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# Victims and Witnesses in the Juvenile Justice System Development Program

## Assessment Report

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# Introduction

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## What Is the Victims and Witnesses in the Juvenile Justice System Development Program?

The Victims and Witnesses in the Juvenile Justice System Development Program is a three year development process sponsored by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The purpose of the program is to develop and test model approaches to serving victims and witness of juvenile crime. The program is divided into four phases:

- an assessment phase to assess current practices toward and knowledge about victims and witnesses in the juvenile system
- a prototype development phase to develop model program designs based on successful programs in operation
- a training and technical assistance phase to facilitate implementation of the prototype designs
- and a test design phase to ensure that program models are faithfully implemented and evaluated.

Each phase is designed to serve as a basis for decision-making about subsequent stages and to result in a publishable product. This report marks the conclusion of the assessment phase.

## What is the purpose of this report?

We summarize what is currently known about theory and practices concerning victims and witnesses in the juvenile justice system. The specific questions the assessment report addresses are:

- What is currently known about victims and witnesses in general and in the juvenile justice system in particular
- What are the statutory provisions influencing the adoption and delivery of victim/witness services in the juvenile justice system?
- How are victims and witnesses in the juvenile justice system currently treated?

- What promising approaches to victim/witness assistance exist in the juvenile justice system?
- What are the implications of these findings for the remainder of the Victims and Witnesses in the Juvenile Justice System Development Program?

This report is intended not only to summarize what is known about victims and witnesses in the juvenile justice system, but to stimulate interest among juvenile justice decision-makers in improving services to them. A handbook with more detailed guidelines for designing and implementing programs will be available at the conclusions of the prototype development phase of the work.

### **How did we conduct the assessment?**

The assessment of current practices towards victims and witnesses in the juvenile justice system is based on data from five sources:

- a review of the literature
- a statutory analysis
- a mail survey of juvenile justice practitioners and victim service providers
- a telephone survey of programs currently working with victims of juveniles
- site visits to six programs.

**The literature review.** We reviewed the body of literature available on the consequences of victimization and the programs established to assist victims and witnesses, both in the criminal justice and the juvenile justice systems.

**The statutory survey.** We analyzed both juvenile and adult statutes affecting victims and witnesses of juvenile crime. For information on victim or witness related provisions in adult criminal statutes we consulted the files of the American Bar Association's project on victim impact statements, the files of the National Organization of Victim Assistance (NOVA) and NOVA's annual legislative directory, *Victims Rights and Services*. To locate victim provisions in the state juvenile codes we employed the National Center for Juvenile Justice in Pittsburgh, Pennsylvania to search their automated juvenile law archive on four topics -- the

rights of victims of juvenile crimes, the confidentiality of juvenile names and juvenile court delinquency records, the introductory clause describing the purpose of the codes, and dispositional alternatives for juvenile offenders.

**The mail surveys.** There were two mail survey samples -- a sample of officials and victim assistance programs in 151 counties (the county sample) and a random sample of victim witness programs (the program sample). The focus of the mail survey was on current procedures and services affecting victims and witnesses of juvenile crime.<sup>1</sup>

**The county sample.** Within each of the sample counties we sent survey instruments to the presiding juvenile court judge, the chief juvenile probation officer, the largest police agency, the prosecutor in charge of juvenile delinquency matters, and representatives from every victim/witness assistance program we were able to identify. Each type of agency received a different instrument, although some of the questions are identical on all of the forms. We had a 61 percent response rate for the county survey.

**The program sample.** We mailed surveys to a random sample of 10 percent of the 5,600 victim witness service providers on the National Organization of Victim Assistance mailing list. The response rate for this sample was 68 percent.

**The telephone survey.** We conducted telephone interviews with approximately 40 victim witness assistance programs that had caseload figures indicating a strong involvement in the juvenile justice system. We inquired about their project history, target population, services, and organizational structure.

**The site visits.** We made three-day site visits to six programs with promising strategies for serving victims and witnesses of juvenile crime. The six programs selected for visits were:

- the District Attorney's Victim Witness Unit in Boulder, Colorado

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<sup>1</sup> Appendix A is a description of the mail survey methods.

- the Delaware County Juvenile Court Victim Services Unit in Media, Pennsylvania
- the Lutheran Social Services Victim Witness Services Program in Wauwatosa, Wisconsin
- The Victim Witness Assistance Program in Santa Ana, California
- the Victim Witness Services Program in West Palm Beach, Florida
- the Victim Witness Assistance Unit in Yakima, Washington.

We scheduled interviews at each site with the project director and staff, local judges, police representatives, the chief probation officer, the court administrator, public defender, and the prosecutor in charge of handling juvenile cases.

### **What are the boundaries of this assessment?**

The focus of our work is on victims and witnesses who have suffered or witnessed crimes committed by juveniles. We are interested in victims and witnesses who are under age 18 only insofar as they are victims and witnesses of crimes committed by those under 18. Our focus does not include all facets of the juvenile court<sup>2</sup> which, in many jurisdictions, handles status offenses, child abuse and neglect, custody, and divorce cases as well as juvenile delinquency. In identifying programs that serve the population victimized by juveniles, we excluded from consideration two types of programs that are topics of other ongoing OJJDP efforts -- restitution programs that do not offer some other victim or witness assistance and witness assistance programs that focus on child victims of sexual assault.<sup>3</sup>

In this report, when we refer to "victims" we mean persons who have had a criminal or delinquent offense committed against them, or in the case of homicides, we mean the family members of the homicide victims. Often, victims are required to serve as witnesses. However, when we refer to "witnesses" without further

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<sup>2</sup> In this study the term "juvenile court" means any court with jurisdiction over juvenile offenses committed by juveniles regardless of the formal name of the court. "Juvenile court proceedings" mean any proceedings before this court.

<sup>3</sup> There were other boundary decisions made as the assessment progressed; these are discussed later in the text.



qualification, we mean anyone -- victim or nonvictim -- who has been or may be subpoenaed to appear before the court. When we refer to "victims and witnesses," we intend to encompass all types of witnesses along with victims.

### **How is this report organized?**

Chapter 1 reports the results of our survey of existing literature on assisting victims and witnesses in general and victims and witnesses of juvenile offenders in particular. Chapter 2 looks at the degree to which victim assistance concepts have permeated the juvenile system both in terms of legislative mandates for the treatment of victims of juvenile crime and in terms of the victim participation in the juvenile justice process. Chapter 3 describes the characteristics of prototypical programs providing services to victims and witnesses of juvenile crime and the extent to which current victim witness assistance programs address this group. Chapter 4 summarizes the state of knowledge about victim witness assistance in the juvenile justice system and presents recommendations for the next phases of OJJDP's Victims and Witnesses in the Juvenile Justice System Development Program.

# **I. What Is Known About Victims and Witnesses of Juvenile Crime?**

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This chapter summarizes the results of our literature review. There is a sizable body of literature available on the consequences of victimization for the general population of victims, as well as on the programs established to help them. However, although juveniles account for a substantial share of crime in the U. S., we found limited information available about victims and witnesses in the juvenile justice system, the problems they face, and the services they receive. The lack of attention in the literature to victims and witnesses of juvenile crime may reflect a service gap for this population.

## **Criminal victimization is widespread**

According to the National Crime Panel Survey, U.S. households suffered nearly 35 million criminal victimizations in 1987. Sixteen percent of the crimes counted by this survey were personal crimes of violence and 38 percent were personal larcenies. The remaining 46 percent were made up of household burglaries, larcenies, and motor vehicle thefts (Bureau of Justice Statistics, 1988a). One out of four households was affected (Bureau of Justice Statistics, 1988c).

Estimates are that almost everyone will be the victim of a personal theft at least once in their lifetime, and nearly three out of four people will have their homes burglarized. Five out of six will be the victims of a rape, robbery, or assault -- completed or attempted -- and two out of five will be injured in the process (Bureau of Justice Statistics, 1987).

## **Juveniles are responsible for much of the victimization that occurs, particularly crimes against property**

Juveniles commit a substantial proportion of U.S. crime. Although youths aged 12 to 17 make up only 8.6 percent of the population, crime survey respondents report that 16.3 percent of the single-offender crimes of violence were committed by that age group (Bureau of Justice Statistics, 1986). Similarly, juveniles are over-represented among those arrested for UCR index crimes, where youth under age 18 made up 29.1 percent of the arrestees in 1987.<sup>4</sup> Youth contribute particularly heavily to property crimes -- accounting for 32.7 percent of these arrests -- but still constituted 15.4 percent of the arrestees for violent crimes (Federal Bureau of Investigation, 1988).

## **Research has taught us that crime is traumatic and costly for its victims**

Over the past two decades, we have learned a great deal about the consequences of victimization. First and foremost, victimization affects people psychologically. It is emotionally upsetting and leaves people with negative feelings that may include shame, fear, a sense of loss of control, and anger. While the level of distress tends to diminish over time, many victims suffer the aftereffects for months or even years (American Psychological Association, 1984; Freidman, Bischoff, Davis, & Person, 1982; Cook, Smith, & Harrell, 1987).

It is not surprising that sexual assaults and other very serious crimes are traumatizing, but more recent evidence suggests that a much broader range of victims suffers adverse psychological consequences (Bourque *et al.*, 1978; Burt & Katz, 1985; Lurigio, 1987; Resick, 1987). Research also confirms that the psychological effects of victimization often extend beyond the victims themselves to their families, friends, and neighbors (Freidman *et al.*, 1982).

Of course, many victims suffer more tangible consequences too. About 30 percent of the victims of violent crime are physically injured (Bureau of Justice Statistics, 1988d). And many crimes involve loss or damage to property, or loss of time from

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<sup>4</sup> Index crimes include murder, nonnegligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny, larceny-theft, motor vehicle theft, and arson.

work. In the aftermath of a crime, some victims will take new security measures, change jobs or residences, seek legal advice, or take other steps that have an added financial impact.

**There is widespread dissatisfaction among victims and witnesses who participate in the criminal justice process**

As we have learned more about the trauma of the victimization experience itself, we also have become more aware of the way that participation in the criminal justice process affects victims. The majority (63%) of crimes are never reported to the police (Bureau of Justice Statistics, 1988a). When crimes are reported, however, victims may find their contacts with criminal justice personnel disappointing, frustrating, and sometimes even as traumatizing as the crime itself.

Sexual assault victims -- confronted perhaps by insensitive system personnel, as well as the ordeal of testifying -- tend to come to mind first in this context. But surveys show that among the broader population of victims, there are other widespread sources of dissatisfaction (Knudten, Meade, Knudten, & Doerner, 1976; National District Attorneys Association, 1976; Shapland, 1986; Maguire, 1985). These include:

- lack of information about the status of the case, the victim's role in the process, and the schedule for court appearances;
- the system's indifference to the victim's feelings and preferences about how the case is handled; and
- the many inconveniences and costs associated with repeated, sometimes unnecessary, trips to court.

Some victims and witnesses fear retaliation by the suspect as well. Others are annoyed by delays in obtaining return of their stolen property. While there is some debate as to whether the public in general supports harsher sanctioning of offenders (Criminal Justice Newsletter, 1988; Warr, Gibbs & Erickson, 1982; Thomson & Ragna, 1987; Bureau of Justice Statistics, 1988b), recent studies show that victims are more satisfied when the defendant is convicted and incarcerated and tend to believe that judges are too lenient (Forst & Hernon, 1985; Villemoore & Neto, 1987).

There is some evidence that victims are more satisfied with the system and the outcome of the case if they know the outcome or perceive that they have influenced it (Hagan, 1982; Forst & Hernon, 1985). Other research on victims' attitudes also suggests that greater involvement in the process might result in more favorable attitudes toward the system (Kelly, 1984; Shapland, 1986).

**Limited evidence indicates that victims' experiences and concerns are similar whether the offender is a juvenile or an adult**

Few studies have focused specifically on the victims or witnesses of juvenile crime and their experiences with the juvenile justice system. Two exceptions are a statewide survey of victims and probation officers sponsored by the Pennsylvania Juvenile Court Judges Commission (Hinrichs, 1981) and a study of victims and court officials in New York City conducted by the Victim Services Agency (Davis & Schraga, 1984). The people who responded to these surveys may not be representative of all victims in their own jurisdictions and the jurisdictions themselves are unique in some ways. Nonetheless, many of the findings appear consistent with other research on victims.

**In New York City --**

- Researchers highlighted several problems encountered by victims of juvenile crime, including poor communication with prosecutors, heavy demands on the victims' time, and dissatisfaction with the outcome of the case. Most of those who were dissatisfied with the outcome would have preferred a more punitive disposition. Many did not know the outcome.
- Of those victims saying they needed assistance, 41 percent reported needing someone to talk to, 24 percent needed help negotiating the court process, and 19 percent reported having been threatened. (Over half had actually received some formal assistance from the Victim Services Agency). Victims were least likely to get formal or informal help with financial or shelter problems, or with threats.

**In Pennsylvania --**

- Victims of juvenile crime expressed fear, frustration, and a sense of helplessness. Many victims also reported significant financial losses and complained of various inconveniences associated with going to court.

- Thirty-six percent were dissatisfied with the information they had received on the progress of the case. Forty-four percent said they did not know how their case turned out.
- Victims were more satisfied if they had appeared in juvenile court, knew the case outcome, perceived that they understood the juvenile justice system, or had been awarded or expected to receive restitution.

In both studies, victims who felt they had been consulted by system personnel tended to be more satisfied with the handling of their cases.

Because no studies systematically compare victims of juveniles with victims of adults, we do not know whether their distress and dissatisfaction are similar in intensity and duration. The types of complaints and concerns voiced in the two studies discussed above do not appear to be dramatically different.

All the same, there are reasons to suspect that victims and witnesses of juvenile crime might have some unique needs and concerns. One reason relates to the demographic characteristics of juvenile victims, another to the special mission of the juvenile court.

#### **Victims of juvenile crime may be younger than victims of adult crime**

There are no comprehensive data available on the demographic characteristics of victims of juvenile crime. However, crime survey data show that for crimes of violence, people are most likely to be victimized by others within their own age group. The pattern seems particularly marked for young teens, those aged 12 to 15. Among this group of victims, 61 percent perceived their offender to be age 17 or under. For victims aged 16 to 19, 21 percent reported the offender to be a juvenile (Bureau of Justice Statistics, 1986).<sup>5</sup>

These data are generally consistent with other evidence that offenders and their victims are demographically similar and have similar lifestyles (Garofalo, 1986). Thus, it seems likely that victims of violent crime by juveniles will be younger, on

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<sup>5</sup> Twenty percent in each group reported the offenders to be of mixed ages or did not know the age.

average, than victims of older offenders. We do not know whether the same would hold true for victims of juvenile property offenders.

It seems plausible that victims who are themselves juveniles might differ from older persons in their initial reactions to victimization, as well as to the experience of participation in the juvenile justice process. This proposition is generally accepted for child victims of sexual abuse, who have received a good deal of research attention (Whitcomb, Shapiro, & Stellwagen, 1985). No studies have systematically examined this question for a broader population of young victims. Victim surveys have limited themselves to adults, or have not reported separate results for younger respondents.

**Victims of juvenile offenders are likely to encounter a court process that is different from that faced by victims of adult crime**

Of those crimes that are reported to police, about 21 percent will result in an arrest (Federal Bureau of Investigation, 1988). If the arrest involves a juvenile, ordinarily the case will be handed over to the intake unit of the juvenile court. Depending on the jurisdiction and the nature of the case, either the intake unit or the prosecutor's office then decides whether to file charges. Often, particularly when the offense is minor or the youth has no record, the case is handled informally or dropped. If charges are filed, usually the case is heard in the juvenile court.<sup>6</sup>

Historically, the juvenile court has been envisioned as a protector of children who, because of their immaturity, are less culpable and responsible than adults (Springer, 1986; Davis, 1974; Rossum, Keller & Manfredi, 1987). Under this *parens patriae* doctrine, proceedings have been conceptualized as civil, nonadversarial and informal, with the primary purpose being the development of individualized rehabilitation programs for young offenders (Davis, 1974; Rossum *et al.*, 1987; Emerson, 1969). While court decisions in recent years have extended most of the due process safeguards of the adult criminal courts to juveniles, other differences between adult and juvenile proceedings persist in most jurisdictions (Feld, 1987; Rubin, 1986;

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<sup>6</sup> Another alternative is to prosecute the case in an adult criminal court. All states permit this under some circumstances, but the cases transferred to adult court usually make up a very small proportion of all juvenile prosecutions (Feld, 1987).

Greenwood, undated). Typically, the terminology in juvenile court is different -- we speak of "delinquency" rather than crime, "adjudication" rather than conviction. The protective function has been maintained by keeping the names of delinquent or accused juveniles confidential and the court hearings closed to the public.

When a juvenile case reaches "disposition" (sentencing) in most jurisdictions, the judge is expected to consider the youth's treatment or rehabilitative needs (Greenwood, undated). In some states, this is the only legitimate consideration according to statute. In every state, there is an age ceiling on the juvenile court's jurisdiction. In the majority of states, the ceiling is age 21, but it ranges from 18 to 23 in others. This means that in very serious cases, juvenile judges can never impose sentences as long as those permitted in the criminal courts, because lengthy sentences would exceed the age at which the court has jurisdiction. On the other hand, for less serious crimes, juveniles can receive longer terms in the juvenile system than in the adult system if the sentence is consistent with their rehabilitative needs (Davis, 1974; Smith, 1980).

It is unclear how well victims and witnesses of juvenile crime comprehend the system in which their cases are adjudicated or the possible outcomes. In the Pennsylvania study, however, nearly half of all victims of juvenile crime admitted that they understood little or nothing of the juvenile justice system (Hinrichs, 1981).

#### **There has been considerable progress in responding to the needs and concerns of crime victims and witnesses**

The pressure to treat crime victims and witnesses better has come from at least two directions. Many law enforcement and criminal justice officials argue that better treatment of victims and witnesses is essential for **effective system performance**. Studies showing low rates of crime reporting and pervasive "witness problems" tend to bear them out (Cannavale & Falcon, 1976; National District Attorneys Association, 1976; Brosi, 1979). Meanwhile, many victims and their advocates, concerned citizens, and public officials argue that victims deserve better treatment as **a matter of right**, regardless of the consequences for the system.

State and national policy-makers have responded to these concerns in several ways. The U.S. Department of Justice, under the auspices of the Law Enforcement



Assistance Administration and the National Institute of Justice, began supporting experimentation with victim witness assistance in the mid-1970s. Since then, the Justice Department and other federal agencies such as the National Institute of Mental Health have sponsored many of the studies on which our current understanding of victimization is based.

In 1982, victim concerns were given a new boost by a Presidential Task Force on Victims of Crime, which held hearings across the country and issued over 60 recommendations. The Congress passed a major Victim and Witness Protection Act the same year and a Victims of Crime Act (VOCA) in 1984. At least 39 states have enacted victim compensation statutes (Bureau of Justice Statistics, 1983). Forty-five states have enacted comprehensive bills of rights for victims. Even states without comprehensive legislation acknowledge the concerns of victims in their codes -- for example, authorizing restitution, requiring that victims be notified of key court proceedings, or assessing offenders a penalty fee in order to generate revenue for victim services (Bureau of Justice Statistics, 1983,1984).

In this climate, hundreds of programs to assist crime victims and witnesses -- often assisted by public funds -- have sprung up in local communities in the last 15 years. A 1976 inventory (Stein, 1977) found 72 local victim/witness programs, not counting restitution programs, compensation programs, or special projects directed at victims of sexual assault, child abuse, or domestic violence. By 1980, when a new survey was completed, this number had grown to 280 (Cronin & Bourque, 1980). By 1986, the National Organization of Victim Assistance estimated the number of programs to be closer to a thousand.

#### **Victim witness assistance strategies nationwide are very diverse**

Researchers have studied many victim and witness assistance programs and documented their characteristics and consequences. The programs that have been studied operate primarily in the adult criminal justice system, or deal mainly with the immediate trauma of victimization, rather than the prosecution and court process.

Well-known and respected programs are operated by a wide variety of agencies, with varying levels of resources, in vastly different legal and social environments.

Multiple victim witness assistance efforts, each with its own area of expertise and clientele, often coexist in the same community. Over time, the programs that survive are those that have worked out a comfortable accommodation with key criminal justice personnel, can adapt to the obstacles and opportunities of their own particular jurisdiction, and have convinced funding sources that they do not duplicate services available from other criminal justice and human service agencies (Cronin & Bourque, 1980; Finn & Lee, 1987).

Conceptually, it is possible to distinguish different "models" of victim witness assistance (Cronin & Bourque, 1980). The distinctions rest primarily on the nature of program goals, the point of intervention, and service emphasis.

- Programs approximating the "victim" or "victim-oriented" model tend to focus on serving victims rather than witnesses and intervene immediately after the crime, whether or not an arrest has been made. They tend to concentrate on crisis intervention and other counseling services, as well as referral and advocacy with other community agencies. Often these programs are based in law enforcement agencies or community organizations.
- Programs approximating the "witness" or "system-oriented" model serve victims and other witnesses in cases where an arrest has been made and prosecution is certain or likely. While staff provide some counseling and referral, they invest considerable effort in notifying victims and witnesses of court schedules and results, orienting people to the court process, and arranging for any assistance that is necessary to get them to court when needed. These programs are often operated by prosecutors' offices or at least are located in the courthouse.

In practice, many programs represent mixed models, having grown incrementally in response to changes in available funds, state legislation, and perceptions of local problems. Some of the most comprehensive programs incorporate full-fledged victim-oriented and witness-oriented components. The agency that sponsors a program may predispose it to one model or another, and each type of sponsorship has its potential advantages and drawbacks (Finn & Lee, 1987). Most programs express a dual concern for easing the victim's trauma and making the system perform better.

## Research points to many advantages of victim witness assistance services

In any case, we know much more about specific service components than we do about overall models. There is reasonable support in the literature for the following statements:

- Victim witness programs deliver many support services, such as transportation, orientation, referral to social services, and notification of case status, that can be considered "goods" in themselves (Cronin & Bourque, 1980; Forst & Hernon, 1985).
- Crisis intervention and victim witness support services are popular with clients and with criminal justice officials. Observers believe that victims and witnesses deserve this kind of help and think the services help the system operate more efficiently (Cook *et al.*, 1987; Cronin & Bourque, 1980; Davis, undated).
- Witness notification and management services can save time and money for victims and witnesses and cut police overtime budgets (although the latter may not be popular with individual police officers) (Bolin, 1980; Cronin & Bourque, 1980; Fry & Miller, 1979).
- Witness management and notification services may produce some modest improvements in witness appearance rates (about 10-15% higher than comparison groups) (Cronin & Bourque, 1980).
- When programs assist victims in obtaining restitution or compensation, probably more claims are filed and possibly there are more awards. Victims who receive restitution report more satisfaction than those who do not (Schneider, 1985). Restitution may result in reduced recidivism rates (Schneider, 1986) and reduced overall offense rates (Schneider & Schneider, 1984) when compared with traditional juvenile sanctions.

Apparently victim witness assistance programs do not resolve all of the problems that they were originally designed to address. Although programs may improve witness appearance rates, there is only limited evidence that programs lower overall dismissal rates, speed up case processing, or increase convictions (Cronin & Bourque, 1980). Also, victims who have received brief crisis counseling do not show appreciably different levels of psychological trauma at follow-up than other victims (Cook, Smith, & Harrell, 1987; Davis, n.d.). Finally, the evidence is mixed as to whether victim witness assistance produces greater satisfaction with the system in general or a stronger predisposition to cooperate in the future (Forst & Hernon, 1985;

Villemoare & Neto, 1987; Cronin & Bourque, 1980). Possibly, these types of program effects are too slight to detect with typical evaluation designs.

Some other components of victim witness assistance programs have not been systematically evaluated, but practitioners and observers believe them to be important. These components include the use of victim impact statements and other strategies to provide greater victim involvement in decision-making, as well as measures to protect victims and witnesses from intimidation. However, one study has shown that while few victims exercise their statutory right to appear at sentencing, those who have received help from a victim service program are more likely to do so (Villemoare & Neto, 1987).

One other type of victim witness assistance has gone completely unexamined, perhaps because it involves a rather uncommon point of intervention. This is assistance to victims in cases that have been referred to court, but have not been (or will not be) accepted for prosecution. We know of no studies indicating how this type of assistance affects victims or the system.

#### **Victims and witnesses of juvenile crime may not have shared equally in the progress that has been made**

In spite of the tremendous growth in victim and witness assistance programs, the evidence in the literature suggests that citizens involved in the juvenile justice system may be underserved. Earlier, we noted that virtually all of the individual programs that have been studied operate in the adult criminal justice system, or deal primarily with cases in the immediate aftermath of victimization, often before an arrest has been made (and therefore before it is known whether the offender is an adult or juvenile). In a nationwide assessment that we completed several years ago, services for victims and witnesses in the juvenile system were not common enough to warrant any special mention or any separate category for type of clientele (Cronin & Bourque, 1980).

More recently, we directly examined the question in jurisdictions that were conducting a special prosecution program targeted at habitual and serious juvenile offenders (Cronin, Bourque, Mell, Gragg, & McGrady, 1987). The participating jurisdictions, which ranged in size from 460,000 to 5 million residents, had been

selected for the program in part because of their concern over the levels of serious juvenile crime. Of 13 jurisdictions involved, 6 had no victim witness assistance routinely available for juvenile court cases prior to the new project (in 1984). Most of the other jurisdictions described their victim assistance in juvenile cases as less comprehensive than for adult cases. In these jurisdictions, we also heard several anecdotes indicating that some juvenile justice personnel were uncertain whether state victims' rights statutes applied to the juvenile system.

