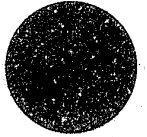


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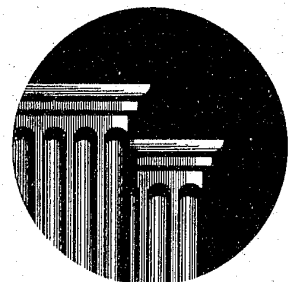
An Implementation Report

**Blair B. Bourque
Roberta C. Cronin**

January 1993

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**The Victims and Witnesses in the Juvenile Justice
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The Victims and Witnesses in the Juvenile Justice System Development Program: An Implementation Report

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The Victims and Witnesses in the Juvenile Justice System Development Program: An Implementation Report

Chapter 1. Introduction

The Victims and Witnesses in the Juvenile Justice System Development Program is sponsored by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to develop and test model approaches to serving victims and witnesses of juvenile crime. OJJDP awarded the American Institutes for Research (AIR) a cooperative agreement to conduct the program in October 1987. The program consisted of four distinct stages:

- an assessment stage to assess current practices toward and knowledge about victims and witnesses in the juvenile system;
- a prototype development stage to develop model program designs based on successful programs in operation;
- a training and technical assistance stage to encourage implementation of the model approaches; and
- a testing stage to pilot the implementation of the model approaches.

During the first two stages the emphasis was on knowledge building and model development. AIR produced an Assessment Report summarizing current theory and knowledge about victim witness assistance in the juvenile system based on reviews of the juvenile codes in all 50 states; a nationwide mail survey of victim assistance providers, juvenile court judges, police, district attorneys, and juvenile probation officers; a review of the literature; and visits to programs operating in the juvenile system. The primary conclusion of this assessment was that victims of juvenile crime are largely underserved by existing victim witness assistance programs, relying instead on sporadic assistance from officials at the Juvenile Court or prosecutor's office. They also are largely unprotected by the recent advances in victim rights, although in some states the statutes specifically include victims of juveniles. Despite the fact that confidentiality protections for defendants are sometimes read to exclude victim participation in the process, most juvenile justice officials view many forms of victim participation as permissible. The problem in extending services to victims of juveniles, then, is not that the juvenile system is inhospitable to the notion, but that programs on short purse strings have placed their priorities elsewhere. The assessment did locate some victim witness programs that were successfully operating in the juvenile justice environment.

Based on empirical study of eight of these juvenile victim assistance programs, AIR developed a resource guide for juvenile justice policymakers and victim assistance providers who are considering expanding services to victims of juvenile crime. Helping Victims and Witnesses of Juvenile Crime: A Program Handbook describes model approaches, provides guidelines for structuring a program and implementing it, and discusses impediments, as well as mechanisms for circumventing them.

Rather than identifying a single model program for assistance to victims and witnesses of juvenile crime, the Handbook specifies components of promising programs operating in the field. Typically, the core structure of a fully developed program consists of an initial screening mechanism to identify target clients and nine core service components:

- o orientation to the juvenile court and process
- o assistance to victims who must testify
- o crisis intervention
- o provision of information about case status and outcome
- o assistance with compensation and restitution
- o facilitating victim participation in the juvenile justice process
- o facilitating property return
- o information and referral
- o education and training

In addition to these core services, the Handbook describes two other components, witness coordination and support and post-adjudication services, that are provided by some programs in the juvenile justice system. This modular approach to program development allows program developers to tailor their strategies to the financial, legal and organizational exigencies of their particular environments. It encourages programs to develop incrementally, adding components as the need for them arises and as the capabilities of the programs increase.

During the third training and technical assistance stage the emphasis shifted to dissemination of the information developed during the assessment and prototype development stages. AIR developed a package of training materials consisting of Developing Programs to Serve Victims and Witnesses in the Juvenile Justice System: A Training Workshop Instructor's Guide, A Training Workshop Student Guide, and a set of supplementary overheads. The purpose of the training was to help practitioners design workable, effective programs. It took participants step by step through the design of a program, using a model of the program development process as an organizing framework. Two workshops were held in Washington, D.C. during 1991.

The purpose of the fourth testing stage is to pilot test the applicability of the materials and approaches developed in earlier phases of the program. OJJDP announced the availability of up to \$20,000 to local juvenile justice agencies and service providers to support the

development of victim witness assistance programs serving the juvenile system in May 1991. In October 1991 three programs were awarded cooperative agreements for one year: the Office of the District Attorney in Cobb County, Georgia (\$20,000); the Crime Victim's Assistance Center in Binghamton, New York (\$11,522); and the District Attorney's Office in Philadelphia, Pennsylvania (\$20,000).

AIR's role in this final stage was to stimulate the development of services to victims and witnesses of juvenile crime by assisting jurisdictions that received awards. This would be accomplished by providing training and technical assistance to the grantees through including them in a training workshop and monitoring program implementation in the field. This report summarizes what we learned from the monitoring process. It is based on review of archival materials from the sites, routine telephone interviews, and one site visit to each of the programs.

Chapter 2 provides an overview of the three programs and the environments in which they operate and summaries of each of the programs. Chapter 3 describes the programs in the context of the Victims and Witnesses in the Juvenile Justice System Development Program. It summarizes the accomplishments of the programs in light of the environmental and programmatic constraints they faced and concludes with an assessment of their prospects for institutionalization.

