



Office of Victim-Witness Advocacy

**REPORT  
TO THE GOVERNOR  
AND NEW JERSEY LEGISLATURE  
CONCERNING IMPLEMENTATION  
OF THE VICTIM AND WITNESS  
ADVOCACY FUND**

*Fiscal Year 1990*

April 1991

Department of Law & Public Safety  
Division of Criminal Justice  
Office of Victim-Witness Advocacy

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AND NEW JERSEY LEGISLATURE  
CONCERNING IMPLEMENTATION OF THE  
VICTIM AND WITNESS ADVOCACY FUND  
Fiscal Year 1990**

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY

ROBERT J. DEL TUFO  
ATTORNEY GENERAL

April 22, 1991

The Honorable Jim Florio  
Governor of the State of New Jersey

Honorable Members of the Senate and Assembly of the State of  
New Jersey

Dear Governor and Members of the Legislature:

Pursuant to N.J.S.A. 2C:43-3.1a(6), I am submitting the annual report on the activities and the accomplishments of the State and County Offices of Victim-Witness Advocacy and on the Victim and Witness Advocacy Fund. The reporting period covers fiscal year 1990.

Included in this report is a review of victims' rights in New Jersey and statistical data on crime victims served by the program and the services provided to them.

The services of the Office of Victim-Witness Advocacy are significantly supported by the Victim and Witness Advocacy Fund and ensure that crime victims are treated with dignity and respect.

New Jersey continues to respond to the various needs of crime victims through legislation and expansion of services. Our criminal justice system demands not only that the rights of the accused be safeguarded but also that the rights of crime victims be honored and respected.

Respectfully,

Robert J. Del Tufo  
Attorney General

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## INTRODUCTION

This report, submitted pursuant to N.J.S.A. 2C:43-3.1a(6), documents the use of the Victim and Witness Advocacy Fund and efforts that have been undertaken by the Office of Victim-Witness Advocacy to fulfill the obligations of victims' rights legislation.

Victims of crime often suffer physical injury, financial losses, and, almost invariably, emotional distress. Witnesses too experience stress, both in seeing the crime and in testifying about it. The impact of crime is devastating to innocent victims and their families and their resulting involvement in the criminal justice system often times compounds the tremendous burden of victimization. This program is designed to help the criminal justice system more effectively meet the needs of these individuals. The State and County Offices of Victim-Witness Advocacy demonstrate the continuing commitment of the Attorney General and the County Prosecutors to assist the crime victims and witnesses of this State.

In New Jersey, a number of legislative initiatives have paved the way for improved treatment of crime victims by the criminal justice system. The Crime Victim's Bill of Rights was signed into law on July 31, 1985. During the following year, in January, legislation created the Office of Victim-Witness Advocacy within the Division of Criminal Justice and the County Offices of Victim-Witness Advocacy within each County Prosecutor's Office. The same legislation, which became effective in April 1986, required the Attorney General, through the Office of Victim-Witness Advocacy and in consultation with the County Prosecutors, to promulgate standards for law enforcement agencies to ensure that the rights of crime victims are enforced. Additional legislation created the Victim and Witness Advocacy Fund which is supported by penalty assessments imposed on convicted offenders and is used to establish and enhance services to victims and witnesses statewide.

Among the rights and services guaranteed by these laws are: the right to be notified of the status of cases; the right of victims to be given assistance with financial aid and social services; the right of victims to have their property returned in a timely fashion once it has been used as evidence; the right of victims to secure waiting areas in courthouses; the right of victims to be protected from intimidation; and the right to submit a victim impact statement to the prosecutor prior to formal charging decisions and to make an in-person statement directly to the sentencing court.

The rights guaranteed under the Crime Victim's Bill of Rights and the services provided by the State and County Offices of Victim-Witness Advocacy, ensure that crime victims will not be forced to endure the impact of criminal victimization alone.

Chapter 1 of the report provides an overview of the most comprehensive laws and policies on victims' rights in New Jersey. Chapters 2 and 3 offer an overview of services provided by the program and a description of major goals and accomplishments. Chapter 4 provides summary descriptions of each of New Jersey's 21 County Offices of Victim-Witness Advocacy. Chapter 5 describes the Victim and Witness Advocacy Fund and contains financial statements for fiscal year 1990. Chapter 6 provides an examination of program statistics which represent the number of clients serviced by the program and the frequency with which the different services have been utilized.

## Chapter 1

### VICTIMS' RIGHTS IN NEW JERSEY

#### CRIME VICTIM'S BILL OF RIGHTS

The New Jersey Crime Victim's Bill of Rights (N.J.S.A. 52:4B-36) is designed to seek basic fairness for victims and establish a role for victims and witnesses in the criminal justice system. While this legislation is denominated as "rights," there are no remedies explicitly provided should a criminal justice agency fail to live up to the statute.

The provisions guaranteed to victims under the Crime Victim's Bill of Rights are:

- To be treated with dignity and compassion by the criminal justice system;
- To be informed about the criminal justice process;
- To be free from intimidation;
- To have inconveniences associated with participation in the criminal justice process minimized to the fullest extent possible;
- To make at least one telephone call provided the call is reasonable in both length and location called;
- To medical assistance if, in the judgement of the law enforcement agency, medical assistance appears necessary;
- To be notified if presence in court is not needed;
- To be informed about available remedies, financial assistance and social services;
- To be compensated for their loss whenever possible;
- To be provided a secure, but not necessarily separate, waiting area during court proceedings;

- To be advised of case progress and final disposition; and
- To the prompt return of property when no longer needed as evidence.
- To submit a written statement about the impact of the crime to a representative of the County Prosecutor's Office which shall be considered prior to the Prosecutor's final decision concerning whether formal criminal charges will be filed; and
- To make, prior to sentencing, an in-person statement directly to the sentencing court concerning the impact of the crime. This statement is to be made in addition to the statement permitted for inclusion in the pre-sentence report by N.J.S.A. 2C:44-6.

#### HOMICIDE AND SUDDEN DEATH SURVIVOR GUIDELINES

On April 18, 1986, the Working Group on the Development of Homicide and Sudden Death Survivor Guidelines submitted the newly "Revised Homicide and Sudden Death Survivor Guidelines" to the Attorney General. This report was the first in the nation to set forth guidelines to ensure that survivors of homicide and sudden death are afforded proper assistance by law enforcement personnel. The guidelines set forth minimum standards for dealing with survivors of homicide and sudden death in the following areas: notification of death, release of information and property, financial and social assistance, case status information, and organ donations/transplants.

#### DRUNK DRIVING VICTIM'S BILL OF RIGHT

In January 1986, the Drunk Driving Victim's Bill of Rights was signed into law which, among other provisions, permits a victim the opportunity to consult with the prosecutor prior to dismissal or plea negotiations if the victim sustained bodily injury (see Appendix A).

#### OFFICE OF VICTIM-WITNESS ADVOCACY

The 1986 legislation establishing the Office of Victim-Witness Advocacy within the Division of Criminal Justice prescribes 18 specific services that are to be provided to



victims and witnesses involved in the prosecution of a case. These services include case status notification, information about compensation and the criminal justice system, separate waiting areas, escorts to court, referrals for other needed services, transportation, employer intervention, assistance in submitting victim impact statements, and expeditious return of property. To implement these services statewide, the Chief of the Office of Victim-Witness Advocacy is authorized to appoint a County Victim-Witness Coordinator in each county. The law also calls for the Attorney General to establish standards for law enforcement agencies to ensure that the rights of crime victims are enforced (see Appendix B).

#### VICTIM AND WITNESS ADVOCACY FUND

Legislation signed into law on January 9, 1986, established the Victim and Witness Advocacy Fund and directed that \$5.00 of the assessed mandatory minimum penalty for each offense be placed in the Fund to be "used to support the development and provision of services to victims and witnesses of crime and for related administrative costs" (see Appendix F). The Fund is administered by the Office of Victim-Witness Advocacy in the Division of Criminal Justice. Pursuant to the statute, the Director of the Division has promulgated rules and regulations to implement the purposes of the Fund (see Appendix D).

#### ATTORNEY GENERAL STANDARDS TO ENSURE THE RIGHTS OF CRIME VICTIMS

The Attorney General issued the Attorney General Standards to Ensure the Rights of Crime Victims on April 30, 1988. The Standards were developed by a thirty-two member Advisory Committee composed of law enforcement officials, victim service providers and members of victim advocacy and support groups.

The Standards operationalize the various statutory rights and services for victims from the time of the crime until after the final disposition of the case. In general, the Standards meet four basic needs of innocent citizens stricken by crime: to be supported, informed, respected, and protected. The Standards describe required treatment and support services during the criminal investigation, while the prosecution proceeds, and after the case is concluded. Specific and detailed directives are contained in the Standards which require ongoing notification requirements about developments in the case (i.e. pre-trial release, court dates, sentencing); information about compensation, the return of stolen property, the workings of the criminal justice system, and victim rights within the system; minimization of inconvenience to the victim, whenever possible, in scheduling of appointments and interviews, and sensitive

treatment throughout the victim's involvement with the justice system; protection from intimidation and harassment; consultation with the victim, whenever possible, before dismissal or acceptance of a plea agreement; and a broad range of other services, including transportation to court, child care, separate waiting areas, employer intercession, assistance with compensation claims and victim impact statements, and referral to appropriate service providers.

Each provision in the Standards was time-lined for implementation at immediate, short-term, and long-term stages.

Immediate Standards have been implemented. These Standards generally include those which carried a statutory mandate which had been in effect, required minimum changes to existing policies and procedures, did not require additional staffing or financial resources, and could be effectuated through training programs and Standard Operating Procedures (S.O.P.).

Short-term Standards are designated for implementation by April 1990. Implementation of these Standards generally requires some advance planning, changes in protocols, and limited additional funding and physical facilities.

Long-term Standards are to be implemented by April 1993. These Standards will require significant changes in, or additions to, current procedure on a multi- and inter-agency level and will require complex planning and coordination efforts, as well as the development of remedies for funding and resource constraints.

The Standards identify the officials who are responsible for implementation, establish the use of S.O.P.'s where applicable, and provide sample forms and letters which will streamline procedures. In addition, the Standards will be evaluated annually to identify compliance and feasibility issues.

#### **BIAS INCIDENT INVESTIGATION STANDARDS**

On January 28, 1988, the Attorney General promulgated detailed Standards which directs police agencies to investigate crimes or other incidents with a racial, religious or ethnic motive. The Standards place special emphasis on victim assistance and community relations oriented to reduce victim trauma and community tension or fear.

#### **CRIME VICTIMS' COMPENSATION**

The Violent Crimes Compensation Board (VCCB) was established by the Criminal Injuries Compensation Act of 1971 (P.L. 1971, c. 317 1, effective October 4, 1971) to assist victims of violent

crimes who have suffered personal injuries. In accordance with N.J.S.A. 52:4B-1 et seq., the Violent Crimes Compensation Board compensates qualifying innocent victims for nonreimbursable medical expenses and loss of earnings incurred as a result of crime-related injuries. In the case of the victim's death, compensation may be paid to or for the benefit of the dependents of the deceased victim.

#### THE FEDERAL VICTIMS OF CRIME ACT

The Federal Victims of Crime Act of 1984, P. L. 98-473, Title II, Chapter XIV (VOCA) was signed into law October 12, 1984, as part of the Comprehensive Crime Control package. VOCA was amended and reauthorized through Federal fiscal year 1994 under the Anti-Drug Abuse Act of 1988, Title VII, Subtitle D, P.L. 100-690, which was signed into law on November 18, 1988. VOCA provides funding for direct services to victims of crime and identifies, as priorities, programs which assist victims of sexual assault, domestic violence and child abuse. The recently approved amendments added a fourth priority category to provide services to a "previously underserved population" of violent crime victims.

The Act established a Crime Victims Fund in the Treasury which is supported by monies collected from federal criminal fines, penalty assessments, forfeited bonds and royalties. The 1988 amendments to the legislation increased the base amount each state shall receive in victim assistance funds from \$100,000 to \$150,000 for fiscal years 1989, 1990 and 1991. For fiscal years 1992, 1993, and 1994 the base amount will be \$200,000. The remaining funds are then distributed to each eligible jurisdiction on the basis of population.

The Federal Victims of Crime Act Program has provided federal funding totaling \$8,102,000 for victim services since the Program's inception in 1986. The allocations by year were: \$1,230,000 for 1986; \$901,000 for 1987; \$1,024,000 for 1988; \$1,238,000 for 1989; \$1,896,000 for 1990 and an anticipated \$1,813,000 for 1991.

In Federal fiscal year 1990, more than 10% of the VOCA funds were spent in each of the four priority areas as required by the Financial and Administrative Guidelines issued by the U.S. Office of Justice Programs, May 15, 1990. The breakdown by priority areas were: \$459,011 for sexual assault (24%); \$577,589 for domestic violence (31%); \$610,330 for child abuse (32%); and \$249,070 for the "previously under served population" (13%) for a 1990 award of \$1,896,000.

In New Jersey, the State Law Enforcement Planning Agency administered the VOCA Grant from its onset in 1986 to July of

1990. In July, the responsibilities of the VOCA Grant were transferred to the Division of Criminal Justice and is now administered by the Office of Victim-Witness Advocacy.

### PAROLE INPUT

A 1983 statute (N.J.S.A. 30:4-123.54) regarding victims' involvement in the parole process provides that victims be notified of upcoming parole hearings and allows the victim to submit a victim impact statement to be considered by the Parole Board in rendering its decision.

### VICTIM IMPACT STATEMENTS

Victim impact statements contain a written account, from victims' perspectives, of the damage and harm inflicted upon them as a result of the crime. The purpose of legislation which allows for such statements is to provide victims with an avenue for participation and a means of communicating their position to the sentencing judge. In 1980, legislation (N.J.S.A. 2C:44-6) was signed into law which permits victim impact statements as part of the pre-sentence investigation report. In 1985, the statute was amended to include victims of juvenile offenders. In 1991, the Crime Victims Bill of Rights was amended to include a victim's right to submit an impact statement prior to formal charging decisions and to make an oral statement to the sentencing court.

## Chapter 2

### STATE OFFICE OF VICTIM-WITNESS ADVOCACY

The mission of the State Office of Victim-Witness Advocacy is to support and expand victim-witness services across the State in coordination with the law enforcement community. The goal of the statewide program is to provide victims and witnesses with services that will help them cope with the aftermath of victimization and help make their participation in the system less ominous and burdensome.

Pursuant to New Jersey statute and upon recommendation of the County Prosecutor, the Chief of the Office of Victim-Witness Advocacy has appointed Victim-Witness Coordinators in each of the 21 counties who have been sworn into office by the Attorney General. The coordinators are responsible for implementing victims' rights and services in their jurisdiction. The County Offices of Victim-Witness Advocacy are located in the County Prosecutors' Offices and are jointly administered by the County Prosecutors and the Chief of the Office of Victim-Witness Advocacy.

Funding for the operation of the State Office of Victim-Witness Advocacy is completely derived from the Victim and Witness Advocacy Fund. Funding for the County Offices of Victim-Witness Advocacy is partially derived from the Victim and Witness Advocacy Fund. Other funding sources for county offices include federal VOCA funds, and county appropriations.

The first Chief of the Office of Victim-Witness Advocacy was sworn into office by the Attorney General on June 23, 1986. Additional State office staff includes three professional assistants and a secretary.

The State Office of Victim-Witness Advocacy is responsible for developing and implementing procedures and standards for law enforcement and the Victim-Witness Advocacy Offices throughout the State; evaluating the effectiveness of each county program; developing and conducting law enforcement training programs throughout the State for victim advocacy; providing services upon request to victims and witnesses; and is responsible for the allocation and distribution of monies from the Victim and Witness Advocacy Fund and also administers the Federal Victims of Crime Act (VOCA) grant for the State. The office also co-sponsors the Annual Crime Victims' Rights Week Conference every April with the Office of Victim-Witness Assistance within the Violent Crimes Compensation Board (VCCB).

The office collects statewide statistical data on the number

and type of victims the program provides services to; tracks the type and number of services provided as well as the number of case status notifications made. These statistics are analyzed to evaluate the activity of the county offices and are provided to the County Prosecutors in a quarterly statistical report.

The State Office of Victim-Witness Advocacy regularly receives requests for information and/or referrals. In the last year, the office has responded to approximately 950 inquiries from federal and state agencies, national and local victim organizations, victims, police departments, universities, other State Attorneys General Offices, attorneys, social workers and others.

In addition, the State Office of Victim-Witness Advocacy has published a comprehensive guide to the New Jersey criminal justice system for victims and witnesses as required by the Attorney General Standards.

The following are some of the major activities and accomplishments of the State Office of Victim-Witness Advocacy.

#### VICTIM AND WITNESS ADVOCACY FUND

In FY'90, appropriations totaling \$400,000 were awarded to the County Offices of Victim-Witness Advocacy to implement the Attorney General Standards. Individual county allocations were derived from a formula based on population, crime rate, and the number of cases reviewed by the County Prosecutor. In the future, the Office of Victim-Witness Advocacy plans to expand funding to other criminal justice agencies to establish victim services.

