance Program, aids crime victims and witnesses by offering assistance during the crime to court process. During the time it takes to prepare your case for court by the District Attorney's Office and law enforcement, the Victim Witness Assistance Program will keep you informed about your case and provide help that includes:

- Crime to court information
- Home visits (if needed)
- Preparation for your court appearance
- Employer contact
- Courtroom escort (moral support)
- Emergency referrals
- Case information
- Counseling and follow-up
- Social Service referrals
- Help with out-of-town witnesses
- Property return assistance
- Restitution

The Victim/Witness Assistance Office is located at the Monroe County Sheriff's Department at 60 W. Chambers Street, Forsyth, Georgia 31029.

DEFENSE ATTORNEY'S

The District Attorney's Office is required by law to provide the defense attorney (who represents the accused) with the names, addresses and phone numbers of all state witnesses. The defense attorney may contact you to learn what you know about the crime. If this happens you have the right to decide whether or not you will talk with him/her. If you choose to talk to the defense attorney you have the right to do so at a neutral location (for example, the courthouse or sheriff's department). You also have the right to be represented by the District Attorney's Office or by your personal attorney. If you choose to talk to the defense attorney and if he/she takes a written statement from you, it is important to obtain a copy for the District Attorney's Office to the Assis-

EMOTIONAL REACTIONS

"I thought people would understand my anger, my rage, but they didn't. I found instead that the anger felt by a parent of a murdered child is too strong an emotion for our society. It is too threatening to most people, and yet if this anger is not worked through, is not channeled and is not dissipated, it will fester forever." — a victim's mother

The sense of shock at becoming a crime victim or witness is often followed by feelings of anger, fear, shame and depression.

Perhaps you are confused and frustrated with the criminal justice system, fearful of retaliation, angered by all the questions.

You may feel isolated from family, friends and co-workers who are finding it difficult to understand your emotions. And you may be considering moving from your home, changing or quitting your job, ending a relationship.

These are all normal reactions.

"When one has been brutally attacked and injured, even a friendly and understanding voice on the phone can help overcome some of the sense of physical and psychological helplessness brought on by being a victim." — a victim

You are an innocent victim of this crime.

Be patient with yourself. Your emotions are intensified and your physical state is affected; it will take time to work through the trauma.

Use your resources. There are people at the Victim/Witness Assistance Program available to help you with any problem you are experiencing. Use them.

Involve yourself with others. Your own physical and emotional recovery will depend to a great degree on your involvement with other people. Do not isolate yourself.

NEEDS OF CRIME VICTIMS

For the victim or witness often the ordeal of your victimization is not over with the police report of the crime. If you are a victim, a witness, or a family member, you may need:

Emergency Aid — food, shelter, clothing, medical care, repairs. We will refer you to the many resources in the community that want to help.

Information — about how the criminal justice

will happen, the status of your case, recovery of stolen property, how to file insurance claims, how to notify creditors that charge cards or social security checks were stolen, and so on. Time — to go to court, possibly several times. Your testimony is critical at several stages in the process. Our program can save you time by notifying you of calendar changes or postponements. If you are uncomfortable, we will go to court with you.

Counseling — our staff and volunteers are trained to listen to your problems. We care about you. Call on us; that's why we're here.

Call the Monroe County Sheriff's Department 912/994-5267 or 912/781-8555 and ask for...

VICTIM ASSISTANCE

- If you need help with any problems during the time the case is in progress;
- If you have questions about what to expect in court, legal technicalities, or any other matter in regard to your case;
- If you need the help of social service agencies because you are a victim or a witness to a crime;
- If you want someone to be with you in court;
- If you have any fears about your involvement in the case;
- If you need any information.
- to be offered support from law enforcement officials
- to be provided information about the criminal justice system
- to be provided assistance when appearing in court
- to be told about social service agencies that can help you
- to be provided assistance with your employer

with return of stolen property

Victim's Bill of Rights

1. Victims and witnesses have a right to be treated with dignity and compassion.
2. Victims and witnesses have a right to protection from intimidation and harm.
3. Victims and witnesses have a right to be informed concerning the criminal justice process.
4. Victims have a right to provide input into the criminal justice process, especially at such key points as plea bargaining, sentencing, and parole release hearings.
5. Victims and witnesses have a right to reparations.
6. Victims and witnesses have a right to preservation of property and employment.
7. Victims and witnesses have a right to due process in criminal court proceedings.
8. Victims and witnesses have a right to timely notice of judicial proceedings they are to attend, and timely notice of cancellation of any proceeding.