Chapter 2. The Victims and Witnesses in the Juvenile Justice System Pilot Programs

Characteristics of the Pilot Jurisdictions

The three pilot programs funded by OJJDP — Cobb County (Marietta) Georgia, Broome County (Binghamton) New York, and Philadelphia, Pennsylvania — are all located in the Eastern U.S., but they are quite diverse in terms of population and crime rates. The Philadelphia District Attorney's program serves the fifth largest city in the U.S., with a population of 1.6 million and an extremely high crime rate resulting in the filing of about 8,500 petitions in 1991. In contrast, the Crime Victims Assistance Center in Broome County, New York serves a predominately rural area with a population of 211,000. Of the 300 delinquency complaints referred to court intake in the county in 1991, only 100 resulted in formal petitions. Cobb County, Georgia falls somewhere between these two extremes. The county is on the outskirts of Atlanta in a rapidly suburbanizing community of about 392,000. Although juvenile delinquency had not been a serious problem in the past, the growing population and encroachment of drug-related crimes from Atlanta resulted in 2,843 delinquency filings in 1991, about one-third of Philadelphia's total.

Although there are strict confidentiality protections governing the release of information and access to juvenile court proceedings in all three pilot states, the statutes in two of the states — New York and Pennsylvania — are fairly conducive to the development of victim witness services in the juvenile system. In both states the victim bills of rights specifically address victims of juveniles, endorsing such standards as timely notification of proceedings, secure waiting areas, protection from intimidation, and accompaniment to court. In addition, the juvenile codes of both states stipulate additional protections. In New York the code requires that victim impact statements be submitted as part of the presentence report and that residential placements be ordered for any delinquent who injures an elderly victim. And in Pennsylvania, the code expressly permits that victims be accompanied to court. The codes of both of these states also provide for restitution to victims who suffer losses as a result of the crime.

The statutory framework in Georgia is more typical of states nationwide, with fewer statutory protections explicitly afforded victims and the applicability of statutes to the juvenile system open to interpretation. Except for permitting restitution and providing that the age and condition of the victim be considered in decisions about restrictive custody, the juvenile code is virtually silent about victim issues. Nor does the victim bill of rights clarify whether the protections afforded victims in the adult system apply to victims of juveniles as well. Typically, permissible victim practices are set by the juvenile court judges in Georgia. In the case of the Cobb County program, the presiding juvenile court judge ruled that victims would be considered an unofficial party to the proceedings and would be allowed to participate.

This ruling legitimized virtually all of the victim activities specified in the New York and Pennsylvania statutes — notification of scheduled hearings and changes, participation in court hearings, accompaniment by program staff, and the submission of a written and/or oral victim impact statement.

Despite the fact that statutes in New York permit a variety of victim activities, services to victims of juveniles were virtually nonexistent in Broome County prior to the grant award with one exception. The probation department routinely requested that victims provide impact statements. This information was used in setting restitution awards and, as required by statute, was included in the presentence report. The grantee, the Crime Victims Assistance Center, received only an occasional referral of a victim of a juvenile. This dearth of referrals was attributed to the fact that the center did not have the resources to mount an outreach campaign to victims of juveniles and to establish relationships with juvenile justice officials.

In both Philadelphia and Marietta the District Attorney's victim witness assistance programs had established satellite witness notification programs at the juvenile court prior to the grant award. Two staff in Philadelphia's juvenile unit sent subpoenas to all prospective witnesses, mailed victim impact forms and information about restitution and compensation, called witnesses about hearings, sent case outcome letters to victims in cases resolved before trial, and managed a small waiting room for victims of sex offenses and child victims. But the extremely large caseload in the Philadelphia Juvenile Court prevented the program from providing systematic, personal attention to victims and limited its referrals to the network of local victim assistance centers in the City.

The Marietta program faced a different problem from Philadelphia prior to the grant award although it provided a similar set of services. With dramatically lower caseload levels, the program was able to manage the caseload and provide personal attention to victims and witnesses. But the unit was staffed and had been developed entirely by volunteers, who had directed their energies toward providing services rather than toward cataloging program procedures and building a volunteer pool. Surviving on the fragile thread of continued volunteer commitment, the program needed to document its procedures and to develop and supervise an expanded cadre of volunteers.

Design of the Programs

Although the Marietta and Philadelphia pilot programs faced a different set of initial problems, the pilot programs are extremely similar. Both operate from within the juvenile justice system, building upon an existing program operated by the district attorney's office. As Table 1 shows, both pilot efforts sought to use volunteers as the key to enhancing their current services and added paid staff to ensure adequate coordination and continuity of the volunteer efforts. Grant funds of \$20,000 in both locations were used to support the salary of

a volunteer coordinator. Both programs also focus on serving victims and witnesses in cases petitioned in juvenile court, and identify their clients from witness lists prepared by the district attorneys. Marietta's priority services (shown in Table 2) are to operate an on-call system to notify witnesses of upcoming hearings, to provide assistance to victims who must testify, to provide information about case status and outcome, and to assist victims in preparing documentation for restitution. In Philadelphia, the pilot effort supplements existing telephone witness coordination and notification services which are primarily delivered by phone or mail, with face-to-face court orientation, accompaniment, and personal help with restitution, victim impact, counseling referrals, and other issues. Perhaps the most striking difference in the two programs is the potential caseload. In 1991 there were over 8,500 petitions filed in Philadelphia, compared to fewer than 3,000 in Marietta.