#### TRAINING

In 1986, the office drafted curriculums for the Basic Detective and Investigator Course; Basic Police Recruit Course; the Assistant Prosecutor Course; and the In-Service Police Officers Course.

In 1987, the State office enrolled all county coordinators in the Methods of Instruction (MOI) course provided by the Police Training Commission (PTC). All county coordinators are now certified to conduct victim-witness training in the police academies throughout the State using the curriculums devised by the State office.

In February, 1987, the Office of Victim-Witness Advocacy sponsored a two-day victim assistance training conference for law

enforcement. The curriculum for this seminar was developed and conducted by the National Sheriff's Association under a grant from the U.S. Department of Justice.

In 1990, the Office of Victim-Witness Advocacy participated in a series of regional training programs on sexual assault sponsored by the New Jersey State Police.

In November, 1990 the Office conducted a workshop on the legal interests and needs of victims for the State Judicial College held in Teaneck, New Jersey.

The State office coordinates and sponsors an annual 3-day training program for county coordinators; conducts an orientation program for all newly appointed coordinators; and provides them with ongoing technical assistance.

### LEGISLATION

To help enforce and improve victims rights, the office researches and prepares comments on legislation relating to victim issues and participates in the drafting of proposed bills.

### INTERAGENCY LIAISON

The Office of Victim-Witness Advocacy works closely with the Violent Crimes Compensation Board (VCCB), the State Parole Board; the Administrative Office of the Courts; Department of Health, Rape Care Program; Division on Women, Prevention of Domestic Violence Program; and all factions of law enforcement, to develop new procedures, protocols and services for victims. In furtherance of this goal, the staff of the State office participates on the Child Assault Prevention (CAP) Advisory Board; the Governor's Task Force on Child Abuse and Neglect, Protection Subcommittee; the Governor's Advisory Committee on Domestic Violence, Public Awareness and Education Subcommittee; the New Jersey Prosecutor's Victim-Witness Association; and the Coalition of Crime Victims' Rights Organizations in New Jersey.

### DIRECT SERVICES

While the State Office of Victim-Witness Advocacy is primarily an administrative office, it is often the first contact that crime victims have with State government and victim support networks. Information and referrals are routinely provided to victims who contact the office after a victimization. In addition, the State office provides case status notification on cases in the Division of Criminal Justice and in appellate cases

to victims upon request.

### CLEARINGHOUSE

The State Office of Victim-Witness Advocacy has developed a library which includes national and state legislation and training materials. The State office responds to requests for information on victim rights and services and provides materials for training and informational purposes.

### PUBLIC EDUCATION/AWARENESS

The staff of the State Office of Victim-Witness Advocacy regularly speak on the issues associated with victims' rights to civic organizations and professional groups across the State. In addition, the office has a public information display which is used annually for the Jersey Jubilee, State Fair, and Crime Victims' Rights Week Conference.

The Office of Victim-Witness Advocacy has produced "A Victim's Guide to the Criminal Justice System" designed to help orient victims to the often times confusing terminology and procedures encountered during the prosecution of a case and also provides information about the rights and services that are available to them.

### CRIME VICTIMS' RIGHTS WEEK

As first declared by the President, the third week of April is set aside annually to commemorate the victims of violent crime. Each year, the State office co-sponsors, with the VCCB, a statewide conference featuring renowned, expert speakers who focus on current, significant issues. Outstanding service awards are presented each year at the conference to a law enforcement agency for its efforts to assist victims and to a victim who has worked diligently to promote victims' rights and help other victims in a volunteer capacity. The Crime Victims' Rights Week Conference traditionally features a proclamation from the Governor declaring the week as Crime Victims' Rights Week in New Jersey.

### MANAGEMENT INFORMATION SYSTEM

The State Office of Victim-Witness Advocacy developed and implemented a management information system to document and



monitor the delivery of victim-witness services statewide. It is a comprehensive system for recording and assessing all major program activities. The system provides for standardized recordkeeping and permits the pooling of data across programs, helping to create county-wide and state-wide data bases on victims and victim services.

As a result of a concerted effort by the Administrative Office of the Courts, the PROMIS/GAVEL information system has been modified to accommodate victim-witness case status notifications. Three test counties are currently in operation: Monmouth, Atlantic and Union. This technology significantly improves the Office of Victim-Witness Advocacy's ability to provide accurate and timely information to victims and witnesses about changes in their case as is required by law.

### PROGRAM EVALUATION

The State Office of Victim-Witness Advocacy evaluates each county office annually. The State office is committed to an evaluation approach that accounts for the unique characteristics of the individual county offices and provides a means by which standards can be set and maintained for all County Offices of Victim-Witness Advocacy.

The purpose of having a state-wide system for evaluating the program is to clarify program goals and methods and communicate them to all concerned; to identify unique or strong program components which can be shared and incorporated into other county programs; to identify problem areas and provide technical assistance to strengthen any weakness; to enable the County Victim-Witness Coordinator and staff to develop priorities about the major thrusts in victim services; to motivate and stimulate coordinators to conceptualize and implement the goals and objectives of their program; and to highlight and reinforce the role of the County Victim-Witness Coordinator.

An evaluation of the effectiveness of the state-wide program consists of an analysis of each office's compliance with the Attorney General Standards and a quality assurance review of the following administrative issues and policies; office space/location; staffing; case management procedures; emergency fund management; outreach procedures; counseling and case assessment; referral procedures; and use of State and Federal funds.

### ATTORNEY GENERAL STANDARDS TO ENSURE THE RIGHTS OF CRIME VICTIMS

During 1987, the staff prepared recommended "Interim

Attorney General Standards to Ensure the Rights of Crime Victims" and later directed and assisted the efforts of the Attorney General's Advisory Committee in the development of the finalized Standards which were published by the Office.

#### MUNICIPAL PROSECUTOR MAILBOXES

Chapter 307, Laws of 1987, requires each municipal prosecutor to inform the municipal court judge, in writing, of the death of any person or the extent of personal injury sustained by a person as a result of a motor vehicle violation. At the suggestion of the Division of State Police, the cooperation of the Administrative Office of the Courts (AOC), and the assistance of the County Prosecutors, staff are coordinating the installment of mailboxes purchased with funds from the Victim and Witness Advocacy Fund for those municipal courts which handle traffic cases brought by State Police Officers. These mailboxes will be utilized by the New Jersey State Police to either mail or hand deliver the necessary information to the Municipal Prosecutor. The mailboxes will be located in proximity to the municipal court clerks' offices.

#### FEDERAL VICTIMS OF CRIME ACT (VOCA)

In July of 1990, the administration of the VOCA grant was transferred from the State Law Enforcement Planning Agency to the Office of Victim-Witness Advocacy in the Division of Criminal Justice. The Office of Victim-Witness Advocacy also administers the State Fund and therefore this change has resulted in improved coordination of State and Federal grants.

## Chapter 3

### COUNTY OFFICES OF VICTIM-WITNESS ADVOCACY

The centerpiece of the State's response to the needs of crime victims is the County Office of Victim-Witness Advocacy administered in each of the twenty-one County Prosecutors' Offices. It is these programs which have the most direct contact with the thousands of victims and witnesses proceeding through the criminal justice system.

Prior to enactment of N.J.S.A. 52:4B-43 et seq. in 1986, most County Prosecutors provided victim-witness services, but these programs operated with limited staffing and funding and without statutory authority. After enactment of the statute, a full-time County Victim-Witness Coordinator was employed within each County Prosecutor's Office and services were standardized statewide. Monies from the Victim and Witness Advocacy Fund have helped to improve several program components such as case status notification, transportation, emergency assistance, counseling services, and safe waiting areas in courthouses.

The goal of the County Office of Victim-Witness Advocacy is to improve the treatment of victims and witnesses and ensure their rights by providing the assistance and services necessary to speed their recovery from a criminal act and to support, aid and advocate for them as they move through the criminal justice process.

Under the mandated services of N.J.S.A. 52:4B-44,1-16, the Crime Victims Bill of Rights, and the Attorney General Standards to Ensure the Rights of Crime Victims, crime victims and witnesses are provided with a number of important services that the county coordinators are principally responsible for providing.

The following section highlights the services provided by the County Offices of Victim-Witness Advocacy:

#### CASE STATUS NOTIFICATION

The county offices notify all victims of case developments and possible delays in proceedings. Several county offices have used allotments from the Victim and Witness Advocacy Fund to develop computerized tracking systems that improve upon and streamline the notification process. The PROMIS/GAVEL information system has also been modified to include the notification requirements of the victim-witness program.

The notification system consists of a series of letters which correspond to the following significant phases of criminal prosecution:

1. Initial contact or introductory letter that informs the victim or witness that the case has been referred to the Prosecutor's Office and explains and offers the services available from the County Office of Victim-Witness Advocacy. The initial contact letter also informs victims of their right to submit a victim impact statement prior to formal charging decisions.
2. Pre-grand jury remand.
3. Administrative dismissal.
4. Grand jury remand.
5. Grand jury dismissal (no bill).
6. Indictment returned (true bill).
7. Acceptance into Pre-Trial Intervention Program (PTI).
8. Termination from or completion of Pre-Trial Intervention Program.
9. Negotiated plea on all charges.
10. Release on bail/conditions of bail.
11. Fugitive status.
12. Court dismissal.
13. Sentencing date/notification of right to speak at sentencing or submit written statement about the impact of the crime.
14. Sentence imposed on the defendant by the court.
15. Defendant's filing of an appeal and subsequent status changes.
16. Disposition on all charges.

17. Mistrial/retrial.
18. Mistrial/dismissal.
19. Other unique or special occurrences.

#### **COURT ACCOMPANIMENT AND TRANSPORTATION SERVICES**

Victims and witnesses are provided with transportation and a court escort when their appearance is required. Transportation assistance can be in the form of reimbursement to victims for travel expenses they incurred or by staff transporting victims and witnesses themselves. Several county offices have used the Victim and Witness Advocacy Fund to purchase vehicles in order to transport victims and witnesses to criminal proceedings.

#### **EMPLOYER AND CREDITOR INTERCESSION**

When victims or witnesses are threatened with financial hardship or loss of employment from creditors or employers as a result of their physical injuries or their cooperation with the criminal justice system, County Victim-Witness Coordinators are responsible for interceding on their behalf. Employers and creditors are typically provided with verification letters explaining why a victim's or witness's participation is essential for the prosecution of a case. County Victim-Witness Coordinators notify creditors and attempt to forestall further punitive action should a victim be temporarily unable to continue payments. When necessary, coordinators personally meet with employers to secure their cooperation in limiting or curtailing any loss of pay or benefits that an employee would suffer as a direct result of the crime and their participation in the criminal justice process.

#### **EXPEDITED PROPERTY RETURN**

Under the Attorney General Standards to Ensure the Rights of Crime Victims, property retained for prosecution should be returned as soon as possible but not later than 45 days of the judgement of conviction unless evidentiary requirements pertaining to an appeal prohibit it. Property not retained for prosecution should be returned within 30 days of recovery. In many cases, photographs can be presented at trial in place of the actual physical evidence. County Victim-Witness Coordinators assist victims with the property retrieval process by providing information and advocating with law enforcement officials on their behalf.

### VICTIM-WITNESS WAITING ROOMS

Under N.J.S.A. 52:4B-44b(8), County Victim-Witness Coordinators are required to provide separate waiting facilities for victims and witnesses, but the crowded condition of many courthouses in the State has made the provision of this service difficult. Some counties use the County Victim-Witness Coordinator's office to accommodate victims and witnesses if courthouses lack facilities. Several have used the Victim and Witness Advocacy Fund to create and furnish separate and secure waiting areas. Most counties report that adequate space for victims and witnesses is not available.

### CHILD CARE

Victims and witnesses are provided with child care services when their appearance is required throughout the duration of a criminal case. In most cases, county office staff provide care for children themselves, but some have negotiated agreements with local, State approved day care centers to provide services on a temporary basis.

### COUNSELING AND SUPPORT SERVICES

Crisis intervention and short-term counseling are provided by county office staff and referrals are made to a variety of social service agencies for further care. Several county programs sponsor support groups for sexual assault victims and homicide survivors. Office staff also assist victims with relocation to shelters and with obtaining food and clothing.

### INFORMATION ON COMPENSATION, RESTITUTION AND OTHER FORMS OF FINANCIAL ENTITLEMENTS

County Victim-Witness Coordinators and their staff are responsible for providing victims and witnesses with information that will help them secure victim compensation and monetary restitution from a criminal defendant. All county coordinators are trained to assess the special needs of victims of crime and to determine whether they may be eligible for financial awards. Claim forms for compensation are usually sent to victims with their initial contact letter, or distributed during the initial interview. In addition, coordinators and staff work with assistant prosecutors and investigators to identify those victims who might be eligible for assistance. Office staff also assist in documenting and verifying losses suffered by victims to expedite claims and to advocate for restitution.

### VICTIM IMPACT STATEMENTS

The County Victim-Witness Coordinator informs victims of their right to provide a victim impact statement prior to charging decisions and to the court upon notification of sentencing. Pamphlets and other printed forms explaining the victim's right to have input at the time of charging decisions and at sentencing have been prepared by several county offices. County office staff often assist victims with the preparation of both oral and written statements.

### PAROLE INPUT

County coordinators help with victim input into the parole process by notifying victims of this right and informing them about how to register with the State Parole Board so that they may provide a statement prior to the time of the defendant's parole hearing.

### CRIMINAL JUSTICE INFORMATION

Because victims are often confused and disoriented about their involvement in the criminal justice system, county coordinators routinely provide an explanation of proceedings that may occur during the prosecution phase. They also give victims an idea of what to expect (i.e., time frames, possible sentencing options, etc.). Coordinators frequently help to orient victims by providing court room walk-throughs, preparing them for what will happen in the Grand Jury and giving them advice about testifying.

In conclusion, it is ultimately the County Offices of Victim-Witness Advocacy that protect, enhance and bring to life the Crime Victims' Bill of Rights and other victim legislation; and it is the Victim and Witness Advocacy Fund that provides a significant financial basis for all these services. It is the county coordinators and their staff that present the compassionate face of justice that looks upon today's victims and listens to their important stories.

## CHAPTER 4

### COUNTY OFFICE PROFILES

The following are summary profiles of the activities of each county. All demographic data presented in these county profiles were derived from the Uniform Crime Report, State of New Jersey, 1989.

#### ATLANTIC COUNTY

Population: 212,880  
Crime Index: 24,071  
Square Miles: 566.97

County Prosecutor: Jeffrey S. Blitz  
County Victim-Witness Coordinator: Jacqueline Simonson

The Atlantic County Office of Victim-Witness Advocacy has recently expanded its services to include victims of juvenile justice offenses. Case notification is now routine in juvenile-related cases as is referrals and advocacy. Specifically, victims of these crimes are provided with an introductory letter and brochure, schedule dates, transfer to informal calendar and case disposition. The Victim-Witness Coordinator is assisted by a full-time secretary whose position is funded with monies from the Victim and Witness Advocacy Fund.

The office is currently facilitating the implementation of a Multi-Disciplinary Team for child abuse cases. This countywide effort has resulted in vast improvements within the networking system. The office also plans to implement a Fatal Accident and Homicide Support Group through a local mental health agency funded by the VOCA grant.

Crime Victims' Right Week, the annual commemoration of the achievements made in the victims' rights movement, was celebrated this year with a symposium and luncheon funded from the Victim and Witness Advocacy Fund and held at the Trump Regency Hotel. The symposium covered the following topics: compensation, sexual assault, victimization, elderly abuse and the proposed constitutional amendment. The keynote luncheon speaker was Robert Jennings of Channel 6 News in Philadelphia who discussed his "Crime Fighters" report, a weekly segment on the tri-state area's most wanted fugitives. Activities during the week also included public service announcements and public speaking engagements.



## **BERGEN COUNTY**

Population: 827,076  
Crime Index: 27,859  
Square Miles: 234.45

County Prosecutor: John J. Fahy  
County Victim-Witness Coordinator: Arlene Libuser

The Bergen County Office of Victim-Witness Advocacy monitors all criminal complaints and provides immediate services to crime victims. The Victim-Witness Coordinator is assisted by three full-time counselors and a part-time counselor who works specifically with domestic violence victims. The office also utilizes the services of college interns. The office has established strong working relationships with other agencies and with non-profit organizations that provide services in the county and with law enforcement personnel, Assistant Prosecutors and the Prosecutor and First Assistant Prosecutor.

The office provides in-service training for police recruits and investigators at the Bergen County Police and Fire Academy. The office has an extensive program of public education with schools, civic groups and other service organizations.

Monies from the Victim and Witness Advocacy Fund provide the salary for one full-time counselor and one part-time counselor and will fund a support group led by a trained therapist for victims of violent crime. Through this fund the office is planning to implement a demonstration project in conjunction with Mothers Against Drunk Driving (MAAD) in an attempt to increase outreach efforts to victims of drunk driving.

The coordinator is the administrator of the VOCA grant and works with the VOCA project committee. Monies from the VOCA grant provide the salary for one full-time counselor and the Homicide Survivors Support Group led by a professional grief therapist.

During Crime Victims' Rights Week the staff set up information tables in the county courthouse providing materials and information on victims' rights and the criminal justice system. The coordinator also lectured at several educational institutions during that week.