Joint Resolution of the Utah State Legislature, 1985

Victim Advocate Program
896-6433



We support the National
Citizens' Crime Prevention Campaign.
**TAKE A BITE OUT OF
CRIME®**

Help For Victims of Crime



Sheriff's Victim Assistance Program

SPONSORED BY
The Sevier County Sheriff's Department

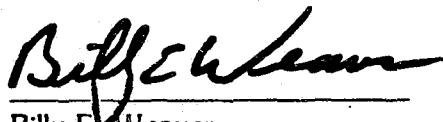
Citizens,

No one likes to think about the chances of becoming a victim of crime. However, statistics show that it could happen to anyone.

In 1984, Sevier County's reported crime rate was 34.18 crimes per each 1,000 residents.

Crime has no respect for the young, the old, the rich, the poor. Victims of crime experience not only emotional trauma but physical pain and often time financial losses as well. For the most there is tremendous confusion regarding the criminal justice system and how it works.

As the Sheriff of Sevier County, I am pleased to announce the inception of the Sheriff's Victim Assistance Program. This program is composed of a group of dedicated people whose goal is to provide an extensive, support oriented program to assist victims of crime in returning to a state of happiness and well-being.



Billy E. Weaver
Sevier County Sheriff

Victim Advocate Program

A victim advocate is available 24 hours a day, 7 days a week, to assist victims of crime and their families. Victims can request and utilize the services of the advocate. Victim Advocates can be available immediately when needed.

Information and Referral Services

The Victim Advocate can refer victims to social service agencies for short and long term counseling, abuse shelters and legal aid.

Court Support Services

The Victim Advocate acts as a liaison between the victim and the criminal justice system - law enforcement officers, the prosecutor, the court and probation services. The Victim Advocate can escort the victim throughout the court process and provide support for the victim. The Victim Advocate will keep the victim informed about each step in the criminal justice process.

Specialized services are available for child victims of crime.

Community support is needed. If you can volunteer your time and talents, please call:

Sheriff's Victim Assistance Program 896-6433

TO THE
CITIZENS OF MARION COUNTY:

It has only been in recent years that the plight of crime victims has come to the attention of the general public. Heretofore, all of our interest and energy has been focused on the criminal and his constitutional rights.

In recent years however, we have come to understand something of how the victim has been ignored and mistreated. We now know what it means to be a victim of a serious crime. We now understand the physical and psychological trauma victims suffer, as well as their financial losses. We are beginning to realize that because of their poor treatment, they have lost much of the confidence they once had in our Criminal Justice System.

It is because of this loss of confidence that their interest in prosecuting criminals has declined and crime has increased.

It is my belief that if we can restore the victim's confidence in the Criminal Justice System, it will have a positive effect on reducing crime and the associated suffering of victims in our community.

It is to these principles and purposes that we have dedicated our Victim Assistance Program.

Sincerely,

JAMES L. WELLS, SHERIFF
MARION COUNTY

If you have been a victim of a violent crime, our Victim Assistance Office can provide these services:

- * Crisis intervention counseling.
- * Emergency shelter and transportation.
- * Notification of relatives and employer.
- * Social services referral.
- * Case status information.
- * Assistance in filing for financial losses.
- * Assistance in the return of personal property.
- * Advice on Victims Rights.
- * Other services pertinent to your welfare.



H. JOHN BRAMLETT, COORDINATOR
VICTIM ASSISTANCE OFFICE
MARION COUNTY SHERIFF'S DEPT.
220 EAST MARYLAND STREET
INDIANAPOLIS, INDIANA 46204
(317) 633-5181