The Binghamton Crime Victims Assistance Center operates an entirely different type of program, in part because it is a non-profit agency with no affiliation with the juvenile justice system, and therefore no ready access to victim and case information. Binghamton does not serve witnesses at all, targeting victims who are referred to court intake in the county. As in the Center's adult program, the juvenile program emphasizes crisis intervention, information and referral, and compensation services. (See Tables 1 and 2.) Since the program does not have routine access to a list of juvenile crime victims, it must rely on referrals from other sources such as the police or self-referrals. The referral mechanism became a stumbling block for the program. Although the program collaborated with probation to reach over 100 victims by mail, staff and interns worked face-to-face with only eight victims over the first six months of operation. However, the program had foreseen that it takes time to establish a secure referral system and had spent its \$11,522 grant primarily to develop materials and procedures that would outlive the project rather than to pay for staff.

Table 1. Characteristics of Pilot Programs			
	Marietta Georgia	Binghamton New York	Philadelphia Pennsylvania*
Grantee	Cobb County District Attorney's Victim Witness Assistance Unit	Crime Victims Assistance Center (non-profit agency)	Philadelphia District Attorney's Victim Witness Assistance Program
Target Population	Victims & witnesses in cases petitioned in Juvenile Court in Cobb County	Victims of juveniles in Broome County	Victims & witnesses in cases petitioned in Juvenile Court in Philadelphia
Approximate Annual Caseload ¹	2,800 petitions 7,000 check-ins 3,917 on-call	175 for information only 15 for face-to-face assistance	8,500 petitions 3,250 for orientation 500 for court accompaniment

¹ Binghamton and Philadelphia caseloads are estimated from part-year experience.

Table 1. Characteristics of Pilot Programs

	Marietta Georgia	Binghamton New York	Philadelphia Pennsylvania*
Client Referral & Screening Procedure	Assistant DA provides list of subpoenaed witnesses	In response to program information in letter sent by probation or by police referral; outreach to cases covered by media	Assistant DA provides list of witnesses
Primary Services	<ul style="list-style-type: none"> - Witness coordination - Court assistance & support - Assistance with restitution 	<ul style="list-style-type: none"> - Orientation to juvenile system & services - Crisis intervention; advocacy-assistance with victim impact statement, compensation, information & referral 	<ul style="list-style-type: none"> - Court orientation - Court accompaniment and face-to-face assistance with restitution, victim impact forms, information & referral - [Witness coordination & notification]
Cost	\$20,000	\$11,522	\$20,000
Staff	1 Volunteer Coordinator Volunteers	1-2 student interns, (unpaid) Funds used to develop materials and provide supervision	1 Volunteer Coordinator Volunteers

Table 2. Service Components of Pilot Programs

	Marietta Georgia	Binghamton New York	Philadelphia Pennsylvania*
Core Components			
Orientation to the juvenile court & process	Orientation via letter sent to victims who return impact statements; personal orientation to victims who testify	Orientation via letter to all victims referred to probation intake, and to victims in cases covered by media	Personal orientation to victims who testify; [orientation via subpoena insert to subpoenaed victims & witnesses]
Assistance to victims who must testify	Court check-in orientation, accompaniment	Service available but not yet used	Court orientation & accompaniment
Crisis intervention	No	Service emphasis but not yet used	Emphasis of new program

*The Victims & Witnesses in the Juvenile Justice
System Development Program: A Implementation Report*

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Assistance to victims who must testify	Court check-in orientation, accompaniment	Service available but not yet used	Court orientation & accompaniment
Crisis intervention	No	Service emphasis but not yet used	Emphasis of new program
Information about case status & outcome	Disposition letters sent for all cases; misdemeanors added under grant	No	[Disposition letters in cases resolved before trial]

Table 2. Service Components of Pilot Programs

	Marietta Georgia	Binghamton New York	Philadelphia Pennsylvania*
Information about case status & outcome	Disposition letters sent for all cases; misdemeanors added under grant	No	[Disposition letters in cases resolved before trial]
Assistance with compensation & restitution	Assistance in providing information for restitution	Focus on assistance with compensation	Assistance with compensation & restitution claims
Facilitating victim participation in the juvenile justice process	No, except for attendance at disposition in cases including restitution (probation handles)	No, probation handles	Assist victims in preparing impact statements
Facilitating property return	No, occasional request	No	Occasional, upon request
Information & referral	No	Service available, but not yet used	Referral to local victim service agencies and other resources
Education & training	Speaking engagements; educational campaign in schools	Community education by adult program	[Community education]
Optional Components			
Witness coordination & support	Runs on-call system	No	[Runs witness notification system]
Post-disposition services	No	No	No

* Services shown in brackets are the primary responsibility of the program staff who were in place prior to the Federal support for the pilot program. However, all staff cooperate in helping clients and there is considerable overlap in practice.

As augmented by the Federal support, Philadelphia has the most comprehensive victim assistance program, offering all of the core services. While Marietta provides the same witness coordination and support services as Philadelphia, it does not yet provide crisis intervention or routine referral services to crime victims. It is precisely these services that Binghamton emphasizes, although the caseloads during the grant period were quite small.

Synopses of each of these programs describing their history and background, project goals, implementation experiences, accomplishments, and prospects for institutionalization follow.