## BURLINGTON COUNTY

Population: 396,994  
Crime Index: 11,758  
Square Miles: 817.64

County Prosecutor: Stephen G. Raymond  
County Victim-Witness Coordinator: Bobbie DeLaRoi

The Burlington County Office of Victim-Witness Advocacy employees a coordinator, a full-time victim counselor and a full-time secretary. The office is located within the Prosecutor's Office and there is also a safe, secure waiting room for victims and witnesses separate from the accused and defense witnesses.

The office is committed to the special needs of victims, and in an effort to reduce the trauma caused by crime it offers support and answers questions about a victim's vital role in the criminal justice system. Child abuse cases are difficult to prosecute yet the victim deserves special attention because of the psychological and social dynamics involved. With this in mind the Office of Victim-Witness Advocacy has played an important role in promoting a multi-disciplinary team approach to child abuse prosecution.

Although this team approach meets the need to bring together all the players who are involved in prosecuting child abuse cases and in serving victims and their families, a further development has been the planning of a "Children's Center." The Center will be an independent building where children can come and feel comfortable and at ease. Within this Center there will be rooms for the children and their families along with games and toys for the children. There will also be special interview rooms where professionals can come to talk to the children and take their statements.

The office has promoted National Crime Victims' Rights Week by sponsoring the following public activities in the county: a display at the mall, a special breakfast hosted by the Prosecutor with the Freeholders' Proclamation, a candlelight vigil at the Olde County Courthouse with the assistance of Mothers Against Drunk Driving and South Jersey Survivors of Violent Crime and the dedication of a "Crime Victims' Memorial Garden" with a special tree planting ceremony on the lawn of the County Courthouse.

The Victim-Witness Coordinator teaches police recruits at the police academy during the year and also provides in-service training to law enforcement classes on victimization issues and crime victim rights.

## CAMDEN COUNTY

Population: 500,553  
Crime Index: 29,755  
Square Miles: 222.01

County Prosecutor: Edward F. Borden, Jr.  
County Victim-Witness Coordinator: Linda Burkett

The Camden County Office of Victim-Witness Advocacy consists of three full-time staff members: the coordinator, a victim counselor and a secretary. Besides the regular responsibilities of the office, a case status notification system and an outreach program in the juvenile unit is presently being developed by the victim counselor. The Victim and Witness Advocacy Fund provided monies to hire the victim counselor and to purchase equipment for an additional office space.

The coordinator administers the federal VOCA grant to various county organizations that provide direct services to victims of sexual assault, domestic violence, child abuse and drunk driving crashes.

During Crime Victims' Rights Week a candlelight vigil was held at Camden County College in Blackwood. Co-sponsored by the Camden County Office of Victim-Witness Advocacy and the Camden/Gloucester County Chapter of Mother Against Drunk Driving, the vigil was a moving tribute to both victims and survivors of homicides and drunk driving crashes. Later in the week a ceremony was held in the courthouse to honor crime victims and those in the criminal justice system who assist them. The ceremony and following luncheon were attended by assistant prosecutors, investigators, support staff, police and probation officers, counselors and crime victims as guests of honor.

The coordinator co-authored a proposal involving sentencing alternatives for domestic violence offenders. This proposal was endorsed by the county's Domestic Violence Working Group and was approved unanimously by the County Board of Chosen Freeholders. The proposal calls for mandatory counseling for first-time offenders with counseling services to be made available to victims and their children as well.

The Victim-Witness Coordinator participated in three training seminars on Bias Incidents which were attended by the entire staff from the prosecutor's office. The coordinator focused on victim's rights, services available to assist victims of bias crimes and sensitization to victims' needs. The coordinator also presented a segment on domestic violence victims to law enforcement officers at an in-service seminar held at the police academy.

The coordinator teaches a unit on victims' rights and services at the Camden County Police Academy. At the annual conference of the National Organization for Victim Assistance in Lexington, Kentucky the coordinator presented a seminar on the concept of the multi-disciplinary team approach to victim services.

Outreach in the community has included information booths at the Camden County Peach Festival and the "Know Your County Days" sponsored by the League of Women Voters as well as speaking engagements at the Cherry Hill Chapter of the American Association of Retired Persons, the Berlin Rotary, the non-offending parents' support groups held by the Center for Children's support and Women Against Rape.

#### **CAPE MAY COUNTY**

Population: 95,889  
Crime Index: 6,661  
Square Miles: 236.08

County Prosecutor: John Corino  
county Victim-Witness Coordinator: Walter Craig

The Cape May County Office of Victim-Witness Advocacy is staffed by the coordinator with no additional staff.

The office has worked to implement and perfect case status notifications as required by the Attorney General Standards. This has mainly been accomplished through the use of a customized software package that creates and generates letters to victims of crime for all proceedings as indicated by the Standards. Notifications to victims of Pre-trial Intervention referrals, parole release, sentence termination and special restitution request forms have been added in an effort to upgrade services to victims of crime in Cape May County. Monies from the Victim and Witness Advocacy Fund have been used to purchase this equipment in order to provide these services to victims; the fund has also provided emergency services to victims as well as training programs for law enforcement personnel.

The Victim-Witness Coordinator is active in numerous agencies and non-profit organizations indigenous to victims of crime. He serves as the chairperson for the New Jersey Prosecutor's Victim-Witness Association, the Vice-President of the Cape May County Council of Alcohol and sits as a member of the executive committee of the Family Services Advisory Committee.

Services to victims are accomplished to a large extent through the cooperation between the County Office of Victim-

Witness Advocacy, the Coalition Against Rape and Abuse, the Division of Youth and Family Services and the Cape May County Sheriff's Office, and all have shared in the funding provided by the VOCA grant.

During Crime Victim's Rights Week public service announcements were aired over the radio throughout the county, press releases appeared in local newspapers and announcements were made by several churches. In conjunction with the Atlantic County Office of Victim-Witness Advocacy and with monies from the Victim and Witness Advocacy Fund a one day seminar on victim's rights was held at the Trump Regency in Atlantic City with Philadelphia Channel 6 TV news reporter Rob Jennings as the keynote speaker.

#### **CUMBERLAND COUNTY**

Population: 138,425  
Crime Index: 7,910  
Square Miles: 504.35

County Prosecutor: James F. Mulvihill (Acting)  
County Victim-Witness Coordinator: Beth Perella-Evans

The Cumberland County Office of Victim-Witness Advocacy consists of the coordinator, a victim counselor and a secretary. It is located in the Cumberland County Prosecutor's Office.

The office sends victims information on how their cases are proceeding through the criminal justice system, namely, from the time the complaint is received all the way up to parole hearings. The office also works with municipal court victims and victims whose perpetrators are unknown. These victims receive the same services as do those involved in the criminal justice system at the superior court level.

The office has made a special effort to reach out to victims of child abuse and sexual abuse by forming a multi-disciplinary team approach to investigating these types of cases. This method allows joint investigations to be done by law enforcement and the Division of Youth and Family Services.

The Victim and Witness Advocacy Fund is used by the office to provide emergency lodging for victims of domestic violence and other emergency services to all victims including transportation if needed. The fund also provides for training and education of staff and for the purchase of office equipment.

The Office of Victim-Witness Advocacy has a close working relationship with the sheriff's department and its work release program. Before a convicted person is released through this

program, the victim is notified and is allowed to have input into the process. The office also informs victims about bail issues, such as release of the defendant on bail or bail reduction.

During the past year the office has kept the public informed about the celebration of Crime Victims' Rights Week in April. Articles were written for the newspapers, public service announcements were aired on the radio and an informational booth was set up at the local mall.

Finally, there is a strong working relationship now existing between the office and the police departments and community organizations. Assistant Prosecutors and investigators are actively involved with the office in promoting and coordinating services, information and referrals for victims.

## ESSEX COUNTY

Population: 838,455  
Crime Index: 79,520  
Square Miles: 127.44

County Prosecutor: Herbert H. Tate, Jr.  
County Victim-Witness Coordinator: Leon Bryant (Acting)

The Essex County Office of Victim-Witness Advocacy is staffed with a coordinator, a county investigator, six victim counselors, three secretaries and one student intern. One of the victim counselors works exclusively with domestic violence victims, and this position is funded by an allocation from the Victim and Witness Advocacy Fund. The county investigator was added to the staff in March in order to insure the safety of the victim counselors on some of their field trips.

The goal of the office is to bring the program's services to the victim. An inter-office notification system has been developed between the Homicide Squad of the County Prosecutor's Office and the County Office of Victim-Witness Advocacy so that a personal visit to a deceased victim's family can be accomplished within 48 hours. By assisting the family to apply for death benefits from the Violent Crimes compensation Board (VCCB), the office hopes to prevent additional financial hardship. A similar outreach process has also been initiated with victims of sexual assault, child abuse, domestic violence, aggravated assault and arson.

The office has recently relocated to larger quarters in the Prosecutor's Office which provides privacy for counseling and interviews with victims. The coordinator administers the use of the VOCA funds for Essex County and serves as chairperson of the Essex County Crime Victims' Network.

## GLOUCESTER COUNTY

Population: 218,777  
Crime Index: 8,708  
Square Miles: 328.36

County Prosecutor: Richard E. Hickey, III  
County Victim-Witness Coordinator: Barbara Carter

The Gloucester Office of Victim-Witness Advocacy is staffed with a coordinator, a victim counselor and a secretary.

The staff regularly screens all new cases into the Gloucester County Prosecutor's Office and advises victims of available assistance. They also notify victims of their case status and the disposition of these cases. The staff assists victims in filing claims for compensation and acts as liaison to the Violent Crimes Compensation Board.

The staff provides instruction for law enforcement agencies in the county on victim rights and services and makes regular presentations to professional and community groups for public education and information.

Monies from the Victim and Witness Advocacy Fund have enabled the office to purchase display racks for literature on crime victims which have been placed in both courthouses and in the waiting area of the Office of Victim-Witness Advocacy. This same waiting area has toys for children of all ages which were donated by staff and outside businesses.

During Crime Victims' Rights Week the office and various support agencies along with the Prosecutor's Office hosted special events in recognition of crime victims. These events were commenced by the signing of a Proclamation by the Board of Chosen Freeholders; a special luncheon was held for victims and other officials on April 25. The office arranged for several awareness events at the Deptford Mall, such as "Protect a Child" with fingerprinting by the Sheriff's Office and autograph sessions with former world wrestler, Larry Sharpe. Literature was also displayed from county agencies which support victims' rights and from other groups, such as DYFS, PASA, WAR and the American Red Cross.

## HUDSON COUNTY

Population: 540,969  
Crime Index: 41,524  
Square Miles: 46.42

County Prosecutor: Paul M. DePascale  
County Victim-Witness Coordinator: Sharon Mai

The Hudson County Office of Victim-Witness Advocacy is staffed by a coordinator, an assistant, a clerical assistant and student interns. Expanded office space has recently been allocated to interview rooms, a general clerical area and a waiting room furnished with a television, videos, books and magazines. There is also a separate area for children with toys and games. This overall space designed for victims' comfort and convenience provides a non-stressful atmosphere for those waiting court appearances and meetings with investigators and Assistant Prosecutors to discuss ongoing and upcoming cases.

The office has continued to expand since it was established in 1981 and this has resulted in a significant increase in services and programs to crime victims in Hudson county. The office has improved the image of the criminal justice system and consequently, has increased the public's willingness to become involved in that system. The office has an excellent record of providing services to victims of crime.

During 1990 the Office of Victim-Witness Advocacy has continued to develop strong working relationships with various community agencies that provide services and programs to victims and witnesses. The office presently works closely with the Battered Women's Project of the YWCA, Bayonne Community Mental Health Center, the Women's Project at Christ Hospital and St. Mary's Community Mental Health Center.

Because the office employs a bilingual staff member, it can offer translation skills which prove to be an asset during interviews and meetings with prosecutors. A line of communication has been established with municipal police departments in order to coordinate victim services and bail notifications and to supply them with relevant brochures and literature. The office also participates in in-service training programs for law enforcement personnel including county investigators and Assistant Prosecutors which has contributed to a better understanding of victim's needs and available services.

During Crime Victims' Rights Week the office participated in several programs to inform the public of victims' rights and services that are available in Hudson county. These events included cable TV presentations, press releases, Proclamation from the Freeholders and information booths at area malls.



## **HUNTERDON COUNTY**

Population: 100,510  
Crime Index: 1,602  
Square Miles: 429.60

County Prosecutor: Sharon B. Ransavage  
County Victim-Witness Coordinator: Virginia Niece

The Hunterdon County Office of Victim-Witness Advocacy is staffed by the coordinator with no additional staff.

With monies from the Victim and Witness Advocacy Fund the office was able to purchase a vehicle for the purpose of transporting victims and witnesses to court proceedings. An answering machine was also purchased to facilitate contact with the coordinator.

During Crime Victims' Rights Week the coordinator hosted a reception for county officials, victims and guests that followed a ceremony on the courthouse steps. This ceremony featured the presentation of the Freeholders' Proclamation setting aside the week to remember crime victims and an address by the County Prosecutor.

The notification system has been expanded so that more victims and especially witnesses can be reached concerning various aspects of their cases. The coordinator has been more actively involved in preparing restitution amounts which victims have requested prior to sentencing.

It is important that residents of Hunterdon County receive information about the rights of crime victims and the services that are available to them. Thus, the coordinator speaks regularly to various community groups about victim rights.

## **MERCER COUNTY**

Population: 331,713  
Crime Index: 20,480  
Square Miles: 226

County Prosecutor: Paul T. Koenig, Jr.  
County Victim-Witness Coordinator: Mary Effie Raney

The Mercer County Office of Victim-Witness Advocacy is presently staffed with a coordinator and a full-time word processing person. A part-time person for juvenile crimes was also hired with monies from the Victim and Witness Advocacy Fund.

The office has made a concerted effort to implement programs that best serve victims and witnesses of crime in the area. The expansion of services has been made possible through the VOCA grant and monies from the Victim and Witness Advocacy Fund.

The office has developed an excellent working relationship with community agencies that provide services to victims. For example, the staff works closely with WomanSpace, Inc., Prevention Education, Inc. and Family Service Association of Trenton and Hopewell. In response to the special needs of crime victims and homicide survivors the office offers crisis intervention and short term counseling to help them deal with the trauma associated with the aftermath of crime.

Senior citizens who are the victims of muggings, burglaries and/or robberies can receive assistance through a special program. In order to minimize their financial burden of replacing locks in their residences after a crime the program covers the expenses for such lock replacement.

The office has also expanded its services to include victims and witnesses involved in juvenile cases. A part-time staff person was hired to provide assistance to these people, namely, to prepare and process all the notification letters informing them of the status of their particular case and to help them with available compensation and restitution .

A coordinated approach to investigations of child sexual abuse has been developed between the Office of Victim-Witness Advocacy and Prevention Education, Inc. Staff from Prevention Education, Inc. provide training for police personnel regarding investigation and interviews with children. "Safe Space" (a special room for interviewing child victims of sexual assault) affords an atmosphere which allows child victims to feel safe and comfortable during the video taped interviews.

#### **MIDDLESEX COUNTY**

Population: 653,218  
Crime Index 26,540  
Square Miles: 311

County Prosecutor: Alan A. Rockoff  
County Victim-Witness Coordinator: Jayne A. Guarino

The Middlesex County Office of Victim-Witness Advocacy is comprised of the victim-witness coordinator, three victim counselors and one clerical assistant.

The coordinator has continued to make presentations to service organizations, hospitals and community organizations on

services available to crime victims as well as instruction classes on victim rights to the Police Academy's basic recruit class twice a year. Victim-Witness Liaison Officers in each municipal department are regularly updated by the coordinator on resources available to victims.

The coordinator is an active member of the Middlesex County Commission of Child Abuse and Missing Children and serves on several committees within this organization. She is on the Advisory Board for the New Brunswick Community Youth Activity Board which offers prevention and intervention services plus activities for teenagers. The coordinator also served on the committee for the Hate Crimes and Youth Conference which was the largest state conference to address the problem of bias crime.

In December of 1989 and 1990 the Office of Victim-Witness Advocacy sponsored the "Christmas Gift Project" for the Middlesex County Battered Women's Shelter. Gifts were donated by the Prosecutor's Office staff and distributed to the residents of the shelter for Christmas. Money for various purchases was allotted by the Prosecutor and the first year of the project saw the office recognized for excellence by the National Association of Counties. The award certificate was presented to the coordinator by the County Freeholders at their meeting.

The amount of personal contact with victims has substantially increased over previous years. This is due for the most part to the attendance of a victim counselor at Grand Jury sessions on four days of the week and to revisions in the victim interview form. Comprehensive services are also offered to victims in juvenile cases when the case is received in the Prosecutor's Juvenile Unit.

The office works closely with the Family Relations Center, UMDNJ and offers transportation to counseling sessions for sexually abused children. Transportation and trial accompaniment over a two-week period were also provided to eight elderly victims ranging in age from 80 to 93 for a homicide and burglary trial.

For Crime Victims' Rights Week press releases were prepared as well as public service announcements and newspaper interviews. Information on helping victims was sent to churches, temples and synagogues in the area, and a "Resource Arena" with informational literature and displays was set up in the lobby of the Administration Building. Representatives from the office and various service agencies were available for questions.