VICTIM ASSISTANCE PROGRAM

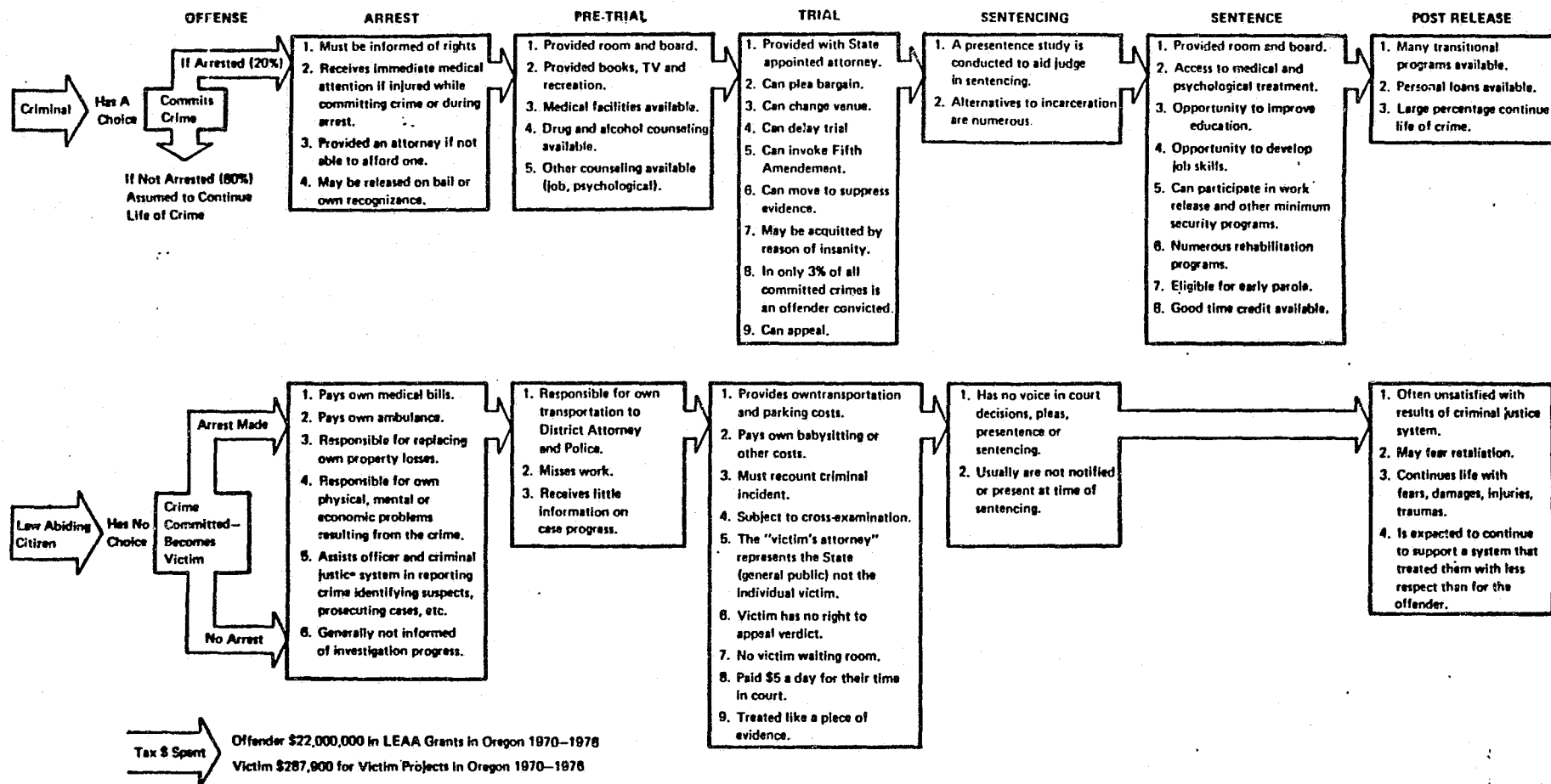


JAMES L. WELLS, SHERIFF
MARION COUNTY

This brochure has been prepared to inform you of your rights as a victim of a violent crime, and to make you aware of the assistance available to you in your time of need.



Marion County Sheriff's Department
40 South Alabama Street
Indianapolis, Indiana 46204



This information is provided to acquaint you with the Criminal Justice System,
and to illustrate how you can benefit from the services provided by the
Marion County Sheriff's Victim Assistance Program.

CRIME VICTIMS AND WITNESS INFORMATION BOOKLET



COMPLIMENTS OF
WARREN COUNTY SHERIFF'S DEPARTMENT
8 East Jackson Street
Front Royal, Va. 22630

TELEPHONE 635-4128



-197-

Dear Victim/Witness,

For too long the victim or witness of a crime has been taken for granted, completely ignored or greatly inconvenienced by our Criminal Justice System. The system has been so preoccupied with defendants rights that it has forgotten that victims and witnesses also have rights.

Now its time to balance the scales. The Warren County Sheriff's Department Victim/Witness program is designed to do just that. By making the Criminal Justice System more responsive to your needs as a victim or witness, we recognize and can more effectively enforce your rights.

I hope you are never the victim of a crime. If you are, this brochure explains how the Victim/Witness Assistance Program can help you and describes the requirements and procedures for filing a claim under the Virginia Crime Compensation Act. I hope it will be of help to you.

Thank you for helping us serve you better.

Respectfully,

Lynn C. Armentrout, Sheriff

SOME SERVICES PERFORMED BY THE VICTIM/WITNESS ASSISTANCE PROGRAM:

- You have questions about your role as a witness;
- You would like an explanation of court procedures or a tour of the courtroom before you testify;
- You need someone to speak to your employer about your appearing as a witness without loss of wages;
- Your personal property is being held as evidence and you want to know if you can recover it;
- You want assistance in filing for compensation under the Crime Victim's Compensation Act;
- You have changed your home/work address or telephone number;
- You need a referral to social service agencies that provide emergency financial, medical or psychological assistance to crime victims;
- You would like someone to escort you to court;
- You are not receiving restitution payments that were ordered by the court;
- You are a member of the military and may be subject to leaving for duty;
- You have received crime related threats and harassment; or
- You just need someone to talk to.