Juvenile Court Victim Witness Services, Marietta, Georgia

The Cobb County District Attorney's Victim Witness Assistance Unit serves victims and witnesses in felony cases prosecuted by the District Attorney. Begun in 1985 by the District Attorney, the unit attempts to strike some balance in the criminal justice system, providing victims and witnesses with the assistance and services to which they are entitled under state law. In addition, the unit recognizes that the cooperation and participation of victims and witnesses in the criminal justice process, from crime reporting through prosecution, is essential to the successful operation of the system.

Except for an occasional self-referral or referral from the police, the Victim Witness Unit caseload consists of victims and witnesses who have been subpoenaed to testify in felony cases. The Unit places extra attention and priority on services to victims believed to be particularly vulnerable to the ill effects of crime — the elderly, children, and victims of violent crimes. There is no Unit contact with victims and witnesses in cases that are diverted from prosecution.

While the Unit provides a range of services including information and referrals, advocacy, and crisis intervention, it emphasizes witness coordination and support. The Unit operates an on-call system for witnesses, assists victims and witnesses with logistics, and, as needed, provides court orientation and accompaniment. All victims in petitioned cases are sent a handwritten disposition letter notifying them of case outcome.

The Cobb County District Attorney's Office supports two of the staff positions — the Director of the Unit and a secretary. In addition, the Victims of Crime Act (VOCA) supports a Director of Volunteer Services, who trains and coordinates the activities of 80 to 100 volunteers. The volunteers provide the bulk of the direct services. The annual operating budget of the program is approximately \$150,000. The Unit's offices are located in space provided by the District Attorney in offices adjacent to the Superior Court.

Services were extended to Juvenile Court in 1990, staffed entirely by volunteers. The victim witness program designed there was very similar to that in Superior Court, but it was less intensive. Because Juvenile Court is physically remote from the downtown Unit offices, Unit managers were unable to coordinate and supervise activities at Juvenile Court. The \$20,000 award from the Office of Juvenile Justice and Delinquency Prevention allowed the Unit to hire a part-time volunteer coordinator to structure and supervise activities of volunteer advocates in juvenile cases.

History and Background

Cobb County, Georgia is located on the outskirts of Atlanta, in a rapidly growing community whose population increased over 30 percent from 1980 to 1986 to reach 392,400.

It is a predominately white (94%), high income area that has not witnessed a high or serious crime rate in the past. However, with the suburbanization of the area, there have been recent increases in the severity and frequency of crimes, with Part I complaints against juveniles increasing 66 percent from 1984 to 1986. The most perceptible change has been the encroachment of drug-related crimes from Atlanta. There is little evidence yet of a gang problem.

The Juvenile Court of Cobb County handles all cases involving allegations of deprivation, unruly conduct, delinquency, and traffic violations within the county, as well as assisting the Superior Court in custody cases. Complaints are referred to court intake which investigates the complaint and makes a decision to handle the case informally, refer it to a formal diversion program, or file a formal complaint. There were 2,843 delinquency filings in 1991. Property offenses accounted for 1,545 of the filings, drug violations for 87, probation violations for 607, motor vehicle theft for 74, simple battery for 191, and aggravated assault for 80. Cases are heard by two judges and two associate judges.

Georgia has a Victim Bill of Rights that guarantees victims the right to be safe from harm; to have their safety considered when bail is set; to receive information about criminal investigations and justice system procedures; to provide a victim impact statement; to be informed of victim assistance services; and to be present at public court proceedings related to the offense. Whether the Bill of Rights applies to the victims of juvenile crime is open to interpretation.

The Juvenile Code is virtually silent on the treatment of victims except to stipulate that for certain designated felonies, the age and physical condition of the victim shall be considered in court decisions about restrictive custody. Restitution and community service are permitted as dispositional orders, but within the general purpose of the juvenile system to assist, protect and restore, if possible, the delinquent children to the status of secure law-abiding members of society. Juvenile court proceedings are confidential, but the Code provides for access to court records by the State's Attorney.

Within this statutory framework, the Chief Judge of the Cobb County Juvenile Court ruled that victims will be considered an unofficial party to the crime, and, in most cases, will be allowed to participate in juvenile proceedings. Permissible activities include: sharing the accused juvenile's name and the outcome and final disposition of the case; notification of all scheduled hearings and changes; participation in court hearings from pretrial through disposition, with accompaniment by Unit staff; and the submission of a written and/or oral victim impact statement documenting medical and financial losses, physical and emotional impact of the crime, and a statement of desired sentence.

Before the Victim Witness Assistance Program was extended to Juvenile Court in 1990, victims and witnesses of juvenile crime had little access to information and no access to services. At that time one Assistant District Attorney was responsible for the prosecution

of all juvenile cases for three separate courtrooms in session simultaneously. Since there was no on-call system, all defendants, victims, and witnesses on the calendar for a given day were subpoenaed to appear at 9:30 a.m. Up to 100 people would arrive at the same time, with the bailiffs strolling through the throngs yelling for victims and witnesses in cases to come forward. Victims were not allowed in the courtroom except to testify, and restitution was rarely awarded and never collected. There were no provisions for informing victims of the outcome of their cases.

Both the District Attorney and the Director of the Unit had been concerned about the problems victims and witnesses confront in the juvenile system but had not been able to locate funding to begin a program. In January 1990 the Chairman of the program's Advisory Council volunteered to establish a juvenile program. His program included: check in of victims, witnesses, and defendants as they arrived at court; an on-call system to reduce the number of unnecessary appearances and waiting time of victims and witnesses; and assistance with restitution investigations. These services resulted in immediate improvements in the congestion and confusion in the court hallways and in the amount of restitution awarded.