## MONMOUTH COUNTY

Population: 559,717  
Crime Index: 19,612  
Square Miles: 471.57

County Prosecutor: John Kaye  
County Victim-Witness Coordinator: Marsha Williams-Holts

The Monmouth County Office of Victim-Witness Advocacy is staffed with a coordinator, two victim counselors, a full-time secretary and two part-time clerical support persons. The Victim and Witness Advocacy Fund permitted the hiring of the second part-time clerical plus the purchase of a personal computer screen. This equipment has provided the office with a more efficient way to respond to case status inquiries. In the future a computer program will be implemented to store victim information currently being manually collected and filed on color coded cards.

Techniques in advocating for victims and witnesses have been enhanced due to the ongoing training which the staff receives. Successful intervention has been noted in areas concerning bail matters, pre-trial release notification and family court matters along with providing coordination for multi-jurisdictional and multi-disciplinary services to victims and their families.

Over the past year the office has developed strong working relationships with several service providers in the county, particularly the Monmouth County Sexual Abuse Treatment and Prevention Program and the Woman's Center of Monmouth County. In-service training techniques have been revised to include a segment on rape trauma syndrome which is presented by the coordinator of the Rape Care Program in the Women's Center.

The victim counselor assigned to handle sexual assault cases has been instrumental in starting a support group for adolescent male victims of sexual abuse. Other services are being provided by the Sexual Abuse Treatment and Prevention Program. Finally, case conferences between the agencies, the Assistant Prosecutor and this office are especially effective in helping the staff to meet the needs of victims involved in the criminal justice system.

## MORRIS COUNTY

Population: 420,607  
Crime Index: 12,349  
Square Miles: 470.24

County Prosecutor: W. Michael Murphy, Jr.  
County Victim-Witness Coordinator: Sandra J. McGowan

The Morris County Office of Victim-Witness Advocacy is staffed by a coordinator and a full-time clerical assistant. It is located within the County Prosecutor's Office on the third floor of the Hall of Records Building adjacent to the Morris County Courthouse.

In December of 1989 space for the Office of Victim-Witness Advocacy was expanded to include separate office space for the coordinator, a fully furnished victim-witness waiting room, a children's interview room along with secretarial space. VOCA funds made it possible to purchase a hidden camera and video equipment for the children's interview room and a computerized case status notification system for the juvenile unit.

The office has been concentrating on public awareness by speaking at local schools and service clubs and by participating in crime prevention programs at the Mall and the County Fair. In addition, informational material and brochures have been made available to the residents of Morris county through their police departments. To facilitate this process brochure racks for the 33 municipal police departments were purchased with funds from the Victim and Witness Advocacy Fund.

During Crime Victims' Rights Week the office along with community agencies participated in an informational display in the lobbies of the Hall of Records Building and the County Courthouse. These displays were an effort to increase public awareness in Morris County of the services that are available to crime victims.

A bail notification system was instituted in August of 1990 in cooperation with the Prosecutor's Office, the Sheriff's Department and municipal police departments. Future plans look to expanding the staff so that a full-time counselor will be available to provide services to cases in the Juvenile Unit.

## OCEAN COUNTY

Population: 412,974  
Crime Index: 16,180  
Square Miles: 637.09

County Prosecutor: James W. Holzapfel  
County Victim-Witness Coordinator: Susan Bruett

The Ocean County Office of Victim-Witness Advocacy is staffed with a coordinator and two victim counselors. The program has developed an intern program that to date has afforded college students the opportunity to develop an awareness of victim issues, including the increasing number of available victim services.

Through the support of the County Prosecutor an additional office has been allocated to the staff. Currently, the Office of Victim-Witness Advocacy operates out of two places located within the courthouse which are convenient to the courts, Assistant Prosecutors and investigative staff. The additional waiting area, separate from the activity of the courthouse, provides a safe waiting area for victims and witnesses. It is at a distance from the defendants and thus allows victims to be able to discuss privately issues relating to their victimization.

A portion of the Victim and Witness Advocacy Fund has been allocated for a clerical staff person to be hired. Since full implementation of the Attorney General Standards for Crime Victims has been the number one priority of the program, an additional staff member will allow the program to meet those goals more expeditiously.

As a result of requests from various social service agencies and an assessment of the needs regarding child abuse cases, the Prosecutor's Office has implemented a multi-disciplinary team approach to child abuse. The Office of Victim-Witness Advocacy coordinates the case review process and the team presently meets every month.

Victim counselors provide services to victims of violent as well as non-violent crimes. The program has been assigned a mini-van which is utilized by staff to provide transportation to victims and witnesses for court-related matters. The program has also set aside a small fund from the Victim and Witness Advocacy Fund that aids victims in emergency circumstances.

The office has developed various brochures to assist both victims and those who serve them. Program brochures directed specifically to crime victims offer valuable information and list available resources to meet their needs. The staff has also developed a brochure for police personnel to use in assisting

victims during the immediate aftermath of a criminal incident. As a result of this information and outreach to municipal police departments, victim referrals from the police have significantly increased, and this allows victims to be assisted in a more timely and efficient manner.

#### **PASSAIC COUNTY**

Population: 463,408  
Crime Index: 28,702  
Square Miles: 192.01

County Prosecutor: Ronald S. Fava  
County Victim-Witness Coordinator: Margarita Rodriguez

The Passaic County Office of Victim-Witness Advocacy is staffed with a coordinator, a victim counselor and a clerical assistant. These two latter positions were funded by the Victim and Witness Advocacy Fund and grant monies from VOCA.

The office is located within one room of the Prosecutor's section. Besides office equipment for the staff the room has children's toys, a table and chairs for those times when child care is needed. VOCA funds also provided items for the child interview room which is specially constructed for interviews with children who are victims of sexual and physical abuse. Besides materials for the children, some of the more technical equipment has been upgraded, such as, VHS player and monitor. The office has also purchased an answering machine for use during holidays and after hours.

In order to afford a comfortable and private waiting area for victims and witnesses, new furniture (chairs, lamps and tables) was purchased for the waiting/reception area from the Victim and Witness Advocacy Fund.. This separate place is important and helps to create a welcoming and relaxed environment for those involved in the criminal justice process.

Passaic County has a large hispanic population and it is fortunate that two of the staff members are bilingual. Victims and witnesses need to be understood in their own language or to have the option of using it when needed. Staff is available to assist others in the Prosecutor's Office with translation or interpretation for the purpose of an interview, statement or telephone contact. Informational brochures and literature for crime victims have been prepared in Spanish with monies from the Victim and Witness Advocacy Fund and they will be published in 1991.

The same fund has been used to provide lunches for victims and witnesses when their presence in court was required for the entire day.

## SALEM COUNTY

Population: 66,254  
Crime Index: 2,003  
Square Miles: 350.88

County Prosecutor: Alvin G. Shpeen (Acting)  
County Victim-Witness Coordinator: Stacey Brainard

The Salem County Office of Victim-Witness Advocacy is staffed with a coordinator and a full-time victim counselor. The latter position is funded by the VOCA grant.

The office continues to direct its efforts in establishing and maintaining contacts with various social agencies throughout the county so that crime victims can be assisted in their various needs. These organizations provide many services for victims and therefore, it is important for the office to help victims access these services and improve its networking with them.

The office also provides transportation and court escorts to victims and witnesses who are in need of these services. Limited transportation is also available to victims who require visits to medical professionals.

Victims are kept up to date on the status of their cases through the notification system. They also receive information about compensation through the Violent Crimes compensation Board (VCCB) and are helped in filling out the claim forms and in corresponding with VCCB. The office provides assistance for victims when they need employer and creditor intercession. Victims are regularly helped with victim impact statements in which they describe what this crime has done to their lives; they also receive information concerning parole input.

The office will continue to reach out to victims and the general public through advertisements, posters, pamphlets and booklets distributed throughout the county. Contact will be maintained and improved with social agencies, municipal police departments and local hospitals. Plans are also in progress for new offices in a renovated building across from the courthouse. At the same time there will still be a waiting room for victims and witnesses in the courthouse, and this area will be furnished with funds available from the Victim and Witness Advocacy Fund.



## **SOMERSET COUNTY**

Population: 227,312  
Crime Index: 6,925  
Square Miles: 305.55

County Prosecutor: Nicholas L. Bissell, Jr.  
County Victim-Witness Coordinator: Deborah McGowan

The Somerset County Office of Victim-Witness Advocacy is presently staffed by the County Coordinator. The coordinator occupies a separate office to assure privacy and confidentially when speaking with victims.

The Victim-Witness Coordinator accompanies victims to court and utilizes private interviewing rooms in the courthouse as victim-witness waiting areas to assure their security and comfort while awaiting proceedings. The coordinator has focused on working to obtain the cooperation of victims and witnesses who might have been otherwise reluctant to assist and testify.

Monies from the Victims and Witness Advocacy Fund were used to purchase pamphlets, video material and books that treat the whole area of sexual victimization. During the last five months of 1990 over 700 pamphlets were distributed to school and community groups. It is important that information as well as proper formation and guidance be given to young people so that they will be able to understand this form of victimization and report it the proper authorities.

A "Guide to Services" offered by the Somerset County Office is distributed to all victims who are involved in the prosecution of a case. In addition, the coordinator sees to it that these brochures, along with VCCB claim forms, are available in every municipal police department in the county.

The coordinator is in the process of refining the case notification system, developing a bail notification procedure and working with municipal police departments so that information concerning victim rights is available.

## **SUSSEX COUNTY**

Population: 126,633  
Crime Index: 2,623  
Square Miles: 526.59

County Prosecutor: Dennis O'Leary  
County Victim-Witness Coordinator: Linda Kuipers

The Sussex County Office of Victim-Witness Advocacy which is

located within the Prosecutor's Office is staffed with a coordinator and a part-time secretary whose position is funded with monies from the Victim and Witness Advocacy Fund. The secretary attends to the administrative aspects of the office and thus enables the coordinator to give more attention to crime victims and witnesses. Future plans envision the coordinator and secretary to have more adequate office space in other parts of the building.

During trial preparation the coordinator works closely with Assistant Prosecutors and spends time with witnesses by going over their testimony and specific court procedures. By familiarizing them with the actual courtroom, with what each official does and court procedures, the coordinator helps witnesses to have a better understanding of what will happen and this seems to alleviate their fears about testifying.

During the actual trial the coordinator handles all witness coordination. This includes case status updating and notification of trial dates so that witnesses will be ready to testify and backup witnesses also prepared. The coordinator handles transportation for witnesses including airline reservations and overnight accommodations for out-of-town witnesses.

The coordinator has been invited to attend meetings of the Sussex County Adult Intervention Group. This group consisting of about 25 people meet once a month to discuss problems with vulnerable adults in the community and see what services can be provided to assist these individuals. They also discuss possible overlapping of services and ways to prevent this.

The coordinator has taken on a more active role in juvenile cases during recent months and now attends court with victims and witnesses of these crimes and notifies them of the outcome of their cases.

#### **UNION COUNTY**

Population: 499,727  
Crime Index: 30,696  
Square Miles: 102.93

County Prosecutor: Edmund J. Tucker (Acting)  
County Victim-Witness Coordinator: Patricia Witt

The Union County Office of Victim-Witness Advocacy is staffed with a coordinator, four victim counselors and a secretary. The office continues to reach out to a large number of crime victims and during this year, services were expanded to victims of violent crime, especially cases involving the family. Much of the time each day, however, is spent providing emotional

first aid to victims of child abuse and secondary members of the family, homicide survivors and women who have been beaten or attacked by their husbands or boyfriends as they cope with the demands of the criminal justice system and with life itself.

A victim counselor from the office monitors the Family Court on a daily basis so that advocacy and reassurance is readily available to victims of domestic violence. The office also offers referrals to various social service agencies for all crime victims as well as case status notification and transportation when needed.

Two of the victim counselors have made direct contact with victims for the Juvenile Assistant Prosecutors in order to help them prepare their cases for trial. Assistance also takes the form of phone calls or letters seeking out the losses a victim might have incurred either physically or through property loss.

Crime Victims' Rights Week has a special meaning for all staff members since everyone is involved in drawing up plans for various informational programs, writing press advisories and designing other ceremonies to highlight efforts being made on behalf of crime victims.

With monies from the Victim and Witness Advocacy Fund the office was able to purchase a van for transporting victims and witnesses throughout the county. The same fund was also used to purchase nutritious snacks for victims, witnesses and their children while they are waiting to testify.

The office staff works long and hard on the annual Thanksgiving Food Drive trying to outdo the previous year in donations for crime victims. Through the generous support of county employees, local schools, Union County Juvenile Officer's Association and local corporate assistance several hundred pounds of food are delivered to those in need at this special time of the year.

#### **WARREN COUNTY**

Population: 88,976  
Crime Index: 1,719  
Square Miles: 361.55

County Prosecutor: Richard C. Hare  
County Victim-Witness Coordinator: Jenny Sipple

The Warren County Office of Victim-Witness Advocacy is staffed with a coordinator and a part-time secretary. The latter position is funded with monies from the Victim and Witness Advocacy Fund.

The coordinator has been increasingly involved in obtaining information on financial losses suffered by victims of juvenile offenders and has assisted them in obtaining financial restitution.

The coordinator has set a goal of increasing the number of victim impact statements obtained prior to the pre-trial conference. By obtaining an impact statement the Assistant Prosecutor can participate in the plea negotiations with the degree of victimization clearly understood.

With the use of the VOCA grant a display rack was purchased for literature which includes services available to victims and crime prevention procedures. Toys, reading books and child entertainment videos were also purchased with these monies for the victim/witness waiting room. Training conferences for the coordinator were made available through the Victim and Witness Advocacy Fund.

A multi-disciplinary team dealing with child sexual abuse is planned and this team approach will provide comprehensive services to child abuse victims and their families. It will also utilize the team approach in the investigation and prosecution of these cases.

## Chapter 5

### VICTIM AND WITNESS ADVOCACY FUND

The Victim and Witness Advocacy Fund provides a dependable source of revenue for the State and County Offices of Victim-Witness Advocacy. Since 1986, with the advent of both Federal and State funding mechanisms, the cost of services for victims and witnesses of crime has been borne primarily by convicted criminal offenders.

#### REVENUE SOURCES

In FY 86 the Senate Revenue Finance and Appropriations Committee provided a one-time appropriation of \$350,000 for the start-up operating expenses of the State Office of Victim-Witness Advocacy (see Appendix C).

Under the provisions of N.J.S.A. 2C:43-3.1, sentencing judges are required to assess a \$30.00 minimum penalty against those convicted of any crime, disorderly persons offense, and petty disorderly persons offense. In addition, any juvenile adjudicated delinquent must be assessed a penalty of at least \$15.00 for each such adjudication. All monies collected from penalty assessments are forwarded to the Violent Crimes Compensation Board (VCCB). The last five dollars of each minimum penalty collected is forwarded by the VCCB for deposit in the Victim and Witness Advocacy Fund (see Appendix F).

#### REVENUE COLLECTIONS

The VCCB transfers money collected from penalty assessments into the Victim and Witness Advocacy Fund four times each year. The total annual amounts that have been deposited into the Fund have fluctuated over the past four years. These amounts are provided below with a comparison of the total amount of collections reported by the VCCB.

TABLE A

|  | <u>FY 87</u> | <u>FY 88</u> | <u>FY 89</u> | <u>FY 90</u> |
|--|--------------|--------------|--------------|--------------|
| Amount of<br>Revenue<br>Transferred<br>into the Fund | \$221,103    | \$246,080    | \$458,669    | \$474,939    |
| Total Revenue<br>Collected by<br>VCCB                | \$3.1M       | \$3.1M       | \$3.1M       | \$3.2M       |

As shown in Table A, total collections have increased slightly each year between FY 87 and FY 90: in FY 87, total deposits amounted to \$221,103; in FY 88, the total amount increased to \$246,080; in FY 89 total deposits increased to \$458,669 and in FY 90 total deposits increased to \$474,939.

Deposits into the Fund have not in any of the above years, met the \$540,000 amount the Assembly Revenue, Finance and Appropriation Committee estimated would be raised annually for the Victim and Witness Advocacy Fund (see Appendix C).

#### RULES AND REGULATIONS

The Director of the Division of Criminal Justice has promulgated rules and regulations to effectuate the purpose of the Fund pursuant to N.J.S.A. 2C:43-3.1(5). The rules and regulations governing the Fund have been published in the New Jersey Register (see Appendix D) and generally require that all monies distributed be used to implement services to victims as required under the Attorney General Standards to Ensure the Rights of Crime Victims.

#### ALLOCATION OF FUND REVENUES

The entire operating costs of the State Office of Victim-Witness Advocacy are drawn from Fund revenues. Allotments from the Fund are also distributed to the County Offices of Victim-Witness Advocacy based on a formula that takes into account a county's population, crime rate, and number of cases reviewed by the Prosecutor's Office. The formula was calculated on top of a base amount of \$5,000.00 (see Table C for FY 90 formula calculation table). These funds supplement the revenues allocated to the County Offices from the Prosecutor's own budgets and grants from the Federal Victims of Crime Act (VOCA).

The amounts transferred to the Fund by the VCCB during fiscal year 1989 were distributed to the counties in FY 90 to allow time for the accumulation of money in the Fund.