IMPORTANT POINTS TO REMEMBER AS A WITNESS IN COURT:

1. Dress well and be courteous. The way you dress and present yourself is a direct reflection on you. It is to your advantage to dress neatly and conduct yourself in a courteous manner.
2. Be attentive. You should remain alert at all times so that you can hear and understand and give a proper response to each question. If the Judge or Jury gets the impression that you are bored or indifferent, they may tend to disregard your testimony.
3. Think before you speak. Make sure you understand each question, then give an accurate answer to the best of your ability. Hasty and thoughtless answers may be incorrect and cause problems for all concerned. If you don't know the answer to a question, say so. It is the duty of the attorney to make the questions understandable
4. Speak clearly. There is nothing more annoying to a Court

from your testimony and may make the Court think that you are not certain of what you are saying.

5. If you don't understand a question ask that it be explained. This will save time and confusion. If you try to answer a question without fully understanding it, it may confuse the court, the jury and the lawyers.
6. Answer all questions directly. Too often a witness will be so anxious to tell his story that he will want to get it all out in answer to the first question. If you can answer with a simple yes or no, do so. Never volunteer information. It may have no bearing on the case and may serve only to delay the proceedings.
7. Be fair. Though you may be testifying in favor of a friend and would like to see him win, don't exaggerate your testimony or try to slant it in his favor. Justice will be served only if you make your testimony as unbiased and objective as possible.
8. Be helpful, not humorous. A trial is a very important matter to the parties involved. The defendant's money or freedom is at stake. The court is interested only in facts, not comedy.
9. Never lose your temper. When the witness loses his temper, he has placed himself at the mercy of the cross-examiner. Courts are interested only in the facts of the case. Hold your temper and your testimony will be more valuable.
10. Be prepared to wait. The Court or Commonwealth Attorney's office has significantly reduced the amount of time a witness spends in Court. However, occasionally a witness may be requested to remain nearby for a period of time. You may want to prepare for this by bringing a book to read or some handwork to help you pass the time.

THE CRIMINAL JUSTICE PROCESS:

You have had the misfortune of being a victim or witness of a crime. Most likely your first contact was with one of our uniformed patrol officers who made a report of the crime you have reported or witnessed.

Your case is then assigned to an investigator in our Criminal Investigation Division. Should an arrest(s) be made the Investigator completes a case file, refers it to the Commonwealth Attorney.

The following information is provided to you in an effort to acquaint you with the Criminal Justice System and the processes in which you may be participating.

CASE NUMBERS:

Each Sheriff's Department or Police Department's case is assigned a number. S - stands for Sheriff's Dept. P - for Police Dept. The first and second numbers indicate the year and month in which the offense occurred and the series of numbers that follow is your number. The number helps you gain assistance much faster. (Example) S-86-9-123. The officer or investigator can provide a number when he first handles your case.

ARRAIGNMENT:

This is the first step in the criminal justice process following a defendant's arrest. This is a hearing in which only the defendant appears before a General District or Juvenile Court Judge and is formally advised of the charges against him, and a date for a preliminary hearing is set.

PRELIMINARY HEARING:

This is a hearing in General District or Juvenile Court in which the victim and a limited number of witnesses may testify. The hearing is only to establish probable cause (reasonable grounds that a crime was committed). If the Judge finds probable cause, the charge is certified to the Grand Jury for indictment. If the Judge should happen not to find probable cause, and the Commonwealth feels it has sufficient evidence to prove the charge, then the Commonwealth may proceed directly to the Grand Jury. An indictment is a formally written accusation of a crime.

GRAND JURY:

The Grand Jury is a panel made up of seven Warren County citizens who listen to evidence presented by police officers on cases certified from the General District or Juvenile Court. The Grand Jury hearing is held in Circuit Court and is closed to the public. If the Grand Jurors consider the evidence presented by the officer to be sufficient, they will return an indictment and a trial will be set in Circuit Court.

TRIAL:

Hearing held in Circuit Court before a judge or jury in which the guilt or innocence of the defendant is decided. If the defendant is found guilty, he may be sentenced at the conclusion of the trial, or at a later date at a sentencing hearing. Unless the case is on a plea of guilty, it is necessary for the Commonwealth to produce all witnesses at the trial.

SENTENCING:

Hearing held in Circuit Court in which the court imposes a final disposition of the case. Sometimes victims are requested by the Commonwealth to attend sentencing hearings.