Despite these improvements, it became apparent that the program needed at least a part-time paid staff person at Juvenile Court. Because Juvenile Court is geographically remote from Superior Court, the volunteers had little opportunity for supervision or assistance from Unit staff. Two regular volunteers were attempting to cover the entire felony caseload at Juvenile Court, with three courtrooms operating simultaneously. Running the witness check-in each morning and setting up the on-call system absorbed all of the volunteer time, leaving only ad hoc opportunities to provide additional services. Several additional volunteers had been recruited for Juvenile Court during 1990, but they had only provided sporadic assistance. This inability to attract new, regular volunteers was believed to stem from the fact that there was no one there to supervise, train, and interact with them. In addition, there was concern that should the two most active volunteers leave, the program would have to be re-developed from scratch since none of the procedures was in writing.

Thus, the \$20,000 award from OJJDP to underwrite the salary of a volunteer coordinator offered the opportunity to formalize the program. The function of the coordinator was not only to attract, train, and supervise volunteer victim advocates, but also to develop a brochure and specify procedures in a training manual so that the program could be reconstructed by a new set of volunteers. The program began November 15, 1991 and ended September 30, 1992.

Project Plan

The primary mission of the program is to improve the treatment of victims and witnesses by providing victims with assistance and services that will speed their recovery from a criminal act, support them as they move through the juvenile justice process, and treat

them with dignity and respect. A secondary purpose is to increase citizen participation and cooperation in the juvenile justice process, and thereby to hold offenders accountable for their actions through higher prosecution and conviction rates. To accomplish this mission, the Victim Witness Assistance Unit is sharing the expertise and volunteers of the Superior Court Unit with the program in Juvenile Court.

The program stipulates the following objectives:

- to expand the commitment of local government and the community to assist crime victims by providing services at juvenile court;
- to increase the use of community volunteers in Juvenile Court;
- to offer crime victims the opportunity to participate in the system via notification and orientation and escort services;
- to provide assistance against intimidation and harassment;
- to establish a set of core services — court orientation and escort, restitution monitoring, case status updates, victim impact statements, disposition letters, assistance with compensation, and employer, landlord, and creditor intervention.

The juvenile program was essentially in place prior to the award of the OJJDP grant, but its existence was hanging on the tenuous thread of one volunteer's commitment and availability. What the grant would accomplish is to fund a volunteer coordinator for one year to document program procedures, to publicize the plight of victims and witnesses in the juvenile system, and to attract and train a cadre of volunteers committed to working in Juvenile Court. Documenting the program and training volunteers were to be accomplished in the first six months of the grant. Direct services to victims and witnesses were to continue over the duration of the grant, but the expected influx of volunteers would allow for the development of a more sophisticated case management system. Speaking engagements to educate the public were planned for the last six months of the grant.

The success of the program would hinge on the coordinator's ability to lure volunteers to the remote location, train them appropriately, and sustain their interest and participation. Rather than initiate a separate training program, the Unit would integrate training in juvenile court procedures with training for volunteers at Superior Court. By tapping into the existing volunteer network, the program expected to pick up some experienced volunteers who might welcome the variety of juvenile court and to slowly build a body of volunteers who were trained in Juvenile Court procedures, even if they started out in Superior Court.

Implementation Status of the Program

Start-up

It was not until six weeks after the October 1 award that the Cobb County Commissioners accepted the cooperative agreement and the program was able to hire the Volunteer Coordinator. The County Commissioners were concerned that by accepting a short-term award, they were ensuring that the program would request continuation funding when the agreement ended. The program was able to overcome this resistance by agreeing that they would not request County funding at the end of the grant period.

During this six-week hiatus the two volunteers continued to provide the witness coordination and support services that preceded the grant, logging in over 150 hours in October. One of the two volunteers was hired as the Volunteer Coordinator on November 15, 1991. With this switch to paid status, volunteer hours dropped considerably in November, and disappeared altogether in December, 1991 when the second volunteer took employment elsewhere. With the volunteer coordinator responsible for providing all of the services and no replacement volunteers on the horizon, the need for documenting the program was acute.

Consequently, the project began work on the procedures manual earlier than had been contemplated in the proposal, completing it by the fifth month. The purpose of the document was to train volunteers attending the Superior Court training sessions in the differences in the orientation and specific procedures in place in Juvenile Court. No specific training in Juvenile Court had been conducted for the winter training sessions, and few volunteers had expressed an interest in working there.

The Volunteer Coordinator and the Director of the Victim Witness Unit attended the AIR workshop in Washington, D.C., in December. Much of the information about how to design a program was irrelevant to them, because their service delivery system had already been in place prior to receipt of the grant. However, they were able to incorporate some of the tips about designing brochures and providing information to victims and witnesses in the materials they were developing.

Status of the Grant at Month 9

The lukewarm reception among volunteers to working in Juvenile Court continued to plague the project throughout the grant period. In March 1992 the Volunteer Coordinator gave a presentation to 25 trainees on the need for victim assistance in Juvenile Court, but only two individuals expressed an interest in working there. Only 14 volunteer hours had been logged by the end of the second quarter. Part of the problem was that the location of the Juvenile Court next to the city dump and the detention center and far from the downtown restaurants was not a draw.