As shown in Table B, the majority of revenue transferred into the Fund has been allocated to the counties. In FY 87, a total of \$221,103 was transferred by Violent Crimes Compensation Board and \$200,000 was obligated and later distributed to the counties. In FY 88, \$246,080 was transferred into the Fund and \$400,000 was distributed to the counties. In FY 89, \$458,669 was transferred and \$400,000 was distributed to the counties. In FY 90, \$474,939 was transferred and \$400,000 was distributed to the counties.

**TABLE B**

|   | <b>FY 87</b>              | <b>FY 88</b>              | <b>FY 89</b>              | <b>FY 90</b>              |
|---|---------------------------|---------------------------|---------------------------|---------------------------|
| Amount of Revenue Transferred into the Fund | \$221,103                 | \$246,080                 | \$458,669                 | \$474,939                 |
| Total Funds Available                       | <sup>a</sup><br>\$568,070 | <sup>b</sup><br>\$730,474 | <sup>c</sup><br>\$885,831 | <sup>d</sup><br>\$816,137 |
| Total County Allocation                     | -0-                       | \$200,000                 | \$400,000                 | \$400,000                 |
| State Office Expenditures                   | \$ 83,676                 | \$103,312                 | \$ 84,158                 | \$146,394                 |

- a. Includes \$346,967 carried over from FY 86.
- b. Includes \$484,394 carried over from FY 87.
- c. Includes \$427,162 carried over from FY 88.
- d. Includes \$341,198 carried over from FY 89.

**TABLE C**  
**COUNTY ALLOCATIONS FY 90**  
**(Based on \$400,000)**

| County       | 1987             |             | 1988           |             | 1988                           |             | Average %   | Amount              |
|--------------|------------------|-------------|----------------|-------------|--------------------------------|-------------|-------------|---------------------|
|              | Population       | %           | Crime Index    | %           | Total Defendant Cases Reviewed | %           |             |                     |
| Atlantic     | 208,542          | 2.7         | 24,933         | 6.1         | 7,508                          | 6.3         | 5.0         | \$ 19,750.00        |
| Bergen       | 830,467          | 10.8        | 29,567         | 7.2         | 6,000                          | 5.0         | 7.7         | \$ 27,715.00        |
| Burlington   | 388,129          | 5.1         | 12,667         | 3.1         | 4,133                          | 3.5         | 3.9         | \$ 16,505.00        |
| Camden       | 496,318          | 6.5         | 28,701         | 7.0         | 8,074                          | 6.8         | 6.8         | \$ 25,060.00        |
| Cape May     | 94,160           | 1.2         | 6,782          | 1.7         | 1,699                          | 1.4         | 1.4         | \$ 9,130.00         |
| Cumberland   | 137,571          | 1.8         | 8,057          | 2.0         | 2,908                          | 2.4         | 2.1         | \$ 11,195.00        |
| Essex        | 844,545          | 11.0        | 76,711         | 18.8        | 27,769                         | 23.3        | 17.6        | \$ 56,920.00        |
| Gloucester   | 213,043          | 2.8         | 8,198          | 2.0         | 2,012                          | 1.7         | 2.2         | \$ 11,490.00        |
| Hudson       | 547,196          | 7.1         | 41,310         | 10.1        | 14,026                         | 11.7        | 9.6         | \$ 33,320.00        |
| Hunterdon    | 98,914           | 1.3         | 1,598          | .5          | 781                            | .7          | .8          | \$ 7,360.00         |
| Mercer       | 327,123          | 4.3         | 22,001         | 5.4         | 6,735                          | 5.6         | 5.1         | \$ 20,045.00        |
| Middlesex    | 645,709          | 8.4         | 27,100         | 6.6         | 7,970                          | 6.7         | 7.2         | \$ 26,240.00        |
| Monmouth     | 553,618          | 7.2         | 20,189         | 4.9         | 7,303                          | 6.1         | 6.1         | \$ 22,995.00        |
| Morris       | 419,438          | 5.5         | 12,719         | 3.1         | 2,738                          | 2.3         | 3.6         | \$ 15,620.00        |
| Ocean        | 402,998          | 5.3         | 16,715         | 4.1         | 3,948                          | 3.3         | 4.2         | \$ 17,390.00        |
| Passaic      | 463,736          | 6.0         | 29,423         | 7.2         | 6,712                          | 5.6         | 6.3         | \$ 23,585.00        |
| Salem        | 65,371           | .9          | 2,079          | .5          | 722                            | .6          | .7          | \$ 7,065.00         |
| Somerset     | 221,628          | 2.9         | 7,062          | 1.7         | 1,515                          | 1.3         | 2.0         | \$ 10,900.00        |
| Sussex       | 124,323          | 1.6         | 2,724          | .7          | 760                            | .6          | 1.0         | \$ 7,950.00         |
| Union        | 502,468          | 6.5         | 27,839         | 6.8         | 5,066                          | 4.3         | 5.9         | \$ 22,405.00        |
| Warren       | 87,227           | 1.1         | 1,987          | .5          | 941                            | .8          | .8          | \$ 7,360.00         |
| <b>Total</b> | <b>7,672,524</b> | <b>100%</b> | <b>408,362</b> | <b>100%</b> | <b>119,320</b>                 | <b>100%</b> | <b>100%</b> | <b>\$400,000.00</b> |



## FY 90

## VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

| COUNTY     | BUDGET                   | FY 90 ALLOCATION |
|------------|--------------------------|------------------|
| Atlantic   | Salaries                 | \$ 16,875        |
|            | Staff Training, Meetings | <u>2,875</u>     |
|            | Total                    | \$ 19,750        |
|            |                          |                  |
| Bergen     | Salaries                 | \$ 26,320        |
|            | Staff Training, Meetings | 1,040            |
|            | Travel                   | <u>355</u>       |
|            | Total                    | \$ 27,715        |
| Burlington | Salaries                 | \$ 16,505        |
|            | Total                    | <u>\$ 16,505</u> |
| Camden     | Salaries                 | \$ 22,000        |
|            | Equipment                | 1,560            |
|            | Staff Training, Meetings | 834              |
|            | Travel                   | <u>666</u>       |
|            | Total                    | \$ 25,060        |
| Cape May   | Equipment                | \$ 3,510         |
|            | Office, Administrative   |                  |
|            | Expenses                 | 400              |
|            | Staff Training, Meetings | 2,320            |
|            | Conference Sponsorship   | 1,500            |
|            | Travel                   | <u>1,400</u>     |
|            | Total                    | \$ 9,130         |

FY 90

VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

| COUNTY     | BUDGET                   | FY 90 ALLOCATION |
|------------|--------------------------|------------------|
| Cumberland | Salaries                 | \$ 4,035         |
|            | Equipment                | 598              |
|            | Office Administrative    |                  |
|            | Expenses                 | 1,600            |
|            | Educational Material     | 1,595            |
|            | Conference Sponsorship   | 1,367            |
|            | Direct Services          | <u>2,000</u>     |
|            | Total                    | \$ 11,195        |
| <hr/>      |                          |                  |
| Essex      | Salaries                 | \$ 49,400        |
|            | Equipment                | <u>7,520</u>     |
|            | Total                    | \$ 56,920        |
| <hr/>      |                          |                  |
| Gloucester | Salaries                 | \$ 4,290         |
|            | Equipment                | 2,260            |
|            | Office, Administrative   |                  |
|            | Expenses                 | 640              |
|            | Educational Material     | 400              |
|            | Staff Training Meetings  | 900              |
|            | Conference Sponsorship   | 2,000            |
|            | Direct Services          | 500              |
|            | Travel                   | <u>500</u>       |
|            | Total                    | \$ 11,490        |
| <hr/>      |                          |                  |
| Hudson     | Salaries                 | \$ 24,000        |
|            | Equipment                | 6,770            |
|            | Staff Training, Meetings | 1,590            |
|            | Conference Sponsorship   | 290              |
|            | Travel                   | <u>670</u>       |
|            | Total                    | \$ 33,320        |

FY 90

VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

| COUNTY    | BUDGET                  | FY 90 ALLOCATION |
|-----------|-------------------------|------------------|
| Hunterdon | Equipment               | \$ 2,500         |
|           | Office, Administrative  |                  |
|           | Expenses                | 200              |
|           | Educational Material    | 1,100            |
|           | Staff Training, Meeting | 1,464            |
|           | Conference Sponsorship  | 750              |
|           | Direct Services         | 710              |
|           | Travel                  | 636              |
|           | Total                   | \$ 7,360         |
| Mercer    | Salaries                | \$ 13,717        |
|           | Equipment               | 6,328            |
|           | Total                   | \$ 20,045        |
| Middlesex | Salaries                | \$ 26,240        |
|           | Total                   | \$ 26,240        |
| Monmouth  | Salaries                | \$ 22,995        |
|           | Total                   | \$ 22,995        |

FY 90

VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

| COUNTY  | BUDGET                   | FY 90 ALLOCATION |
|---------|--------------------------|------------------|
| Morris  | Salaries                 | \$ 1,500         |
|         | Equipment                | 11,198           |
|         | Office, Administrative   |                  |
|         | Expenses                 | 290              |
|         | Educational Material,    |                  |
|         | Advertising              | 295              |
|         | Staff Training, Meetings | 710              |
|         | Conference Sponsorship   | <u>1,627</u>     |
|         | Total                    | \$ 15,620        |
| <hr/>   |                          |                  |
| Ocean   | Salaries                 | \$ 15,584        |
|         | Equipment                | 806              |
|         | Direct Services          | <u>1,000</u>     |
|         | Total                    | \$ 17,390        |
| <hr/>   |                          |                  |
| Passaic | Salaries                 | \$ 22,695        |
|         | Educational Material     | 200              |
|         | Direct Services          | <u>690</u>       |
|         | Total                    | \$ 23,585        |
| <hr/>   |                          |                  |
| Salem   | Equipment                | \$ 800           |
|         | Office, Administrative   |                  |
|         | Expenses                 | 1,450            |
|         | Educational Material,    |                  |
|         | Advertising              | 2,500            |
|         | Staff Training, Meetings | 815              |
|         | Direct Services          | 1,060            |
|         | Travel                   | <u>440</u>       |
|         | Total                    | \$ 7,065         |

FY 90

VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

| <u>COUNTY</u> | <u>BUDGET</u>            | <u>FY 90 ALLOCATION</u> |
|---------------|--------------------------|-------------------------|
| Somerset      | Equipment                | \$ 9,120                |
|               | Educational Material,    |                         |
|               | Advertising              | <u>1,780</u>            |
|               | Total                    | \$ 10,900               |
| <hr/>         |                          |                         |
| Sussex        | Salaries                 | \$ 7,610                |
|               | Direct Services          | <u>340</u>              |
|               | Total                    | \$ 7,950                |
| <hr/>         |                          |                         |
| Union         | Equipment                | \$ 18,300               |
|               | Educational Material,    |                         |
|               | Advertising              | 305                     |
|               | Staff Training, Meetings | 2,800                   |
|               | Conference Sponsorship   | 300                     |
|               | Direct Services          | 200                     |
|               | Travel                   | <u>500</u>              |
|               | Total                    | \$ 22,405               |
| <hr/>         |                          |                         |
| Warren        | Salaries                 | \$ 7,360                |
|               |                          | <hr/>                   |
|               | Total                    | \$ 7,360                |
| <hr/>         |                          |                         |

FY 90

VICTIM AND WITNESS ADVOCACY FUND ALLOCATIONS

State Office of Victim-Witness Advocacy,  
Division of Criminal Justice

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|                          |           |
|--------------------------|-----------|
| Salaries                 | \$105,997 |
| Office, Administrative   |           |
| Expenses                 | 13,127    |
| Equipment                | 3,713     |
| Conference Sponsorship   | 10,000    |
| Staff Training, Meetings |           |
| Conferences              | 6,000     |
| Travel                   |           |
| Direct Services          | 1,337     |
|                          | <hr/>     |
| Total                    | \$146,394 |

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## CHAPTER 6

### PROGRAM SERVICE STATISTICS

A summary of the program statistics contained in this chapter are as follows:

- The County Offices of Victim-Witness Advocacy provided a total of 79,127 different services to victims and witnesses of crime in FY 90. This represents a 73% increase over the total number of services provided in 1989.
- In FY 90, the program assisted 612 victims of sexual assault; 647 victims of burglary; 1,283 victims of assault; 919 victims of child abuse; 921 victims of domestic violence; 442 victims of attempted murder and homicide survivors, and 377 robbery victims.
- In FY 90, 6,811 cases were opened and received services from the program. Of these clients 5,043 (74%) were victims; 227 (3%) were witnesses; and 1,541 (23%) were family members or parents of the victim.
- The most frequent clients to receive assistance were white, female victims of assault between the age of 21 and 39.
- In FY 90, the program provided a total of 199,826 notifications of case status to victims and witnesses involved in the prosecution of a case. This figure represents an increase of 55,129 from 1989.
- The most frequently provided services in FY 90 included outreach (15,563), advocacy on case decisions (8,274), criminal justice system orientation (8,163), assistance in filing for compensation (6,917), needs assessment (5,242), and reception/waiting room services (4,976).
- The counties experiencing the highest volume of clients in FY 90 were Middlesex, Monmouth, Bergen, Gloucester, and Monmouth.
- Statewide, the most frequently occurring relationships between victims and offenders were that of stranger (41%); friend/acquaintance (21%); and spouse (11%).

# DEMOGRAPHIC INFORMATION

## ABOUT THE VICTIMS

FY 90

|                                  |       |       |            |       |                              |
|----------------------------------|-------|-------|------------|-------|------------------------------|
| Offender Relationship to Victim: |       | Sex:  | Male       | 2,805 | Total Number of Victims      |
| Stranger                         | 2,111 |       | Female     | 3,664 | Hospitalized . . . . . 1,142 |
| Father                           | 192   |       |            |       |                              |
| Uncle                            | 24    |       | Total      | 6,469 | Total Number of Victims      |
| Grandfather                      | 22    |       |            |       | Reporting Previous           |
| Stepfather                       | 97    | Race: | Black      | 1,551 | Victimizations . . . . . 850 |
| Friends/Acquaintance             | 1,087 |       | Hispanic   | 486   |                              |
| Spouse                           | 554   |       | White      | 3,752 |                              |
| Mother                           | 31    |       | Other      | 313   |                              |
| Sister                           | 14    |       |            |       |                              |
| Aunt                             | 1     |       | Total      | 6,102 |                              |
| Grandchild                       | 13    |       |            |       |                              |
| Other relative/guardian          | 107   | Age:  | 20 & Under | 1,336 |                              |
| Neighbor                         | 183   |       | 21 - 39    | 2,277 |                              |
| Girlfriend/Boyfriend             | 399   |       | 40 - 59    | 978   |                              |
| Son                              | 40    |       | 60 & Over  | 333   |                              |
| Brother                          | 30    |       |            |       |                              |
| Grandmother                      | 3     |       | Total      | 4,924 |                              |
| Roommate                         | 14    |       |            |       |                              |
| Daughter                         | 23    |       |            |       |                              |
| Stepmother                       | —     |       |            |       |                              |
| Other                            | 181   |       |            |       |                              |



# CLIENT CATEGORIES

FY 1990

| COUNTIES   | Victims | Witnesses | Victims'<br>Parent | Victims'<br>Family | Total<br>Clients |
|------------|---------|-----------|--------------------|--------------------|------------------|
| Atlantic   | 54      | 2         | 13                 | 11                 | 80               |
| Bergen     | 636     | 17        | 61                 | 97                 | 811              |
| Burlington | 70      | —         | 53                 | 32                 | 155              |
| Camden     | 86      | —         | 44                 | 16                 | 146              |
| Cape May   | 79      | 1         | 21                 | 17                 | 118              |
| Cumberland | 27      | —         | 13                 | 4                  | 44               |
| Essex      | 198     | 12        | 71                 | 21                 | 302              |
| Gloucester | 474     | 40        | 87                 | 63                 | 664              |
| Hudson     | 164     | 3         | 6                  | 29                 | 202              |
| Hunterdon  | 103     | 41        | 9                  | 14                 | 167              |
| Mercer     | 125     | 10        | 17                 | 7                  | 159              |
| Middlesex  | 1,865   | 7         | 197                | 246                | 2,315            |
| Morrmouth  | 500     | 11        | 82                 | 26                 | 619              |
| Morris     | 107     | 44        | 33                 | 62                 | 246              |
| Ocean      | 44      | 5         | 7                  | 7                  | 63               |
| Passaic    | 96      | 9         | 8                  | 33                 | 146              |
| Salem      | 46      | 6         | 8                  | 6                  | 66               |
| Somerset   | 95      | 7         | 4                  | 3                  | 109              |
| Sussex     | 16      | 1         | 11                 | 4                  | 32               |
| Union      | 218     | 3         | 18                 | 7                  | 246              |
| Warren     | 40      | 8         | 65                 | 8                  | 121              |
| Totals     | 5,043   | 227       | 828                | 713                | 6,811            |