### **In the next chapters...**

Given that young offenders contribute disproportionately to the nation's crime, the absence of information about how and if the juvenile justice system recognizes victims of juveniles is a serious cause for concern. The literature also tells us relatively little about the unique challenges that victim witness assistance programs in the juvenile system face -- in handling victims that may be younger, on average, and in interpreting court procedures and philosophy that are unfamiliar to many citizens, for example.

In the remainder of this report, we discuss the results of the research we conducted to fill some of the information gaps about victim and witness assistance in the juvenile justice system. The next chapter reports on a statutory analysis and a mail survey of juvenile justice officials and victim witness assistance programs. We focus on three questions:

- What do the juvenile codes and victim bills of rights allow in terms of victim participation in the juvenile justice system?
- How are victims/witnesses currently treated by juvenile justice agencies?
- To what extent do existing victim witness assistance programs serve the victims of juvenile crime?

## **II. To What Extent Has Victim Witness Assistance Permeated the Juvenile Justice System?**

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Despite the increasing momentum of the victim rights movement, we found little information in the literature to indicate the extent to which victim witness concepts have permeated the juvenile justice system. In this chapter we show that there is little statutory guidance as to the rights of victims and witnesses of juvenile crime in the juvenile codes. Victim and witness protections are strongest in the few states that have specifically included the juvenile system in their comprehensive victim rights legislation. But the dearth of statutory protections does not appear to mean that victims and witnesses do not participate in the juvenile justice process. Juvenile justice officials whom we surveyed report that most types of victim and witness participation are allowed and practiced in their jurisdictions.

This chapter describes our assessment of the penetration of victim assistance into the juvenile system. Our assessment is based on:

- a review of state victim rights legislation
- a review of references to victims and witnesses and confidentiality restrictions in state juvenile codes
- mail survey responses from a random sample of 151 counties<sup>7</sup>
- mail survey responses from a random sample of victim-witness assistance programs.

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<sup>7</sup> There is a description of the survey methods in Appendix A.

## **What are the statutory protections for victims and witnesses in the juvenile justice system?**

In the 45 states that have passed comprehensive victim rights legislation, victims are allowed or mandated a number of rights. Usually these include the right to participate in decisions such as sentencing or plea bargaining, to be kept informed of the status of their case, and to be present at court hearings. We reviewed the victim rights legislation in each state to determine whether it specifically applied to victims of juvenile crime.

**Thirteen states guarantee rights to victims of juveniles in bills of rights.** Of the 45 bills of rights, 13 clearly define their population to include victims of juveniles. An example of a clear reference to victims of juveniles is Missouri's legislation. It refers to victims of crime and defines crime as "an act which would constitute a crime if committed by a competent adult including any act which may result in an adjudication of delinquency." The other states specifically including victims of juvenile crime are Hawaii, Illinois, Louisiana, Massachusetts, New Mexico, New York, North Carolina, North Dakota, Pennsylvania, Utah, Vermont, and Wisconsin.

For most of the 32 remaining states with victim bills of rights, it is unclear whether or not the legislation applies to victims of juvenile crime. The statute might refer to victims of "felony offenses" or to a "person who suffers...harm as the result of the commission or attempted commission of a crime." In only one state, Minnesota, is the victim of juvenile crime specifically excluded from the victim rights package.

**The bills of rights that explicitly cover victims of juvenile crime provide for the timely provision of information about the criminal justice process, participation in sentencing and secure waiting areas at court.** Table 1 shows several areas of victim participation that are delineated in the legislation. All thirteen of the statutes require that localities strive for a secure waiting area for crime victims separate from that for the defendant. Commonly the legislation requires the state to notify victims of any schedule changes (12 states) or any relevant court hearings (9 states). It also provides that the victim be notified of the final disposition of the case (10 states), of release from secure detention (11 states) and of release from a correctional facility (11 states).

Table 1. Rights of Victims of Juvenile Crime as Specified in Juvenile Codes and Victim Rights Legislation

Victim Rights	No. of States Where Victim Bill of Right Specifies Right	No. of States Where Juvenile Code Specifies Right	No. of States Where Juvenile Code Specifies Right in Limited Circumstances	Total No. of States Where Right Is Specified*
Right to information about accused				
o accused juvenile's name	0	8	15	23
o accused juvenile's delinquency record	0	3	16	19
Notification of scheduled court hearings required				
o court hearings	9	3	0	10
o disposition	6	6	1	12
o schedule changes	12	0	1	12
o parole hearings	4	1	0	5
Participation in proceedings allowed				
o attend pretrial hearings	2	0	2	4
o hear testimony of accused	0	0	1	1
o be accompanied to court by victim advocate/friend	0	1	2	3
o attend disposition	7	4	2	12
o speak at disposition	6	4	1	11
o provide statement of medical, financial losses	9	4	2	14
o provide statement of physical and emotional impact of crime	10	5	3	17
o provide statement of desired sentence	3	2	0	5
o provisions made for a secure waiting area	13	2	0	13
Notification of judicial process outcomes required				
o decision to file, reject or divert	4	7	0	10
o final disposition of case	10	11	5	22
o release from secure detention	11	2	0	11
o release from correctional facility	11	2	0	11
Right to mediation procedure	0	3	0	3
Availability of restitution				
o as sentencing option	7	40	0	46
o as condition of probation/parole	2	11	0	12

\* The sum of the first three entries in a row may be less than the total shown because a right may be specified in both the juvenile code and in special victim rights legislation in a state.



The statutes commonly provide several avenues for victims to participate in sentencing:

- the victim may provide a written impact statement for the State's attorney to present or the probation officer to include in the presentence report (10 states)
- the victim may attend disposition (7 states)
- the victim may submit a personal statement (6 states).

Of course, bills of rights vary considerably in their specificity and in the enforcement mechanisms they imply. It is not always clear who is responsible for ensuring that victims are notified of events or of their rights.

**Most juvenile codes mention victims and witnesses only in reference to restitution.** Historically the juvenile court has excluded victim-oriented goals from its purview; the *parens patriae* philosophy is one of a benevolent court attempting to fix whatever is troubling the child and contributing to his delinquent behavior. To see whether recent sensitivity to victims' rights has touched the juvenile codes, we employed an automated search of the current codes in the fifty states and the District of Columbia to locate references to victims. We also searched for references relating to the purpose of the codes and to confidentiality restrictions.

In reviewing the clauses that describe the purposes of the juvenile codes, we found that the welfare and rehabilitation of the offender remain the predominant emphasis of the juvenile court in most states. Purpose clauses tend to discuss the "least restrictive treatment consistent with the child's needs," removing the "taint of criminality" by substituting a system of "supervision, care and rehabilitation," or simply rehabilitating the offender. The closest the purpose clauses come to victim-related goals is a mention of "accountability," balancing the "interest of the public with the interest of the child" or encouraging the use of restitution.

Consistent with a focus on the needs of the juvenile offender, the codes usually contain strict provisions governing the release of social and legal information about offenders and other privacy protections, such as closed juvenile court proceedings. As Wilson (1988) puts it, most state standards governing the release of criminal history information are "heavily weighted toward the privacy interests of the individual." Rarely is access to juvenile justice information automatic or unlimited. The juvenile codes generally define to whom and under what conditions information about the offender can be released.

Whether the codes provide that the victim may have access to the accused juvenile's name or prior record is shown in Table 1. In only eight states do the codes specify that victims are allowed to know the accused juvenile's name. In 15 more states, the codes provide that the name may be divulged under certain limited circumstances, usually if the alleged crime is a felony or if the accused is classified as a repeat or serious offender.<sup>8</sup> In only three states (Colorado, New Mexico and Iowa) do the codes provide for victim access to the delinquency records of accused juveniles, but in a total of 19 states they allow the record to be divulged under special circumstances, again for more serious offenders.<sup>9</sup> More commonly, the codes provide only that the prosecutor may review the delinquency record.

Other types of victim participation are rarely mentioned in the juvenile codes. Only three states specify that a victim must be notified of court hearings and only one provides that a victim should be notified of changes in case schedules so that he may avoid unnecessary appearances. None of the codes stipulates that a victim may attend pretrial hearings and only one state specifies that the victim may be accompanied by an advocate or family member during the adjudicatory hearing.

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<sup>8</sup> Even in jurisdictions where release of the defendant's name is proscribed, at some point during juvenile court proceedings the victim may inadvertently learn the accused juvenile's name -- when a case is identified on a subpoena by the defendant's name or when the victim or witness appears to testify.

<sup>9</sup> States that provide for release of a juvenile's name in order for the victim to initiate civil proceedings were not included in the "specified limited circumstances" column in the table.

Codes more often require notification of case outcomes than notification of the time and date of hearings. Seven states provide for victim notification of the final disposition of the case. In several states all this means is that notification is permitted, not required. For instance, in Connecticut the disposition "can be made available" as long as the child is not identified. In Nevada the district attorney "may disclose to the victim the disposition of the child's case." In other states notification is required. In New Mexico the court or probation officer has the power and the duty to notify the victim of any disposition made by either the Children's Court (juvenile court) or probation services. Other outcomes requiring notifications are an offender's release from a correctional facility (two states) and notification of pretrial release (two states).

Few state juvenile codes provide for victim participation at disposition. In six states the statutes stipulate that the victim must be notified of the dispositional hearing. Only a handful of state codes stipulate that victims may attend and speak at disposition, as well as to submit a victim impact statement.

Restitution is one exception to the dearth of victim-related provisions in juvenile codes. About four-fifths of the states have specific provisions governing restitution payments by juvenile offenders, either as a condition of probation or a separate disposition. While in some states the motivation for meting out a restitution sanction may be its perceived therapeutic value for the delinquent, victims clearly benefit from whatever payments are made for their losses. An innovative alternative often discussed in tandem with restitution, mediation between the offender and victim, has not yet found its way into the statutory provisions of most states.

When we jointly consider the references to victims in the bills of rights and in the juvenile codes of each state, there is still a sparse legal framework protecting victims of juvenile crime. About three-quarters of the states do not have any statutory provisions for victims of juveniles to be notified of hearings or schedule changes. Nor do the statutes provide for victim participation in sentencing: Only one third of the codes mention impact statements; in even fewer states the impact data can be presented orally by the victim at disposition. Notification of the

disposition of the case is the most common statutory provision, but it is found in fewer than half of the states.

Statutory protections for victims of juvenile crime also lag considerably behind those afforded victims of adults. Table 2 shows the legislative protections afforded victims of juveniles, compared with victims of adults. Almost all of the states have some provisions regarding the submission of victim impact statements in the adult system, compared to about one-third providing for them in the juvenile justice system. Adult statutes also are three to four times as likely to have some requirements for notification of scheduled hearings or schedule changes. The discrepancy between requirements for notification of case disposition in the adult and juvenile systems is less -- 22 states provide for notification in the juvenile system, versus 35 in the adult.

Table 2. Comparison of Victim Rights in Adult Criminal System and Juvenile Justice System.

Victim Rights	No. of States Where Right Specified for Victims of Juveniles*	No. of States Where Right Specified for Victims** of Adults
Victim notification of scheduled court hearings required		34
o court hearings in general	10	36
o disposition	12	41
o changes in scheduled hearings	12	44
o parole hearings	5	
Victim participation in proceedings allowed		
o attend disposition	12	33
o speak at disposition	11	29
o provide impact statement	17	46
o provide statement of desired sentence	5	26
o provisions made for secure waiting area	13	32
Victim notification of judicial outcomes required		
o final disposition of case	22	35
o release from secure detention	11	27
o release from correctional facility	12	39

\* Right specified in juvenile code or comprehensive victim rights legislation.

\*\* Right specified in criminal code or comprehensive victim rights legislation.

While there are few statutory protections afforded victims of juveniles, there are also few statutory limitations on what types of victim participation are allowed. The confidentiality and privacy protections afforded the juvenile defendant may restrict the victim's access to information about the defendant or attendance at proceedings, but otherwise the statutes do not specifically prohibit victim participation.

**What types of victim participation do local juvenile justice officials report in their jurisdictions?**

Within the broad parameters defined by the juvenile code and victim rights legislation, we expected local custom concerning victims to vary considerably as a function of differences in case law, rules of juvenile procedure, and local interpretation of these sources. We also expected that victim participation in the juvenile justice process might be quite limited. To learn more about how victims are treated in juvenile justice systems across the country, we surveyed prosecutors and judges in 151 jurisdictions about the kinds of victim participation that are permitted and practiced in their jurisdictions. The responses of 61 judges and 91 prosecutors who responded to the mail survey (described in Appendix A) are tallied in Table 3.

Despite the relative dearth of legislative guarantees for victims, and contrary to our expectations, the judges and prosecutors who responded to the survey report that many types of victim participation are permissible. Restitution orders, written impact statements, and information about schedule changes and hearing dates are reported to be permissible in almost all of the jurisdictions. In only three areas do more than a quarter of the judges and prosecutors report that participation is not permitted. These areas are:

- victim is informed of accused's prior record
- victim hears testimony of the other victims or witnesses
- victim may resolve problem through the formal mediation process.

Table 3. Judge and Prosecutor Opinions as to Frequency of Victim Participation in the Juvenile Justice Process

Victim	Percentage of Respondents Reporting Participation				No. of Respondents
	Not Permitted	Permitted Not Practiced	Practiced Sometimes	Practiced Routinely	
Is informed of accused juvenile's name	9.5%	4.8%	23.8%	61.9%	147
Is informed of accused's prior record	63.0	9.6	24.7	2.7	146
Is informed of accused juvenile's release from secure detention	17.2	38.6	37.9	6.2	145
Is informed of date and time of adjudicatory hearing	6.0	4.0	24.0	66.0	150
Is informed of charges against the accused	6.8	4.8	19.0	69.4	147
Is informed of date and time of disposition	8.1	10.1	35.6	46.3	149
Hears testimony of accused	22.8	10.7	38.3	28.2	149
Hears testimony of other victims or witnesses	26.7	12.0	38.0	23.3	150
Participates in plea negotiations	13.5	20.6	45.4	20.6	141
Is accompanied into courtroom by victim advocate	13.8	23.4	49.0	13.8	145
Is accompanied into courtroom by friend or relative	12.2	12.2	57.1	18.4	147
Is provided with separate waiting area at court during hearings	1.4	26.2	35.9	36.6	151
Attends dispositional hearing	16.4	15.8	58.2	9.6	146
Makes an oral statement at disposition	18.2	21.6	50.7	9.5	148
Submits written statement of medical and financial losses	1.3	5.3	23.0	70.4	152
Submits written statement of physical and emotional impact of crime	3.4	30.6	39.5	26.5	147
Submits written statement of desired sentence	13.0	52.7	25.3	8.9	146
Is informed of sentence imposed	10.8	7.4	39.9		148
Is informed of offender's release from correctional facility	22.6	13.8	29.9	3.6	137
Receives restitution as part of court order	0	1.3	30.0	68.7	150
May resolve problem through formal mediation process	29.4	25.0	33.1	12.5	136

The state-by-state analysis of the judges' and prosecutors' responses in Table 4 shows some disagreement within states about permissible areas of victim participation, particularly about access to the defendant's prior record and the use of mediation. Prosecutors and judges in 22 states disagreed about the legality of employing mediation. In 18 states they disagreed as to whether the victim has access to the defendant's prior record. Other areas in which respondents from the same state frequently disagreed are:

- informing victims as to pretrial or correctional releases
- allowing victims to hear testimony of others
- speaking at disposition
- submitting opinions as to desired sentences
- mediating an issue.

At least some of the disagreement among prosecutors and judges in the same state reflects a lack of knowledge about existing legislation affecting victims. We checked each source of disagreement in a state against the statutory provisions for that state. For the most part the differences of opinion within states occurred in areas that are not covered in the juvenile code or victim rights legislation. However, in two states where the bill of rights and/or juvenile code clearly provide for certain victim rights, there were prosecutors and judges who claimed otherwise.

We also asked the juvenile court judges if the laws in their jurisdictions provided for a "victim bill of rights applying to adult crime," or a "victim bill of rights applying to juvenile crime." Only 26 of 57 judges in states we know to have adult bills of rights reported that they have such legislation. The outcome was not much better in the states with bills or rights applying to the juvenile system. Of the 22 judges who responded from those states, exactly half of them reported the existence of juvenile bills of rights. Unless our nomenclature for "bills of rights" was misleading, judges in a number of states clearly lack awareness of legislative protections of victims' rights.

**Table 4. Judge and Prosecutor Opinions as to Types of Victim Participation in the Juvenile Justice Process Permitted by Statute and Caselaw**

Victim:	No. of States in Which Respondents Agreed That Participation Is		No. of States in Which There is Disagreement Among Respondents	No. of States with Missing Data*
	Permitted	Not Permitted		
Is informed of accused juvenile's name	38	1	8	4
Is informed of accused's prior record	11	17	18	5
Is informed of accused juvenile's release from secure detention	28	4	15	4
Is informed of date and time of adjudicatory hearing	42	1	5	3
Is informed of charges against the accused	40	2	5	4
Is informed of date and time of disposition	39	4	5	3
Hears testimony of accused	28	6	14	3
Hears testimony of other victims or witnesses	27	7	14	3
Participates in plea negotiations	36	3	9	3
Is accompanied into courtroom by victim advocate	33	5	9	4
Is accompanied into courtroom by friend or relative	33	3	11	4
Is provided with separate waiting area at court during hearings	45	0	2	4
Attends dispositional hearing	31	6	11	3
Makes an oral statement at disposition	28	5	15	3
Submits written statement of medical and financial losses	46	0	2	3
Submits written statement of physical and emotional impact of crime	43	0	5	3
Submits written statement of desired sentence	35	0	13	3
Is informed of sentence imposed	33	4	11	3
Is informed of offender's release from correctional facility	28	4	15	4
Receives restitution as part of court order	48	0	0	3
May resolve problem through formal mediation process	19	7	22	3
* Row totals equal 50 states plus District of Columbia				



If current legislation allows victims or witnesses to participate in most aspects of the juvenile justice process as our mail survey respondents indicate, the next question is how often do they participate. Table 3 shows the ratings of prosecutors and judges who responded to our mail survey as to the frequency of victim participation. **Overall, the responses indicate that victim participation is quite widespread in the juvenile justice system.** For almost all types of victim participation, the judges and prosecutors who claim that victims either sometimes or routinely participate outnumber those who claim that victims do not or cannot participate. In many jurisdictions, it appears that victims are routinely informed of:

- the offender's name, the charges and the time and date of the adjudicatory hearing
- the opportunity to submit victim impact statements
- the opportunity for restitution
- the schedule as well as the outcome of the dispositional hearing.

The types of victim participation commonly reported to be permitted but not widely practiced are:

- informing the victim of release from detention or correctional facilities
- participating in plea negotiations
- accompanying the victim to court
- participating in the disposition, whether it be through the provision of a written impact statement, attendance at disposition or speaking at disposition.

We asked the judges and prosecutors, as well as the chiefs of probation and police in our mail survey sample to check which services they provide to victims and witnesses. Not surprisingly, each type of agency routinely provides some services to victims in conducting its routine business. For instance, most courts assist with restitution and notifying victims of court dates; prosecutors usually prepare victims for testimony and notify them of court dates; probation departments typically assist with restitution claims and impact statements and notify victims of the disposition;

and police tend to report investigation status and facilitate property return for victims. However, agencies rarely report that they provide a comprehensive array of services.

**In the jurisdictions we surveyed, probation officers report that restitution orders are quite common and most are completed.** Documenting the victim's losses for restitution and monitoring restitution orders falls under the domain of the probation department for all but three of the jurisdictions who responded to our survey. The majority of the probation departments report that restitution is ordered for over half of the cases where there is financial loss. They also report that restitution requirements are commonly completed. Almost one-half of the probation departments reported completion rates of 50 percent or higher.

**Although judges and prosecutors report that victims participate in many areas of the juvenile justice process, they assess both victim participation and victim services in their jurisdictions to be slightly less than adequate.** Each juvenile official we surveyed was asked to rate his jurisdiction's juvenile system on a scale of 1 (grossly inadequate) to 5 (exemplary) in five areas:

- the recognition of victim rights
- opportunities for victim participation
- amount of information provided to victims
- timeliness of information provided to victims
- victim services.

The mean ratings shown in Table 5 indicate that officials rate their systems as less than or just adequate in these areas. Judges and juvenile probation chiefs rate their systems' receptiveness to victims slightly higher than do prosecutors and police. Not surprisingly, victim assistance programs gave the lowest ratings to the treatment of victims in their jurisdictions.

**Table 5. Mean Ratings of Jurisdiction Receptiveness to Victims by Judges, Prosecutors, Probation, Police and Victim Assistants**

	Judges n=61	Prosecutors n=91	Probation n=108	Police n=78	VWAP n=103
Recognition of Victim Rights	3.3*	2.9	3.2	2.9	2.6
Amount and Type of Information Provided to Victims	3.3	2.9	3.0	2.8	2.8
Timeliness of Information provided	3.2	3.1	3.0	2.8	2.8
Opportunities for Victim Participation	3.3	2.9	3.1	2.7	2.5
Services Provided to Victims/Witnesses	2.9	2.8	3.0	2.8	2.9

\* Ratings on a scale of 1 (grossly inadequate) to 3 (adequate) to 5 (exemplary)

### **To what extent do victim witness assistance programs serve the juvenile justice system?**

Information on the extent to which victim witness assistance programs serve victims of juvenile crime comes from a national mail survey of victim witness assistance programs. The programs surveyed were a random sample drawn from the National Organization for Victim Assistance mailing list.<sup>10</sup> We asked respondents to tell us whether or not they provided services to victims and/or witnesses of crime perpetrated by juvenile offenders, and if they did, the nature of the services and the frequency with which the services were provided. We received responses from 246 victim witness assistance programs (68 percent of the sample).

The programs were asked what proportion of their clients are victims and witnesses of juvenile crime. Their responses are shown in Table 6. Few of the programs report that victim and witnesses of juveniles are a significant proportion of their client population. Thirty-five percent of the programs report a negligible

<sup>10</sup> There is an overview of the mail survey in Chapter 1, p. 3 and a full description of survey methods in Appendix A.

involvement in juvenile cases, indicating less than 5 percent of their clients are victims or witnesses of juvenile crime. Another 26 percent of the programs report that between 5 to 10 percent of their clients are victims or witnesses of juveniles.

Table 6. Proportion of Program Clients Who Are Victims or Witnesses of Juvenile Crime

Proportion of Caseload Composed of Victims and Witnesses of Juveniles	Percentage of Victim Witness Assistance Programs (N=246)
Less than 5%	35%
5-10	26
11-30	25
31-50	8
51-70	4
71-90	*
100	2

\* Less than 1%

Since we know that juveniles account for somewhere between 15 to 30 percent of the index crimes, presumably their victims should compose about that same proportion of the victim assistance caseload. This was true for fewer than 40 percent of the programs. Only 39 percent of the programs we surveyed report that victims and witness of juvenile crime are at least 10 percent of their caseload.

Table 7 shows the juvenile client breakdowns for programs sponsored by police, prosecutors, probation and other agencies such as community-based organizations, community mental health organizations and local courts. The majority of the programs sponsored by police and probation report that victims and witness of juveniles compose at least 10 percent of their client population.<sup>11</sup> Only slightly

<sup>11</sup> It is not surprising that police sponsored programs report that higher percentages of their caseloads are victims of juveniles. Police based programs may not even distinguish between victims of juveniles and those of adults since are generally less concerned with the court process where the adult/juvenile distinction makes a difference, than with the investigation.

more than one-third of the programs sponsored by prosecutors or community agencies report that juveniles compose at least 10 percent of their client population.

Table 7. Proportion of Clients Who Are Victims or Witnesses of Juvenile Crime by Type of Agency Sponsoring the Program

	Percentage of Programs Sponsored By:			
	Police (n=11)	Prosecutor (n=87)	Courts/ Probation (n=7)	Other* (n=136)
Less than 5%	0%	38%	15%	39%
5 - 10%	27	26	23	26
11 - 30%	55	28	31	21
31 - 50%	9	6	8	8
51 - 70%	9	2	0	5
71 - 90%	0	0	0	1
100%	0	0	23	1

\* Other includes providers that identified themselves as not-for-profit organizations, community mental health organizations, hospitals, social service agencies and government agencies that are not part of the law enforcement/criminal justice system.

## Summary

Except in the thirteen states where the victim rights legislation has specifically been written to include victims and witnesses of juvenile crime, there is little statutory guidance as to the victims' or witnesses' roles and rights in the juvenile justice process. Nor is there much guidance as to what the victim or witness is prohibited from doing -- except to the extent that a victim's right to information or participation might impede the defendant's right to confidentiality and privacy. Despite this absence of statutory provisions regarding victims and witnesses in the system, practitioners who responded to our mail survey report that most types of victim participation are permitted as well as practiced in their jurisdictions. However, services provided to these victims and witnesses by juvenile justice agencies are somewhat limited. And agency representatives give mediocre ratings

of the system's treatment of victims and witnesses, indicating that there is considerable room for improvement.