HOW DO I FIND OUT WHATS HAPPENED TO MY CASE ?

Sheriff's Investigators are required to contact victims and update them on their case. (Usually within 10 days). If you are not contacted after 10 days you may wish to call our Criminal Investigation Division Monday thru Friday 8:00 a.m. to 5:00 p.m. at 635-7100 or 635-7109 and inquire about the progress of your case.

THREATENING A WITNESS IS A CRIME IN VIRGINIA:

If you are threatened by the defendant or anyone else in regard to your case please call the Sheriff's Department at 635-4128 or 635-7100.

CRIME VICTIMS COMPENSATION FUND:

The Crime Victims Compensation Fund is a secondary source which pays for loss not covered by other sources.

1. Health Insurance
2. Sick leave paid by employer
3. Disability Insurance
4. Workman's Compensation
5. Social Security

AVAILABLE BENEFITS:

Approved claims provide compensation for the following reasons.

- * IF you were physically injured during a crime or
- * IF you were injured trying to prevent a crime or an attempted crime, or trying to catch a person who committed a crime in your presence, or
- * IF your mother, father, guardian, wife or husband was killed because of a crime, or attempting to stop a crime, THEN YOU MAY QUALIFY FOR PAYMENT of certain expenses.

The Commonwealth of Virginia recognizes its moral responsibility to victims of crime, IF YOU QUALIFY, you may be paid for:

- loss of earnings
- unpaid medical expenses
- funeral expenses up to \$1,500
- pregnancy expenses resulting from forcible rape
- other expenses and debts resulting from your injury, or the injury or death of a crime victim.

PAYMENT may be made IF THE CRIME IS PROMPTLY REPORTED AND IF YOU FULLY COOPERATE WITH THE POLICE.

CLAIMS for payment MUST BE FILED with the Virginia Industrial Commission.

CLAIMS must be filed within 180 days after the crime, or 180 days after the death of the victim.

The Sheriff's Department Victim/Witness Coordinator will assist in filing compensation claims to those who qualify.

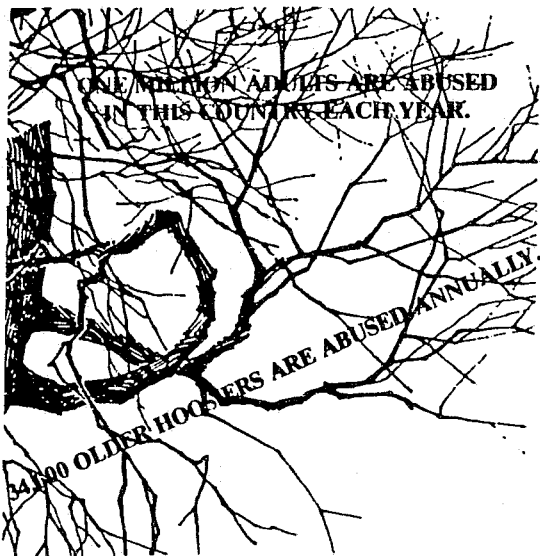
NOTICE:

This State Information is only a summary of the Statutory provisions applicable to the Crime Victims Compensation Fund administered by the Virginia Industrial Commission.

It is not in itself binding on the Board. For the actual provisions, please refer to the Crime Victims Compensation Act.

Officer: _____

Case Number: _____



IN OUR OWN COMMUNITY:

- * A 76 year-old invalid woman lived alone in a filthy home, bitten by rats and constantly robbed of her Social Security checks.
- * An emotionally disturbed young man lived in a bug-infested apartment without lights, heat, or plumbing. Family members took his Social Security check and left him unattended.
- * An elderly female stroke victim lived alone while her daughter exploited her by keeping her pension checks, neglecting both her medical and physical needs, and refusing to care for her in any way.

THESE VICTIMS NEED YOUR HELP!

To Those Who Care:

The abuse, neglect or exploitation of handicapped adults, the elderly, or those incapable of caring for themselves is a crime. We must use the law and the resources of our community to insure that all members of society are treated with dignity and respect.

Please call us so that the law can work for them.

Respectfully,

Michael P. Barnes
Prosecuting Attorney
St. Joseph County

PROGRAM FUNDED THROUGH THE INDIANA
DEPT. ON AGING & COMMUNITY SERVICES

Barbara Johnston, Coordinator
Adult Protective Services Unit
St. Joseph County Prosecutor's Office

10th Floor County-City Building
South Bend, IN 46601

(219) 284-9544

ADULT ABUSE



*Don't turn your
back on them.*

YOU can help. It is IMPORTANT.

YOU have a responsibility to report.

The identity of the reporting person shall be kept confidential and disclosed only with the written consent of that person.