**NUMBER OF CLIENTS SERVED BY  
TYPE OF VICTIMIZATION**

FY 1990

| COUNTIES   | Murder/<br>Manslaughter<br>Att. Murder/Mans.<br>90 | Child Abuse<br>90 | Assault/<br>Assault w/<br>Dangerous Weapon<br>90 | Burglary<br>90 | Kidnapping<br>90 | Death/Assault<br>by Auto<br>90 | Bias Crimes<br>90 |
|------------|--|-------------------|--|----------------|------------------|--------------------------------|-------------------|
| Atlantic   | 18   | 10                | 7  | 1              | 2                | 3                              | —                 |
| Bergen     | 45   | 133               | 63   | 3              | 6                | 10                             | 13                |
| Burlington | 8  | 60                | 35   | 12             | —                | 6                              | —                 |
| Camden     | 28   | 35                | 52   | 3              | 2                | 3                              | —                 |
| Cape May   | 18   | 24                | 17   | 6              | 2                | 4                              | —                 |
| Cumberland | 2  | 2                 | 24   | 4              | —                | —                              | —                 |
| Essex      | 44   | 43                | 67   | 13             | 5                | 3                              | —                 |
| Gloucester | 15   | 57                | 131  | 87             | 20               | 18                             | 5                 |
| Hudson     | 34   | 8                 | 83   | 8              | —                | 1                              | —                 |
| Hunterdon  | —  | 11                | 13   | 29             | 1                | 1                              | 3                 |
| Mercer     | 24   | 12                | 46   | 25             | —                | 4                              | —                 |
| Middlesex  | 99   | 146               | 365  | 379            | 16               | 79                             | 1                 |
| Monmouth   | 17   | 185               | 171  | 9              | 2                | 6                              | 2                 |
| Morris     | 29   | 66                | 46   | 50             | 1                | 9                              | 1                 |
| Ocean      | 4  | 12                | 5  | 1              | 4                | 5                              | —                 |
| Passaic    | 17   | 25                | 49   | 3              | 2                | 2                              | —                 |
| Salem      | 5  | 11                | 32   | 1              | —                | 2                              | —                 |
| Somerset   | 3  | 7                 | 19   | 9              | —                | 5                              | 3                 |
| Sussex     | 4  | 2                 | 2  | 1              | —                | 3                              | —                 |
| Union      | 5  | 19                | 48   | —              | 1                | 1                              | —                 |
| Warren     | 23   | 51                | 8  | 3              | —                | 14                             | —                 |
| Totals     | 442  | 919               | 1,283  | 647            | 64               | 179                            | 28                |

**NUMBER OF CLIENTS SERVED BY  
TYPE OF VICTIMIZATION -(Continued)**

**FY 1990**

| <b>COUNTIES</b> | <b>Sexual Assault</b> | <b>Robbery/Attempted<br/>Robbery</b> | <b>Arson</b> | <b>Terroristic<br/>Threats</b> | <b>Theft</b> | <b>Domestic<br/>Violence</b> | <b>Other*</b> | <b>Total</b> |
|-----------------|-----------------------|--------------------------------------|--------------|--------------------------------|--------------|------------------------------|---------------|--------------|
| Atlantic        | 21                    | —                                    | —            | 2                              | 4            | 5                            | 8             | 81           |
| Bergen          | 80                    | 54                                   | 5            | 1                              | 1            | 303                          | 24            | 741          |
| Burlington      | 25                    | 5                                    | 1            | 2                              | 1            | 1                            | —             | 156          |
| Camden          | 8                     | 3                                    | 6            | 1                              | 3            | 10                           | 3             | 148          |
| Cape May        | 19                    | 8                                    | 8            | 3                              | 2            | —                            | —             | 121          |
| Cumberland      | 11                    | —                                    | —            | 1                              | 1            | 57                           | 1             | 46           |
| Essex           | 31                    | 33                                   | 6            | 3                              | 7            | 144                          | 7             | 319          |
| Gloucester      | 62                    | 32                                   | 38           | 103                            | 37           | 23                           | 9             | 758          |
| Hudson          | 21                    | 1                                    | 4            | 3                              | —            | —                            | —             | 186          |
| Hunterdon       | 1                     | 1                                    | 1            | —                              | 25           | 45                           | 26            | 112          |
| Mercer          | 14                    | 9                                    | 3            | —                              | 1            | 102                          | 4             | 146          |
| Middlesex       | 145                   | 139                                  | 19           | 84                             | 260          | 70                           | 309           | 2,086        |
| Morrmouth       | 89                    | 29                                   | 2            | —                              | 1            | 8                            | 4             | 619          |
| Morris          | 11                    | 22                                   | 4            | —                              | 1            | 4                            | 3             | 313          |
| Ocean           | 15                    | 1                                    | —            | 2                              | —            | 8                            | 4             | 62           |
| Passaic         | 7                     | 16                                   | 4            | —                              | —            | 5                            | 3             | 133          |
| Salem           | 5                     | 1                                    | —            | —                              | 11           | 2                            | 2             | 63           |
| Somerset        | 4                     | 9                                    | 3            | 3                              | 1            | 128                          | 17            | 101          |
| Sussex          | 12                    | 2                                    | —            | 1                              | 1            | 1                            | —             | 30           |
| Union           | 18                    | 12                                   | 21           | 10                             | 1            | 1                            | 6             | 270          |
| Warren          | 13                    | —                                    | —            | 1                              | 1            | 1                            | 3             | 121          |
| <b>Totals</b>   | <b>612</b>            | <b>377</b>                           | <b>125</b>   | <b>223</b>                     | <b>359</b>   | <b>921</b>                   | <b>433</b>    | <b>6,612</b> |

\* Other includes disorderly person offenses, fraud, suicide,  
endangering welfare of child, juvenile offenses, sudden deaths

**Number and Type of Case Status Notifications Made to Victims  
and Witnesses by County  
FY 1990**

| COUNTIES   | Initial<br>Contact | Pre-Grand<br>Jury Remand | Administrative<br>Dismissal | Grand Jury<br>Remand | Grand Jury<br>Dismissal | Grand Jury<br>Indictment/<br>True Bill | Acceptance<br>into PTI |
|------------|--------------------|--------------------------|-----------------------------|----------------------|-------------------------|--|------------------------|
|            | 90                 | 90                       | 90                          | 90                   | 90                      | 90                                     | 90                     |
| Atlantic   | 2,487              | 1,628                    | 601                         | —                    | —                       | 1,139                                  | 168                    |
| Bergen     | 243                | 5,196                    | 532                         | 141                  | 7                       | 1,608                                  | 500                    |
| Burlington | 883                | 3,064                    | 397                         | 1                    | 96                      | 1,068                                  | —                      |
| Camden     | 1,636              | 417                      | 441                         | 47                   | 368                     | 1,509                                  | 59                     |
| Cape May   | 958                | 454                      | 166                         | 165                  | 112                     | 1,046                                  | 216                    |
| Cumberland | 2,502              | 3,179                    | 477                         | 86                   | —                       | 3,890                                  | 35                     |
| Essex      | 4,538              | 399                      | 37                          | 52                   | 249                     | 673                                    | 13                     |
| Gloucester | 1,705              | 774                      | 848                         | 338                  | 402                     | 2,042                                  | 242                    |
| Hudson     | 462                | 14                       | 165                         | 540                  | 531                     | 620                                    | 57                     |
| Hunterdon  | 226                | 1,308                    | 782                         | —                    | 28                      | 1,086                                  | 802                    |
| Mercer     | 273                | 338                      | 169                         | 61                   | 114                     | 513                                    | 14                     |
| Middlesex  | 2,042              | 378                      | 177                         | 63                   | 98                      | 1,439                                  | 38                     |
| Monmouth   | 2,088              | 1,748                    | 347                         | 1,185                | 982                     | 6,312                                  | 430                    |
| Morris     | 3,062              | 3,026                    | 436                         | 10                   | 111                     | 1,279                                  | 1,283                  |
| Ocean      | 242                | 857                      | 157                         | 7                    | 25                      | 607                                    | 16                     |
| Passaic    | 154                | —                        | —                           | 198                  | 196                     | 592                                    | 106                    |
| Salem      | 65                 | 76                       | 7                           | 6                    | 23                      | 53                                     | —                      |
| Somerset   | 446                | 49                       | 22                          | 16                   | 81                      | 516                                    | 75                     |
| Sussex     | 56                 | 314                      | 195                         | 341                  | 10                      | 507                                    | 123                    |
| Union      | 674                | 175                      | 18                          | —                    | 1                       | 4                                      | 1                      |
| Warren     | 570                | 219                      | 78                          | 10                   | 19                      | 353                                    | 80                     |
| Totals     | 25,312             | 23,613                   | 6,052                       | 3,267                | 3,453                   | 26,856                                 | 4,258                  |

**Number and Type of Case Status Notifications Made to Victims  
and Witnesses by County  
FY 1990 (Continued)**

| COUNTIES   | Completion/<br>Termination<br>from PTI | Sentence<br>Imposed | Release on<br>Bail | Bench Warrant | Disposition | Trial Date | Negotiated Plea |
|------------|--|---------------------|--------------------|---------------|-------------|------------|-----------------|
|            | 90                                     | 90                  | 90                 | 90            | 90          | 90         | 90              |
| Atlantic   | 125                                    | 1,526               | 228                | 138           | 651         | 551        | 896             |
| Bergen     | 612                                    | 806                 | 2,692              | 1,545         | 1,505       | 770        | 336             |
| Burlington | 114                                    | 1,443               | 12                 | 2             | 501         | 789        | 142             |
| Camden     | 158                                    | 1,129               | 134                | 365           | 944         | 184        | 1,703           |
| Cape May   | 182                                    | 1,057               | 126                | 274           | 394         | 228        | 235             |
| Cumberland | 4                                      | 1,570               | 26                 | 163           | 39          | 5          | 41              |
| Essex      | 17                                     | 196                 | 49                 | 41            | 260         | 181        | 236             |
| Gloucester | 562                                    | 613                 | 616                | 175           | 864         | 841        | 591             |
| Hudson     | 49                                     | 268                 | 63                 | 21            | 61          | 63         | 681             |
| Hunterdon  | —                                      | 607                 | 34                 | 9             | 210         | 76         | 700             |
| Mercer     | —                                      | 316                 | 59                 | —             | 151         | —          | 533             |
| Middlesex  | 27                                     | 755                 | 148                | 43            | 1,196       | 305        | 1,110           |
| Monmouth   | 627                                    | 4,532               | 94                 | 1,327         | 688         | 8,545      | 1,988           |
| Morris     | 332                                    | 1,142               | 326                | 524           | 972         | 474        | 938             |
| Ocean      | 2                                      | 379                 | 7                  | 2             | 7           | 16         | 445             |
| Passaic    | 12                                     | 373                 | 3                  | 97            | 531         | 34         | —               |
| Salem      | —                                      | —                   | 3                  | —             | 3           | 9          | 1               |
| Somerset   | 35                                     | 673                 | 27                 | 142           | 367         | 33         | 332             |
| Sussex     | 57                                     | 272                 | 20                 | 62            | 8           | 67         | 101             |
| Union      | —                                      | 424                 | 5                  | 4             | 19          | 63         | 3               |
| Warren     | 59                                     | 430                 | 127                | 71            | 198         | 1,898      | 800             |
| Totals     | 2,974                                  | 18,511              | 4,799              | 5,005         | 9,569       | 15,132     | 11,812          |

**Number and Type of Case Status Notifications Made to Victims  
and Witnesses by County  
FY 1990 (Continued)**

| <b>COUNTIES</b> | <b>Sentencing<br/>Date<br/>90</b> | <b>Court<br/>Dismissal<br/>90</b> | <b>Mistrial<br/>90</b> | <b>Parole<br/>Input<br/>90</b> | <b>Employer/<br/>School<br/>90</b> | <b>Assault/<br/>Death<br/>by Auto<br/>90</b> | <b>Victim<br/>Impact<br/>Statement<br/>90</b> | <b>Other*<br/>90</b> | <b>Total<br/>90</b> |
|-----------------|-----------------------------------|-----------------------------------|------------------------|--------------------------------|------------------------------------|--|---|----------------------|---------------------|
| Atlantic        | 1,056                             | 124                               | 89                     | 171                            | 43                                 | 69   | 231   | 495                  | 12,416              |
| Bergen          | 801                               | 4                                 | 1                      | 118                            | 53                                 | 33   | 35  | 38                   | 17,576              |
| Burlington      | 1,631                             | 53                                | 1                      | 141                            | 94                                 | 257  | 583   | —                    | 11,272              |
| Camden          | 1,661                             | 69                                | —                      | 366                            | 20                                 | 56   | 1,763   | 1,156                | 14,185              |
| Cape May        | 340                               | 5                                 | 143                    | 75                             | 10                                 | 34   | 104   | 472                  | 6,796               |
| Cumberland      | 287                               | 13                                | —                      | 685                            | —                                  | 21   | 4   | 521                  | 13,548              |
| Essex           | 89                                | 2                                 | —                      | 85                             | 49                                 | 23   | 15  | 36                   | 7,240               |
| Gloucester      | 405                               | 463                               | 3                      | 171                            | 67                                 | 53   | 33  | —                    | 11,808              |
| Hudson          | 151                               | 46                                | 4                      | 252                            | 34                                 | 62   | 622   | —                    | 4,766               |
| Hunterdon       | 167                               | 8                                 | —                      | 40                             | 12                                 | 6  | 20  | 853                  | 6,974               |
| Mercer          | 190                               | 163                               | 37                     | 156                            | 32                                 | 2  | 5   | 80                   | 3,206               |
| Middlesex       | 325                               | 24                                | 11                     | 94                             | 4                                  | 134  | 595   | 938                  | 9,944               |
| Monmouth        | 3,165                             | 2                                 | 29                     | 186                            | 17                                 | 94   | 26  | 39                   | 34,451              |
| Morris          | 1,567                             | 48                                | 3                      | 111                            | 51                                 | 81   | 584   | 2,176                | 18,536              |
| Ocean           | 43                                | 4                                 | —                      | 106                            | 17                                 | 22   | 285   | 19                   | 3,265               |
| Passaic         | 14                                | —                                 | —                      | 127                            | 11                                 | —  | —   | 918                  | 3,366               |
| Salem           | 5                                 | 4                                 | —                      | 5                              | —                                  | 11   | 3   | 3                    | 277                 |
| Somerset        | 113                               | —                                 | 31                     | 50                             | 4                                  | 1  | 15  | 4                    | 3,032               |
| Sussex          | 304                               | 64                                | —                      | 18                             | 2                                  | 4  | 41  | 75                   | 2,641               |
| Union           | 5,990                             | —                                 | 40                     | 265                            | 81                                 | 3  | 97  | 288                  | 8,155               |
| Warren          | 293                               | 7                                 | 3                      | 120                            | 27                                 | 11   | 668   | 331                  | 6,372               |
| <b>Totals</b>   | <b>18,597</b>                     | <b>1,103</b>                      | <b>395</b>             | <b>3,342</b>                   | <b>628</b>                         | <b>977</b>                                   | <b>5,729</b>                                  | <b>8,442</b>         | <b>199,826</b>      |

\* Other includes: Condolence letters, compensation eligibility letter, Notice of Appeals, and Case Status letters pertaining to juvenile matters.