**In the next chapter...**

In the next chapter we look at some of the promising strategies for delivering services to victims and witnesses of juveniles and describe six programs that are currently operating in the juvenile justice system.

### **III. What are the Characteristics of Programs Operating in the Juvenile Justice System?**

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In this chapter we describe six programs for victims and witnesses of juvenile crime that we visited. These programs vary widely in size and scope. They illustrate diverse organizational structures, jurisdictional settings, and service strategies as well. In spite of their differences, some services to victims were available in some form at every location. These include: notification of case status and outcomes, orientation to the juvenile justice process, assistance with court appearances, referral to other service agencies, and help with compensation, restitution, and victim impact statements. We conclude by reviewing how these programs compare to a broader sample of programs that serve victims of juvenile crime and responded to our mail survey.

We used two approaches to gather new information about the characteristics of programs that are currently serving the juvenile justice system:

- site visits to six programs that appeared to represent promising approaches for the juvenile system
- a mail survey of victim witness assistance programs, described in the previous chapter.

We begin by describing the site visits, which provided a wealth of detail about program activities and environments. We conclude by presenting pertinent findings from the mail survey and commenting on how the programs that responded compare to the ones we saw in operation.

## Promising Approaches to Assisting Victims and Witnesses of Juvenile Crime in Six Jurisdictions

The six programs we selected for personal visits were intended to represent a range of promising approaches to victim and witness assistance in the juvenile system. We spent about three days at each program site, talking with staff, looking at their recordkeeping and other documents, and interviewing people in other criminal justice and victim witness assistance agencies.

In selecting places to visit, we were interested in programs that

- were relatively stable -- with reasonably solid funding support and at least two years in operation
- were routinely involved in juvenile cases -- with at least 10 percent of their caseload and ten cases per month that involve juvenile matters
- had one or more exemplary components -- services that appeared to run smoothly and efficiently and to provide prompt responses to victims and witnesses
- had tolerable relationships with others in the juvenile justice and service provider communities
- were willing to cooperate and able to provide the information we needed -- by having staff who could provide some historical perspective and some documentation about their clients and services.

The selection process involved several stages. First, we telephoned about 40 victim/witness assistance programs that looked promising. We identified them by screening the responses to our mail surveys and following up on leads received as a result of public announcements of the research project and flyers that we distributed at conferences. Then, we took the information we had obtained in our telephone interviews and applied our criteria for site selection. This process



narrowed the pool of candidates to 11 programs that fit the criteria reasonably well.<sup>12</sup> In choosing the final six programs, we strove for as much diversity as possible in organizational arrangements, geographical location, size of jurisdiction, and statutory environments.

### Profiles of the programs

The six programs we visited are shown in Table 8, which summarizes some of their key characteristics. Three of the programs are operated by prosecutor's offices. Two others are run by not-for-profit community organizations and one is run by the juvenile probation department. Two of the programs handle juvenile cases exclusively. The others serve victims and witnesses of adult offenders as well, but assign one or more staff to juvenile cases. We briefly describe each of the programs here. More detailed descriptions are available in Appendix B.

#### Program 1 -- The Boulder County District Attorney's Victim/Witness Assistance Unit

The program in Boulder, Colorado serves a jurisdiction of 216,800 residents. This unit began in 1976, with two staff -- one part-time and one full-time. The unit now has seven full-time and one-part time staff who provide assistance to victims and witnesses in cases that are referred to the prosecutor, administer the jurisdiction's compensation claims, and work with police and prosecutors on a new domestic violence initiative.

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<sup>12</sup> At this point we also recognized that programs that exclusively target victims of sexual assault or child abuse and programs that intervene primarily with victims at the crime scene or soon thereafter would be unsuitable for our sample of "promising programs." Our telephone interviews confirmed something we had already suspected. These programs typically focus on crisis intervention and referral and do not distinguish between victims of juveniles and victims of adults in delivering their services. As a result, the programs cannot say with any certainty what proportion of their clients are victimized by juveniles. Because no one is charged in the vast majority of their cases, these programs also report relatively limited contact with the juvenile court process.

**Table 8. Selected Characteristics of the Juvenile Programs That We Visited**

<b>Program Location</b>	<b>Provider</b>	<b>Size of Jurisdiction, 1987</b>	<b>Number of Juvenile Petitions per Year</b>	<b>Provider Serves Juvenile System Only?</b>	<b>Services in Same Location as Services for Adult System</b>	<b>Primary Target Group</b>	<b>Point of Intervention</b>
Boulder County, Colorado	Boulder County District Attorney's Office	216,800	530	No	Yes	Victims & witnesses	After petition is filed
Delaware County, Pennsylvania	Delaware County Juvenile Court Services	565,500	1,200	Yes	NA	Victims	After petition is filed
Milwaukee County, Wisconsin	Lutheran Social Services	931,700	5,000	Yes	NA	Sexual assault victims Other victims & witnesses	After referral to prosecutor for sexual assault victims After petition is filed for others
Orange County, California	Community Services Program Inc.	2,219,100	8,000	No	No	Victims & witnesses	After petition is filed
Palm Beach County, Florida	Office of the Florida State Attorney	790,000	2,400	No	No	Victims & witnesses	After petition if filed
Yakima County, Washington	Yakima County Prosecuting Attorney's Office	182,800	520	No	No	Victims & witnesses	After referral to prosecutor

NA = Not applicable

Table 8. Selected Characteristics of the Juvenile Programs That We Visited (continued)

Program Location	Priority Services	Number of Staff	Number of Volunteers	Annual Cost
Boulder County, Colorado	<ul style="list-style-type: none"> <li>o Notification of case filing and outcome</li> <li>o Crisis counseling and referral</li> <li>o Assistance with restitution, compensation &amp; victim impact statements</li> <li>o Witness coordination</li> <li>o Orientation to court process, accompaniment</li> </ul>	1	2	\$29,534 + space, supplies, secretarial support
Delaware County, Pennsylvania	<ul style="list-style-type: none"> <li>o Information about juvenile court process</li> <li>o Witness reception, orientation, and accompaniment</li> <li>o Post-adjudication mediation</li> </ul>	2 FTE	0	\$38,000 + space
Milwaukee County, Wisconsin	<ul style="list-style-type: none"> <li>o Crisis counseling &amp; referral</li> <li>o Information about case status &amp; outcome;</li> <li>o Assistance with restitution, compensation, &amp; victim impact statements</li> <li>o Witness coordination</li> <li>o Orientation to court process/accompaniment</li> </ul>	5	2	\$157,000 + space, equipment, supplies
Orange County, California	<ul style="list-style-type: none"> <li>o Orientation to court process</li> <li>o Information about case status &amp; outcomes</li> <li>o Witness coordination</li> <li>o Witness reception/accompaniment</li> <li>o Crisis counseling, referral, &amp; follow-up</li> </ul>	4	2-6	\$96,360
Palm Beach County, Florida	<ul style="list-style-type: none"> <li>o Notification of case outcome</li> <li>o Witness coordination</li> <li>o Orientation to court process</li> </ul>	1	0	\$20,000 + space, supplies
Yakima County, Washington	<ul style="list-style-type: none"> <li>o Notification of case filing &amp; outcome</li> <li>o Crisis counseling &amp; referral</li> <li>o Assistance with restitution &amp; victim impact statements</li> <li>o Witness coordination</li> <li>o Witness reception, orientation, &amp; accompaniment</li> </ul>	1	1	\$18,000 + space, supplies, secretarial support

FTE = full-time equivalents

Since 1986, one full-time staff member has been assigned to work primarily with victims and witnesses in juvenile cases. The budget for the juvenile component of the program is approximately \$30,000. Funding support is split about equally between the District Attorney's budget and a federal Victims of Crime Act (VOCA) award.

The juvenile specialist's services are much like those offered to victims and witnesses of adult crime. Court procedures are similar in juvenile and adult cases, and juvenile proceedings are open to the public. The juvenile specialist identifies her clients primarily by screening police reports to the prosecutor and other prosecutor files. All victims are sent a letter notifying them when charges are filed and informing them of their rights to compensation and restitution, and to make a victim impact statement. In addition, the specialist calls all witnesses and all victims of violent crimes or other serious offenses.

In the course of these contacts, the specialist provides crisis counseling and referral, orients clients to the court process, resolves appearance problems and places witnesses on call, and assists victims in documenting victim impact and/or their restitution and compensation claims. She greets victims and witnesses in the unit's waiting area when they appear for court. She also provides courtroom tours and accompanies victims to court, especially when the victim is a child or is apprehensive. At the close of the case, she notifies all victims and significant witnesses of the outcome, by mail or telephone.

#### Program 2 -- The Delaware County Juvenile Court Victim Services Unit

The program in Media, Pennsylvania serves Delaware County, a suburban jurisdiction with a population of 565,500, which is located southwest of Philadelphia. The unit is operated by Juvenile Court Services, the agency responsible for administering the juvenile court, juvenile probation, and the youth detention center. It serves victims of juvenile crime exclusively.

The program began in 1981, staffed by a part-time graduate student intern, who soon was hired to do the job full-time. Since then, the unit has added a part-time victim services aide. The agency's supervisor of community relations and other probation

staff provide additional assistance, equivalent to another half-time employee. The total annual cost of the program, excluding office space, is about \$38,000. Except for a \$4,000 grant from state block grant funds, the unit's funding comes from the county Juvenile Court Services budget.

The program began by focusing on counseling for victims of serious, violent crime, who were referred by police agencies, probation, or the district attorney. Over time, the program has broadened its focus beyond victims of violent crime to victims of less serious offenses, usually in cases where a petition has been filed. The service focus has shifted away from counseling toward victim reception and accompaniment to court. Victims refer themselves in response to an information letter sent by the court when the petition is filed, or are referred by a court receptionist at the time they appear to testify.

The program's services have two major components: orientation to the juvenile court process, available to all victims, and appearance support and orientation, for those who are called to testify. The unit has a brochure, which is disseminated with the court's initial information letter. Further information is provided when victims telephone the unit. Victims who are subpoenaed to testify receive additional services, including reception in a special waiting area, face-to-face orientation, accompaniment to court, and services such as child care if they are needed. In addition, in selected cases the unit arranges a face-to-face meeting between victim and offender after adjudication.

### Program 3 -- The Lutheran Social Services Victim Witness Services

This program in Milwaukee County, Wisconsin serves a highly urban jurisdiction of 931,700 residents, which contains one of the nation's 20 largest cities. In 1975, the county's district attorney was one of the first in the nation to implement a major program to assist victims and witnesses of adult crime, and in 1980, Wisconsin became the first state to pass a victim bill of rights. The state's juvenile code explicitly extends the bill's provisions to the juvenile system.

The victim witness program for the juvenile system was established by the not-for-profit Lutheran Social Services (LSS) in 1980, with support from the local United Way and full encouragement from the D.A.'s Office, which provides space and

equipment at the juvenile court complex. The original staff of one has grown to five. They work exclusively with victims and witnesses in delinquency cases, but do not handle victims age 60 and older because the D.A.'s Office directly supports another victim assistant for this special population. The annual budget for the LSS program is about \$157,000, exclusive of the D.A.'s in-kind support.

Ordinarily, clients are identified from the D.A.'s records, once charges have been filed. The staff contact most clients by phone -- within 24 hours of charging in serious cases, and within 10 to 14 days in the remainder. The exceptions are sexual assault cases, in which the sexual assault counselor usually meets with the victim prior to charging and participates in the charging conference.

The staff provide a range of services to victims, including crisis counseling and referral, orientation to the court process, and information about the status and outcome of the cases. The program routinely obtains information about victim impact and forwards it to the probation department for use in the presentence report, and also informs victims of their right to make an oral or written statement at the time of disposition. In addition, the program subpoenas witnesses, orients them to the court process, and provides other assistance necessary to promote witness appearance. Sexual assault cases and those involving young or apprehensive victims tend to involve the most face-to-face contact, with most other services delivered by telephone.

#### Program 4 -- The Community Service Programs, Inc. (CSP) Victim/Witness Assistance Program

The program in Orange County, California serves a jurisdiction of 2.2 million people in one of the fastest growing counties in the United States. CSP, an independent not-for-profit organization, has been designated by the county as the provider of victim services to the community. Services are provided under a contract with the Orange County Superior Court.

The program began in 1978 with LEAA support and was continued by the county through Office of Criminal Justice Planning funds when LEAA grants dried up. The program expanded services into juvenile court in 1981 with two full-time staff, and has grown to four full-time staff and as many as six volunteers. The juvenile court

component operates on a \$96,360 annual budget, which is about 11 percent of the total program budget.

The CSP program provides both mandatory and optional services outlined in the California Penal Code to victims in the adult and juvenile justice systems. Through a grant from the District Attorney's Office, the program also provides witness coordination at the juvenile court. Some of the program's regular services are more difficult to implement in the juvenile system because of confidentiality restrictions. The juvenile court program staff have actively worked to gain credibility and court approval for access to court proceedings and court files. The program is not affiliated with either the Probation Department or the D.A., and maintains independent status within the court.

The program receives referrals after a case has been filed. Referrals may come from any agency, but the majority are from the Probation Department or the D.A.'s Office. The staff provide a comprehensive range of services including crisis intervention and follow-up counseling, orientation to the juvenile justice system, information on case status and outcome, witness coordination, court assistance and community resource and referral counseling.

Almost all contacts with clients occur by telephone, but the program also sends out brochures about the court process and victims' rights. In nearly all cases, a victim specialist calls the victim to discuss and evaluate the individual's needs within two days of referral. The specialist will continue to follow up and provide support services. For victims and witnesses who must appear in court, a specialist familiarizes them with the process and the courtroom. If necessary, the specialist accompanies the client into court.

#### Program 5 -- The Office of the State Attorney's Victim Witness Services

The program in West Palm Beach, Florida provides witness notification and support to the residents of Palm Beach County. This rapidly growing county has a population of 600,000, and is characterized by dramatic contrasts between rich and poor neighborhoods.

The State Attorney's Office has had a witness coordination program since 1979. The current staff of fourteen are decentralized among the various prosecution divisions of the office. The juvenile division has had a witness coordinator since 1983. The position was a part-time responsibility of an investigator in the division until 1987, when a full-time coordinator's position was included in the State Attorney's budget. The program cost, which is borne entirely by the office, is about \$20,000, exclusive of office space.

In the juvenile division, only felony cases are handled by petition. (Lesser offenses are diverted.) When a case is filed, the State Attorney's Office routinely sends a letter to all victims and witnesses whose testimony may be needed and requests that they contact the witness coordinator. If witnesses do not call in or their testimony is never required, the coordinator's only service will be a letter, notifying each one of the outcome of the case. More extensive services are provided to those who are summoned. The witness coordinator identifies these clients from lists provided by the prosecutors.

Services to victims and witnesses who are expected to testify include orientation to the court process, telephone alert, and updates on the hearing schedule, as well as notification of the disposition. All of these services are provided by telephone or mail.

#### Program 6 -- The Yakima County Prosecuting Attorney's Victim Witness Assistance Unit

The program in Yakima County serves a jurisdiction of 184,400 persons in south central Washington. The program began in 1978 with LEAA funds, and has been funded by the county through the Prosecuting Attorney's Office since 1981. The program began by providing notification services, court orientation, and administration of restitution.

In 1986, the program expanded into the juvenile court, with one staff member who began by administering restitution. Gradually, she began to emphasize more direct services to victims and witnesses. Since then, programs in both the adult and juvenile systems have turned the responsibility for administering restitution back to the court. The juvenile court component continues to operate with one staff



member on a budget of \$18,000 per year. Office space, supplies and some clerical support are contributed by the court.

Services provided in the juvenile court are modeled after the services provided in the adult system. The juvenile court proceedings are open to the public and an offender's name is a matter of public record. The services stress providing information about the court process and case outcome, crisis intervention, and advocacy.

Clients are identified from cases referred for filing to the deputy prosecutor in juvenile court. All victims identified through the referrals are notified through the mail of the filing decision. If the case is filed, the victim also receives a request to complete restitution information and a victim impact statement. Impact statements and police reports are screened to identify victims who may need crisis intervention or other specialized services. The juvenile court specialist telephones these victims and provides information and support.

The juvenile court specialist also provides restitution investigation, orientation to the courtroom, preparation for testimony, notification of court appearance dates and witness coordination, and accompaniment to court. She delivers most services by mail, making about 100 to 250 contacts per month. Telephone contacts amount to about 4 to 6 hours of calls per week and face-to-face contacts, involving victims and witnesses who appear in court, average 40 to 50 per month.

### **Similarities and differences among the programs**

While these brief profiles suggest some commonalities among the six programs we visited, they also portray diverse project environments, histories, and structures. We summarize some of our observations about their similarities and differences below.

**While the jurisdictions vary in many ways, all had been exposed to victim witness assistance programs and concepts before the juvenile program started.** Programs to assist victims and witnesses of juvenile crime have been successfully implemented in a wide variety of jurisdictions -- large and small, with delinquency problems of varying magnitude, and with different statutes and rules governing juvenile proceedings. Certain conditions may be especially favorable, however. In all of

the jurisdictions we visited, victim witness assistance was already a familiar concept in the adult system. Invariably, there were already programs to assist victims and witnesses involved in the adult courts, and often there were rape crisis centers or other crisis-oriented programs in place as well. Each of the programs, including those with private sponsorship, also had some important advocate within the juvenile justice system -- typically a judge or a prosecutor -- who lent support and credibility to their efforts.

**Victim witness assistance in the juvenile system can operate in a variety of statutory environments.** All of these states also had an adult victim bill of rights, and in half of them this legislation or another bill extends similar rights to victims in the juvenile system. Clearly, these statutes now help justify requests for program support and help cut through resistance to program activities in some quarters. However, many of the "parent" programs we visited, if not their juvenile component offspring, got started without a bill of rights in place (and in fact, became powerful advocates for such a bill). Thus, the absence of victim rights legislation does not appear to be a major obstacle. Neither is the presence of statutes that make juvenile proceedings confidential. All of the programs where confidentiality restrictions exist were able to find a way to work within those restrictions.

**Services for victims in the juvenile system were implemented well after services for victims in the adult system.** At these sites, there was a three- to nine-year lag between the introduction of victim witness assistance services to the adult criminal system and the time they became routinely available in juvenile cases. In one jurisdiction, a juvenile homicide case suddenly highlighted the disparity between services for victims and witnesses in the adult and juvenile systems. Elsewhere, the realization tended to be more gradual, as prosecutor and court caseloads grew in the juvenile division, and juvenile offenses appeared to be getting more serious.

**Programs for the juvenile system started small but some had grown considerably over a period of years.** Except in Orange County, the largest jurisdiction, the programs started with a single part-time or full-time position. At most sites, the staff modeled their approach to victim witness assistance in the juvenile system after approaches being used in the adult system. Generally, they began on a much smaller scale, however.

All but the newest programs have added staff since their inception. The Milwaukee County program has grown the most, from one full-time staff member in 1980 to five now. With additional staff, programs have been able to add new services and extend their original services to more victims and witnesses. Only one juvenile program has actually dropped a service -- Yakima County relinquished the administration of juvenile restitution to court personnel.<sup>13</sup> Delaware County, however, has stopped soliciting routine referrals from law enforcement and has shifted its primary focus from crisis counseling to other services.

**Diverse organizational structures and staffing patterns lend themselves to assisting victims and witnesses of juvenile crime.** The three prosecutor-based programs, as well as the Orange County program, are each components of a larger program that also serves victims and witnesses of adult crime. In Milwaukee and Delaware Counties, the programs handle juvenile cases only and are operated by a private not-for-profit agency and the juvenile probation department respectively.

Paid staff range from one in the smallest jurisdictions to four in Orange County and five in Milwaukee. Where there are multiple staff, there is some degree of specialization around specific tasks. Three programs also make use of volunteers.

Personnel are located somewhere in the vicinity of the juvenile courts. In three of the four sites where the juvenile services are one component of a larger program, this means that the juvenile staff have office space apart from the rest of their colleagues, because the adult and juvenile courts are also in different locations.

None of the programs has an advisory board. The two community-based organizations that run programs in Milwaukee and Orange Counties do have boards of directors, but these boards are not actively involved with the agencies' individual programs.

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<sup>13</sup> The Boulder County program too administered restitution at one time. However, the program had given up this function by the time the juvenile component was implemented.

Programs differ in their attitudes toward formal credentials for staff. Most emphasize aptitude, interest, and commitment more than college degrees. The typical staff member has some background in the human services or the criminal justice system, perhaps even as a program volunteer. Orange County provides formal pre-service training for both staff and volunteers. Boulder does so for the volunteers only. Elsewhere, the programs rely on on-the-job or in-service training. Most encourage their staff to participate in outside workshops and conferences as well. The absence of more formal training programs appears to be a function of small staff size, low turnover, and the fact that some staff come to the programs with relevant experience.

**All programs express both victim-oriented and system-oriented goals.** Victim-oriented goals include ensuring that victims are accorded the rights provided under state statutes and "humanizing" the process of participation. System-oriented goals include encouraging greater victim and witness cooperation with the process and improving the efficiency of witness utilization. The Delaware County program, the only probation-based effort, also has an offender-oriented goal: helping the offender to recognize the consequences of his act and thereby take the first step toward rehabilitation.

**All of the programs target victims in cases that have been accepted for prosecution in juvenile court.** The three programs operated by prosecutor's offices and both not-for-profit programs target witnesses in addition to victims. Only the probation-based program works exclusively with victims. Two programs also routinely provide some service to victims prior to the filing decision. Milwaukee, assists victims of sexual assault when their case is referred for prosecution. Yakima sends letters to all victims explaining the result of the filing decision and describing the program's services. In the remaining four sites, contacts with victims prior to filing are the exception rather than the rule.

Programs usually identify clients by screening documents like arrest reports, new petitions, and witness lists that are a routine part of the paper flow in prosecutor's or probation offices. Delaware County is an exception. There victims who appear in person are directed to the victim assistant by a receptionist. Others refer themselves in response to a letter from the court clerk. All programs also receive

direct referrals from law enforcement, human service agencies, and other victim assistance providers from time to time.

Service emphases are influenced by the agency that sponsors the program and by the other programs that are available in the jurisdiction. Our visits show that many different service configurations are possible, depending on resource levels and local perceptions of need. Typically, the service emphasis is influenced by the agency that houses the program. Prosecutor-based programs devote much more attention to witness coordination than other programs, for example. Activities are also influenced by what services are available elsewhere within the community or within the agency that operates the program. All of the communities we visited had some other programs available to serve victims of crime. The juvenile programs attempt not to duplicate those other services.

All of the programs rely heavily on mail or telephone contacts with victims, in part because their potential caseload is large but also because the vast majority of juvenile cases are resolved without a trial. Program staff are most likely to meet their clients face-to-face in very serious cases, in cases involving child victims or witnesses, or when courtroom testimony is required.

While services do vary, a few activities are common everywhere. Services that were universally present in some form included:

- Notification of case filing and outcomes

Typically, victims are notified by mail or by phone when charges are filed and are provided some other basic information -- the telephone number of the victim witness unit, a statement of their rights, a brochure (if there is one), forms for restitution or victim impact statements, and an indication of what will happen next. All programs notify victims of the case outcomes, although in some places notifications are limited to those victims who have shown interest in the case.

- Orientation to the juvenile court process

All programs view it as their job to explain the juvenile court process and the sentencing outcomes to their clients, by telephone or in person.

- Assistance to victims who must testify

All programs provide some practical assistance like arranging transportation or child care, intervening with employers, and other services to make it easier for victims to participate in the court process. If necessary, all will provide additional orientation to court procedures, a courtroom tour, and will escort the victim to the courtroom and remain there until the testimony is over. Often the latter services are targeted at young victims or those who are particularly upset or apprehensive.

- Referrals to other agencies

All programs make it a practice to refer victims to other agencies in the community for assistance with problems caused by the crime or exacerbated by it. Outside resources that are often called upon include mental health services, social services, legal services, and law enforcement agencies.

- Assistance with victim compensation, restitution, and/or victim impact statements

All programs make victims aware of their rights to obtain financial redress and to make their views and concerns about the case known. In some locations, staff limit their activities to providing forms or referrals to the agencies that administer victim compensation programs or restitution. In other locations or for specific victims or types of assistance, staff take a more active role. They may prod victims who have failed to submit documentation, assist victims to complete forms, forward the material to the appropriate agency, or follow up on delinquent payments.

Two other services were usually present (occurring in five of the six sites).

- Crisis counseling

Although none of the juvenile programs intervenes at the crime scene or before an arrest is made, all but the Palm Beach County program employ some crisis counseling techniques during their initial contacts with victims. Primarily, staff attempt to determine how the crime has affected the victim, and provide appropriate reassurance, information about the reactions that crime victims experience, and referrals if necessary. All of the programs refer victims who need follow-up or long term counseling to other agencies.

- Coordination and assistance for nonvictim witnesses

All programs except the probation-based effort in Delaware County take responsibility for coordinating the appearances of witnesses who are not victims. While victim witness staff do not prepare the actual subpoenas in most places, they verify that subpoenas have been received and that witnesses will appear as scheduled. As needed, staff offer the same kinds of practical assistance, orientation, and "moral support" that are available to victims who must testify. To ease the time burden, most programs are also authorized to place witnesses "on call."