During Victim Rights week in April, all of the volunteers in Superior Court were invited to a luncheon at Juvenile Court to familiarize them with the facility and staff there. Twenty volunteers attended, and three made a commitment to provide services. Volunteers logged 132 hours in the third project quarter, dropping off to 52 hours in the last quarter.

Although the Volunteer Coordinator was able to pick up the slack from lower than expected voluntary efforts and continue the witness coordination and support services, she was not able to add the case management system and additional services contemplated for the grant period. The number of service contacts made by the program over the four quarters of the grant period are shown below.

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Year
Check-in escort	1622	1694	1665	2108	7089
On-call	775	1249	1076	817	3917
Call-ins	274	649	710	608	2241
Subpoenas issued	812	1109	949	713	3583
Disposition letters	255	94	549	751	1649
Restitution cases	24	39	16	23	102
Restitution awards	\$15,636	\$91,379	\$7,806	\$20,706	\$135,527

The project checked in over 7,000 defendants, victims, and witnesses at Juvenile Court from October 1991 through September 1992. Almost 4,000 witnesses were placed on-call, and there were 2,241 call-ins. Subpoenas were issued to 3,583 and disposition letters sent to 1,649. Finally, 102 restitution cases were monitored, resulting in the award of over \$135,527 in restitution.

The project's caseload comes almost entirely from the witness list prepared by the assistant district attorneys after a petition has been filed. Occasionally the project receives calls from victims who have questions about the victim impact statement forms sent by Probation Intake. Also, a few police officers refer victims to the program prior to the issuance of a subpoena. Cases that are diverted do not receive project services.

The services delivered by the project include:

- Orientation to juvenile court and the rights of victims and witnesses. The project telephones all witnesses prior to the scheduled appearance date to explain the on-call system and to answer questions about the process. The program sends a two-page brochure describing juvenile court to victims who return victim impact forms.

- Assistance to victims and witnesses who must testify. Most of the project effort is devoted to assisting victims and witnesses to appear in court. The project telephones victims and witnesses prior to their appearance date to explain the on-call system. For special cases such as sex offenses they will encourage the victims to tour the facility and meet the assistant district attorney before the court date. Then the project mans a desk at the entrance to the courtrooms to check in victims, witnesses, and defendants as they arrive for hearings. Attempts are made to separate the defendants and prosecutor witnesses by directing them to different areas. After check-in, the volunteers (when there are enough) each take responsibility for one of the three courtrooms, checking the status of on-call cases, and accompanying victims and witnesses who request it to hearings. While assistance with transportation and other logistics is theoretically available, the project has not had any such requests. The afternoons are spent telephoning witnesses whose cases have been continued and preparing for upcoming hearings.
- Crisis intervention. Victims who receive the brochure (those who return impact forms) are made aware of the availability of crisis intervention services. Possibly because they do not receive the brochure until some time after the crime, few victims have expressed a need for such services. The project hopes to build an earlier referral network through police contacts, but will be unable to do so until the volunteer base is stronger.
- Information about case status and outcome. In addition to notifying witnesses about continuances in their cases, the project routinely sends handwritten letters to each victim and witness (including police witnesses) explaining the ultimate disposition of the case. Prior to the OJJDP award, the project was only able to send letters for petitioned felony cases. They now send them for misdemeanors and victimless crimes as well. Cases that are diverted or nolle prossed do not receive disposition letters.
- Assistance with compensation and restitution. The project assists victims in compiling insurance statements, bills, and estimates for presentation to the court in decisions about restitution. Since the judges are reluctant to award restitution unless the victim is present, victims are encouraged to attend the hearings. Information about victim compensation is available in the project brochure, but since there is currently no money available in the compensation fund, filing is a moot issue.
- Facilitating victim participation in the process. Assisting victims in preparing impact statements is outside the purview of the project. The Clerk of the Court sends each victim a letter requesting impact information: The information is returned directly to the court. The Project does, however, telephone victims eligible for restitution to encourage their participation in the dispositional hearing.

- Facilitating property return. The project routinely explains to victims that their property will not be returned until the case is concluded (for many months if there is an adult co-defendant.) Only one victim has ever requested assistance in arranging for property return.
- Information and referral. Although the project advertises referral services in its telephone contacts and in the brochure, no victims have yet taken advantage of this service.
- Education and training. Providing public education and training in the unique features of the juvenile justice system was one of the new project services begun with grant funds. The Volunteer Coordinator made speeches to schools and civic organizations throughout the grant period. During Victim Rights Week bulletin boards were posted in the 15 middle schools in the county with quotes from victims of juvenile crimes. The posters were intended to personalize crime for middle school youth.
- Post-dispositional services. The project traces problems with restitution compliance through the probation department. Frequently, simply questioning the probation officer about payment problems is enough to stimulate payment. Occasionally, the project has referred a case to the Assistant District Attorney who has filed for a violation of probation on the basis of the non-payment.

Accomplishments

The accomplishments specifically attributable to the OJJDP grant include: the development of a brochure providing information about the juvenile justice system and explaining where to obtain help; the development of a training manual incorporating project procedures and describing the operation of the juvenile justice system; a public education campaign among civic organizations and schools; and the extension of the disposition letter service to misdemeanors. The cataloging and documenting of program procedures was believed to be an important step in ensuring that services would survive, despite the waxing and waning of volunteer participation. At a minimum, a new pool of volunteers will not have to reinvent the wheel.