A person who in good faith makes a report of adult abuse or who testifies in court about such abuse cannot be sued or prosecuted for doing so.

To make a report call:

Prosecutor's Office	284-9544
REAL Services	233-8205
Public Health	284-9741
Visiting Nurse Assoc.	234-3181
Mental Health	234-1049
Logan Center	289-4831
Public Welfare	236-5369



TOLL FREE HOTLINE NUMBER IN INDPLS.
1-800-992-6978

Who are "Endangered Adults"?

Anyone, eighteen (18) years of age or older who:

- (1) Is incapable by reason of insanity, mental illness, mental retardation, senility, habitual drunkenness, excessive use of drugs, old age, infirmity, or other incapacity of either managing his property, or caring for himself, or both; and
- (2) Is harmed or threatened with harm as a result of:
 - a. Neglect
 - b. Battery; or
 - c. Exploitation of the individual's personal services, or property.



WHAT ARE "PROTECTIVE SERVICES"?

Appropriate medical, psychiatric, residential, or social services that are necessary to protect the health or safety of an endangered adult.



Reporting...
what happens next?

The Prosecutor's Office is now charged with the responsibility of receiving and investigating reports regarding endangered adults.

Once a report is received an investigation will be made either by the Prosecuting Attorney's Office and/or an appropriate service agency.

All reports will be documented and submitted to the Indiana Department on Aging and Community Services.

Plans of action will be developed to meet each special need.



Your community agencies are working together in an effort to make this legislation work.

St. Joseph Co. Prosecutor
REAL Services
Mental Health Assoc. of St. Joseph Co.
Dept. of Public Welfare
Visiting Nurse Association
Logan Center
St. Joseph Co. Health Dept.
Madison Center
Area Hospitals

A VICTIM'S BILL OF RIGHTS

NewsCenter 4

1985

We tend to refer only to the deceased as victims. In fact, there are a great many victims surrounding crimes and tragedies...members of family, friends and colleagues, as well as witnesses. We need to maintain a careful vigilance for these people as we cover the stories of violence and desolation within our community. No list could contain all the examples. A few thoughts might help you each make decisions more easily.

A VICTIM has a RIGHT to sensitive treatment from news reporters and photographers. This includes sensitivity in camera placement, questioning, and telephone conversations. This right does not preempt the public's right to know, but reinforces the right of any member of the public to maintain his dignity in time of crisis.

A VICTIM has a RIGHT to proper notification about tragedy. Families have the right to learn about the loss of a loved one in a private situation with appropriate authorities. This Right does not affect the public's RIGHT to know, it only adjusts the timing of the telling.

A VICTIM of rape has a RIGHT to anonymity. There is no exception to this rule. All steps should be taken to guard the identity of rape victims. Their lives have already been invaded. We need not make the pain any worse.

A VICTIM has the RIGHT to complain when he feels we have gone too far. He has a right to a thoughtful hearing, and a thoughtful answer. There will be many times we may decide we cannot accede to the wishes of a victim, because of our journalistic judgment. But we owe the victim a reasonable explanation, and a sympathetic treatment.

Mary McCarthy
News Director

NewsCenter 4

WYFF-TV
505 Rutherford Street
P.O. Box TV-4
Greenville, South Carolina 29602
803-242-4405

SESSION 9

A COORDINATED APPROACH TO VICTIMS'

NEEDS AND RIGHTS: A PANEL DISCUSSION

AND SUPPLEMENTARY NOTES

ESTABLISHING A COUNTY-WIDE COORDINATING COUNCIL FOR VICTIM ASSISTANCE

Many counties today have some form of an assistance effort designed to meet the needs of some, if not all victims of crime. Prosecutors have specially tailored programs for the most part that address the needs of victims and witnesses who are to participate in the trial process; citizen based groups help victims of rape, sexual assault and family violence; and the sheriff now is becoming more able to assist all victims of crime beginning with the receipt of information concerning the criminal event. There are few examples, however, of these diverse resources being examined within the context of the overall needs of victims in the county and the available resources for meeting these needs.

All agencies and groups have a role to play. The needs of victims are wide in scope and it is certain that no one agency or group could, or should attempt to meet all of these needs. Thus, some coordinating mechanism is badly needed to assure that there is not a gap in the available resources and that all work together toward the common goal of an optimum level of victim assistance for all victims in the county.

During the Regional Workshops for Task Force members special attention was given to the relationships existing, or that could be established by the sheriff, for working closely with other victim assistance services deliverers in his or her county. A session was devoted to this subject in the Regional Workshops and the language of the Participant's Handbook used at that time is provided in the following pages. The subjects covered are:

- What is "coordination"?
- What are the pre-requisites for a coordinating mechanism to work?
- How can these pre-requisites be achieved?
- A model County Coordinating Council for Victim Assistance.
- Strategies for establishment of the Coordinating Council.