Other services and facilities that are available at some of these six sites include:

- a separate waiting area for prosecution witnesses
- notification of case status and other assistance to victims in cases referred for prosecution, but not filed
- notification of case proceedings other than the filing of charges and the disposition
- assistance with preparation for testimony (often in cases involving child witnesses)
- mediation between the victim and perpetrator
- liaison with the police (usually for property return), and
- tracking the offender's compliance with restitution orders.

None of these juvenile programs directly assists victims at the scene of the crime, although the agency that operates the Orange County program has such a service under its umbrella. Four other programs also are located in communities where there are other providers of on-the-scene assistance, at least for victims of sexual assault. None of these programs directly provides witness protection either, although staff will bring threats to the attention of prosecutors or law enforcement agencies. Milwaukee refers intimidated clients to a special witness protection unit in the county sheriff's department that can take a variety of steps from changing phone numbers to relocating witnesses.

Programs tailor services to juvenile court by shifting the emphasis of services rather than changing the types of services they provide. Staff and observers at these programs believe that there are some differences between assisting victims in the juvenile justice system and victims in the adult criminal justice system. The differences are primarily a matter of emphasis. Since the juvenile justice process is unfamiliar to most citizens, programs may need to spend more time on orientation -- helping victims to understand the confidentiality restrictions of the court and the differences in juvenile court procedures. Often, victims do not understand the rehabilitative orientation of the court, and may need assistance understanding the sentences imposed. Program staff report that victims in the most serious cases are often unhappy with the sentences in any case.

Because juveniles' job opportunities are often limited, restitution awards may be smaller and victims may need more assistance in following up on the restitution awarded by the court.

Program staff also stressed that they often work with children victimized by other children. These victims may need more counseling and support -- and often the counseling needs to be extended to include family members. Staff also may need to work with schools and other agencies to see that the child is handled with sensitivity and that harassment by the defendant or other children is minimized at school and in the neighborhood.

**Most of the programs are active in committees and agency networks that concern themselves with victims and related law enforcement or human service issues.** Most either seek out opportunities to make presentations to community groups or respond to requests for speakers. Several also are actively involved in training law enforcement personnel. In some sites, staff have also been involved in statewide advocacy on behalf of crime victims and witnesses.

**Program costs vary widely.** Budgets range from \$18,000 in Yakima to \$157,000 in Milwaukee. For every program, the primary cost is staff. Thus, the least expensive programs are those with just one paid employee. Typically the criminal justice agency that houses the juvenile program also provides free space and other in-kind support -- equipment, supplies, and often, secretarial support or supervision -- which is not reflected in the formal budget.

As for the formal budgets, the four programs operated by criminal justice or juvenile justice agencies receive all or the majority of their funding from those agencies. The Orange County program is funded by a contract between the county and the not-for-profit Community Services Program, Inc. The Milwaukee program is funded primarily by the local United Way. Two of the programs -- in Boulder and Milwaukee -- also receive support through the federal Victims of Crime Act (VOCA).

### **An Overview of Approaches Nationwide**

By design, the six programs we visited are in some respects exceptional. They are making a substantial commitment to serving victims and witnesses of juvenile crime, and have been doing so for some time. They also are situated in somewhat larger jurisdictions than many other programs that operate in the juvenile justice arena. The smallest county we visited had over 180,000 residents. For a broader



view of programs that serve victims and witnesses of juvenile crime, we turn to the respondents to our mail survey.

In this section, we restrict our discussion to programs that said that at least 5 percent of their clients were victims or witnesses of juvenile crime. One hundred sixty-six (166) programs -- 65 percent of those responding to the survey -- meet that criterion.<sup>14</sup>

Like the programs that we visited, the majority of programs in the survey were sponsored by prosecutors or community-based not-for-profit organizations. Prosecutor's offices made up 35 percent of the respondents and "other" organizations, most of them community not-for-profit organizations, another 51 percent. Programs sponsored by other agencies in the justice system, namely police and courts or probation, were uncommon.

As Table 9 shows, whatever agency operates the program, victims of juvenile crime tend to be a minority of their caseload. Forty percent of the programs report that only 5 to 10 percent of their clients are victims of juvenile crime. Another 40 percent fall in the 11 to 30 percent category -- a proportion which probably more closely approximates the proportion of crimes attributable to juveniles. Only one in ten programs reports that victims and witnesses of juveniles comprise more than half of their caseload. Only four programs (3 percent) work exclusively with victims of juvenile crime, and all but one of these programs are operated by the courts or probation agencies.

In contrast, the programs we visited were more likely to be heavily involved in serving victims of juveniles. Two programs focus exclusively on juvenile crime, and two others estimate their juvenile caseload to be in the 30 to 40 percent range. While all of the programs we visited had staff assigned specifically to juvenile cases, only about 35 percent of the mail survey respondents have a special unit or special staff person assigned to the juvenile justice system.

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<sup>14</sup>The numbers for individual tables will vary because of missing data on some items.

**Table 9. Proportion of Clients Who Are Victims of Juvenile Crime by Type of Agency Operating the Program**

Proportion of Clients	Police (N=11)	Prosecutor (N=54)	Courts/ Probation (N=11)	Other (N=80) <sup>1</sup>	All Types (N=156)
5 - 10%	27%	43%	27%	43%	40%
11 - 30%	55	44	36	35	40
31 - 50%	9	9	9	13	11
51 - 70%	9	4	0	8	6
71 - 90%	0	0	0	1	1
100%	0	0	27	1	3

<sup>1</sup> Other includes providers that identified themselves as not-for-profit organizations, mental health organizations, hospitals, social service agencies, and government agencies that are not part of the law enforcement/criminal justice system.

Like most of the programs we visited, the mail survey respondents rely more on telephone contacts than on face-to-face interaction. But the mail survey respondents do not report as many contacts per month of either type as the visited programs. Three-quarters of the programs make between one and 20 telephone contacts per month, with 18 percent making more than 30 per month. Personal contacts are less common: 68 percent of programs report fewer than 10 personal contacts per month and only 12 percent report more than 30. The mail is the least frequent method of contacting victims and witnesses in juvenile cases, with 20 percent of the programs not employing this method at all. The programs we visited all use the mail, however, especially for notifying victims of case filings or dispositions.

The services that the programs surveyed provide to victims and witnesses of juvenile crime are shown in Tables 10 and 11. For each category of service, Table 10 shows the proportion of programs that provide this service to more than half their clients in juvenile cases, provide it to less than half their clients, and never provide the service. The more commonly provided services include: crisis

Table 10. Proportion of Programs That Provide Each Category of Service (N = 156)

Services	Service provided to more than 50% of clients	Service provided to less than 50% of clients	Service never provided
Reporting investigation status	37%	40%	23%
Property return	17	39	44
Transportation to line-ups	10	47	43
Orientation to court	37	42	21
Preparation for testimony	43	41	16
Notification of court dates	46	35	18
Transportation to court	13	57	30
Legal counsel other than D.A.	4	22	74
Witness reception	29	29	42
Accompany victim to court	47	44	8
Child care during court	11	43	46
Employer intervention	16	61	24
Assistance with victim impact statement	38	41	21
Notification of disposition	48	31	21
Assistance with insurance claims	18	43	40
Assistance with victim compensation	50	36	39
Assistance with witness fees	22	29	49
Assistance with emergency shelter	34	33	33
Assistance with security repair	16	60	24
Assistance with emergency financial aid	11	60	30
Crisis intervention counseling	73	21	6
24-hour hot-line	56	7	37
Referral	74	24	2
Victim-witness protection	15	34	51
Victim-offender mediation	7	22	71

Table 11: Service Emphasis for Each Type of Operating Agency

	Services Frequently Provided <sup>1</sup>	Services Rarely Provided <sup>2</sup>
Law Enforcement Programs	Reporting investigation status, Assistance with impact statement, Notification of disposition, Assistance with compensation, Crisis counseling, Referral	Victim offender mediation
Prosecutor sponsored programs	Preparation for testimony, Notification of court dates, Notification of disposition, Assistance with compensation, Referral	Legal counsel (other than prosecutor), 24-hour hotline, Mediation
Probation sponsored programs	Assistance with compensation; Assistance with restitution, Crisis counseling, Referral	Transportation to line-ups, Legal counsel, 24-hour hotline, Victim/witness protection
Other programs	Crisis counseling, 24-hour hotline, Referral	Property return, Legal counsel, Witness reception, Assistance with witness fees, Assistance with security repair, Victim/witness protection, Mediation

<sup>1</sup> Includes services that more than 60 percent of the respondents provide to the majority of their clients in juvenile court.

<sup>2</sup> Includes services that more than 60 percent of the respondents never provide to their clients in juvenile cases.

intervention, referral, 24-hour hotlines<sup>15</sup>, assistance with compensation, notification of court dates and disposition, and accompanying clients to court. Services that many programs do not provide include: mediation, legal counsel (other than the prosecutor), victim and witness protection, assistance with witness fees, and child care.

Table 11 shows how the service emphases vary according to the agency that operates the program. Prosecutor-based programs emphasize services to victims and witnesses such as preparation for testimony, notification of court dates and notification of

<sup>15</sup>The frequency with which this response turned up surprised us. Based on our telephone contacts throughout the assessment phase, we believe that this does not reflect widespread availability of on-scene assistance, but rather the fact that many programs are based in agencies such as police departments where telephone contact is possible at any hour.

disposition, while rarely providing services targeted exclusively at victims, such as 24-hour hotline access. Overall, however, other data (not shown) indicate that prosecutor-based programs tend to provide a broader array of services than most of the other agencies. All of the other types of programs emphasize services for victims such as crisis counseling and referral. As we would expect law enforcement sponsored programs frequently report investigative status, probation-based programs assist with restitution and compensation claims, and "other" programs (many of these are rape crisis services) provide 24-hour telephone access.

As noted earlier in this chapter, law enforcement programs and rape crisis programs were not included in our site visits, primarily because their involvement with the juvenile justice system tended to be so limited. Clearly, however, they are often involved with victims of juvenile crime at an earlier stage of the process.

As in our surveys of judges, prosecutors, and other system officials, we asked our program survey respondents to rate their jurisdictions on their recognition and responsiveness to victims of juvenile crime. Respondents rated their local jurisdiction on a scale of 1 (grossly inadequate) to 5 (exemplary) on the following items:

- Recognition of victim rights
- The amount and type of information provided to victims
- The timeliness of the information provided
- Opportunities for victim participation
- Service provided to victims and of witnesses.

The responses are shown in Table 12. Even though survey respondents report that a variety of services are provided to victims and witnesses in the juvenile justice system, they rate their individual jurisdictions as having inadequate to barely adequate services and treatment for crime victims and witnesses in the juvenile justice system. Mean ratings fell below the midpoint of the scale for the first four items, and averaged just 3.0 ("adequate") for the services provided. Opportunities for victim participation received the lowest average score, 2.4. There are some differences by operating agency, however. As a group, probation-

and prosecutor-based programs rate their jurisdictions as more receptive to victims of juvenile crime than do police-based or other programs. As a group, the programs that we visited tended to be much happier with the situation in their jurisdictions, rating them in the adequate to exemplary range on most items.

**Table 12. Ratings of the Program Jurisdiction's Receptiveness to Victims**

	Programs sponsored by Police (n=10)	Programs sponsored by Prosecutors (n=48)	Programs sponsored by Probation (n=11)	Programs sponsored by Other* (n=73)	All program Types (n=142)
Recognition of Victim Rights	2.1	2.8	3.7	2.3	2.6
Amount & Type of Information Provided to Victims	2.4	3.1	3.7	2.4	2.7
Timeliness of Information provided	2.1	3.1	3.8	2.3	2.6
Opportunities for Victim Participation	1.8	2.6	3.8	2.1	2.4
Services Provided to Victims/Witnesses	2.5	3.3	3.8	2.7	3.0

\* Other agencies include not-for-profit organizations, community mental health organizations and local courts.

\*\* Ratings were made on a scale of 1 (Grossly Inadequate) to 5 (Exemplary).

### **In the next chapter. . . .**

The next chapter summarizes the findings of the assessment phase and considers their implications for prototype development, training and technical assistance, and testing.

## **IV. Conclusions and Recommendations**

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This chapter summarizes what we know about victims and witnesses in the juvenile justice system and discusses the implications of these findings for the remainder of the Victims and Witnesses in the Juvenile Justice System Development Program.

**What does the literature tell us about victims and witnesses in the juvenile justice system?**

- While juveniles account for a substantial share of crime in the United States, few researchers have studied victims and witnesses in the juvenile justice system, the problems they face, and the services they receive.
- The limited evidence we have suggests that victims of juvenile crime have concerns and problems similar to persons victimized by adult offenders. However, no research has systematically compared victims and witnesses of juvenile crime with their counterparts in the adult system, or has explored the significance of probable differences in their ages and their familiarity with court procedures and philosophy.
- General recognition of the plight of victims has spurred many legislative initiatives around the country and the development of hundreds of victim witness assistance programs, but it not clear how much they have touched the juvenile justice system.
- Although some aspects of victim witness assistance need further study, many evaluations of programs operating in the adult criminal justice system point to their benefits for their victim and witness clients and for the criminal justice system. For the most part, assistance provided within the juvenile justice system has not been evaluated.

**To what extent do state statutes help or hinder victim and witness assistance in the juvenile justice system?**

- Victim rights have not achieved the same statutory recognition in the juvenile justice system as they have in the adult system. Most state victim bills of rights do not explicitly extend their provisions to the juvenile system. Most juvenile codes are virtually silent about victims except to define the circumstances under which a victim may have access to the accused juvenile's name or prior record and to acknowledge restitution to the victim as a permissible sanction.

- Even when victims or witnesses are afforded specific statutory protections in the juvenile system, many juvenile justice officials may not be aware of them.
- While juvenile codes contain few guarantees of the rights of victims and witnesses, they also contain few explicit prohibitions against their participation. According to our mail survey respondents and the people interviewed during our site visits, many forms of victim participation are viewed as permissible and victim assistance can be provided in a wide variety of statutory environments.

**What are current practices with respect to victims and witnesses in the juvenile justice system?**

- In practice, according to juvenile justice officials, victims "sometimes" or "routinely" participate in many different ways. However, victims are unlikely to be informed of the accused's prior record, to be told that the accused has been released from secure detention, to submit a written statement about the sentence they desire, or to participate in formal mediation.
- According to juvenile justice officials, their agencies routinely provide some services to victims and witnesses in conducting the regular business of the agency.
- Nonetheless, these officials rate their jurisdictions as "less than adequate" in their recognition of victim rights, opportunities for victim participation, amount and timeliness of information provided to victims, and victim services.
- Indeed, the majority of victim witness assistance providers are not heavily involved in serving victims and witnesses in the juvenile justice system. Only 39 percent of the programs we surveyed report that victims and witnesses of juvenile crime exceed 10 percent of their client population.

**What are the current approaches to victim witness assistance in the juvenile justice system?**

- Programs that are committed to serving victims and/or witnesses of juvenile crime are operated by a variety of agencies, in jurisdictions that are demographically, geographically, and statutorily diverse. Their organizational structures, staffing patterns, and resource levels also vary considerably.
- The programs that we visited -- chosen for their substantial involvement with victims and/or witnesses of juvenile crime and their promising approaches -- usually identify their clients at the



time that charges are filed in the case. Less often, they intervene when the case is referred for prosecution.

- These promising programs began in jurisdictions where victim witness assistance programs and concepts were already familiar, but well after services had been implemented for victims and witnesses of adult crime. All programs we visited started small and modeled their services in large part on approaches used in the adult system.
- While specific services vary and the emphasis differs somewhat according to the operating agency, programs that assist victims of juvenile crime typically offer: orientation to the juvenile court process; provision of information about case filing and outcomes; assistance to victims who must testify; crisis counseling and referral to other agencies; and assistance with compensation, restitution and victim impact statements.
- Witness coordination and assistance for nonvictim witnesses are often provided, especially by prosecutor-based programs. Some programs also provide services such as witness reception, preparation for testimony, mediation, and monitoring of restitution compliance.
- Like juvenile justice officials, service providers -- except in the sites we visited -- do not rate their jurisdictions very highly on their recognition and responsiveness to victims of juvenile crime.

## Recommendations

One of our major conclusions from the assessment phase is that victims and witnesses of juvenile crime, while participating to some degree in the juvenile justice process, are underserved. There are, however, jurisdictions that are exceptions, with programs that have made a significant commitment to helping victims and/or witnesses of juvenile crime. The approaches and strategies used by these programs and jurisdictions are sufficiently developed to serve as models for other areas.

A second conclusion is that there are few statutory impediments to the development of victim witness assistance programs in the juvenile justice system. However, there is some evidence that juvenile justice officials are not fully informed about the victim rights legislation that does pertain to their own jurisdictions. Based on the experience of the programs we visited, we believe that having local officials who are familiar with victim rights issues and cognizant of victim/witness assistance

programs in the adult system helps lay the groundwork for vigorous juvenile programs.

Finally, while there are program approaches available to serve as models for the juvenile justice system, we conclude that a number of knowledge gaps remain to be addressed. These gaps fall into two broad categories: the characteristics and needs of the target population, and the process and effectiveness of victim witness efforts. Additional research in both areas would help to ensure that approaches adapted from the adult system are suitable for the juvenile system and would help to refine the current models.

We discuss the implications of these findings and conclusions for each of the remaining phases of the Victims and Witnesses in the Juvenile Justice System Development Program below.

### **The prototype development phase**

OJJDP originally conceived of the prototype development process as serving three primary goals: to select the most promising models for serving victims and witnesses in the juvenile justice system; to describe the policies and procedures of these models in detail; and to present the descriptions in a manual that not only sensitizes practitioners as to the needs of victims and witnesses but offers concrete advice as to how to implement programs. The assessment has demonstrated that there is a need to develop and disseminate such a manual in order to educate juvenile justice officials about the rights and needs of victims and witnesses and to stimulate the expansion of services for them.

The manual should be a marketing tool for victim witness assistance in the juvenile justice system, as well as a compendium of successful approaches to guide program implementation. The audience for the document is juvenile justice decision makers -- juvenile court judges, prosecutors, probation officer, and court administrators -- as well as staff of existing victim witness assistance programs that might expand into the juvenile system.

In developing the manual, we propose to take a modular approach. We believe that the structure imposed by a set of "models" is too rigid to reflect the varied reality

of successful programs. Instead, we propose to organize the manual around critical modules or "core components" of effective programs. These core components are what we consider to be the minimum set of services for an exemplary victim witness assistance program in the juvenile arena. They are based on our observations of programs in the field as well as the descriptions of services provided by mail survey respondents. In addition, the manual will describe components that are optional and clusters of these optional components that seem to occur and work well together.

Services that we consider to be core components are:

- orientation to the juvenile court process. At a minimum programs should offer some explanations of the juvenile court to victims and witnesses, either in response to questions over the telephone or in person. A brochure describing the juvenile court process to be routinely mailed to the victim and/or witness would be highly desirable.
- provision of information about filing and case outcomes. In locations where the statutes permit, victims and witnesses should be notified of the filing and the outcome of the case -- whether it was dismissed, adjudicated and sentenced. Where permitted, programs should relate the specific sentence.
- crisis counseling and referral. A minimum requirement for a program is that staff offer a sympathetic ear to victims who may be traumatized. This does not mean that programs must intervene at the crime scene or employ trained counselors, but it does mean that staff should have enough training in crisis intervention techniques to assess the need for further intervention and to make appropriate referrals.
- assistance with compensation, restitution and victim impact statements. Programs should routinely provide victims with the necessary restitution and compensation forms and provide assistance in filling them out as needed. In addition, they should notify victims of their rights regarding participation in sentencing, and assist with impact statements.
- assistance to victims who must testify. Programs should routinely assist victims when they must attend court, but the specific strategies they might employ can vary. We have grouped them under "optional components".

Those components we consider to be optional include: witness reception; notification of court dates; assistance with witness fees; preparation for testimony; assistance

with other witness support services; accompaniment to court; tracking restitution compliance; facilitating victim/offender mediation; on-the-scene crisis counseling; liaison with police for property return or status of the investigation; witness protection; and notification of parole hearings.

We intend for this modular approach to encourage programs to develop incrementally, adding components as the need for them arises and as the capability of the program increases. One major advantage of this approach to program implementation is that it increases the probability that the program will fit the financial, legal and organizational exigencies of its particular environment. It also recognizes that under some circumstances, more than one agency might be involved in assisting victims and witnesses of juvenile crime, and different agencies might take the lead on different components.

The manual will be organized according to core and optional components. For the set of core components and each of the optional components we will describe:

- underlying goals and philosophy
- organizational relationship
- target population
- procedures
- staffing requirements
- environmental conditions affecting component
- measures of effectiveness

The discussion will draw from examples observed on our site visits.

### **The training and technical assistance phase**

For training and technical assistance to be effective, we believe that it should involve the participants in relevant, "hands-on" practice and it should be provided by instructors who are practitioners with direct experience or expertise in the subject. Consequently, we believe that professional organizations representing juvenile justice officials and victim assistance providers would offer the most

effective training partners in the juvenile justice arena. Our original plan for this stage was that we would develop and test a training package, but that the training sessions would be conducted by victim assistance professionals and prosecutors. The assessment has not altered this plan except that we believe the trainers should include juvenile court judges and probation officers as well as victim assistance professionals and prosecutors.

### **The test design phase**

A test design phase would provide an opportunity for knowledge-building about victim and witness assistance programs for the juvenile justice system -- the characteristics of their target populations, how their target clients compare to those of adult programs, their implementation and service delivery processes, and their short- to intermediate-term outcomes. The test designs would also stimulate nationwide interest in victims and witnesses of juvenile crime and expand the amount of assistance available to them.

In developing a plan for the testing phase, we recommend that OJJDP consider funding a number of test sites at a relatively modest level. Prospective sites should be required to offer certain minimum core components. Sites should also be encouraged to implement optional components, including those that are of special interest because they have received little research attention even in the adult system. Examples of such components include victim impact statements, witness protection, and pre-filing interventions.

In developing an evaluation plan for the testing phase, OJJDP should consider how a project management information system might be used to generate certain minimum, uniform descriptive data on project clients and services. While case study techniques may be appropriate for examining some aspects of the project implementation process, OJJDP should also seriously consider recommending quasi-experimental designs to evaluate selected service components.

As a group, the ideal set of testing sites would represent a range of variation in demographic, social service, and legal environments, organizational settings, and prior experience in serving victims and witnesses of crime. We suggest that the primary

consideration in individual site selections should be how each site would serve the knowledge-building goals of the testing phase.

In summary we recommend that OJJDP continue the Victims and Witnesses in the Juvenile Justice System Development Program. The few adjustments we have suggested do not alter substantially the original plan.

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# Appendix A - Methods

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## The purpose of the mail survey

The mail survey was designed to:

- identify constraints to the implementation of victim/witness assistance programs in different jurisdictions
- explore the current juvenile justice system response to victims and witnesses of juvenile crimes across the country
- assess the use of dispositional alternatives such as mediation and restitution
- identify promising approaches to victim and witness services for further study

## How the mail survey was conducted

We designed five mail survey instruments, each with nine questions or fewer, for:

- Judges
- Prosecutors
- Police
- Probation Departments
- Victim and/or Witness Assistance Programs

## The pre-test

We asked 22 respondents in three counties varying in population size and geographic region to answer the surveys and to comment on the questions in the survey. We also collected comments from the our Advisory Committee. Based on the comments from the respondents and the Advisory Committee members, we made some changes to the survey forms and began the sampling process. We surveyed two samples: a program sample and a county sample.

### The random sample of victim/witness assistance programs

This survey was used to gather information about the extent of services being provided to victims and witnesses in the juvenile justice system by programs already in existence. We started with the National Organization of Victim Assistance (NOVA) mailing list of programs that provide services to crime victims and witnesses or maintain an interest in victims' issues. Since the list consisted of approximately 6000 programs, we elected to take a 10% random sample of the list to survey. We mailed 605 surveys, of which 69 were eventually excluded because the programs were no longer in existence or were not service providers (for example, local councils, or committees). From the 536 remaining programs, we received 366 responses (68%). Almost one-third of respondents (110 or 30%) did not provide direct services to any victims and witnesses of crime. These programs are not included in our analyses. The data we report are based on the 256 respondents who are directly involved in victim or witness assistance of some type. Due to missing or incomplete data the number (n) may fluctuate on individual questions.

### The national county sample

This survey was employed to determine what forms of victim participation are allowed and are practiced in different juvenile justice systems. We also wanted to learn what services were provided to victims and witnesses of juvenile offenders. To meet these needs, we surveyed one judge, prosecutor, probation officer and police representative in each sample jurisdiction, as well as all the victim/ witness service providers that we could identify. In order to reach the most knowledgeable persons in the agencies, surveys were sent to the presiding judge, the chief prosecutor in the the juvenile division, the chief juvenile probation officer and the most senior police officer in the juvenile division of the police department.