# Number and Type of Services Provided to victims by County

FY 1990

| COUNTIES   | Reception<br>Waiting Room | Outreach | Reassurance<br>Calls | Interviews<br>Need Assessment | Child<br>Care | Employer/School<br>Intervention | Transportation |
|------------|---------------------------|----------|----------------------|-------------------------------|---------------|---------------------------------|----------------|
| Atlantic   | 328                       | 1,552    | 206                  | 21                            | 90            | 24                              | 111            |
| Bergen     | 231                       | 320      | 307                  | 539                           | 55            | 36                              | 26             |
| Burlington | 157                       | 253      | 229                  | 283                           | 8             | 62                              | 94             |
| Camden     | 248                       | 1,246    | 227                  | 201                           | 5             | 34                              | 22             |
| Cape May   | 286                       | 2,742    | 591                  | 226                           | 24            | 43                              | 38             |
| Cumberland | 79                        | 18       | 7                    | 38                            | 20            | —                               | 22             |
| Essex      | 209                       | 310      | 224                  | 342                           | 20            | 48                              | 41             |
| Gloucester | 449                       | 372      | 128                  | 124                           | 30            | 54                              | 50             |
| Hudson     | 308                       | 231      | 152                  | 374                           | 73            | 44                              | 105            |
| Hunterdon  | 167                       | 243      | 71                   | 17                            | 6             | 25                              | 17             |
| Mercer     | 235                       | 63       | 36                   | 64                            | 3             | 13                              | 5              |
| Middlesex  | 253                       | 1,356    | 284                  | 656                           | 3             | 3                               | 105            |
| Monmouth   | 875                       | 2,149    | 153                  | 1,132                         | 36            | 30                              | 242            |
| Morris     | 373                       | 2,409    | 1,225                | 322                           | 716           | 82                              | 46             |
| Ocean      | 120                       | 87       | 115                  | 114                           | 42            | 34                              | 101            |
| Passaic    | 122                       | 367      | 95                   | 275                           | 15            | 4                               | 17             |
| Salem      | 157                       | 49       | 21                   | 42                            | 3             | 1                               | 27             |
| Somerset   | —                         | 1,044    | 169                  | 190                           | 3             | 12                              | 34             |
| Sussex     | 65                        | 61       | 2                    | 10                            | 3             | 3                               | 18             |
| Union      | 131                       | 459      | 145                  | 268                           | 12            | 7                               | 158            |
| Warren     | 183                       | 232      | 87                   | 4                             | 8             | 9                               | 43             |
| Totals     | 4,976                     | 15,563   | 4,474                | 5,242                         | 1,175         | 568                             | 1,322          |

**Number and Type of Services Provided to Victims by County**

**FY 1990 (Continued)**

| <b>COUNTIES</b> | <b>Criminal Justice<br/>Orientation</b> | <b>Advocacy on Case<br/>Decisions</b> | <b>Advocacy with<br/>Restraining Orders</b> | <b>Harassment<br/>Intimidation</b> | <b>Translation</b> | <b>Grand Jury<br/>Preparation</b> |
|-----------------|---|---------------------------------------|---|------------------------------------|--------------------|-----------------------------------|
| Atlantic        | 416                                     | 261                                   | 120   | 128                                | 24                 | 65                                |
| Bergen          | 26                                      | 485                                   | 76  | 112                                | 14                 | 13                                |
| Burlington      | 100                                     | 36                                    | 9   | 10                                 | 2                  | 53                                |
| Camden          | 1,422                                   | 189                                   | 75  | 107                                | 19                 | 26                                |
| Cape May        | 666                                     | 567                                   | 174   | 277                                | —                  | 69                                |
| Cumberland      | 24                                      | 59                                    | 5   | 6                                  | 10                 | 5                                 |
| Essex           | 351                                     | 174                                   | 82  | 115                                | 14                 | 195                               |
| Gloucester      | 313                                     | 1,148                                 | 93  | 127                                | —                  | 438                               |
| Hudson          | 266                                     | 405                                   | 136   | 155                                | 331                | 143                               |
| Hunterdon       | 98                                      | 126                                   | 5   | 1                                  | —                  | 91                                |
| Mercer          | 105                                     | 35                                    | 3   | 5                                  | —                  | 2                                 |
| Middlesex       | 242                                     | 337                                   | 41  | 212                                | 2                  | 218                               |
| Monmouth        | 2,339                                   | 317                                   | 55  | 98                                 | 12                 | 851                               |
| Morris          | 623                                     | 1,186                                 | 247   | 370                                | 437                | 329                               |
| Ocean           | 40                                      | 1,035                                 | 12  | 150                                | 3                  | 55                                |
| Passaic         | 621                                     | 1,263                                 | 27  | 152                                | 101                | 42                                |
| Salem           | 40                                      | 10                                    | 2   | 1                                  | 1                  | 14                                |
| Somerset        | 106                                     | 418                                   | 17  | 7                                  | 2                  | 3                                 |
| Sussex          | 22                                      | 21                                    | 1   | 17                                 | 3                  | 63                                |
| Union           | 226                                     | 137                                   | 143   | 60                                 | 46                 | 46                                |
| Warren          | 65                                      | 65                                    | 4   | 32                                 | 3                  | 29                                |
| <b>Totals</b>   | <b>8,163</b>                            | <b>8,274</b>                          | <b>2,146</b>                                | <b>1,323</b>                       | <b>1,024</b>       | <b>2,560</b>                      |



# Number and Type of Services Provided To Victims By County

FY 1990 (Continued)

| COUNTIES   | Property<br>Return | Victim Impact<br>Statement | Counseling | Substance<br>Abuse | Food | Emergency<br>Shelter | Clothing | Mental<br>Health |
|------------|--------------------|----------------------------|------------|--------------------|------|----------------------|----------|------------------|
| Atlantic   | 99                 | 118                        | 118        | 123                | 47   | 58                   | 38       | 53               |
| Bergen     | —                  | 41                         | 41         | 10                 | 49   | 35                   | 6        | 97               |
| Burlington | 13                 | 91                         | 91         | 6                  | 2    | 3                    | 3        | 24               |
| Camden     | 33                 | 165                        | 165        | 13                 | 44   | 36                   | 1        | 70               |
| Cape May   | 91                 | 291                        | 291        | 54                 | 7    | 16                   | 16       | 180              |
| Cumberland | 6                  | —                          | —          | —                  | —    | 1                    | —        | —                |
| Essex      | 82                 | 34                         | 34         | 38                 | 11   | 32                   | —        | 84               |
| Gloucester | 10                 | 11                         | 11         | 29                 | 10   | —                    | —        | 39               |
| Hudson     | 142                | 210                        | 210        | 48                 | 1    | 69                   | 1        | 97               |
| Hunterdon  | 23                 | 18                         | 18         | 2                  | —    | —                    | —        | 4                |
| Mercer     | 9                  | 25                         | 25         | —                  | —    | —                    | 8        | 26               |
| Middlesex  | 114                | 235                        | 235        | —                  | 2    | 6                    | 2        | 261              |
| Monmouth   | 446                | 55                         | 55         | 2                  | 13   | 233                  | 1        | —                |
| Morris     | 174                | 254                        | 254        | 66                 | 83   | 35                   | —        | 100              |
| Ocean      | 133                | 114                        | 114        | 3                  | 16   | 8                    | 2        | 9                |
| Passaic    | 40                 | 67                         | 67         | 6                  | 21   | 25                   | 1        | —                |
| Salem      | 3                  | 5                          | 3          | —                  | 13   | 4                    | —        | 5                |
| Somerset   | 52                 | 17                         | 17         | —                  | —    | —                    | 2        | 21               |
| Sussex     | 11                 | 10                         | 10         | —                  | —    | —                    | 1        | 1                |
| Union      | 16                 | 21                         | 21         | 15                 | 23   | 4                    | —        | 18               |
| Warren     | 60                 | 18                         | 18         | 6                  | —    | 1                    | —        | —                |
| Totals     | 1,917              | 1,800                      | 1,798      | 421                | 342  | 566                  | 80       | 1,093            |

# Number and Type of Services Provided to Victims by County

FY 1990 (Continued)

| COUNTIES   | Landlord/<br>Creditor<br>Intervention | Compensation | Document<br>Replacement | Restitution | Financial | Legal | Medical | Crime<br>Prevention | Other |
|------------|---------------------------------------|--------------|-------------------------|-------------|-----------|-------|---------|---------------------|-------|
| Atlantic   | 6                                     | 566          | 53                      | 99          | 19        | 36    | 2       | 82                  | 60    |
| Bergen     | 23                                    | 392          | 42                      | 56          | 21        | 40    | 29      | 52                  | 42    |
| Burlington | 3                                     | 246          | —                       | 82          | —         | 9     | —       | 37                  | 89    |
| Camden     | 91                                    | 394          | 26                      | 356         | 48        | 85    | 38      | 64                  | 87    |
| Cape May   | 77                                    | 814          | 16                      | 251         | 8         | 18    | 8       | 252                 | 413   |
| Cumberland | 1                                     | 57           | —                       | 66          | 1         | —     | —       | —                   | 5     |
| Essex      | 20                                    | 309          | 42                      | 400         | 34        | 140   | 33      | 111                 | 20    |
| Gloucester | —                                     | 117          | 8                       | 206         | —         | 25    | 2       | 19                  | 58    |
| Hudson     | 3                                     | 347          | 141                     | 125         | 19        | 58    | 48      | 10                  | 37    |
| Hunterdon  | —                                     | 58           | 11                      | 52          | 2         | —     | —       | —                   | 3     |
| Mercer     | 15                                    | 84           | 14                      | 11          | —         | 3     | —       | —                   | —     |
| Middlesex  | 45                                    | 296          | 18                      | 159         | 8         | 26    | 12      | 15                  | 28    |
| Monmouth   | 129                                   | 1,328        | 5                       | 202         | 44        | 54    | 23      | 56                  | 258   |
| Morris     | 12                                    | 301          | 28                      | 389         | 27        | 63    | 29      | 286                 | 705   |
| Ocean      | —                                     | 222          | 71                      | 117         | 23        | 31    | 7       | 4                   | 60    |
| Passaic    | 36                                    | 855          | 25                      | 61          | —         | 9     | 22      | 2                   | 70    |
| Salem      | —                                     | 104          | 6                       | 18          | 2         | —     | 37      | —                   | —     |
| Somerset   | —                                     | 54           | 2                       | 70          | 3         | 18    | 2       | —                   | 9     |
| Sussex     | —                                     | 48           | —                       | 26          | 2         | 1     | —       | —                   | 72    |
| Union      | 22                                    | 301          | 20                      | 8           | 17        | 21    | 7       | 5                   | 128   |
| Warren     | 8                                     | 24           | 13                      | 144         | 2         | 3     | 2       | —                   | 29    |
| Totals     | 492                                   | 6,917        | 504                     | 2,898       | 280       | 640   | 301     | 95                  | 2,173 |

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## APPENDIX A

### Drunk Driving Victim's Bill of Rights.

(N.J.S.A. 39:4-50.9 et. seq.)

#### CHAPTER 442

AN ACT establishing a drunk driving victim's bill of rights and supplementing subtitle 6 of Title 2A of the New Jersey Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C. 39:4-50.9 Short title.

1. This act shall be known and may be cited as the "Drunk Driving Victim's Bill of Rights."

C. 39:4-50.10 "Victim" defined.

2. As used in this act, "victim" means, unless otherwise indicated, a person who suffers personal physical or psychological injury or death or incurs loss of or injury to personal or real property as a result of a motor vehicle accident involving another person's driving while under the influence of drugs or alcohol. In the event of a death, "victim" means the surviving spouse, a child or the next of kin.

C. 39:4-50.11 Victims' rights.

3. Victims shall have the right to:

a. Make statements to law enforcement officers regarding the facts of the motor vehicle accident and to reasonable use of a telephone;

b. Receive medical assistance for injuries resulting from the accident;

c. Contact the investigating officer and see copies of the accident reports and, in the case of a surviving spouse, child or next of kin, the autopsy reports;

d. Be provided by the court adjudicating the offense, upon the request of the victim in writing, with:

(1) Information about their role in the court process;

(2) Timely advance notice of the date, time and place of the defendant's initial appearance before a judicial officer, submission to the court of any plea agreement, the trial and sentencing;

(3) Timely notification of the case disposition, including the trial and sentencing;

(4) Prompt notification of any decision or action in the case which results in the defendant's provisional or final release from custody; and

(5) Information about the status of the case at any time from the commission of the offense to final disposition or release of the defendant;

e. Receive, when requested from any law enforcement agency involved with the offense, assistance in obtaining employer cooperation in minimizing loss of pay and other benefits resulting from their participation in the court process;

f. A secure waiting area, after the motor vehicle accident, during investigations, and prior to a court appearance;

g. Submit to the court adjudicating the offense a written or oral statement to be considered in deciding upon sentencing and probation terms. This statement may include the nature and extent of any physical harm or psychological or emotional harm or trauma suffered by the victim, the extent of any loss of earnings or ability to work suffered by the victim and the effect of the offense upon the victim's family.

When a need is demonstrated, the information in this section shall be provided in the Spanish as well as the English language.

**C. 39:4-50.12 Consultation with prosecutor.**

4. A victim shall be provided with an opportunity to consult with the prosecutor prior to dismissal of the case or the filing of a proposed plea negotiation with the court, if the victim sustained bodily injury or serious bodily injury as defined in N. J. S. 2C:11-1. Nothing contained herein shall be construed to alter or limit the authority or discretion of the prosecutor to enter into any plea agreement which the prosecutor deems appropriate.

**C. 39:4-50.13 Tort Claims Act rights.**

5. Nothing contained in the act shall mitigate any right which the victim may have pursuant to the "New Jersey Tort Claims Act" (N. J. S. 59:1-1 et seq.).

6. This act shall take effect on the 60th day after enactment.

Approved January 13, 1986.

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## APPENDIX B

### Office of Victim-Witness Advocacy (N.J.S.A. 52:4B-39 et seq.)

#### CHAPTER 404

AN ACT establishing an Office of Victim-Witness Advocacy and supplementing P. L. 1971, c. 317 (C. 52:4B-1 et seq.).

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

**C. 52:4B-39 Victim, board defined.**

1. As used in this act:

a. "Victim" means a person who suffers personal physical or psychological injury or death or incurs loss of or injury to personal or real property as a result of a crime committed against that person.

b. "Board" means the Violent Crimes Compensation Board in the Department of Law and Public Safety.

**C. 52:4B-40 Office of Victim-Witness Assistance.**

2. There is established under the jurisdiction of the Violent Crimes Compensation Board in the Department of Law and Public Safety an Office of Victim-Witness Assistance under the supervision of the Director of the Office of Victim-Witness Assistance.

**C. 52:4B-41 Information program.**

3. The Office of Victim-Witness Assistance shall develop and coordinate a Statewide victim-witness rights information program.

**C. 52:4B-42 Components.**

4. The victim-witness rights information program shall:

a. Provide victims or their representatives with information about the availability of social and medical services, especially emergency and social services available in the victim's immediate geographical area;

b. Provide victims or their representatives with information about possible compensation under the "Criminal Injuries Compensation Act of 1971," P. L. 1971, c. 317 (C. 52:4B-1 et seq.) and of the sentencing court's authority to order restitution under chapter 43 of Title 2C of the New Jersey Statutes;

c. Provide victims or their representatives with information about how to contact the appropriate county office of victim-witness advocacy and the appropriate county prosecutor's office;

d. Provide a 24-hour toll-free hotline telephone number for victims and witnesses to call with inquiries concerning the information and services available pursuant to this act;

e. Provide victims and witnesses with a detailed description of the rights established under the Crime Victim's Bill of Rights created by P. L. 1985, c. 249 (C. 52:4B-34 et seq.):

f. Gather available information from victim assistance programs throughout the country and make that information available to the Office of Victim-Witness Advocacy, police agencies, hospitals, prosecutors' offices, the courts, and other agencies that provide assistance to victims of crimes; and

g. Sponsor conferences to bring together personnel working in the field of victim assistance and compensation to exchange methods and procedures for improving and expanding services to victims.

**C. 52:4B-43 Office of Victim-Witness Advocacy.**

5. There is established in the Division of Criminal Justice in the Department of Law and Public Safety an Office of Victim-Witness Advocacy under the supervision of the Chief of the Office of Victim-Witness Advocacy.

**C. 52:4B-44 Mandatory services.**

6. a. The Attorney General shall, through the Office of Victim-Witness Advocacy in the Division of Criminal Justice in the Department of Law and Public Safety and in consultation with the county prosecutors, promulgate standards for law enforcement agencies to ensure that the rights of crime victims are enforced.

b. The standards shall require that the Office of Victim-Witness Advocacy in the Division of Criminal Justice and each county prosecutor's office provide the following services upon request for victims and witnesses involved in the prosecution of a case:

(1) Orientation information about the criminal justice system and the victim's and witness's role in the criminal justice process;

(2) Notification of any change in the case status and of final disposition;

(3) Information on crime prevention and on available responses to witness intimidation;

(4) Information about available services to meet needs resulting from the crime and referrals to service agencies, where appropriate;

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- (5) Advance notice of the date, time and place of the defendant's initial appearance before a judicial officer, submission to the court of any plea agreement, the trial and sentencing;
  - (6) Advance notice of when presence in court is not needed;
  - (7) Advice about available compensation, restitution and other forms of recovery and assistance in applying for government compensation;
  - (8) A waiting or reception area separate from the defendant for use during court proceedings;
  - (9) An escort or accompaniment for intimidated victims or witnesses during court appearances;
  - (10) Information about directions, parking, courthouse and courtroom locations, transportation services and witness fees, in advance of court appearances;
  - (11) Assistance for victims and witnesses in meeting special needs when required to make court appearances, such as transportation and child care arrangements;
  - (12) Assistance in making travel and lodging arrangements for out-of-State witnesses;
  - (13) Notification to employers of victims and witnesses, if cooperation in the investigation or prosecution causes absence from work;
  - (14) Notification of the case disposition, including the trial and sentencing;
  - (15) Advice to victims about their right to make a statement about the impact of the crime for inclusion in the pre-sentence report or at time of parole consideration, if applicable; and
  - (16) Expediting the return of property when no longer needed as evidence.

**C. 52:4B-45 County victim-witness coordinators.**

7. a. The Chief of the Office of the Victim-Witness Advocacy shall appoint a county victim-witness coordinator in each county.

b. A county victim-witness coordinator shall be responsible for the implementation of the victim-witness rights program in that county.

c. Each county prosecutor shall provide office space, when available, for the victim-witness coordinator of that county.

d. Each municipality may provide office space for these purposes at minimal or no cost.

**C. 52:4B-46 Coordination with law enforcement agencies.**

8. In providing the information and services mentioned above, the Office of Victim-Witness Advocacy shall coordinate its efforts with the various law enforcement agencies. These agencies are required by P. L. 1985, c. 249 (C. 52:4B-34 et seq.) to inform victims of the availability of this assistance.

**C. 52:4B-47 Training.**

9. a. The curriculum for police training courses required pursuant to P. L. 1961, c. 56 (C. 52:17B-66 et seq.) shall include training on responding to the needs of crime victims and on services available to provide assistance.

b. In-service training shall be made available for police officers, assistant prosecutors, county detectives and investigators on specialized needs of crime victims and available services.