But probably the most apparent accomplishment of the OJJDP grant was the continuation of the notification and coordination services begun earlier. Over the course of the grant, the project was able to place almost 4,000 individuals on-call, saving considerable time and aggravation among civilian and police witnesses. The Assistant District Attorney responsible for the Juvenile Unit reports that the witness coordination program, by ensuring the appearance of the requisite witnesses, has had significant effects on the Unit's ability to successfully prosecute cases and obtain convictions.

Witness check-in is also perceived to be an invaluable service, both by the assistant district attorneys and by the Administrative Judge of the Juvenile Court. By spacing the arrival of witnesses to court over the course of the day and establishing order at the 9:00 arrival time, the project has relieved the considerable congestion and confusion that prevailed previously.

Other services such as assisting victims with restitution paperwork, monitoring payment problems, and writing disposition letters are assumed to have some intrinsic value for victims and witnesses, but their effects are not as obvious to the Juvenile Court personnel. The project believes, however, that these services are essential to ensuring the fair treatment of victims and witnesses of juvenile crime.

The inability to attract enough volunteers early in the grant hindered the progress of the project in implementing some of the planned services. With caseload increases over the previous year, the Coordinator described the services as "keeping a finger in the dike." However, by the last quarter of the project, there were three regular volunteers, and the project was hopeful that Juvenile Court would catch on in the volunteer pool.

Prospects for Institutionalization

As of the end of the grant period, the project had been unable to obtain funding to continue the Volunteer Coordinator position. The Coordinator was seeking alternative funding, and intended to remain in a volunteer capacity at least until all funding sources had been exhausted.

Juvenile Victim Project, Binghamton, New York

The Crime Victims Assistance Center, a private not-for-profit agency, serves victims of crime in Broome County, New York. The organization began in 1978 as the Rape Crisis Center, but broadened its focus over the years. In 1981, it became the Rape and Abuse Crisis Center, expanding its clientele to include victims of family violence as well as rape. The Center adopted its current name in 1989 when it began serving victims of all types of crime and their families.

The Center provides:

- a 24-hour crisis hotline, staffed by volunteers
- response to the crime scene or hospital
- crisis counseling, in an individual or group setting, usually lasting from one to six months
- assistance filing for state crime victim compensation
- accompaniment to court or law enforcement agencies, and advocacy if needed
- help with victim impact statements, and
- information and referral to other community services.

The Center leaves notification about court dates and proceedings to prosecutors, but helps with outcome notification at the prosecutor's request.

The Center's annual budget is about \$164,000. Its biggest source of funding is the New York State Crime Victims Board, which provides \$76,000 under VOCA. Two other state grants together provide about \$31,000; several state, local, and private awards, of \$5,000 to \$10,000 each, make up the balance. The budget supports six full-time staff — the executive director, the associate director, an education coordinator, two counselor/advocates, and an executive assistant— and a part-time bookkeeper. The Center also relies on 30-40 volunteers who staff the crisis line and help with educational programs and accompanying victims to court.

The Center is housed in the basement of a church just a block from the Broome County Family Court and other justice agencies. This space includes private offices and room for meetings and training sessions. The Center has a computer system and word processing capabilities.

With the receipt of an \$11,522 grant from the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Center is now making a concerted effort to reach victims of juvenile crime with its services. The grant represents about seven percent of the Center's current budget.

History and Background

Broome County, with a population of about 211,000, is located in south central New York, bordering Pennsylvania. Binghamton (population 53,000) is the county seat, and the home of the Crime Victims Assistance Center.

Law enforcement agencies refer about 300 delinquency complaints a year to the Broome County Probation Department, which serves as the intake point for the juvenile court system. About two-thirds of these complaints are diverted by probation. The balance result in a formal petition issued by the County Attorney's Office, the agency that prosecutes juveniles. (Adults are prosecuted by the District Attorney's Office.) Juvenile court has jurisdiction over offenses committed by youth up through age 15, rather than age 17, the age which is more typical nationwide.

The state's juvenile code hardly mentions victims, except to provide for orders of protection, to mandate placements for offenders who injure elderly victims, and to require that probation include victim impact statements in presentence reports. Victim rights are described more extensively in the state's "Fair Treatment Standards for Crime Victims," a statute which endorses a long list of benefits for victims, including emergency help, provision of information about services, protection against intimidation, notification of proceedings, consultation with the prosecutor in serious cases, secure waiting areas, and special handling of child victims as witnesses. A 1985 amendment explicitly extended these provisions to the juvenile system.

Before the OJJDP award, the County Probation Department was the only agency to systematically target any services to victims of juvenile crime. In keeping with the juvenile code, probation had been sending victims a request for a victim impact statement when cases were referred to intake. The statement was used in working out a diversion plan or if a case went to court, it was incorporated in the probation officer's predisposition report.

Beyond that, some victims would take the initiative to request information about their case from the law enforcement agency involved or from the County Attorney's Office. They could also call the Crime Victims Assistance Center for help. In fact, however, victims of juvenile crime rarely came to the Center's attention before the new award. The Center had never had the resources to reach out to them and had little or no contact with the juvenile court.