We randomly selected one county from each of four population groups in each of the fifty states and the District of Columbia. We also randomly selected a second county from the largest population group in each state (where possible),

on the assumption that larger cities may be more likely to have assistance programs. The four population groups were:

- 75,000-149,999
- 150,000-349,999
- 350,000-599,999
- 600,000 and over

Not every state had a county in each population group. In fact, the largest county in Wyoming does not even have 75,000 residents, so we included the largest county in the state. The number of counties in each population group of the sample were as follows:

- 47 counties in the 75,000-149,999 group
- 38 counties in the 150,000-349,999 group
- 30 counties in the 350,000-599,999 group
- 36 counties in the 600,000 and over group

The survey included 151 counties, and a total of 994 surveys -- 151 judge surveys, 151 prosecutor surveys, 151 probation surveys and 146 police surveys<sup>1</sup> and 395 victim witness program surveys. Thirty nine victim witness assistance programs were later excluded from the sample because we found that the programs no longer existed or we determined that they did not provide any direct services. From the 955 remaining surveys, we had 581 responses, for an overall response rate of 61 percent.

Response rates varied by type of respondent. The lowest response rate was from the judge surveys -- 41 percent or 61 responses. There were 91 responses to the prosecutor survey -- 61 percent, 110 responses to the probations survey -- 73 percent, and 90 responses to the police survey -- 62 percent.

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<sup>1</sup> We could not identify a local police department in 5 of the jurisdictions surveyed.

### Mail and telephone follow-up

Two weeks after we completed mailing both parts of the survey we had a 44 percent response rate from the national sample of counties and a 48 percent response rate from the random sample of programs. A postcard follow-up at this point did not significantly raise the response rate. We began a telephone follow-up about 3 1/2 weeks after we completed mailing the entire survey which increased our response rates almost 20 percentage points.

### What questions were asked

Each survey contained a question about how often various services were provided to victims of juvenile crime, and a question asking the respondents to rate their jurisdiction on victim rights, participation in the justice process, availability of information, and how well information is communicated to victims. In addition, the individual surveys included questions specific to an agency:

- Judges and Prosecutors were asked about the legal restrictions on certain victim types of victim or witness participation
- Police were asked questions concerning diversion procedures and victim cooperation
- Probation departments were asked questions concerning restitution, diversion and victim impact statements
- Victim witness programs were asked about caseload, types of victims served, and proportions of clients who are victims of juvenile crime

## Appendix B

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## **Program Profile**

### **Boulder County District Attorney's Victim/Witness Assistance Unit Boulder, Colorado**

*The Boulder County District Attorney's Victim/Witness Assistance Unit serves victims and witnesses of crime in all criminal and delinquency cases referred to the District Attorney's Office. The unit has seven full-time and one part-time staff. One full-time victim assistant specializes in providing services to victims and witnesses in juvenile cases. The services she provides are much like those offered to victims and witnesses of adult crime. They include crisis counseling, orientation to the court process, notification of case status and disposition, documentation of restitution and victim impact, and witness coordination. The juvenile component of the project, first established in 1986, is supported by a combination of federal Justice Assistance Act funds and District Attorney resources.*

#### **What are the characteristics of the jurisdiction?**

Boulder County, Colorado had about 216,800 residents in 1987. Approximately 40 percent of the population lives in the city of Boulder and another 20 percent in the city of Longmont. The population is largely white, and compared to the U.S. as a whole, very well-educated. Thirty-six percent of the residents have more than 16 years of schooling--twice the national average. Boulder itself is a college community. Unlike larger and more urban areas, Boulder is relatively untroubled by serious violent crime and violent delinquency.

**The juvenile justice system.** In 1987, the D.A.'s Office filed delinquency charges in 530 cases and deferred or took no action in 569 others. Two deputy D.A.s handle the juvenile caseload. The D.A.'s Office is located in the Justice Center Complex, together with county and city law enforcement, the adult and juvenile courts, and probation. Two judges each spend about half-time hearing juvenile cases.

**Statutes and procedures that influence the program.** In contrast to practices in most states, Colorado's delinquency proceedings are open to the public and are similar to adult criminal proceedings in most respects. The juvenile code provides that the D.A. may disclose the juvenile's name to the victim. It also permits the victim to attend disposition and restitution hearings and to provide a written or oral impact



statement. In addition, Colorado's Victim Bill of Rights mandates that the probation officer's presentence report include a written victim impact statement in all felony cases. Although this Bill does not mention delinquent offenses, in Boulder County these rights are extended to victims of juveniles.

The preliminary hearing, where the D.A. must demonstrate probable cause to proceed, is the point at which witnesses are usually needed in juvenile cases. In Boulder, trials in juvenile cases are fairly rare. When a case reaches sentencing, judges have a range of options, including diversion, deferred adjudication, probation, detention, and commitment to the Department of Institutions for up to two years. Commitments are unusual in Boulder, however, and Colorado as a whole is moving toward deinstitutionalization of most juveniles. Restitution is required as part of every sentence, if feasible.

**Other victim witness services in the community.** The D.A.'s Office is the primary provider of services for victims in cases that are being prosecuted. However, Boulder County has a number of other programs for victims of crime, including victims of juveniles. These include Crisis Response Teams in both the Boulder Police Department and the Boulder County Sheriff's Office. These teams respond to victims at the scene of a crime or shortly thereafter to offer crisis counseling and referral. The county also has a Rape Crisis Team and two safehouses for victims of domestic violence.

### **How did the program begin?**

The D.A.'s Office began its victim witness assistance program in Fall 1976, focusing on adult felony cases. Over the years, the unit gradually grew from one and one-half positions to seven and one-half. Its focus expanded as well--to victim compensation in 1982, and to domestic abuse, adult misdemeanors, and delinquency cases in 1986. The staff also relinquished one responsibility to the probation department--the administration of restitution payments.

From its inception, the unit had taken on exceptional juvenile cases and had assisted with victim compensation when appropriate. Gradually, however, the need for more routine victim witness assistance in juvenile cases became apparent. Juvenile referrals to the D.A.'s Office were increasing, and the size of the caseload was a heavy burden for the small juvenile D.A. staff. A victim assistant was assigned quarter-time to

juvenile matters from January to August 1985 and again from February through June 1986. Justice Assistance Act funds helped upgrade the post to three-quarter time in July 1986. The position was expanded to full-time a year later.

### **What are the program's goals and objectives?**

The juvenile program's current aims are to:

- increase the cooperation and efficiency of witness utilization for cases involving juvenile offenders, through improved appearance coordination and follow-up
- "humanize" the criminal justice system's treatment of victims and witnesses in juvenile cases through sensitizing system personnel to the needs and concerns of victims and witnesses and providing or facilitating access to needed services
- institutionalize the services in the D.A.'s Office.

### **How is the program organized?**

The victim witness unit is part of the Boulder D.A.'s Office, and its director reports to one of the D.A.'s senior deputies. Except for the director and the program secretary, each of the staff members specializes in a particular area. The assistant director handles adult felonies, one specialist is assigned to adult misdemeanors, one to juvenile cases, two to domestic abuse, and a half-time specialist to compensation. The specialists function as a team, however, and all are expected to become knowledgeable enough to fill in for one another during vacations and other absences. The juvenile specialist reports directly to the program director.

The program has 10 to 15 volunteers or student interns at any given time, recruited by the Justice Center's volunteer coordinator. On average, two volunteers are assigned to the juvenile specialist and they assist primarily with witness management. The unit has a formal training program for its volunteers, composed of lectures, videotapes, required readings, and courtroom observation.

There is no formal training program for new staff, but turnover has been low. Staff are encouraged to take advantage of various training opportunities available locally and through the Colorado Organization for Victim Assistance.

Currently, the entire unit is located adjacent to the D.A.'s reception area. The space is very cramped and provides little privacy for staff or clients, but it does include a small waiting area for victims and witnesses. The unit is scheduled to relocate soon to more spacious quarters in the basement of the building. At that time, the plan is to place the juvenile specialist in a separate location that will be more accessible to the courtrooms used in juvenile cases.

#### **Whom does the program serve?**

The program targets all victims and witnesses of crime in juvenile cases that are referred to the D.A.'s Office, with a primary focus on cases in which charges are filed. In the 12-month period from August 1987 to July 1988, the juvenile specialist opened 316 case files. During the same year, she notified about 450 victims that charges had been filed, made over 1100 witness contacts regarding court appearances, and notified nearly 750 victims and significant witnesses of their case outcomes.

For the most part, the juvenile specialist identifies victims by screening police reports and D.A. files on detainees, and by reviewing daily arrest lists for other cases involving nondetainees. In addition, she receives some referrals directly from agencies or programs such as the Rape Crisis Team, the police crisis response teams, and the Department of Social Services.

Witnesses in juvenile cases are identified by screening the lists of subpoenas sent out by an administrative assistant.

#### **What services does the program provide?**

As the juvenile specialist reviews cases, she assigns victims to one of three priority levels. This will determine the way the victim is contacted initially and the intensity of service thereafter. The highest priority is assigned to victims of violent crime, as well as victims of "exceptional" burglaries (for example, those where the victim encountered the offender). The specialist calls these victims, usually within 24 hours, and maintains relatively frequent contact with them thereafter. In especially sensitive cases, usually involving a child victim or a frail elderly person, the specialist may make a home visit.

The lowest priority is assigned to victims of shoplifting and of property crimes involving less than \$50 in losses. These victims receive a letter stating that charges have been filed and asking for completion of a restitution form. Usually it is up to the victim to initiate any further contacts with the program.

Victims of property crimes involving greater losses are assigned intermediate priority. They receive a victim impact form along with their charging letter and restitution form. If the victim does not respond within about 10 days, the specialist calls or writes again, to ensure that the information is available in time for disposition.

Once subpoenas have been mailed out by the D.A.'s staff, the specialist has telephone contact with most victims and witnesses who have been summoned. The D.A.'s cover letter asks witnesses to acknowledge their subpoenas by return mail and to call the unit for further information and assistance. The juvenile specialist follows up with those who do not respond.

The program's primary services include:

- crisis counseling and referral to other agencies
- information about the status and outcomes of cases
- coordination of witness appearances
- orientation to the juvenile court process and accompaniment to court
- assistance in documenting victim impact and in obtaining restitution and/or compensation.

**Crisis counseling and referral.** At the first telephone contact, the specialist provides crisis counseling and if necessary, refers the victim to other community agencies for additional counseling or other assistance. In later contacts, she continues to provide counseling and support related to the juvenile justice process if appropriate.

**Information about the status and outcome of cases.** The specialist sends personal letters to all victims when charges are filed in a juvenile case and also notifies all victims and significant witnesses of the case disposition. The sentence and any terms and conditions that have been imposed on the offender usually are reported to the

victim in a disposition letter. Notifications are made by phone in more sensitive cases. If the outcome involves a plea agreement to which the victim objects strongly, the specialist conveys the victim's feelings to the deputy.

In serious cases, the specialist or the D.A. in charge usually calls the victim to explain if no charges at all are filed.

**Coordination of witness appearances.** The specialist follows up on all subpoenas served by the D.A.'s Office to ensure that witnesses will appear as scheduled. She attempts to locate witnesses and arranges for transportation or child care if they are needed to get the witness to court. She also can place a witness on call provided that the witness can be reached easily.

**Orientation to the juvenile court process and accompaniment to court.** Part of the initial contact with each victim normally involves explaining how the legal system works and what the steps in the case are likely to be.

In addition, anyone summoned as a witness is instructed to report to the unit 20 to 30 minutes prior to the scheduled court hearing. This gives the specialist an opportunity to let the witness know what to expect and to permit a meeting with the assigned D.A. More extensive orientation, including a tour of the courtroom, is provided in advance to child victims and others in need. (During orientation, the specialist need not focus on differences between the juvenile and adult court process, because these are negligible.) The specialist waits with the witness until he or she is called and accompanies the witness into the courtroom.

**Assistance in documenting victim impact and obtaining restitution and/or compensation.** The specialist sends a victim impact form to all felony victims, as required by statute, and to victims in the more serious misdemeanor cases as well. The specialist follows up if the disposition is approaching and the form has not been received. If a quick disposition is expected, the specialist may take the information over the telephone. A copy of the completed form is sent to probation and another is placed in the D.A.'s file. The specialist also tells victims that they may come to the disposition hearing and speak, but it is unusual for victims to do so except in the most serious cases.

The specialist also follows up on missing restitution forms and turns over the forms and supporting documentation to the probation department.

Finally, the specialist provides compensation forms to victims of violent crime who appear to meet the state's eligibility criteria. Any necessary follow-up is handled by the unit's compensation specialist.

**Other services.** From time to time, the specialist provides some other forms of assistance. At the request of a victim, she will intercede with the D.A. to authorize return of crucial property (e.g., eyeglasses) prior to disposition. In the typical case, however, she notifies the police at the point of disposition that property can be returned. If a victim is being harassed at school, the specialist may contact the school principal or a counselor. Finally, in some cases, particularly those involving children, the specialist will provide the D.A. with an informal assessment of the victim's ability to testify.

#### **How does the program interact with other agencies and the community?**

The Boulder Victim/Witness Assistance Program is an active participant in a local network of public and private agencies that provide law enforcement, victim assistance, and other human services. The program routinely refers victims to local agencies for counseling and other needs, and accepts outside referrals as well.

All members of the staff, including the juvenile justice specialist, participate in local task forces, committees, and training activities. Extensive "cross-training" among agencies on topics of mutual interest is the norm in this community. All staff also respond to requests for public presentations from time to time.

#### **How is the program funded?**

The juvenile component has a current budget of \$29,534, which covers a full-time juvenile specialist and a small portion of the program director's and the supervising deputy's time. Just over half of this budget is funded by the Boulder D.A.'s Office. The balance comes from federal Justice Assistance Act funds, under a state block grant award that is expected to terminate in July 1989. The program also receives in-kind assistance from the D.A.'s Office in the form of space, supplies, equipment, and secretarial support.

For further information about this program, contact:

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Director and Coordinator  
Victim/Witness Assistance Unit  
Boulder County District  
Attorney's Office  
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Telephone: (303) 441-3730

## **Program Profile**

### **Delaware County Juvenile Court Victim Services Unit Media, Pennsylvania**

*The Victim Services Unit (VSU) in Delaware County, Pennsylvania is a seven year old program operated by Juvenile Court Services, the entity responsible for administering the juvenile court, juvenile probation and the youth detention center. The unit consists of one full-time and one part-time staff who provide services to victims in all cases accepted for prosecution. The program sends any victim who appears on a petition a letter introducing the victim to the unit and a brochure explaining the juvenile justice system. The core service is victim reception when court appearance is required, including court orientation, accompaniment to the proceedings, and informal counseling to reduce anxiety about the process.*

#### **What are the characteristics of the jurisdiction?**

Delaware County is a suburban community located southwest of Philadelphia with a population of approximately 565,000. The county has a crime rate of about 44 property and violent crimes per 1,000 population. The most severe crime pockets are those areas that abut Philadelphia and the city of Chester.

**The juvenile justice system.** Juvenile Court is the judicial agency that handles delinquency cases for youth between the ages of 10 to 18. In addition to its judicial responsibilities, the Juvenile Court administers community supervision programs for these youth, including both regular and intensive probation services, aftercare, community service programs, family therapy and a day treatment program. It is also responsible for operation of the Juvenile Detention Center.

Delinquency cases are heard by a judge who sits one day a week and two "masters" who sit two days a week each. The masters are appointed by the President Judge for a term of one year and can be reappointed for succeeding one year terms. Proceedings assigned to their docket include detention, adjudication, disposition and placement and probation review. The assigned judge hears all of the cases under consideration for transfer to adult court.



In 1987 the court caseload was 1,188 petitions for 854 juveniles. Three hundred forty-nine of the petitions were withdrawn, 208 resulted in a consent decree, 340 resulted in probation dispositions and 120 resulted in some kind of residential placement.

**Statutes on procedures that influence the program.** The Pennsylvania statutes are relatively conducive to the development of victim witness assistance programs in the juvenile justice system. The victim Bill of Rights legislation enacted in June, 1984 is written to include victims of juveniles. It covers all victims of crime, with crime defined as "an act committed in this Commonwealth which, if committed by a mentally competent, criminally responsible adult, who had no legal exemption of defense would constitute a crime." The Bill of Rights guarantees victims the right to have information about the impact of the crime included in the presentence report, to have restitution ordered whenever feasible, and, at the victim's request, to be informed of the release of any felon from incarceration. The legislation also provides for the provision of technical assistance and the funding of victim services such as notification, protection (e.g., separate waiting rooms), and procedures to expedite the return of property.

The Juvenile Court Judges' Commission in Pennsylvania has developed standards for juvenile courts and juvenile probation officers that cover some of the same areas specified in the legislation. The standards call for courts and probation departments to:

- prepare a victim assistance brochure and to distribute it to victims prior to the first hearing
- develop policies that lessen waiting time and reduce unnecessary appearances
- provide separate waiting facilities
- pay witness fees and help with incidentals
- develop procedures that provide for speedy contact between the victim and the probation officer
- develop a restitution program.

**Other victim witness services in the community.** There are a number of victim assistance programs operating in Delaware County, two of which provide services to a subset of the population victimized by juveniles. Senior Victim Services provides support

to people aged 55 and over who are victims of crime. The program offers victims telephone and home counseling, assistance with compensation and restitution forms and medical and court accompaniment. Women Against Rape provides services to all victims of sexual assault in Delaware County. About one fourth to one third of the program's 30 new cases each month are victims of juveniles. Emphasis in this program is on crisis intervention, ongoing counseling and assisting victims as they encounter the criminal justice system. Both of these programs accompany their victim clientele when appearances are required in Juvenile Court.

Neither of the two other programs in Delaware County, the Domestic Abuse Project and the Adult Victim Witness Assistance Program in the Delaware County District Attorney's Office, provide services to victims whose cases are before the juvenile court. Since the District Attorney's program serves all victims and witnesses in cases referred for prosecution in the adult criminal system, it would pick up any juvenile cases transferred to the adult system. The program attempts to accommodate victims and witnesses as they move through the court process, explaining the system, notifying them of appearances and case outcomes and facilitating the processing of forms for compensation and restitution. The Domestic Abuse Project assists domestic abuse victims through a 24-hour hotline, counseling, court accompaniment, referrals and shelter for families.

### **How did the program begin?**

Impetus for developing a victim assistance project came directly from line probation officers working with juvenile offenders. In a June 1981 staff meeting of Juvenile Court Services in the Delaware Juvenile Court, probation officers expressed concerns about the increasing severity of the juvenile crime problem in the county and the corresponding increases in the needs of victims. Some of the officers expressed frustration that they were unable to offer additional assistance to victims and were uncertain as to whether increased contact with the victim would compromise their rehabilitative efforts with the juvenile offenders. The Director of Juvenile Court Services contacted a graduate student who had several years prior experience as a juvenile probation officer. She initiated the victim assistance unit as her internship in September 1981, working at the court two days a week. When her field placement was completed, she worked as a volunteer for several months before being placed on the county payroll as a full-time employee.

The program was originally designed as a counseling program for victims of serious, violent crimes who were to be referred by police departments, probation officers or the district attorney's office, but the blueprint changed as the program accommodated to local needs. First, the notion of seeking regular law enforcement referrals was discarded as it became clear that the program already had as many referrals as it could handle in the victims appearing for court or referred by probation. The limitation of program services to victims of serious offenses was also dropped because the staff found that the victims of less serious offenses often needed supportive services as much as the victims of serious offenses. Finally, staff found that victims had less need for counseling than for information about the juvenile justice process, a waiting area separate from the offender, and assistance in coping with the long wait for a case to be called, the number of appearances required and the loss of wages from court appearance days. These more concrete needs were incorporated into the service mix.

The project has the support of other victim assistance organizations in the county. Early on there were some discussions as to whether the victim unit was encroaching on district attorney functions when orienting victims to the justice process. The project and the district attorney's office have since established guidelines that delineate the functions of each office; the gist of the guidelines is that the victim unit does not discuss the facts of the case with the victim.

The project has not grown substantially over its seven year history. A former volunteer was hired part-time in 1985, allowing the project to accompany victims to court and man the reception area simultaneously.

#### **What are the program's goals and objectives?**

The project's written goals are to deliver information, counseling and referral services to the victims of juvenile crime. Underlying those written service objectives is a commitment to prevent secondary victimization of the individual by the system by:

- making the juvenile justice process more comprehensible to the victim
- alerting the victim to his legal rights
- minimizing the unpleasantness surrounding participation in the court process.

Staff believe that in making the process more understandable to the victim and in facilitating an orderly participation in the process, victims gain a sense of control and understanding that is the beginning of their recovery. Victim participation is believed to serve some offender-related purposes as well. Staff believe that offender recognition of the consequences of his act is the first step in the rehabilitative process; this recognition is fostered by confrontation with the victim in a controlled situation.

#### **How is the program organized?**

The Victim Services Unit (VSU) is located in the Community Relations Unit of Juvenile Court Services, the agency responsible for court intake, probation, and operation of the detention center. The unit reports directly to the supervisor of community relations, but both the Director of Juvenile Court Services and the Administrative Supervisor of Probation maintain an involvement with and interest in the victim unit.

One full-time victim counselor provides the bulk of the direct services to victims, all of the liaison with other agencies and community education, as well as handling administrative tasks such as billing for incidentals and report preparation. She is assisted by a victim services aide who helps man the victim waiting room or accompany victims to court several days a week. In addition, the supervisor of the Community Relations Unit or other probation staff help out as needed; the victim services unit work accounts for 25 percent of the Supervisor of Community Relation's time, five percent of the Administrative Supervisor's time, 10 percent of the office manager's time and 10 percent each of the time of line probation officers. The few clerical hours that are required are provided by the probation secretaries, estimated at two percent of the secretarial workload. In addition, there are four subpoena servers in the Juvenile Court Services division who spend approximately 30 percent of their time contacting victims of juvenile crime.

Both victim counselors have backgrounds in the helping professions. The full-time victim counselor's education consists of a B.A. in Social Science and a M.A. in Counseling; she also spent two years as a probation officer. The victim services aide is a registered nurse with 20 years of experience working in a hospital setting, most of it in the emergency room.

The project offices are located in the Juvenile Court building adjacent to the suite of probation offices and in close proximity to the reception area, the courtroom and the District Attorney's offices. One of the offices is a waiting room, furnished with comfortable seating, reading materials and toys. The victim counselor also has an office used for project files and private interviews with victims.

The project does not have an Advisory Board, but it belongs to a Police Advisory Committee that meets monthly to discuss mutual criminal justice problems and solutions.

### **Whom does the program serve?**

The project serves all victims of crime in whose cases a petition is filed in Juvenile Court. When a petition is accepted, the clerical staff of the court send each victim a letter that

- notifies them that the accused has been referred to court
- describes the availability of the Victim Services Unit for assistance during the court process
- informs victims of the right to submit an impact statement
- requests that the victim furnish the court with restitution documentation.

The letter is accompanied by a short orientation brochure on the Juvenile Court. Unless the victim calls the unit, there is no further contact until the victim appears at court and is ushered to the waiting room by the court receptionist.

Occasionally the police alert the project to a victim who is particularly distraught at the scene or one who needs more intensive help prior to the adjudicatory hearing. The project provides whatever assistance is necessary.

### **What services does the program provide?**

The Victim Services Unit has two service foci -- orientation to the juvenile court process for all victims in filed cases and easing court participation for those victims who appear for a hearing by providing a waiting area; counseling individuals about the crime and the court process prior to their appearance and accompanying them to court. In

addition, the unit conducts victim-offender mediations for appropriate cases and provides numerous services in response to victim requests such as assistance with property return, help with impact statements, provision of information about case status and outcomes, and other witness support. The non-project probation staff are responsible for routine tracking of restitution payments and notification of case outcomes once an adjudication has been made. The project does not provide any witness notification services, nor does it prepare victims for testimony. Both of these services are functions of the District Attorney's office.

**Orientation to the juvenile court process.** Basic orientation to the juvenile justice process is provided via an eight page brochure that accompanies each letter mailed by the court to victims in filed cases, about 1000 last year. The brochure describes the differences between the adult and the juvenile court, the functions of the different types of hearings, and the possible dispositions in a juvenile case. There is a section on restitution, victim compensation and the basic Victim Bill of Rights and a description of the services available through the Victim Services Unit. Victims who have additional questions can telephone the unit.

Further orientation occurs when the victim is escorted to the waiting area at the court. The victim counselor takes each victim, and the family members if the victim wishes, into a separate office to explain what the hearing will be like, where the victim should sit, etc., and reiterates the information contained in the brochure. About 550 victims were personally oriented to the juvenile court in 1987. This number reflects approximately all victims who appeared at the adjudication hearing.

**Crisis counseling and referral.** The victim counselors assess the coping mechanisms and support systems of each victim during the orientation interview. Most of the "counseling" consists of calming them prior to a court appearance; occasionally the counselor will set up a follow-up interview. Referrals are frequently made to support groups such as Compassionate Friends, the Rape Crisis Center or other local counseling programs.

**Witness reception.** Victims who appear at the Juvenile Court are automatically ushered to the waiting room by the receptionist. One of the victim services unit staff greet the victims, offer them coffee and escort them to the District Attorney's office

for an interview prior to the court hearing. The waiting area is furnished with comfortable chairs, numerous reading materials and toys.

**Accompanying victim to court.** The project staff accompany all victims to court unless Senior Victim Services or Rape Crisis is accompanying the victim or unless the victim specifically requests that they not do so. However, the victim's presence is not always required because many of the youth plead guilty before the adjudicatory hearing. The project accompanies about 600 victims to court annually.

**Assistance with other witness support services.** The unit offers a variety of supportive services to victims, but the number of victims taking advantage of these services is fairly small. Child care during the court process is one of the more popular services; approximately 200 victims took advantage of this service in 1987. Employer intervention was requested by 100 victims and witness protection arranged for about 50.