**C. 52:4B-48 Criminal Justice assistance.**

10. The Division of Criminal Justice shall provide assistance to county prosecutors and law enforcement agencies in implementing the guidelines and training requirements of this act.

**C. 52:4B-49 Annual reports.**

11. a. The Chief of the Office of Victim-Witness Advocacy shall annually report to the Attorney General, through the Director of the Division of Criminal Justice in the Department of Law and Public Safety, on the services provided to victims and witnesses, as required by this act.

b. Each county prosecutor, as part of his annual report to the Attorney General pursuant to subsection b. of section 15 of P. L. 1970, c. 74 (C. 52:17B-111), shall report on the services provided to victims and witnesses, as required by this act.

12. This act shall take effect on the 90th day after enactment but any appointment and any action permitted or required by this act and necessary to implement this act as of such date may be made or undertaken any time following enactment.

**Approved January 9, 1986.**



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## **APPENDIX C**

**Assembly Revenue, Finance and Appropriations Committee  
Statement to Assembly, No. 2802**

**(L.1985, c.406 approved 1/9/86 establishing  
Victim and Witness Advocacy Fund)**

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ASSEMBLY REVENUE, FINANCE AND APPROPRIATIONS  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 2802**

[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: APRIL 15, 1985

**PROVISIONS:**

Assembly Bill No. 2802 (OCR) provides for a \$5.00 increase in the mandatory minimum penalty assessed against persons convicted of criminal offenses. The additional \$5.00 assessment is to be deposited in a newly-created Victim and Witness Advocacy Fund, to be administered by the Division of Criminal Justice in the Department of Law and Public Safety. The purpose of the Victim and Witness Advocacy Fund is to "support the development and provision of services to victims and witnesses of crimes and for related administrative costs." The Director of the Division of Criminal Justice is to promulgate rules and regulations to implement the purposes of the fund, and to report annually to the Governor and the Legislature on the fund's operations.

The bill makes it clear that the criminal penalties in question are to be forwarded through the Violent Crimes Compensation Board for transmittal and deposit in the Treasury.

**FISCAL IMPACT:**

It is estimated that the additional \$5.00 assessment would raise approximately \$540,000.00 for deposit in the Victim and Witness Advocacy Fund in 1985.

The committee reports this bill favorably.

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## APPENDIX D

### Rules and Regulations—Administration of Victim and Witness Advocacy Fund (N.J.A.C. 13:78)

#### CHAPTER 78 ADMINISTRATION OF VICTIM AND WITNESS ADVOCACY FUND

##### Authority

N.J.S.A. 2C:43-3.1a(5)

##### Source and Effective Date

R.1989 d 156, effective March 20, 1989

See 20 N.J.R. 2997(b), 21 N.J.R. 774(b)

##### Executive Order 66(1978) Expiration Date

Pursuant to the requirements and criteria of Executive Order 66(1978), this chapter expires  
on March 20, 1994

#### CHAPTER TABLE OF CONTENTS

##### SUBCHAPTER 1. GENERAL PROVISIONS

- 13:78-1.1 Purpose
- 13:78-1.2 Legal authority

##### SUBCHAPTER 2. USE OF FUND DISTRIBUTIONS

- 13:78-2.1 Use of Victim and Witness Advocacy Fund distributions

##### SUBCHAPTER 3. DISBURSEMENT FROM FUND

- 13:78-3.1 Disbursement from Victim and Witness Advocacy Fund

##### SUBCHAPTER 4. ACCOUNTING AND AUDIT

- 13:78-4.1 Accounting, reporting and audit

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##### SUBCHAPTER 1. GENERAL PROVISIONS

###### 13:78-1.1 Purpose

The rules in this chapter govern the administration of the Victim and Witness Advocacy Fund created pursuant to N.J.S.A. 2C:43-3.1a. This Fund is legislatively mandated to support the development and provision of services to victims and witnesses of crimes, and for related administrative costs. All monies distributed according to this chapter shall be used to implement the Attorney General Standards to Ensure the Rights of Crime Victims, promulgated pursuant to the provisions of N.J.S.A. 52:4B-44a and b.

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### **13:78-1.2 Legal authority**

The Director of the Division of Criminal Justice within the Department of Law and Public Safety is charged with the responsibility to establish rules deemed necessary to effectuate the purposes of the Fund under N.J.S.A. 2C:43-3.1a(5).

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## **SUBCHAPTER 2. USE OF FUND DISTRIBUTIONS**

### **13:78-2.1 Use of Victim and Witness Advocacy Fund distributions**

Monies from the Fund which are distributed to the county prosecutors shall be applied exclusively toward the implementation of the Attorney General Standards, and shall not supplant regular county funding or any other outside funding currently in existence. These monies may be used to establish or enhance victim-witness waiting rooms, to hire personnel to provide services in accordance with the Standards, to purchase computer equipment to maintain communications with victims and witnesses, or for such other purposes as the Director of the Division of Criminal Justice may authorize.

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## **SUBCHAPTER 3. DISBURSEMENT FROM FUND**

### **13:78-3.1 Disbursement from Victim and Witness Advocacy Fund**

(a) Monies deposited in the Victim and Witness Advocacy Fund shall be distributed as follows:

1. To the State Office of Victim-Witness Advocacy as follows:

i. Monies first shall be allocated to provide complete funding for the State Office of Victim-Witness Advocacy within the Division of Criminal Justice established pursuant to N.J.S.A. 52:4B-43, and shall be in an amount sufficient to provide for all staff salaries and any other necessary operational expenses.

ii. After deductions are made from the Fund for the operation of the State Office of Victim-Witness Advocacy, any remaining monies may be distributed, according to the Director's discretion, to the entities in (a)2 and 3 below that are in compliance with N.J.S.A. 52:4B-43 et seq.

2. To the county Offices of Victim-Witness Advocacy. In distributing monies to the 21 county Offices of Victim-Witness Advocacy within

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each county prosecutor's office established pursuant to N.J.S.A. 52:4B-44b and 52:4B-45, the following procedures shall be followed:

i. Each year, immediately preceding the fiscal year budget preparation period for county prosecutors' offices, the Director shall inform the county prosecutors of the monies available to assist with the operation of their county Office of Victim-Witness Advocacy for the next year.

ii. Upon receipt of this notification, each county prosecutor shall provide the State Office of Victim-Witness Advocacy with an estimation of the costs to operate the county Office of Victim-Witness Advocacy, extracted to the extent possible from the overall budget to be submitted to the respective county governing body. These estimated figures shall be supplied on a form provided by the State Office of Victim-Witness Advocacy. The estimated budget request figures shall indicate the salary costs for the County Victim-Witness Coordinator and other personnel, as well as an approximation of other expenses such as equipment, motor vehicles, travel and training.

iii. The county prosecutor, in consultation with the county victim-witness coordinator, shall also provide to the State Office of Victim-Witness Advocacy a detailed description of proposals and associated projected costs intended to enhance the basic provision of services to victims and witnesses, which would be provided by an appropriation from the Fund, and which would be necessary to comply with the Attorney General Standards.

iv. The Chief of the State Office of Victim-Witness Advocacy shall review the funding application submitted by each county prosecutor and, subject to the Director's approval, shall allocate monies to each county prosecutor for contribution toward the provision of services for victims and witnesses in that county. The Director may reject any costs deemed excessive or not integral to the implementation of the Attorney General Standards.

v. Monies from the Fund may be withheld from a county until that county's governing body approves the county prosecutor's budget request for the county Office of Victim-Witness Advocacy, as was furnished in the application form previously submitted to the State Office of Victim-Witness Advocacy. If the county governing body appropriates an amount to the county prosecutor which differs from the original budget request, the prosecutor shall submit to the State Office of Victim-Witness Advocacy a revised funding application. In its discretion, the State office shall modify its allocation accordingly.

vi. The Chief of the State Office of Victim-Witness Advocacy, subject to the Director's approval, may allocate to a county additional funding for special projects or other such purposes over and above the

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regular award. A county seeking such additional funding shall comply with normal application procedures as provided above.

3. To other public entities. After the allocation of monies as described in (a)2 and 3 above, the State Office of Victim-Witness Advocacy, with the Director's approval, may distribute funds to municipalities or other public entities as deemed appropriate for the implementation of the Attorney General Standards.

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#### **SUBCHAPTER 4. ACCOUNTING AND AUDIT**

##### **13:78-4.1 Accounting, reporting and audit**

(a) A county prosecutor's office which receives monies from the fund shall maintain a separate account in which such monies shall be held, along with detailed records of all receipts, expenditures and unexpended balances. Each county office shall submit to the State Office of Victim-Witness Advocacy a quarterly report documenting these figures, as well as an annual report at the end of each fiscal year. Any unexpended balances at the end of the fiscal year are subject to return to the State.

(b) The Division reserves the right to periodically audit the records of any county prosecutor's office receiving monies from the Fund.

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**APPENDIX E**

**County Allocations - Formula Calculation**

**Table, FY 91**

**COUNTY ALLOCATIONS OBLIGATED FY 91**

| (Based on \$400,000) |                  |             |                  |             |                                |             |             |                     |
|----------------------|------------------|-------------|------------------|-------------|--------------------------------|-------------|-------------|---------------------|
| 1989                 |                  |             |                  |             |                                |             |             |                     |
| County               | Population       | %           | 1989 Crime Index | %           | Total Defendant Cases Reviewed | %           | Average %   | Amount              |
| Atlantic             | 212,880          | 2.8         | 24,071           | 5.9         | 7,750                          | 6.0         | 4.9         | \$ 19,455.00        |
| Bergen               | 827,076          | 10.7        | 27,859           | 6.8         | 6,895                          | 5.4         | 7.6         | 27,420.00           |
| Burlington           | 396,994          | 5.1         | 11,758           | 2.9         | 4,304                          | 3.4         | 3.8         | 16,210.00           |
| Camden               | 500,553          | 6.5         | 29,755           | 7.3         | 7,786                          | 6.1         | 6.6         | 24,470.00           |
| Cape May             | 95,889           | 1.2         | 6,661            | 1.6         | 2,217                          | 1.7         | 1.5         | 9,425.00            |
| Cumberland           | 138,425          | 1.8         | 7,910            | 1.9         | 2,539                          | 2.0         | 1.9         | 10,605.00           |
| Essex                | 838,455          | 10.9        | 79,520           | 2.0         | 21,351                         | 19.0        | 16.6        | 53,970.00           |
| Gloucester           | 218,777          | 2.8         | 8,708            | 2.1         | 2,090                          | 1.6         | 2.2         | 11,490.00           |
| Hudson               | 540,979          | 7.0         | 41,524           | 10.1        | 16,942                         | 13.2        | 10.1        | 34,795.00           |
| Hunterdon            | 100,510          | 1.3         | 1,602            | .4          | 774                            | .6          | .8          | 7,360.00            |
| Mercer               | 331,713          | 4.3         | 20,480           | 5.0         | 8,195                          | 6.4         | 5.2         | 20,340.00           |
| Middlesex            | 653,218          | 8.5         | 26,540           | 6.5         | 8,480                          | 6.6         | 7.2         | 26,240.00           |
| Monmouth             | 559,717          | 7.3         | 19,612           | 4.8         | 8,847                          | 7.0         | 6.4         | 23,880.00           |
| Morris               | 420,607          | 5.4         | 12,349           | 3.0         | 3,149                          | 2.5         | 3.6         | 15,620.00           |
| Ocean                | 412,974          | 5.3         | 16,180           | 4.0         | 5,349                          | 4.2         | 4.5         | 18,275.00           |
| Passaic              | 463,408          | 6.0         | 28,702           | 7.0         | 7,702                          | 6.0         | 6.4         | 23,880.00           |
| Salem                | 66,254           | .9          | 2,003            | .5          | 990                            | .7          | .7          | 7,065.00            |
| Somerset             | 227,312          | 2.9         | 6,925            | 1.7         | 1,641                          | 1.3         | 2.0         | 10,900.00           |
| Sussex               | 126,633          | 1.6         | 2,623            | .6          | 772                            | .6          | .9          | 7,055.00            |
| Union                | 499,727          | 6.5         | 30,696           | 7.5         | 6,363                          | 5.0         | 6.3         | 23,585.00           |
| Warren               | 88,976           | 1.2         | 1,719            | .4          | 1,204                          | .9          | .8          | 7,360.00            |
| <b>Totals</b>        | <b>7,721,077</b> | <b>100%</b> | <b>407,197</b>   | <b>100%</b> | <b>128,340</b>                 | <b>100%</b> | <b>100%</b> | <b>\$400,000.00</b> |



**APPENDIX F**

**Victim and Witness Advocacy Fund - Establishment**

**(N.J.S.A. 2C:43-3.1a(4)and(5))**

**2C:43-3.1. Disposition of Fines in Criminal Matters.**

a.(1) In addition to any disposition made pursuant to the provisions of N.J.S. 2C:43-2, any person convicted of a crime of violence resulting in the injury or death of another person shall be assessed a penalty of at least \$30.00, but not to exceed \$10,000.00 for each such crime for which he was convicted. In imposing this penalty, the court shall consider factors such as the severity of the crime, the defendant's criminal record, defendant's ability to pay, and the economic impact of the penalty on the defendant's dependents.

(2)(a) In addition to any other disposition made pursuant to the provisions of N.J.S. 2C:43-2 or any other statute imposing sentences for crimes, any person convicted of any disorderly persons offense, any petty disorderly persons offense, or any crime not resulting in the injury or death of any other person shall be assessed a penalty of \$30.00 for each such offense or crime for which he was convicted.

(b) In addition to any other disposition made pursuant to the provisions of section 20 of P.L. 1973, c. 306 (C. 2A:4-61) or any other statute indicating the dispositions that can be ordered for adjudications of delinquency, any juvenile adjudicated delinquent, according to the definition of "delinquency" established in section 3 of P.L. 1973, c. 306 (C. 2A:4-44), shall be assessed a penalty of at least \$15.00 for each such adjudication, but shall not exceed the amount which could be assessed if the offense was committed by an adult.

(3) All penalties provided for in this section shall be collected as provided for collection of fines and restitution in section 3 of P.L. 1979, c. 396 (C. 2C:46-4) and forwarded to the Violent Crimes Compensation Board for use as provided in subsection (4) hereof.

(4) All moneys collected pursuant to subsections 1 and 2 shall be forwarded by the Violent Crimes Compensation Board to the State Treasury to be deposited in a separate account for use by the Violent Crimes Compensation Board in satisfying claims and for related administrative costs, pursuant to the provisions of the "Criminal Injuries Compensation Act of 1971," P.L. 1971, c. 317 (C. 52:4B-1 et seq.) except that after the Violent Crimes Compensation Board shall have received the first \$25.00 of each penalty assessment per count for an adult offender or the first \$10.00 of each penalty assessment per count for a juvenile offender, then the next \$5.00 of each penalty assessment collected shall be forwarded by the Violent Crimes Compensation Board to the State Treasury to be deposited in a separate account to be known as the Victim and Witness Advocacy Fund to be administered by the Department of Law and Public Safety as provided herein. If the initial penalty assessment is greater than \$30.00 for an adult offender or \$15.00 for a juvenile offender then any penalty assessment money collected after the \$5.00 allocated to the Victim and Witness Advocacy Fund shall be forwarded by the Violent Crimes

Compensation Board to the State Treasury to be deposited in the separate account for use by the Violent Crimes Compensation Board as provided for in this subsection. The parties responsible for collection of the penalty assessment, the municipal court clerks, the county probation departments and the Department of Corrections shall provide the Violent Crimes Compensation Board with a monthly accounting of the penalty assessment collections which enables the Violent Crimes Compensation Board to accurately identify the \$5.00 share allocatable to the Victim and Witness Advocacy Fund.

(5) The Department of Law and Public Safety through the Division of Criminal Justice shall be responsible for administering the Victim and Witness Advocacy Fund. This fund shall be used to support the development and provision of services to victims and witnesses of crimes and for related administrative costs. The Director of the Division of Criminal Justice shall promulgate rules and regulations in order to effectuate the purposes of this fund.

(6) The Division of Criminal Justice shall report annually to the Governor and the Legislature concerning the implementation of this fund.

b. All moneys, including fines and restitution, collected from a person convicted of any disorderly persons offense, any petty disorderly persons offense, from any juvenile adjudicated delinquent or any crime shall be applied first to any penalty imposed pursuant to this section upon such a person.

c. An adult prisoner of a State correctional institution who has not paid a penalty imposed pursuant to this section shall have the penalty deducted from any income the inmate receives as a result of labor performed at the institution or any type of work release program.

d. If any person, including an inmate, fails to comply with any of the terms or penalties imposed pursuant to this section the court may, in addition to any other penalties it may impose, order the suspension of the person's driver's license or nonresident reciprocity privilege, or prohibit the person from receiving or obtaining a license until the terms or penalties are complied with. The court shall notify the Director of the Division of Motor Vehicles of the action. Prior to any action being taken pursuant to this subsection, the person shall be afforded notice and a hearing before the court to contest the charge of failure to comply.

*(Chgd. by L.1985, c.251(1), c.406; L.1987, c.106(11), eff. 6/22/87.)  
(L.1987, c.106(11) was corrected by the Legislative Counsel with the concurrence of the Attorney General.)*