What is "Coordination"?

There are at least six major kinds of coordination:

- Informal. Two people working on the same kind of project talk together informally and agree to specific ways of working together so that their efforts are not duplicative and the objectives of their work are achieved without conflict.
- By supervision. A supervisor directs two or more workers to conduct their work in specific ways so that their efforts are not duplicative and the objectives of their work are achieved 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 procedures documentation of the Department. This serves to define the scope of effort, assign responsibilities and designate authority 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 their 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 is dealt with 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 County-wide 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 see 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 or she can participate and that others do not obstruct his or her 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 or she understands what that role is and how it relates to his or her own role and to 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 costs 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

independent efforts. 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 a CCCVA meeting will have to fit into their otherwise crowded schedule. If meetings are not productive, or if they are seen as not essential, members will not attend the later 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 and officers, and for the creation of subcommittees;
 - 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, 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 budget documents of the respective members, thus lending support for the latter 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 respective members of the CCCVA to understand the roles and activities 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 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 counsel 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 the 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 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 SSA Task Force Action Plan. Earlier we addressed the SSA Task Force Plan, one element of which was the development of State Action Plans. The latter should reflect the relationship of the County Plan to the State Plan, and relate 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?
- 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 completed, prepared and distributed on a timely basis to all members.

A Model Coordinating Council For Victim Assistance

Membership...the Principal Actors. The members of the council should reflect all of those in the county, representatives 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:
 - the sheriff
 - chief of police: largest municipal police department
 - the prosecutor
 - the presiding judge or administrator of the criminal court
 - probation officer
 - parole board
- Others:
 - hospitals: administrators of emergency rooms
 - mental health: representatives of psychological counseling services
 - citizen based groups: rape crisis center, batter spouse shelter, other social services agencies groups
 - the 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 the state victim and witness assistance office, Attorney General
- federal law enforcement
- special interest groups: MADD, Crimes Against Children, etc.

The Charter. This should cover 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. Some examples are:

- specific program activities that focus on gaps that have been identified in victim and witness services;
- appropriate legislation to be sought;
- funding sources to be sought and pursued: federal, state, county revenues and private donations from private business and citizens;
- sponsor a Victim Rights Week in April;
- provide information to the public about the activities of the Council and of individual members through the media and public speaking engagements; participate in meetings of state networks on victim assistance; and provide 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 the development of next year's County Action Plan, and provide information for 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 can be presented; and
 - the need for coordination and the establishment of a County Coordinating Council for Victim Assistance is emphasized.
- Product expected. Attendees at the conference should obtain:
 - increased awareness of the scope of the 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 addressees 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 agendas 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 who serve the county in Washington, and to the local media (electronic and print).

AWARENESS AND ACCEPTANCE OF THE SHERIFF'S VICTIM ASSISTANCE PROGRAM

One aspect of the training provided in the Regional Workshops for the Task Forces of the SSA's was the design of the Local Agency Plan (see the 1:30 PM Friday session dealing with this subject). One feature of this presentation dealt with the issues surrounding the acceptance of the sheriff's program by other members of the criminal justice community and by others involved in assisting victims in his or her county.

The following are excerpts from the Participant's Handbook, used in the Regional Workshops that deal with the design of the Local Agency Plan.

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 program goals, objectives and activities. 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 the prosecutor, the judges, the probation officers and the members of the parole board.
- 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 goal.

- Investigators. Where there are objections to the activities of the members of the Victim Response Unit (VRU--explained in following section) they will usually arise from the criminal investigators. Why?

- investigators believe that VRU personnel are hand-wringing social workers.
- they believe that the VRU representative gets in the way at the crime scene and frustrates their efforts to get information from the victim.
- they believe that the VRU personnel try to involve themselves in the investigation.
- Such problems can be overcome by proper supervision and training.

● 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.

WORKSHEET

1. What are all of the ways, or options, in which a coordinating mechanism can be developed for my county?

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no text or other markings on the paper.

2. Which three options of those above do I think will have the best chance of succeeding or provide the best environment for working together in my county?

a. _____

b. _____

C. _____

WORKSHEET

3. In the discussions of my group concerning ideas above in 1 and 2, other ideas that had merit in my view were:

4. Our group decided that the most viable of the options we considered is: _____

5. The five steps that I think would be necessary in order for this approach to succeed in my county are:

a. _____

b. _____

c. _____

d. _____

e. _____

WORKSHEET

6. In discussions of our group members, other ideas as to steps that should be taken in their respective counties that seem to have merit are:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____
- g. _____
- h. _____
- i. _____

7. In considering all of our ideas as to actions that should be taken for our chosen option to succeed, we have agreed that the following five actions represent those that would be most likely needed in most counties...at least for our part of the country:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____

SESSION 10

A PLANNING PROCESS FOR ESTABLISHING

A VICTIM ASSISTANCE PROGRAM

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

- Objective
- 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					
FAMILIES:					
-missing children					
-homicide					
Burglary					
Robbery					
Property loss,					
other					
KIDNAPPING:					
-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																
	1. Homicide	2. Burglary	3. Robbery	4. Major Assault	5. Sexual Assault	6. Rape	7. Missing Children	8. Kidnapping	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			

* 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.