**Referral for compensation and restitution.** The Victim Services Unit routinely provides victims who qualify with the forms for compensation, but victims are referred to the Adult Victim Witness Unit, or in a few cases, directly to the Victim Compensation Board for questions about filling it out. Likewise, questions about restitution are usually referred to the probation officer handling the case.

**Provision of information about case status and outcomes.** When a victim calls with a question about the status or disposition of his case, the unit tracks down the information on the probation department's computer. The project does not routinely notify victims of the disposition of the case unless the victim attends the disposition or specifically requests the information.

**Assistance preparing victim impact statements.** The victim's right to submit an impact statement is explained in the preliminary letter sent by the court to all victims. The project will prompt victims who have not submitted a report, but they do not assist them in writing the reports and only about 20 percent of the victims do so. The unit does routinely place a copy of their own report on the victim and the victim's impact statement in the probation officer's file.

**Facilitating mediation between the victim and the offender.** Both the Victim Services Unit and the Probation Department conduct face-to-face post-adjudicatory confrontations between the victim and the offender. One purpose of these face-to-face meetings is to afford victims the opportunity to reduce their anxiety by questioning the offender about some of the circumstances surrounding the crime (e.g., did he watch the house for a period prior to a burglary). A second purpose is to encourage the victim to see the offender as a person, whose size, age and demeanor may be less threatening than the victim had imagined. For the offender, hearing about the victim's pain and the harm that he has caused may be the first step in the rehabilitation process. Cases are carefully screened by both the probation officer and the victim services unit and all parties agree to the meeting before any mediations take place. The project believes that all of the mediations to date -- about 30 a year -- have been highly successful for both parties.

**Other services.** The unit occasionally contacts the police to facilitate property return or to determine the status of an investigation. It also refers a few victims a year for emergency shelter or financial aid.

#### **How does the program interact with other agencies and the community?**

VSU does not make a concerted public education effort; it does, however, participate in conferences or speak before community groups upon request. Typically, the victim counselor makes six of these presentations a year.

VSU works closely with the primary referral agencies -- Women Against Rape and Senior Victim Services. It also regularly meets with the Police Advisory Committee, composed of seven juvenile officers who meet about once a month to discuss local juvenile crime problems.

#### **How is the program funded?**

VSU is funded entirely through the budget of Juvenile Court Services except for a \$4,014 grant from the Pennsylvania Commission on Crime and Delinquency that covers the salary of the part-time victim services aide and all expenses of coffee, tea, etc. Estimates for the other costs of the unit include: \$20,500 for the victim counselor's salary, \$5,700 for 25 percent of the Supervisor of Community Relation's salary, and



\$7,700 in salaries of other probation staff who spend a percentage of their time on victim assistance efforts. The total cost of the unit is about \$38,000, excluding the office space and other in-kind services donated by Juvenile Court Services.

For further information about this program, contact:

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## **Program Profile**

### **Lutheran Social Services Victim Witness Services Milwaukee, Wisconsin**

*The Victim Witness Services Program serves victims and witnesses in delinquency cases that are filed and prosecuted in the Children's Court of Milwaukee County, Wisconsin. Established in 1980 with the support of the local United Way, the program is operated by Lutheran Social Services and housed in the District Attorney's Office at the Children's Court complex. Its five staff provide a broad range of services to crime victims, including crisis counseling, orientation to the juvenile court process, and information about the status and outcome of juvenile cases. In addition, the program notifies civilian and police witnesses of scheduled court appearances and provides orientation and other assistance necessary to promote witness appearance.*

#### **What are the characteristics of the jurisdiction?**

Milwaukee County has about 931,700 residents. Two-thirds of them live in Milwaukee, the nation's sixteenth largest city. Eighty-two percent of the county population is white, and about three percent of the residents are of Hispanic origin. Like many urban areas, Milwaukee County experiences thousands of serious crimes each year.

**The juvenile justice system.** In 1987, the District Attorney's Office filed over 5,000 delinquency petitions. Eight prosecutors are assigned to delinquency cases. (Eight others handle dependency, abuse, and neglect matters.) The Children's Court has four judges and one commissioner, each of whom devotes part time to delinquency cases.

The juvenile division of the D.A.'s Office, the juvenile probation department, and the juvenile detention center are all housed in the juvenile court complex. This complex is located several miles from downtown Milwaukee and the adult criminal courts. With the exception of jury trials, which are heard downtown, all juvenile proceedings are held at this location. Each of the four judges has a courtroom and controls the calendar for cases assigned to it.

**Statutes and procedures that influence the program.** In 1980, Wisconsin became the first state to pass a Victim Bill of Rights. Under this statute, victims must be informed of:

- the financial assistance and social services to which they may be entitled
- all scheduled court hearings
- decisions to divert the defendants from prosecution
- the release of defendants from secure detention
- the disposition of the case.

The juvenile code explicitly extends the provisions of this bill to juvenile proceedings, although it does not spell out who is responsible for assuring that the mandates are met. Juvenile probation officers are expected to incorporate information about the impact of the crime on the victim in the presentence report. The Wisconsin legislature also passed a Children's Bill of Rights in 1983, which states that an advocate can accompany a child witness to court.

All juvenile court proceedings are confidential, but the juvenile code permits "interested parties" to attend. In Milwaukee juvenile judges routinely interpret this to include victims and their advocates. By statute, victims also may ask the court to release the names and addresses of convicted offenders so that they may sue for civil damages. The names of defendants also appear on subpoenas and are used in the courtroom.

The usual sentencing options in Milwaukee include: commitment to a state correctional facility, probation, assignment to a community-based residential treatment facility, or some combination of probation and community treatment. Judges routinely order restitution, but are not permitted to do so for youths receiving correctional commitments.

**Other victim witness services in the community.** Milwaukee County has several other programs that provide services to victims and witnesses of juvenile crime.

- The District Attorney's Victim/Witness Assistance Program handles juvenile cases with victims who are age 60 or older, including cases filed by the prosecutor and cases referred by the Milwaukee Police Department's Senior Citizens Unit in which no arrest has been made.
- The Victim Assistance Program, a community-based program funded by the Victims of Crime Act (VOCA), also serves victims in crimes where no arrest has been made.
- The Sheriff's Witness Protection Unit provides escort to court, telephone tracers, school transfers, relocation, or whatever else is deemed necessary to protect victims and witnesses who have been threatened. About 5% of the unit's cases involve witnesses in juvenile hearings.
- The Juvenile Restitution Program, a one-year old pilot program operated by Wisconsin Correctional Service, contracts with the county to place selected juvenile probationers who have been ordered to make monetary restitution or perform community service. The program sometimes works with victims to establish the amount of restitution.

#### How did the program begin?

The Milwaukee District Attorney's Office began providing victim witness assistance in adult criminal cases in 1975, under the auspices of the LEAA-initiated, nationally known Project Turnaround. However, it was not until 1978, when the family of a homicide victim pressed the point with the District Attorney, that anyone recognized the need to extend similar services to the juvenile system.

Because county resources to expand the D.A.'s existing program were scarce, a local nonprofit agency, Lutheran Social Services (LSS), turned to the United Way to help fill the service gap for victims of juvenile crime. The LSS proposal, prepared in collaboration with Project Turnaround's director, garnered support for the new program's first staff member. She began in 1980, working as an employee of LSS in space provided by the District Attorney's Office.

Initially, the new coordinator had intended to target only the most serious juvenile cases. But juvenile prosecutors, already familiar with victim witness services through prior assignments in the adult court, began requesting services in many other cases. To help meet the demand, an additional staff member was hired within a matter of weeks. Since then, the program has added two more victim specialists as well as a secretary,

and has taken on full responsibility for generating subpoenas. The newest specialist, added in 1986, is currently funded through VOCA to work specifically with victims of sexual assault.

### **What are the program's goals and objectives?**

The LSS Victim/Witness Program combines victim-oriented and system-oriented goals. According its program plan, LSS is to "develop a comprehensive program for victims and witnesses of juvenile crime and families of homicide victims." Specifically, the program is to:

- deliver the services called for in the Wisconsin Victim Bill of Rights
- coordinate service delivery with other community and law enforcement agencies in cases involving threats or harassment of victims
- provide in-depth counseling to victims, witnesses, and their families using other LSS staff
- work closely with all other relevant public and private agencies to increase their sensitivity to victim/witness needs and problems and to advocate improved treatment, policies, and procedures.

Although it is not part of the formal statement of goals, another important objective of the program is to assist the D.A.'s Office in effectively prosecuting juvenile cases, by encouraging and coordinating victim and witness participation in the investigative and adjudicatory process.

### **How is the program organized?**

The Victim/Witness Program is one of many initiatives of Lutheran Social Services, a nonprofit provider of social, educational, and treatment services throughout Wisconsin. LSS has a Board of Directors; the Victim/Witness Program has no advisory or policy-making body of its own. The staff are employed by LSS, but they work closely with the prosecutors in the D. A.'s juvenile division and with the D.A.'s own victim witness service downtown in carrying out their mission. Because of this close relationship, probably some clients and juvenile justice personnel do not realize that the program is privately funded.

The program's quarters consist of four offices and a small conference room, down one flight of stairs from the juvenile prosecutors and the courtrooms. The program has a word processor and a terminal for the prosecutor's management information system.

The program has no special waiting room, but there is an adjacent corridor where victims and witnesses can sit while waiting to see program staff or attorneys. Most juvenile trials are scheduled downtown, where the D.A.'s program has a waiting room set aside for prosecution witnesses.

The current staff of five includes

- the director, who manages the program, supervises all paid staff, and provides direct assistance to victims in selected cases
- a sexual assault counselor, who handles all sexual assault cases
- two "general specialists," each of whom covers two of the four juvenile courtrooms and assists victims and witnesses with cases assigned there
- a secretary, who provides clerical support and prepares subpoenas for all witnesses.

At any given time, the program also has two volunteers or student interns, who assist with recordkeeping and other paperwork. Volunteers may be given some responsibilities for contacting clients if they show the aptitude and interest.

The program director has felt no need to offer a formal training program for staff. Three of the four specialists had prior experience in providing victim witness services when they were hired, and there has been little staff turnover since the program's inception.

One of the specialists provides one-on-one orientation and training for the program's volunteers.

#### **Whom does the program serve?**

The program targets all victims and witnesses, police and civilian, in juvenile cases that are filed by the Milwaukee County D.A.'s Office. The exceptions are victims of

crime aged 60 or older, who are served by the Elderly Crime Watch component of the D.A.'s Victim/Witness Program.

In 1987, the program served 1,770 crime victims. Fifty-four percent were male, 34% were juveniles themselves (including 14% under age 13), and 45% were nonwhite or Hispanic. Just over half were victims of crimes against persons, including 13% who suffered a sexual assault. The program also logged 1,371 contacts with witnesses who were not victims.

Most victims are identified by monitoring cases filed by the D.A.'s Office. In cases involving juvenile detainees, which tend to be the most serious, the files are forwarded to the program within 24 hours of the charging decision. In cases involving nondetainees, the program reviews the daily flow of petitions to identify clients. The program staff then calls each victim -- immediately in the serious cases and within 10 to 14 days in all others. If a victim cannot be reached by phone, the program sends out a personal letter saying that charges have been filed and asking the victim to call in for further information.

Unlike other victims, victims of sexual assault are usually identified and contacted by the program prior to charging. In these cases, the prosecutor holds a conference with the police detective, the victim, and the sexual assault counselor to determine the nature of charges to be filed, if any. If the accused juvenile has been detained, this meeting occurs the day after the arrest. Ordinarily, the detective brings the victim in to meet with the sexual assault counselor before the charging conference. In the case of nondetainees, the chief of the juvenile division notifies the counselor about the case so that she may telephone the victim before he makes the charging decision.

Witnesses are identified from lists forwarded to the program secretary by the assistant D.A.s handling each case. The program initially contacts civilians by telephone, if possible. Police are contacted by teletype.

#### **What services does the program provide?**

The program assisted about 150 new victims per month in 1987. Staff made over 250 telephone contacts each month, far exceeding written or face-to-face contacts, which averaged about 60 and 15 respectively. Typically, victims of sexual assault and

other violent crimes receive the most extensive information and supportive services because their needs are usually perceived to be greatest, and their interest in case progress and outcomes more intense.

The program also made about 110 contacts per month with civilian (i.e., non-police) witnesses in 1987. As with victim contacts, the vast majority occur by telephone.

The program provides a broad range of services to victims and witnesses of juvenile crime. The primary ones include

- crisis counseling and referral to other agencies
- information about the juvenile justice process and the status and outcomes of the case
- notification of required court appearances
- orientation to the court process and accompaniment to court
- assistance in preparing impact statements and in obtaining restitution and/or compensation.

**Crisis counseling and referral.** At the first contact, whether by phone or in person, the victim specialist or counselor explores the way the crime has affected the victim and attempts to deal with the victim's psychological needs. This may involve providing a sympathetic ear, reassuring victims who are fearful, and educating them about the reactions that crime victims experience. LSS may continue to counsel some victims during subsequent contacts with the program, particularly victims of sexual assault. Initially or later on, the specialist also may refer the victim to other community agencies for assistance with emotional, financial, or other problems that the crime has created or exacerbated.

**Information about the juvenile justice process and about case status and outcomes.** Upon first contact, the specialist explains that a juvenile has been charged, whether the juvenile has been detained, and what steps may be expected in the case. The victim is informed of the juvenile's next scheduled court appearance (usually a detention hearing or an initial hearing) and told to call back the day after the hearing for an update.



This same procedure is followed thereafter, with the victim instructed to call after each scheduled appearance.

In the process, specialists try to educate victims about the sentencing options available, as well as the considerations that normally enter into sentencing decisions in juvenile court. Once a disposition is reached, the specialist will report and explain the type of disposition (although not the location where the sentence will be served).

Ordinarily, specialists do not follow up with victims who have not called for updates, unless their appearance will be required in court.

At no point does the program share names of defendants with the victims. After a conviction, the program will refer interested victims to the probation department for information about the procedures for obtaining names for a civil action.

**Notification of required court appearances.** The program prepares all subpoenas in juvenile cases, using the list provided by the assistant D.A. Most subpoenas are mailed, and the recipients are requested to return an acknowledgement. Specialists attempt to warn civilian witnesses in advance of the subpoena and confirm the hearing time. If a subpoena is not acknowledged, staff also will try to locate and make contact with the witness. In either situation, the specialist attempts to remove obstacles to participation. This might involve, for example

- arranging for transportation to court, child care, or escort
- intervening with employers
- placing the witness "on call."

The specialist notifies the prosecutor of any problems and provides him or her with a list of witnesses that must be called on the court day. The program also assists witnesses in obtaining their witness fees of \$16 per day.

**Orientation to the court process and accompaniment to court.** All letters and subpoenas to victims and witnesses include a copy of the program's information brochure. The staff also explain the usual procedures in juvenile court to those who are scheduled

to testify. If the witness is a child or is particularly apprehensive about the experience, the specialist will offer a tour of the courtroom or accompany the victim to court.

**Assistance with victim impact statements, restitution, and compensation.** During the first contact with the victim, the specialist asks about the amount of injury, property damage, and other losses suffered, as well as the extent of insurance coverage. She sends a copy of this information (and any subsequent updates) to the probation department, which uses it in preparing the victim impact section of the presentence report. The judge may take this information into account in imposing sentence and in ordering restitution to the victim. Commonly, however, determining the amount of restitution is left up to the probation officer after disposition. If the judge awards restitution, staff advise the victim to call either the program or the probation department if several months pass without any payments.

The specialist also informs the victim about the state's victim compensation program, if appropriate, and mails out the necessary forms. The program acts as a liaison between the victim and the compensation program if questions arise on either side.

Finally, prior to disposition, the specialist explains that the victim has the right to provide a statement about the emotional, financial, and physical impact of the crime and express any sentencing preferences. The impact statement may take the form of a letter to the judge and/or an oral statement at the sentencing hearing. Most victims do not avail themselves of these rights. Oral statements are particularly rare, occurring in only a few cases a month, but program staff often speak on the victim's behalf, especially in the more serious cases.

**Other services.** From time to time, the staff also:

- assist prosecutors with the investigation and preparation for testimony. If the facts of a case are vague or it is unclear whether the victim will cooperate, the program may elicit information that helps the district attorney decide how to proceed. In sexual assault cases, especially those that involve young children, the program assists in preparing victims for court and may videotape interviews.
- assist victims in getting their property returned. Because property release has been streamlined through use of photographs, this is rarely a problem, however.

- notify victims that the offender has been released from detention or incarceration in a state correctional facility. This service is routine only in sexual assault cases.

#### **How does the program interact with other agencies and the community?**

The program refers 20 to 30 clients per month to a wide variety of public and private agencies. The largest number of referrals are to the state's victim compensation program, and to providers of legal, social, and mental health services. If continuing counseling is indicated, program staff will provide a list of three counseling resources for the victim to select from. Lutheran Social Services, the program's parent agency, offers free counseling to those who require it.

Each year the program also makes a handful of referrals to the Sheriff's Witness Protection Unit and to the community-based Victim Assistance Program (for assistance with security repair).

Project staff make about 12 to 15 speeches per year to community groups and statewide conferences of professionals. From time to time, the director also collaborates with the D.A.'s downtown program in providing in-service and recruit training for local police.

#### **How is the program funded?**

The program's annual budget is about \$157,000. Approximately \$132,000 come from the United Way, with a small matching contribution from the Lutheran Church. The program also has a \$25,000 grant under the Victims of Crime Act (VOCA) to support the sexual assault counselor. The District Attorney's Office provides in-kind support in the form of space, equipment, and supplies.

For further information about this program, contact:

Ms. Bobbi Moebius  
Victim/Witness Services  
Children's Court Center  
10201 Watertown Plank Road  
Wauwatosa, WI 53226  
(404) 257-4527

## Program Profile

### Community Service Programs, Inc. Victim Witness Assistance Program Orange, California

*This is a community-based victim witness assistance program that serves the Juvenile Court of Orange County which is a division of the Orange County Superior Court. The program is a component of the victim witness program the serves the adult divisions of the Superior Court. The program is part of Community Service Programs, Inc (CSP), and provides services to the Superior Court under contract to the county. The program is staffed by four people, two witness coordinators and two victim specialists (including the juvenile court supervisor). This is a comprehensive program complemented by a range of criminal justice related services provided by CSP. The program emphasizes services for victims.*

#### What are the characteristics of the jurisdiction?

Orange County is one of the fastest growing counties in the United States. The county population is approximately 2,193,614. There are 26 small to medium size cities within the boundaries of the county, but there is no major city or urban area in Orange County. The population is about 79 percent White, 15 percent Hispanic, 5 percent Pacific Asian and 1 percent Black. The median income is \$22,557, while 7.3 percent of persons live below the poverty level. The juvenile crime problem in Orange County involves property crimes for the most part with an increasing amount violence.

**The juvenile justice system.** The Juvenile Court is one of the divisions of Superior Court in Orange County. The Court has jurisdiction over delinquency, dependency and traffic. In 1987, the court handled 8,067 delinquency petitions. The court is rehabilitation-oriented as the Welfare and Institutions Code in California emphasizes the welfare of the child. There are 3 full time judges, 3 full time commissioners appointed by the court, and two part-time referees. The District Attorney's Office operates with fourteen full time and 6 part-time attorney's handling delinquency matters. Twenty six police departments and the County Sheriff serve Orange County.

The juvenile court is located in the city of Orange approximately 4 miles from the Superior Court-Central County Municipal Court in Santa Ana. The juvenile court building houses the Probation Department, the District Attorney's Office, the Public Defender's

Office, the Court Clerks and the Court Administrator. The court complex includes trailers for additional courtrooms and the Victim Witness Assistance Program. Juvenile Hall is located next to the Court structures.

**Statutory provisions that influence the program.** California law mandates that all victims are entitled to services in all courts. California Penal Code 138.35 details mandatory and optional services to be provided to victims by a designated service provider. California also has a Victim Bill of Rights.

The Welfare and Institutions Code states that information about the offender may not be released to the victim without court approval. Therefore law enforcement is unable to refer victims to the Juvenile Court Victim Witness Program, as this would reveal some information about the offender. If the offender is age 16 or older and the crime is of a serious nature, information about the offender can be made public. Victims are permitted to be notified of court hearing dates, but may not attend all hearings. The law allows victims of sexual assault to have a specialist sit next to them during testimony, and the juvenile court will permit specialists in the courtroom at other times, though the law does not expressly provide for that. Victims may attend disposition and speak at disposition. They are notified of sentence received.

**Other victim witness services in the community.** Community Service Programs, Inc. has been designated as the county provider of services to victims and witnesses. CSP operates five programs under what it refers to as an "umbrella" of Victim Services and Prevention Programs and continued and on-going support services. These include:

- Victim Witness Assistance Programs that operate in the five Municipal/Superior Courts and Juvenile Court
- A Sexual Assault Victim Services/Prevention Program, which provides a 24 hour hotline and face to face crisis counselling for victims
- A Domestic Violence Assistance Services Program, which provides assistance with temporary restraining orders and crisis counselling
- A Law Enforcement Assistance Program, in which volunteers working with law enforcement provide on-scene crisis intervention to victims in need.

### **How did the program begin?**

In 1978, California law mandated victim services, but did not set aside funding or identify a vehicle for services. Community Services Program, Inc. secured funding and support from the court and agreed to provide the services required. From 1978-1980 the program was funded through LEAA grants. In 1980, funding was identified and received from the state Office of Criminal Justice Planning, part of these funds are derived from the Penalty Assessment Fund from convicted offenders. The county selected CSP as the victim service provider and together worked out a contract enabling them to deliver victim and witness services through the court and law enforcement. Under this contract, the Executive Officer of the Superior Court became the formal project director for the Victim Witness Assistance Program. In 1981, the Juvenile Court requested that the program provide assistance at that location. There was growing concern about victims and offenders mixing in the court areas. The CSP Victim Witness Assistance Program expanded into the Juvenile Court with two staff and has grown to four full-time paid staff and four to six volunteers.

### **What are the program's goals and objectives?**

"The primary goal of the CSP Victim/Witness Assistance Program is to provide comprehensive services to victims and witnesses of all types of crime." The program also seeks to educate the community, encourage participation in the criminal justice process, and assist the victim in evaluating his or her needs.

### **How is the program organized?**

Community Service Programs, Inc. through a contract with Orange County, is the host agency for the Victim Witness Assistance Program in Juvenile Court. In addition, the program receives a grant from the District Attorney's office to cover two witness coordinators. In practice, the program operates independently from other juvenile justice agencies.

The staff consists of:

- a supervisor (who also acts as a victim specialist)
- a victim specialist

- two witness coordinators, one of whom is bilingual.
- four to six volunteers.

The supervisor is responsible for day to day coordination of staff assignments and directing program efforts in juvenile court. She also acts as a victim specialist. The victim specialists are responsible for crisis intervention, short term counseling and referral, witness orientation to the process, courtroom tours, accompanying victims to court, and assistance with impact statements and Victim Compensation claims. The witness coordinators develop witness lists from the subpoenas sent out by the District Attorneys Office. They contact the witnesses, explain the on-call system, and remind them of their appearances. They also contact liaisons in police departments to notify police witnesses who are on-call. The program provides a waiting area apart from the courtrooms where witnesses may wait.

All new staff (including volunteers) receive 30 hours of crisis intervention training and 40 hours of training in sexual assault/rape crisis assistance, and three days of conference training. Training is completed with about a month of on-the-job court orientation in Juvenile Court. The Juvenile Court program staff participate in training offered by CSP-Victim Witness Assistance Program to all staff from the program offices in the five Municipal/Superior Courts in the County.

The program office space provided by the court is physically separate from the court building in a trailer about 100 feet from the court. The trailer has a waiting area for victims and witnesses, and two offices.

#### **Whom does the program serve?**

The program receives the bulk of an equal number of referrals through the Probation department and the District Attorneys Office. Because confidentiality statutes are interpreted as prohibiting law enforcement from directly referring victims to the Juvenile Court Victim Witness Assistance Program, no clients are referred until a crime has been reported and presented to Intake (Probation). The program has approximately 200 new clients per month. Twenty eight percent of victims are under 18. Most victims are white, male, and are victims of a property crime. The program also provides services in dependency cases.

### **What services does the program provide?**

The program's objective is to provide services to victims in need. The services in juvenile court are the same as services provided in the other Municipal/Superior Courts, with a few exceptions because of differences in the juvenile system. The program has a number of mandatory services which incorporate the services mandated by law. There are also optional services it provides depending on need and demand. Most client contacts are face-to-face or telephone conversations. The services provided most often are:

**Orientation to the juvenile justice system.** The program provides information through brochures, and over the telephone to about 700 persons each month. When a referral is received from the probation department or the D.A., the victim specialist telephones the victim and determines the needs. At this time, the specialist describes the process and lets the victim know what should be expected. The specialist may follow up by sending written information to the victim. Information is also provided to witnesses who receive subpoenas. Sometimes a witness calls when the subpoena is received and the program staff will talk through how the juvenile system operates. Otherwise, witnesses are contacted by the witness coordinators about two days prior to the date they are to appear, and provide information at that time.