- 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 its 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

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.		

SESSION 11

PROGRAM DESIGN ISSUES:

A GROUP PLANNING TASK

THE LOCAL AGENCY PLAN...A MODEL FOR THE SHERIFF'S DEPARTMENT

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.

A major feature of the training provided for Task Force members at the NSA Regional Workshops was the discussion related to the development of an organizational unit within the department for assisting victims of crime. It was suggested that such a unit should also be the focal point in reviewing and monitoring services to victims and act as the department's representative in coordination efforts with other victim servicing agencies or groups within the county.

The following pages provide excerpts from the Participant's Handbook used during the Regional Workshops, which illustrate a model organizational plan, "The Victim Response Unit".

THE VICTIM RESPONSE UNIT (VRU)

What is a Victim Response Unit? An organizational element of the Department that is devoted to the provision of assistance to victims.

What is it 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. The development of the local agency plan for the Department should follow the actions below in a sequential order.

- 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) 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. Basic guidelines are:

- 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 several 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 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 the most senior officers.
- 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 areas where the investigators and patrol personnel work. In some programs, the office areas used by the 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 the Department managers responsible for the program would seem to outweigh this.

Scope.

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 later, the sheriff has a role in the coordination of efforts within the county for victim assistance through the County Coordinating Council.

Operations...The Work Plan.

The initial action in the establishment of a program within the Department, is the preparation of a policy and procedure document and the sheriff's approval of the program. The procedures for the preparation of such documents are provided separately in a set entitled, "Guidelines for the Preparation of the Department's Policy and Procedures Manual", offered as a hand-out in Session 6.

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".

● Objectives. The objectives that would be designed to reach the goal 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 "Gap analysis" earlier).
- establish specific actions for daily coordination with others, both within and outside of the Department.
- establish internal management procedures and tools to allow the monitoring and evaluation of the VRU program.

● Activities. The definition of specific actions that will be taken to allow the achievement of objectives. 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 the VRU, investigators, patrol personnel, reserves, auxiliaries and volunteers; independently and together.
- conduct training programs for the VRU and others in the Department jointly with representatives of citizen based groups.

- engage in participation in county level victim assistance networks.

- Time. All of the 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 when 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 of the active case records 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's 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.

**CASE
FILE #**

OFFENSE _____ CASE TO VRU BY _____ INVESTIGATOR _____

DEPARTMENT INV. # _____ (3) _____

PROSECUTOR (4)

DATE/TIME	ACTION	BY	HOURS

EXPENDITURES

DATE	ITEM	BY	AMOUNT
(USE CONTINUATION SHEETS)			

- 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.

An example of a 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 provide the basis for 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 calendar).
- number of cases this month, by offense.
- staff hours 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 give 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 benefit 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:

- (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 (hypothetical example)
= 1760 hours
- (c) = $\frac{(a)}{(b)} = \frac{8760}{1795} = 4.88$ persons

Kinds Of Personnel.

There are several choices. Any or all may, 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 is Maricopa County in Arizona:

- It 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 other than 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 country:

- 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 for 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: the 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.
- accomplishments: targets reached in terms of the previously approved Work Plan.
- status: relations between the VRU and others within the Department and with others working in providing victim assistance elsewhere in the county.
- 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.

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.

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
WORK PLAN												
ACTIVITY												

SESSION 12

GROUP REPORTS

Notes

APPENDIX

BIBLIOGRAPHY

AND

TRAINER BIOGRAPHY

**NSAVAP SELECT BIBLIOGRAPHY ON VICTIMS'
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Finally, the Office for Victims of Crime of the U.S. Department of Justice has inaugurated a National Victim Resource Center (NVRC). This Center can provide you with further bibliographic information. Call the NVRC at (202)724-6134 or write: National Victims Resource Center, Office for Victims of Crime, 633 Indiana Avenue, NW, Washington, DC 20531.

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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 ten 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 National Sheriffs' Association Victim Assistance Program, a multiyear project supported by the Office for Victims of Crime in 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 seven 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 300 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 1980's. He has been a college and university professor and is a graduate of American and European universities.