**Information on case status and outcome.** By court order, the program staff have been permitted to review court and District Attorney case files so that information can be provided to the victim. Case status is reported to victims when they call in and ask about case progress. The program handles about 1900 requests for case information a month; this includes call-off and on-call of civilians and law enforcement. The program reports outcomes of cases to victims routinely, usually on the day the case is completed. This is done by volunteers and staff by telephone.

**Witness coordination.** This service is provided by the two witness coordinators. Copies of subpoenas sent out by the District Attorney's Office are given to the program. Two days before the appearance date, the witness coordinators construct a list of witnesses to contact. One day before, the coordinators try to reach all witnesses as a reminder. Civilian witnesses are notified the day of the hearing of changes in court schedule or cancellations of hearings. Police witnesses are notified through department liaisons of changes and cancellations. The program contacts approximately 1940 witnesses



a month.

**Court assistance.** For victims and witnesses who will be participating in court hearings, the victim specialist will conduct courtroom tours to show where everyone sits, and provide a waiting area for victims and witnesses. Before a victim or witness arrives at court the program has had a least one previous contact. Clients are invited to wait in the program office space and staff are available to answer questions about the process. Court assistance is provided to approximately 206 victims and witnesses per month.

**Resource and referral counselling.** The program maintains a comprehensive manual of agencies in the community, including law enforcement, Child and Protective Services, domestic violence shelter programs, and licensed therapists to which victims are referred. During the initial contact with a victim, the specialist assesses needs and will make a referral to an outside agency if long term support or counseling is needed or desired. Most referrals, over 280 per month, are made to other criminal justice system agencies, to aid victims and witnesses in obtaining information.

**Crisis intervention and follow up counseling.** The program defines this as the first contact made with a victim, during which a needs assessment is conducted. About half of the program referrals are from the probation department. These referrals come to the program on a piece of paper the size of an index card which gives the victim's name, age, sex, home address and phone number, offense, date of offense and police department referring the case. The other half of the referrals are from a deputy district attorney who phones the program or communicates a need of victim to the program. Often these referrals are made after the victim or witness has been in the system for more than two weeks.

When the offense is of a violent nature, the victim specialist telephones the victim the same day and determines the immediate needs. If the crime is not a violent one, the specialist generally makes the first phone contact within two days of referral from Probation. Even with the quick response on behalf of the program, there can be a one to two week time lapse between law enforcement referral of a case to Intake and the Probation referral to the Victim Witness Assistance Program. The specialist makes a follow-up contact between one and seven days after the initial contact depending on the

client's needs. After that, follow-up contacts occur at least once a month, and more frequently if the specialist finds it necessary. The program provides crisis intervention to about 200 new clients per month. Follow-up counseling is provided to approximately 175 clients per month.

#### **How does the program interact with other agencies and the community?**

The program works very closely with all agencies involved in the juvenile justice system, especially the Probation department and the District Attorney's Office. Within the last two years, the supervisor of the program has become involved in assisting Probation in developing victim notification letters. In fact, the Probation office formally refers victims to the Victim Witness Program for certain types of information and assistance. The program also works closely with judges and the District Attorney to inform them of victim needs and concerns. Liaisons are maintained with the 26 police departments serving the County and the County Sheriff. The program also make presentations to offenders on victim impact in the California Youth Authority institutions in Orange County.

Outside of the criminal justice system, the program makes presentations to community groups and schools and distribute information through brochures on crime prevention. The staff conduct small fund-raising efforts to support victim services and immediate victim needs in the juvenile court program. These efforts are coordinated by the program supervisor in Juvenile Court. The larger CSP Victim Witness Assistance Program conducts law enforcement training sessions in the police academy, performs extensive community outreach through the media, and actively recruits volunteers.

#### **How is the program funded?**

The budget for the operation of the juvenile component of the program (1988-1989) is \$96,360. The program receives 57 percent of that amount from the state Office of Criminal Justice Planning, 41 percent from a grant for witness coordinator from the local District Attorney's office and about 2 percent from community donations. About 91 percent of the budget is for salary and benefits; 7 percent for operating expenses and 2 percent for emergency victim assistance.

For more information about this program, contact:

Ms. Barbara Phillips, Director  
Community Service Program, Inc.  
Victim Witness Assistance Program  
Superior Court, County of Orange  
700 Civic Center Drive, West  
Santa Ana, CA 92702  
(714) 834-4398

## Program Profile

### Office of the State Attorney Victim Witness Services West Palm Beach, Florida

*Victim Witness Services is a witness notification program run by the State Attorney's office in West Palm Beach, Florida. Since 1983 one of the fourteen witness coordinators has been assigned to the juvenile division. When a petition is filed, a letter is automatically sent to every witness explaining that charges have been filed and that the Victim Witness Services program is available for information. If the case goes to trial, the program contacts the witnesses a day before their appearance to remind them of the requisite appearance and to answer any questions. The program sends a letter to every witness notifying them of the outcome of the petition.*

#### What are the characteristics of the jurisdiction?

Palm Beach County has experienced rapid population growth in the last ten years; the 1988 population is about 600,000. The county contains a number of extremely wealthy enclaves near the beaches flanked by low income areas along the inland waterway.

The county has a considerable crime problem. In 1987 there were 24,811 index offenses reported by the sheriff's department, the fourth highest county crime rate in the state. About 600 juveniles were arrested each month in 1987 and about 375 of the arrests were filed, approximately 30 of them in the adult system. Police officers describe the juvenile crime problem as becoming increasingly violent and increasingly influenced by both drugs and gangs.

**The juvenile justice system.** The juvenile court is the division of the 15th Circuit Judiciary that handles delinquency, dependency, status, and neglect offenses. Two judges handle all of the cases in the juvenile division. In 1987 there were 2,414 delinquency petitions disposed, 623 dependency petitions disposed and 1,331 shelter or foster review hearings completed.

The West Palm Beach Police Department and the Palm Beach Sheriff's Department are the two primary police agencies in this jurisdiction; in addition there are a number of small police agencies that serve the incorporated towns. Prosecution services are provided by 72 assistant state attorneys, of whom 6 are assigned to juvenile delinquency

matters full-time and one part-time. Defense services are provided by a public defender service. Two public defenders are assigned full-time to juvenile cases.

**Statutory provisions that influence the program.** There are no severe statutory or practical constraints to the adoption of victim witness assistance services in the juvenile system in Palm Beach County. The confidentiality protections in the juvenile code are loosely written, specifying that officials are not allowed to divulge information about the accused, but that court proceedings are open to the public. In addition, the presiding judge has issued a blanket order to allow the victim to know the name and the address of the accused. Victims are required by law to be informed of the disposition of the case; this responsibility falls with the prosecutor. Victims are also required to be notified of scheduled trial and disposition dates and are allowed to attend. Victim impact statements, both oral and written are allowed, but are rarely employed.

Florida has a comprehensive Victim Bill of Rights that was enacted in 1985. It specifies that, "Each victim or witness who has been scheduled to attend a criminal justice proceeding shall be notified as soon as possible by the agency scheduling his appearance of any change in scheduling" and also requires advance notice for all victims and witnesses of "judicial proceedings relating to his case," including the arrest of the accused and the release of the accused pending trial or after imprisonment. Local officials agree that it is unclear whether or not this statute applies to juvenile cases; it is not enforced for juvenile cases.

Judges in Florida have essentially four sentencing options: to divert a first offender before trial by placement in the Juvenile Alternative Sentencing Program (JASP); to defer prosecution if the offender meets certain conditions; to place the offender on probation with or without restitution; or to commit to the Department of Health and Rehabilitative Services, with three specific placement options prioritized by the judge.

**Other victim witness services in the community.** There are two victim assistance projects in addition to that run by the state attorney. Palm Beach County funds a large victim assistance agency composed of a sexual assault program, a domestic violence program, and a general victim assistance program. This agency obtains most of its referrals from felony and misdemeanor cases referred for prosecution at the circuit and the county court. This agency does not provide any services in the juvenile system

unless there is an occasional sexual assault case, but it coordinates with the adult portion of the state attorney's program. The Juvenile Restitution program operates exclusively in the juvenile system, assisting victims in the preparation of impact statements and completing forms to obtain restitution.

### **How did the program begin?**

The State's Attorneys' program began in 1979 when the State Attorney in West Palm Beach took over the witness coordination functions that had previously been handled by the six-year-old victim witness program operated by Palm Beach County. The State Attorney perceived there to be a need to formalize and streamline witness notification services. At that time witnesses were notified on an ad hoc basis by the attorneys and office clerks. This fledgling coordination effort for cases in circuit court expanded from one staff person to its current level of 14 staff, as its target population and services menu grew correspondingly.

Services were extended to the juvenile system in 1983 when witness coordination was assigned to an investigator who was already working with the juvenile division attorneys. Because most of the attorneys in the juvenile division had begun their careers with assignments to county court and were therefore familiar with the benefits of witness coordination, the attorneys were supportive of the development of the program in the juvenile system. Likewise, the juvenile court judges were familiar with the professional reputation of the witness notification program in the Circuit and County Courts and did not object to its extension into the juvenile system. In 1987 the first full-time coordinator for the juvenile court was included in the State Attorney's budget.

### **What are the program's goals and objectives?**

The program does not have any written goals and objectives. According to program staff the goals are:

- to ensure victim rights
- to ensure that the parties in a criminal case are aware of the process
- to inform parties of the progress of the case

- to refer victims for problems arising from victimization
- to educate the public.

Essentially, the project aims to provide victims with the courtesy of timely notifications of court appearances.

### **How is the program organized?**

Within the organizational structure of the State Attorney's office, witness notification is conceptualized as a separate program falling under "Support Services," but the fourteen staff are dispersed among twelve specific divisions and are more closely linked to the division to which they are assigned than to the other witness coordinators. (There are six felony divisions, four misdemeanor and traffic divisions, one juvenile and one satellite division in Delray Beach.) Interaction with the project director or other coordinators is on an ad hoc basis and consists primarily of asking advice on particularly serious cases.

The staff person assigned to juvenile court has two major responsibilities -- to telephone victims and witnesses when a case is scheduled for trial and to send witnesses disposition letters when the case is closed. The current staff person has been in the position for about one year. Previous staff were investigators in the state attorney's office who absorbed witness coordination functions in addition to their other responsibilities.

The project has a small office in the annex that houses the juvenile court and the prosecutors handling juvenile cases, as well as various court-related support functions. The coordinators assigned to adult divisions are located in the state attorney's office about a block away. The only equipment requirements are a desk, a telephone, and supplies. The coordinator does any secretarial work herself.

The project does not have an advisory board; it is accountable to the state attorneys. It is part of the Palm Beach County Victim Rights Coalition that meets once a month.

### **Whom does the program serve?**

Civilian and police witnesses in cases filed in juvenile court are the target population for the project. All of the cases are felonies, since juvenile misdemeanors are not filed but are referred to alternative services. The target population of the adult component of the witness notification project does include misdemeanors since they are filed in the adult system.

When the attorney writes a petition, a letter is automatically generated to each witness asking that they contact the Witness Coordinator. Unless the witness calls the project for information, there is no further contact until either the case is scheduled for trial or the case is closed. In about 60 percent of the cases the next project action is to send a disposition letter stating that the accused has been diverted or that the prosecution has elected not to pursue the case any further. In about 30 percent of the cases the next action is to send disposition letter stating that the offender has pled guilty to the following offenses and has received the following sentence. Finally, about 10 percent of the cases are scheduled for trial, and the project telephones the witnesses the day before the trial to remind them that their appearance is required and to answer any questions. The telephone contact continues for every continuance until the case is disposed and a letter is sent with the disposition.

### **What services does the program provide?**

The West Palm Beach Witness Services Program includes four service components: court orientation; witness and victim notifications of trial dates; notification of case disposition; and liaison with the police. Emphasis is placed on the notifications although a considerable amount of staff time is devoted to answering witness questions about the juvenile justice system.

**Orientation to the juvenile court process.** The orientation provided by the witness services program consists of answering witness questions over the telephone concerning the general process -- where to go when they reach the court, who is likely to be in the courtroom, whether they have to wait with the accused, etc. For any specific questions about the case or their testimony the coordinator refers the witness to the attorney handling the case. There is no formal orientation process or written materials such as a pamphlet describing the juvenile court process. Orientation services are



provided to those witnesses scheduled for trial, estimated to be about 80 witnesses a month.

**Witness and victim notifications of hearing dates.** The project's notification services are twofold. First, all witnesses in filed cases (approximately 400 a month) receive a letter containing the defendant's name, the case number and the attorney who has been assigned to the case. The letter requests that the witness contact the witness coordinator so that the coordinator has available the necessary information to locate the witness in case of a continuance. Most witnesses do not contact the project.

When a case is set for trial, usually the day after arraignment, the attorney forwards a copy of the witness list to the project. The coordinator composes a card for each case that lists each witness, the information required to locate the witness and the dates that they are required to appear. The coordinator orders the cards according to the appearance date. Telephone alerts are made the day before the scheduled trial, and the card is refiled according to the next scheduled appearance date. These notifications are provided to about 100 witnesses a month.

**Information about case status and outcomes.** According to the Florida statutes, a victim must be notified of the disposition of the case. The attorney fills out a disposition information sheet when the case is disposed. This sheet is circulated to the witness coordinator who sends a form letter to the victim describing the disposition -- e.g., that the prosecution has decided not to pursue this case any further or the defendant pled guilty to the following charges and was placed on probation. The disposition letters do not contain any information about specific placements or length of sentence. The entire caseload, about 400 witnesses a month, receives the disposition letters.

**Liaison with police.** At the request of the victim the coordinator will send an evidence release letter to the police with a photocopy to the victim. Victims request this service infrequently, in about two cases a month. More commonly, commercial burglary victims request that the coordinator check on the investigation status of a case so that they can pursue insurance claims. The coordinator makes about 20 of these calls a week.

**Crisis counseling and referral.** Crisis counseling is a very minor part of the program, consisting primarily of attempting to calm irate witnesses over the telephone.

The project occasionally makes referrals to the Restitution Program operated by the Juvenile Court, the Department of Health and Rehabilitative Services, or the county-funded victim assistance program.

**How does the program interact with other agencies and the community?**

The juvenile coordinator does not conduct any training or education activities. However, the project director of the adult program teaches a course at the Police Academy and regularly addresses police officers at line-ups as well as occasionally interviewing for a radio or television report.

In-service training for new staff consists of assigning them to experienced coordinators for a few weeks to learn the ropes.

**How is the program funded?**

The cost of the juvenile portion of the witness coordination program is the \$20,000 annual salary of the juvenile witness coordinator. It is included in the District Attorney's annual budget. The office space is provided at no cost.

For further information about this program, contact:

Ms. Annette Andre  
Office of the State Attorney  
Victim Witness Services  
315 3rd Street  
West Palm Beach, FL 33401  
(407) 355-2460

## **Program Profile**

### **Yakima County Prosecuting Attorney's Victim Witness Assistance Unit Yakima County, Washington**

*This is a prosecutor-based victim witness assistance unit located in the Juvenile Court in Yakima County. The program is a component of the adult Victim Witness Assistance Unit that is part of the Prosecuting Attorneys Office. One staff person handles all services to victims and witnesses of cases referred to the Prosecuting Attorney for filing in Juvenile Court. This is a comprehensive program providing services ranging from crisis intervention, court process orientation to information about case status and outcomes and witness notification of required court appearances. The program utilizes volunteers and college interns to assist in service delivery.*

#### **What are the characteristics of the jurisdiction?**

Yakima County is located in south central Washington state. The county population is approximately 184,400. The county seat is located in the city of Yakima, which was a population of about 50,205. The County is 61 percent urban, with 83 percent of its population being white, and 15 percent of Spanish origin. The median household income is \$15,000, with 15 percent of the people in the county living below poverty level. The police and program staff characterize juvenile crime as increasingly more violent largely influenced by drug use and drug trafficking.

**The juvenile justice system.** The Yakima County Juvenile Court, is a division of the Superior Court of Yakima County. The juvenile court has jurisdiction over delinquency, dependency and alternative residential placement matters. The court handled 519 petitions in 1987. It operates with one full-time commissioner appointed by the presiding judge of the Superior Court. The juvenile court in Washington State operates under mandatory sentencing guidelines, that provide a determinant sentence length for certain crimes. A judge may sentence a juvenile outside the mandatory guidelines under special circumstances which are outlined in the law.

The juvenile court is physically located apart from the adult division of the Superior Court, in a building housing the juvenile detention center, the juvenile probation department, the juvenile division of the Prosecuting Attorney's office, the juvenile court clerk, juvenile court administrator and the juvenile division of the Victim Witness

Assistance Unit. Prosecution of juvenile cases is handled by one full time deputy Prosecuting Attorney. There are two major police agencies serving the jurisdiction: the Yakima Sheriff's Department and the Yakima Police Department.

**Statutory provisions that influence the program.** Washington State has both an Victim Bill of Rights and a Child Victim Bill of Rights. These bills and specific references in the juvenile code guarantee the victim's right:

- to be notified of and attend court hearings
- present a Victim Impact statement (oral or written)
- to be informed of the juvenile perpetrator's name and charges filed
- to receive mandatory restitution (when applicable)

Further, all juvenile court proceedings are open to the public, and the name of the juvenile is a matter of public record. Victims may be accompanied to court, and speak at disposition. They may also request to be informed of the offender's correctional status (release from detention, parole or escape).

**Other victim witness services in the community.** Other services in Yakima include a YWCA sponsored Domestic Violence Program which provides shelter and counseling for women and children who are victims of domestic violence, and counseling for men who are abusers.

### **How did the program begin?**

In 1978, the Prosecuting Attorney's Office received a Law Enforcement Assistance Administration (LEAA) grant to provide services to victims and witnesses of crime. The program began by providing notification services, court orientation, and restitution administration to the adult criminal branch of the Prosecuting Attorney's Office. The program focused on victims, civilian witnesses and police officers. Eventually, the administration of restitution was returned to the Superior Court because service demands were increasing.

In 1986, the Unit began to provide services in the juvenile section of the Superior Court. The Victim Witness Assistance Unit took over the staff person who had been

responsible for the administration of restitution in the juvenile court. The program began to provide services modeled after those being delivered to victims in the adult system. The program, now formally affiliated with the Prosecuting Attorney in juvenile court, gave up the administration of restitution for the court and began to focus on witness notification of court dates and providing information to victims concerning case status. Services expanded quickly to include direct services like court orientation, accompaniment to court, assistance with victim impact statements, and short term counselling.

#### **What are the program's goals and objectives?**

To provide immediate and on-going support services to victims, witnesses and their families. To assist victims and witnesses through the criminal justice process by providing information, crisis intervention and advocacy services.

#### **How is the program organized?**

The Prosecuting Attorney's office in Yakima County is the host agency for the Victim Witness Assistance Unit. All new attorneys to the office are trained in victim awareness and importance of victim/witness services provided by the Unit.

The juvenile division of the program operates with one full-time staff person and one part-time intern. These staff report to the program director of the adult program and also work closely with the Deputy Prosecuting Attorney assigned to juvenile court. Staff from both divisions of the program participate in monthly hour and a half long training sessions conducted by the Director with occasional guest speakers. Training includes discussion of current issues in the system, crisis intervention counselling, client contact, law changes, interviewing techniques, and public speaking.

The program has a separate office, next to the Deputy Prosecuting Attorney in the juvenile court building. The staff share a computer with the probation department that gives him access to state-wide information on juvenile offenders. The program receives some secretarial support from the court personnel to assist with notification letters and other mail contacts. The full time staff person is responsible for assigning all clerical tasks and personally handles all direct services. In addition, she maintains the program client files and tracks all contacts made with victims and witnesses. The Director has

recently initiated a staff rotation system, where full-time staff will spend four months each in the juvenile court.

**Whom does the program serve?**

The program provides services to victims and witnesses in cases that are referred to the Prosecuting Attorney's office for filing. All victims in filed cases, and those witnesses who are required to make a court appearance, receive some services from the Unit. The Unit receives approximately 100 new referrals per month once a case is filed by the Prosecuting Attorney's Office. In some circumstances they will provide services to victims that telephone and ask for assistance before a filing decision is made. The majority of direct services are designated for victims of violent crime, juvenile victims, and elderly victims.

**What services does the program provide?**

The program provides comprehensive services ranging from crisis intervention to court assistance. The majority of contact with victims and witnesses is done by mail. The program staff spends about 4-6 hours a week on telephone contacts. The most common services provided are information about case status and juvenile justice system process, and restitution investigation.

**Case and process information.** When a case is referred to the Prosecuting Attorney for filing, an initial contact letter is sent out informing the victim of:

- the right to request the court for the juvenile's name
- the right to file for restitution
- the right to present an impact statement to the court

Following this letter, the victim receives a letter telling him/her the status of the case, for example whether charges were filed. Victims are also informed of case outcomes, including the sentence received and the amount of restitution to be made. The appropriate letters are selected by the program and given to the court secretaries to fill in names (provided by the program) and mail out. All victims in cases referred for filing receive this service, about 150-250 per month.

**Restitution investigation.** In cases where there is financial loss, the program asks for documentation of financial loss. If there is a question about the amount, the program will investigate by speaking with the victim directly or verifying the amounts claimed. This information is turned over to the court so that a restitution determination may be made. This program provides this service to about 120 clients per month.

**Assistance with victim impact statements.** The program routinely asks victims to complete an impact statement for the court. The program requests a written statement, but it may be presented to court in person. Approximately 20 to 30 victims per month require assistance with preparation of the statement.

For cases that go to trial (approximately 40 to 50 per month), the program provides the services of :

**Orientation to the courtroom and preparation for testimony.** Before a victim or witness makes a court appearance the staff of the program will give a tour of the courtroom, showing where everyone will sit and explaining the kinds of questions that will be asked. The victim or witness is shown where to wait before testimony.

**Notification of court dates.** The program notifies all victims and witnesses of required court appearances and lets them know of other hearings being held in the case. The program does not encourage victims to attend all hearings. The program telephones police witnesses and witnesses who are "on-call".

**Accompany to court and reception.** The program waits for expected victims and witnesses in the lobby of the court building and shows them where they can wait until they give their testimony. In more serious cases, or upon request, the program will accompany the victim into the courtroom. In less serious cases, the victim or witness will be seated in the courtroom by the program staff, but the staff person will not remain in the courtroom.

#### **How does the program interact with other agencies and the community?**

The program maintains close contact with all agencies involved in the juvenile court. The program works closely with the juvenile court Administrator to discuss services and possible improvements. The Probation department and the Court Clerk's

office interact with the program on restitution matters. Through the referral network, the program is in contact routinely with local law enforcement, the Department of Social and Health Services, domestic violence program and various victim support groups throughout the county.

Outside of everyday working relationships, the program maintains contact with certified counselors in the community with whom they have had good experiences for referral. The Director of the program takes the lead on conducting training for law enforcement personnel, Child and Protective Services, mental health professionals and medical personnel. She also speaks at local schools, and hospitals. She maintains high visibility at a statewide level by being involved in lobbying, and coordinating training and programming for victim witness services.

#### **How is the program funded?**

The budget for the operation of the juvenile division of the program, is \$18,000 per year. Office space, supplies and some secretarial support are provided by the Prosecuting Attorney's Office and the juvenile court. The entire program, adult and juvenile, operates on a total budget of \$47,206 per year. A portion of this money, about \$15,000 is derived from the Penalty Assessment funds collected from offenders throughout the state of Washington. The balance is paid by the county as part of the yearly budget for the Prosecuting Attorney's office.

For further information about this program, contact:

Ms. Robyn Cyr, Director  
Victim Witness Assistance Unit  
Room 329 Courthouse  
Yakima, WA 98901  
(509) 575-4141



Name: \_\_\_\_\_  
 Court: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

### Victim/Witness Survey for Judges

1. Do the laws in your jurisdiction provide for any of the following?

(Check all that apply)

- ☐ Victim Bill of Rights applying to adult crime
- ☐ Victim Bill of Rights applying to juvenile crime
- ☐ Confidentiality of juvenile court proceedings
- ☐ Confidentiality of juvenile records
- ☐ Authority for restitution in juvenile cases
- ☐ Authority for mediation in juvenile cases
- ☐ Statewide victim compensation for losses or injuries stemming from crime

2. Which types of victim participation in the juvenile justice process are permitted in your jurisdiction? If they are permitted, how often are they practiced? (Check one box for each type of participation)

	Not Permitted by Case Law/ Statute	Permitted but Not Practiced	Practiced Sometimes	Practiced Routinely
<b>Victim:</b>				
is informed of accused juvenile's name	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
is informed of accused's prior record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
is informed of accused juvenile's release from secure detention	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
is informed of date and time of adjudicatory hearing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
is informed of charges against the accused	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
is informed of date and time of of disposition	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
hears testimony of accused	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
hears testimony of other victims or witnesses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please continue on next page)

**Victim:**

	Not Permitted by Case Law/ Statute	Permitted but Not Practiced	Practiced Sometimes	Practiced Routinely
participates in plea negotiations	( )	( )	( )	( )
is accompanied into courtroom by victim advocate	( )	( )	( )	( )
is accompanied into courtroom by friend or relative	( )	( )	( )	( )
is provided with separate waiting area at court during hearings	( )	( )	( )	( )
attends dispositional hearing	( )	( )	( )	( )
makes an oral statement at disposition	( )	( )	( )	( )
submits written statement of medical and financial losses	( )	( )	( )	( )
submits written statement of physical and emotional impact of crime	( )	( )	( )	( )
submits written statement of desired sentence	( )	( )	( )	( )
is informed of sentence imposed	( )	( )	( )	( )
is informed of offender's release from correctional facility	( )	( )	( )	( )
receives restitution as part of court order	( )	( )	( )	( )
may resolve problem through formal mediation process	( )	( )	( )	( )

3. Rate the importance of the following goals in sentencing **juveniles** in this jurisdiction.  
(Circle one per item)

	<u>Little Importance</u>				<u>Great Importance</u>
Rehabilitation	1	2	3	4	5
Accountability	1	2	3	4	5
Punishment	1	2	3	4	5
Incapacitation <sup>1</sup>	1	2	3	4	5

(Please continue on next page)

<sup>1</sup> Confinement to prevent criminal activity

4. For what proportion of your cases does the court provide the following services to victims and/or witnesses of **juvenile crime**? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	( )	( )	( )	( )	( )	( )
Property return	( )	( )	( )	( )	( )	( )
Transportation to line-ups, interviews	( )	( )	( )	( )	( )	( )
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	( )	( )	( )	( )	( )	( )
Preparation for testimony	( )	( )	( )	( )	( )	( )
Notification of court dates	( )	( )	( )	( )	( )	( )
Transportation to court	( )	( )	( )	( )	( )	( )
Legal counsel other than prosecutor	( )	( )	( )	( )	( )	( )
Witness reception	( )	( )	( )	( )	( )	( )
Accompanying victim to court	( )	( )	( )	( )	( )	( )
Child care during court process	( )	( )	( )	( )	( )	( )
Employer intervention	( )	( )	( )	( )	( )	( )
Assistance with victim impact statement	( )	( )	( )	( )	( )	( )
Notification of disposition	( )	( )	( )	( )	( )	( )
<b><u>Fees and Claims</u></b>						
Assistance with insurance claims	( )	( )	( )	( )	( )	( )
Assistance with victim compensation	( )	( )	( )	( )	( )	( )
Assistance with witness fees	( )	( )	( )	( )	( )	( )
Assistance with restitution claims	( )	( )	( )	( )	( )	( )
<b><u>Emergency &amp; Counseling Services</u></b>						
Assistance with emergency shelter	( )	( )	( )	( )	( )	( )
Assistance with emergency security repair	( )	( )	( )	( )	( )	( )
Assistance with emergency financial aid	( )	( )	( )	( )	( )	( )
Crisis intervention/counseling	( )	( )	( )	( )	( )	( )
24-hour telephone access/hotline	( )	( )	( )	( )	( )	( )
Referral to other agencies	( )	( )	( )	( )	( )	( )
<b><u>Other</u></b>						
Victim or witness protection	( )	( )	( )	( )	( )	( )
Victim/offender mediation	( )	( )	( )	( )	( )	( )
Other: _____	( )	( )	( )	( )	( )	( )

5. How would you rate the **juvenile justice** system in your jurisdiction on the following items? (Circle one per item)

	Grossly Inadequate		Adequate		Exemplary	Unable to Judge
Recognition of the rights of victims in the juvenile justice system	1	2	3	4	5	9
Amount and type of information provided to victims and witnesses	1	2	3	4	5	9
Timeliness of information provided to victims and witnesses	1	2	3	4	5	9
Opportunities for victim participation in the juvenile justice process	1	2	3	4	5	9
Services provided to victims and witnesses	1	2	3	4	5	9

6. Over which matters does this court have jurisdiction?  
(Check all that apply)

- ☐ delinquency matters
- ☐ status offenses
- ☐ abuse and neglect cases
- ☐ family matters (e.g., custody, divorce)
- ☐ traffic offenses by juveniles
- ☐ Other, specify \_\_\_\_\_

7. How many judges in your jurisdiction handle delinquency matters?

Number handling delinquency matters full-time \_\_\_\_\_

Number handling delinquency matters part-time \_\_\_\_\_

8. Is there a particular agency or organization that takes the lead in providing assistance to victims and witnesses in the **juvenile justice** system? If so, please indicate which one:

Name: \_\_\_\_\_

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

Telephone #: \_\_\_\_\_

**TO RETURN SURVEY:** For your convenience, we have preaddressed the back of the last page of the survey, and affixed the return postage. Please fold the survey in thirds, with the address and postage on the top flap and staple or tape the sides shut. Thank you.

Name: \_\_\_\_\_  
 Court: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_

### Victim/Witness Survey for Prosecutors

1. Which types of victim participation in the juvenile justice process are permitted in your jurisdiction? If they are permitted, how often are they practiced? (Check one box for each type of participation)

Victim:	Not Permitted by Case Law/ Statute	Permitted but Not Practiced	Practiced Sometimes	Practiced Routinely
is informed of accused juvenile's name	( )	( )	( )	( )
is informed of accused's prior record	( )	( )	( )	( )
is informed of accused juvenile's release from secure detention	( )	( )	( )	( )
is informed of date and time of adjudicatory hearing	( )	( )	( )	( )
is informed of charges against the accused	( )	( )	( )	( )
is informed of date and time of of disposition	( )	( )	( )	( )
hears testimony of accused	( )	( )	( )	( )
hears testimony of other victims or witnesses	( )	( )	( )	( )
participates in plea negotiations	( )	( )	( )	( )
is accompanied into courtroom by victim advocate	( )	( )	( )	( )
is accompanied into courtroom by friend or relative	( )	( )	( )	( )
is provided with separate waiting area at court during hearings	( )	( )	( )	( )
attends dispositional hearing	( )	( )	( )	( )
makes an oral statement at disposition	( )	( )	( )	( )
submits written statement of medical and financial losses	( )	( )	( )	( )

(Please continue on next page)

**Victim:**

	Not Permitted by Case Law/ Statute	Permitted but Not Practiced	Practiced Sometimes	Practiced Routinely
submits written statement of physical and emotional impact of crime	( )	( )	( )	( )
submits written statement of desired sentence	( )	( )	( )	( )
is informed of sentence imposed	( )	( )	( )	( )
is informed of offender's release from correctional facility	( )	( )	( )	( )
receives restitution as part of court order	( )	( )	( )	( )
may resolve problem through formal mediation process	( )	( )	( )	( )

2. Rate the importance of the following goals in sentencing juveniles in this jurisdiction.  
(Circle one for each item)

	<u>Little Importance</u>				<u>Great Importance</u>
Rehabilitation	1	2	3	4	5
Accountability	1	2	3	4	5
Punishment	1	2	3	4	5
Incapacitation <sup>1</sup>	1	2	3	4	5

3. Does your office provide services to victims and/or witnesses of adult crime?

- ( ) Services provided to victims of all types of crime  
( ) Services provided mainly to special target groups (Please specify)

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- ( ) No special services

<sup>1</sup> Confinement to prevent criminal activity

4. For what proportion of your cases does the prosecutor's office provide the following services to victims and/or witnesses of **juvenile crime**? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	( )	( )	( )	( )	( )	( )
Property return	( )	( )	( )	( )	( )	( )
Transportation to line-ups, interviews	( )	( )	( )	( )	( )	( )
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	( )	( )	( )	( )	( )	( )
Preparation for testimony	( )	( )	( )	( )	( )	( )
Notification of court dates	( )	( )	( )	( )	( )	( )
Transportation to court	( )	( )	( )	( )	( )	( )
Legal counsel other than prosecutor	( )	( )	( )	( )	( )	( )
Witness reception	( )	( )	( )	( )	( )	( )
Accompanying victim to court	( )	( )	( )	( )	( )	( )
Child care during court process	( )	( )	( )	( )	( )	( )
Employer intervention	( )	( )	( )	( )	( )	( )
Assistance with victim impact statement	( )	( )	( )	( )	( )	( )
Notification of disposition	( )	( )	( )	( )	( )	( )
<b><u>Fees and Claims</u></b>						
Assistance with insurance claims	( )	( )	( )	( )	( )	( )
Assistance with victim compensation	( )	( )	( )	( )	( )	( )
Assistance with witness fees	( )	( )	( )	( )	( )	( )
Assistance with restitution claims	( )	( )	( )	( )	( )	( )
<b><u>Emergency &amp; Counseling Services</u></b>						
Assistance with emergency shelter	( )	( )	( )	( )	( )	( )
Assistance with emergency security repair	( )	( )	( )	( )	( )	( )
Assistance with emergency financial aid	( )	( )	( )	( )	( )	( )
Crisis intervention/counseling	( )	( )	( )	( )	( )	( )
24-hour telephone access/hotline	( )	( )	( )	( )	( )	( )
Referral to other agencies	( )	( )	( )	( )	( )	( )
<b><u>Other</u></b>						
Victim or witness protection	( )	( )	( )	( )	( )	( )
Victim/offender mediation	( )	( )	( )	( )	( )	( )
Other: _____	( )	( )	( )	( )	( )	( )

5. Which services would you most like to see added or expanded for victims and/or witnesses in the **juvenile justice** system? List your first, second, and third priorities.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

6. How would you rate the **juvenile justice** system in your jurisdiction on the following items? (Circle one per item)

	Grossly Inadequate		Adequate		Exemplary	Unable to judge
Recognition of the rights of victims in the juvenile justice system	1	2	3	4	5	9
Amount and type of information provided to victims and witnesses	1	2	3	4	5	9
Timeliness of information provided to victims and witnesses	1	2	3	4	5	9
Opportunities for victim participation in the juvenile justice process	1	2	3	4	5	9
Services provided to victims and witnesses	1	2	3	4	5	9

7. How many prosecutors in your jurisdiction handle delinquency matters?

Number handling delinquency matters full-time \_\_\_\_\_  
 Number handling delinquency matters part-time \_\_\_\_\_

8. Compared with victims and/or witnesses of adult crime would you rate victims/witnesses of **juvenile crime** as: (Check appropriate box)

- ☐ More cooperative
- ☐ Equally cooperative
- ☐ Less cooperative
- ☐ Unable to determine

9. Is there a particular agency or organization that takes the lead in providing assistance to victims and witnesses in the **juvenile justice** system? If so, please indicate which one:

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

Telephone #: \_\_\_\_\_

**TO RETURN SURVEY:** For your convenience, we have preaddressed the back of the last page of the survey, and affixed the return postage. Please fold the survey in thirds, with the address and postage on the top flap and staple or tape the sides shut. Thank you.



Name: \_\_\_\_\_

Agency: \_\_\_\_\_

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

Phone: \_\_\_\_\_

### Victim/Witness Survey for Probation/Intake

1. For what proportion of your cases does the probation department provide the following services to victims and/or witnesses of **juvenile crime**? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	( )	( )	( )	( )	( )	( )
Property return	( )	( )	( )	( )	( )	( )
Transportation to line-ups, interviews	( )	( )	( )	( )	( )	( )
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	( )	( )	( )	( )	( )	( )
Preparation for testimony	( )	( )	( )	( )	( )	( )
Notification of court dates	( )	( )	( )	( )	( )	( )
Transportation to court	( )	( )	( )	( )	( )	( )
Legal counsel other than prosecutor	( )	( )	( )	( )	( )	( )
Witness reception	( )	( )	( )	( )	( )	( )
Accompanying victim to court	( )	( )	( )	( )	( )	( )
Child care during court process	( )	( )	( )	( )	( )	( )
Employer intervention	( )	( )	( )	( )	( )	( )
Assistance with victim impact statement	( )	( )	( )	( )	( )	( )
Notification of disposition	( )	( )	( )	( )	( )	( )
<b><u>Fees and Claims</u></b>						
Assistance with insurance claims	( )	( )	( )	( )	( )	( )
Assistance with victim compensation	( )	( )	( )	( )	( )	( )
Assistance with witness fees	( )	( )	( )	( )	( )	( )
Assistance with restitution claims	( )	( )	( )	( )	( )	( )

(Please continue next page)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Emergency &amp; Counseling Services</u></b>						
Assistance with emergency shelter	( )	( )	( )	( )	( )	( )
Assistance with emergency security repair	( )	( )	( )	( )	( )	( )
Assistance with emergency financial aid	( )	( )	( )	( )	( )	( )
Crisis intervention/counseling	( )	( )	( )	( )	( )	( )
24-hour telephone access/hotline	( )	( )	( )	( )	( )	( )
Referral to other agencies	( )	( )	( )	( )	( )	( )
<b><u>Other</u></b>						
Victim or witness protection	( )	( )	( )	( )	( )	( )
Victim/offender mediation	( )	( )	( )	( )	( )	( )
Other: _____	( )	( )	( )	( )	( )	( )

2. How would you rate the **juvenile justice system** in your jurisdiction on the following items?  
(Circle one per item)

	Grossly Inadequate		Adequate		Exemplary	Unable to judge
Recognition of the rights of victims in the juvenile justice system	1	2	3	4	5	9
Amount and type of information provided to victims and witnesses	1	2	3	4	5	9
Timeliness of information provided to victims and witnesses	1	2	3	4	5	9
Opportunities for victim participation in the juvenile justice process	1	2	3	4	5	9
Services provided to victims and witnesses	1	2	3	4	5	9

3. What type of restitution for victims of **juvenile** crime does the court order?  
(Check all that apply)

- ( ) Financial (Agency that administers the program \_\_\_\_\_ )
- ( ) Service to victim (Agency that administers the program \_\_\_\_\_ )
- ( ) Community service (Agency that administers the program \_\_\_\_\_ )
- ( ) Does not order restitution

(Please continue on next page)

4. In what proportion of cases in the juvenile justice system where there is financial loss, is restitution awarded?

- ☐ None
- ☐ 1-25%
- ☐ 26-50%
- ☐ 51-75%
- ☐ 76-100%

5. Does this agency supervise court-ordered restitution payments?

- ☐ Yes
- ☐ No

If yes, what proportion of clients complete the restitution requirements?

- ☐ None
- ☐ 1-25%
- ☐ 26-50%
- ☐ 51-75%
- ☐ 76-100%

6. In what proportion of cases in the juvenile court do probation officers have a victim impact statement available to use in preparing the pre-sentence report?

- ☐ None
- ☐ 1-25%
- ☐ 26-50%
- ☐ 51-75%
- ☐ 76-100%

7. How are victims involved in probation decisions to divert a juvenile?

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
Victims are consulted before decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims are notified, but not consulted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. To what extent does the victim impact statement affect the pre-sentence report?

- ☐ No effect
- ☐ Minor effect
- ☐ Some effect
- ☐ Major effect

9. Is there a particular agency or organization that takes the lead in providing assistance to victims and witnesses in the juvenile justice system? If so, please indicate which one:

Name: \_\_\_\_\_

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

Telephone #: \_\_\_\_\_

Name: \_\_\_\_\_

Agency: \_\_\_\_\_

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

Phone: \_\_\_\_\_

### Victim/Witness Survey for Police

1. Does the police department operate formal diversion programs for **juvenile offenders**?

(Check appropriate box)

☐ Yes

☐ No (Skip to question 3)

2. If there are formal diversion programs, how are victims involved in police decisions to divert a **juvenile**?

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
Victims are consulted before decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims are notified, but not consulted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Are victims involved in informal diversion decisions such as making station adjustments?

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
Victims are consulted before decision	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Victims are notified, but not consulted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Which of the following pieces of information are the police allowed to give to victims or witnesses of **juvenile crime**? (Check all that apply)

☐ The name of the juvenile arrested

☐ Information about the juvenile's prior arrest/conviction history

☐ Whether the juvenile arrested is being detained

5. Do police officers explain to victims of **juvenile crime** how the **juvenile court** is different from the adult process? (Check appropriate box)

☐ Routinely

☐ Most of the time

☐ Hardly ever

☐ Never

(Please continue on next page)

6. For what proportion of your cases does the police department provide the following services to victims and/or witnesses of **juvenile crime** in your jurisdiction? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	( )	( )	( )	( )	( )	( )
Property return	( )	( )	( )	( )	( )	( )
Transportation to line-ups, interviews	( )	( )	( )	( )	( )	( )
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	( )	( )	( )	( )	( )	( )
Preparation for testimony	( )	( )	( )	( )	( )	( )
Notification of court dates	( )	( )	( )	( )	( )	( )
Transportation to court	( )	( )	( )	( )	( )	( )
Legal counsel other than prosecutor	( )	( )	( )	( )	( )	( )
Witness reception	( )	( )	( )	( )	( )	( )
Accompanying victim to court	( )	( )	( )	( )	( )	( )
Child care during court process	( )	( )	( )	( )	( )	( )
Employer intervention	( )	( )	( )	( )	( )	( )
Assistance with victim impact statement	( )	( )	( )	( )	( )	( )
Notification of disposition	( )	( )	( )	( )	( )	( )
<b><u>Fees and Claims</u></b>						
Assistance with insurance claims	( )	( )	( )	( )	( )	( )
Assistance with victim compensation	( )	( )	( )	( )	( )	( )
Assistance with witness fees	( )	( )	( )	( )	( )	( )
Assistance with restitution claims	( )	( )	( )	( )	( )	( )
<b><u>Emergency &amp; Counseling Services</u></b>						
Assistance with emergency shelter	( )	( )	( )	( )	( )	( )
Assistance with emergency security repair	( )	( )	( )	( )	( )	( )
Assistance with emergency financial aid	( )	( )	( )	( )	( )	( )
Crisis intervention/counseling	( )	( )	( )	( )	( )	( )
24-hour telephone access/hotline	( )	( )	( )	( )	( )	( )
Referral to other agencies	( )	( )	( )	( )	( )	( )
<b><u>Other</u></b>						
Victim or witness protection	( )	( )	( )	( )	( )	( )
Victim/offender mediation	( )	( )	( )	( )	( )	( )
Other: _____	( )	( )	( )	( )	( )	( )

7. Compared with victims and/or witnesses of adult crime would you rate victims/witnesses of **juvenile crime** as: (Check appropriate box)

- ☐ More cooperative
- ☐ Equally cooperative
- ☐ Less cooperative
- ☐ Unable to judge

8. How would you rate the **juvenile justice** system in your jurisdiction on the following items?  
(Circle one per item)

	Grossly Inadequate		Adequate		Exemplary	Unable to Judge
Recognition of the rights of victims in the juvenile justice system	1	2	3	4	5	9
Amount and type of information provided to victims and witnesses	1	2	3	4	5	9
Timeliness of information provided to victims and witnesses	1	2	3	4	5	9
Opportunities for victim participation in the juvenile justice process	1	2	3	4	5	9
Services provided to victims and witnesses	1	2	3	4	5	9

9. Is there a particular agency or organization that takes the lead in providing assistance to victims and witnesses in the **juvenile justice** system? If so, please indicate which one:

Name: \_\_\_\_\_

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

Telephone #: \_\_\_\_\_

**TO RETURN SURVEY:** For your convenience, we have preaddressed the back of the last page of the survey, and affixed the return postage. Please fold the survey in thirds, with the address and postage on the top flap and staple or tape the sides shut. Thank you.

Name: \_\_\_\_\_

Agency: \_\_\_\_\_

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

Phone: \_\_\_\_\_

### Victim/Witness Assistance Program Survey (County)

1. What agency operates this program? (Check one)

☐ Police

☐ Prosecutor

☐ Sheriff

☐ Probation

☐ Other government agency (Specify: \_\_\_\_\_)

☐ Non-governmental agency (Specify: \_\_\_\_\_)

☐ Other (Specify: \_\_\_\_\_)

In what year did the program begin? 19 \_\_\_\_

2. What proportion of your clients are victims and/or witnesses of **juvenile** crime?

(Please estimate if you have no exact statistics.)

\_\_\_\_ % of clients who are victims or witnesses of juvenile crime

\_\_\_\_ % of clients who are victims or witnesses of adult crime

\_\_\_\_ % of clients who are not crime victims or witnesses

100%

**If you do not offer services to victims or witnesses of juvenile crime, please skip the remainder of this survey. Return it to us as is. Otherwise, please continue on the next page.**

3. Do you have a special unit or person that specializes in working with victims or witnesses of **juvenile crime**? (Check one)

- ☐ Yes, at same location as our other staff
- ☐ Yes, at a different location than our other staff
- ☐ No, no special unit or person

4. Do you provide services to all types of victims or witnesses of **juvenile crime**, or do you focus on a specific target group -- for instance, a specific type of crime or a specific age group? (Check one)

- ☐ Services provided to all types of victims or witnesses
- ☐ Services provided mainly to special target group(s)

Please specify which ones:

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5. For what proportion of your cases do you provide the following services to victims and/or witnesses of **juvenile crime**? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property return	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation to line-ups, interviews	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation for testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notification of court dates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation to court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal counsel other than prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witness reception	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accompanying victim to court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child care during court process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please continue on next page)



	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
Employer intervention	( )	( )	( )	( )	( )	( )
Assistance with victim impact statement	( )	( )	( )	( )	( )	( )
Notification of disposition	( )	( )	( )	( )	( )	( )
<b><u>Fees and Claims</u></b>						
Assistance with insurance claims	( )	( )	( )	( )	( )	( )
Assistance with victim compensation	( )	( )	( )	( )	( )	( )
Assistance with witness fees	( )	( )	( )	( )	( )	( )
Assistance with restitution claims	( )	( )	( )	( )	( )	( )
<b><u>Emergency &amp; Counseling Services</u></b>						
Assistance with emergency shelter	( )	( )	( )	( )	( )	( )
Assistance with emergency security repair	( )	( )	( )	( )	( )	( )
Assistance with emergency financial aid	( )	( )	( )	( )	( )	( )
Crisis intervention/counseling	( )	( )	( )	( )	( )	( )
24-hour telephone access/hotline	( )	( )	( )	( )	( )	( )
Referral to other agencies	( )	( )	( )	( )	( )	( )
<b><u>Other</u></b>						
Victim or witness protection	( )	( )	( )	( )	( )	( )
Victim/offender mediation	( )	( )	( )	( )	( )	( )
Other: _____	( )	( )	( )	( )	( )	( )

6. In an average month, about how many victims or witnesses of juvenile crime does your program contact? (Circle appropriate group)

By mail:	None	1-10	11-20	21-30	31-50	51-74	More than 75
By telephone:	None	1-10	11-20	21-30	31-50	51-74	More than 75
Face-to-face:	None	1-10	11-20	21-30	31-50	51-74	More than 75

(Please continue on next page)

7. How would you rate the **juvenile justice** system in your jurisdiction on the following items? (Circle one per item)

	Grossly Inadequate		Adequate		Exemplary	Unable to judge
Recognition of the rights of victims in the juvenile justice system	1	2	3	4	5	9
Amount and type of information provided to victims and witnesses	1	2	3	4	5	9
Timeliness of information provided to victims and witnesses	1	2	3	4	5	9
Opportunities for victim participation in the juvenile justice process	1	2	3	4	5	9
Services provided to victims and witnesses	1	2	3	4	5	9

8. Have your services for victims or witnesses of **juvenile** crime ever been evaluated?

( ) Yes, by: \_\_\_\_\_

Contact person/telephone (if known) : \_\_\_\_\_

( ) No

9. Which services would you most like to see added or expanded for victims and/or witnesses in the **juvenile justice** system? List your first, second, and third priorities.

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

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Name: \_\_\_\_\_

Agency: \_\_\_\_\_

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

Phone: \_\_\_\_\_

**\* Victim/Witness Assistance Program Survey \***

1. What agency operates this program? (Check one)

- ☐ Police
- ☐ Prosecutor
- ☐ Sheriff
- ☐ Probation
- ☐ Other government agency (Specify: \_\_\_\_\_)
- ☐ Non-governmental agency (Specify: \_\_\_\_\_)
- ☐ Other (Specify: \_\_\_\_\_)

In what year did the program begin? 19 \_\_\_\_

2. What proportion of your clients are victims and/or witnesses of juvenile crime?

(Please estimate if you have no exact statistics.)

\_\_\_\_ % of clients who are victims or witnesses of juvenile crime  
\_\_\_\_ % of clients who are victims or witnesses of adult crime  
\_\_\_\_ % of clients who are not crime victims or witnesses  
100%

If you do not offer services to victims or witnesses of juvenile crime, please skip the remainder of this survey. Return it to us as is. Otherwise, please continue on the next page.

3. Do you have a special unit or person that specializes in working with victims or witnesses of **juvenile crime**? (Check one)

- ☐ Yes, at same location as our other staff
- ☐ Yes, at a different location than our other staff
- ☐ No, no special unit or person

4. Do you provide services to all types of victims or witnesses of **juvenile crime**, or do you focus on a specific target group -- for instance, a specific type of crime or a specific age group? (Check one)

- ☐ Services provided to all types of victims or witnesses
- ☐ Services provided mainly to special target group(s)

Please specify which ones:

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5. For what proportion of your cases do you provide the following services to victims and/or witnesses of **juvenile crime**? (We assume that some of the services that are needed infrequently such as emergency shelter will be provided infrequently.)

	Most of the time (76-100%)	Often (51-75%)	Sometimes (26-50%)	Occasionally (1-25%)	Never	Don't know
<b><u>Police-Related Services</u></b>						
Reporting investigation status	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property return	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation to line-ups, interviews	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b><u>Court-Related Services</u></b>						
Orientation to juvenile court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Preparation for testimony	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Notification of court dates	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transportation to court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal counsel other than prosecutor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Witness reception	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Accompanying victim to court	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Child care during court process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Please continue on next page)