OJJDP's announcement of grants for services to victims of juvenile crime presented the Crime Victims Assistance Center with a perfect opportunity to fill the gap. The modest size of the prospective awards — up to \$20,000 — encouraged the Board and staff to believe that a small organization like theirs might compete successfully. Although the organization had little lead time to develop the application, the effort paid off. The Center was one of three applicants to receive a one-year grant, effective October 1991. The Center had not applied for the full \$20,000, however. It requested and received just \$11,522.

Project Plan

The goals and objectives of the OJJDP grant are:

- to develop linkages with the juvenile justice system
- to prepare and distribute written materials about victims rights in the juvenile justice system and about the services available
- to provide outreach to victims of juvenile crime.

According to the plan, the work would be carried out by the Center's current staff, working with two volunteer student interns recruited especially for this project. The volunteers would shoulder the main responsibility for outreach and would develop materials tailored to the juvenile justice system. The staff would take the lead in developing interagency linkages and would provide the more intensive services to victims, such as counseling. To help establish linkages and set policies for the grant, the Center also would organize a special Advisory Committee, composed of representatives from key juvenile and criminal justice agencies.

This approach was based on three primary assumptions. First, the program developers believed that for the most part, the Center's current services were appropriate for victims of juvenile crime. The problem was to make victims of juvenile crime and juvenile justice agencies aware of them. Second, they believed that the effort could not succeed without consulting the agencies most involved with juvenile crime. Third, the developers felt that the organization could not permanently sustain a special staff position for victims of juveniles. Therefore, instead of creating a new position, \$9,222 of the \$11,522 grant was allocated to subsidizing the salaries of the Executive Director and four other existing staff. The percentage of subsidized time across the five staff totalled 60 percent of a full-time position. The balance of funds would support travel, including a trip to AIR's training session in Washington, D.C., office expenses, and the development of new resource materials.

The Center set a target of serving 75 juvenile cases in the first year. This seemed realistic in light of the 300 cases referred to juvenile probation each year and the Center's

experience with other types of victimization. In 1991, for example, the Center had served 409 victims and their families, and handled an additional 668 calls to the 24-hour hotline. Although the Center had maintained no statistics on the age of the offenders in these cases, staff believed that very few had been juveniles.

Implementation Status of the Program

Start-up

Once the award was official, the Center organized the Advisory Committee, which is chaired by the Treasurer of the Center's Board, a criminal justice professor at the State University of New York at Binghamton. Members include juvenile officers from six law enforcement agencies, the chief of juvenile probation, the county attorney who prosecutes juveniles, the chief clerk of the Family Court, a senior district attorney,² and the head of a local mediation program. The first meeting acquainted the members with the goals of the new project and the Crime Victim Assistance Center.

In December 1991, the Executive Director also attended the one-day training workshop on Victim/Witness Assistance in the Juvenile Justice System, offered by the AIR. The Director took home AIR's handbook on victim/witness services for juvenile cases and copies of New York State statutes about victims.

Finally, the Center recruited, interviewed, and selected two college students to work as interns during the upcoming semester. The students were to earn college credit for their participation.

Status of the Grant at Mid-point

AIR visited the Binghamton program in March 1992. At this point the project had already established linkages with juvenile justice agencies and had prepared a variety of resource materials. Outreach to victims of juvenile crime had just begun.

Developing linkages and preparing resource materials. The project interns began working two mornings a week, late in January 1992. They immediately visited the probation department where the deputy director and his staff spent considerable time orienting them to the juvenile system. In addition, the interns participated in portions of the Center's regular 30-hour training course for volunteers, and began studying the AIR resource handbook. The

² The District Attorney's Office has had a long-standing relationship with the Center. Although the D.A. does not handle juvenile cases, the office is responsible for juveniles who are transferred to adult court, some of whom have co-defendants whose cases remain in juvenile court.

interns were particularly interested in the examples of forms and brochures contained in the handbook, which they used as a starting point for their own efforts.

By March, the interns had drafted a brochure for victims of juvenile crime and had worked out a procedure for including this information in the probation department's initial mailing to all victims. Probation also agreed to compile a list of "old" victims, from the previous six months, who might still be in need of victim services.

The Advisory Committee held regular meetings during this period and was actively involved in shaping the project. Meetings focused on specific issues such as the contents of the brochure, outreach methods, and procedures for sharing case information with the Center. The Center had forged a particularly strong linkage to juvenile probation, which welcomed the Center's involvement with victims of juvenile crime, seeing it as another way to ensure that victims got the help endorsed by New York statutes. Law enforcement agencies that previously had little contact with the Center also were active participants and even made a couple of referrals (although they involved adult cases).

There was one significant area of debate among the Advisory Committee members, however, concerning what case information agencies could share with the Center, and what information the Center in turn could share with victims. At the core of this debate was confusion over what current statute and case law permit. Although New York's "Fair Treatment Standards" cover victims of juvenile crime, state statutes and codes do not address the perceived conflicts between providing fair treatment for victims and keeping juvenile court proceedings confidential. Probation appeared most comfortable with information-sharing; the court and county attorney were less so. The Center director resolved to adopt a conservative stance; she would not share any information unless the county attorney agreed.

Outreach and service delivery. In March, the probation department began including information about the Center in its victim impact letters, which encouraged victims to call the Center for help. Meanwhile, the interns began scanning the newspapers for articles about offenses by juveniles and contacting the police departments involved for further information. Victims identified through the papers were then contacted by telephone to see if they needed any services. Interns expected to follow a similar procedure when they received the list of "old" victims from probation.

By the end of March, there had been only a handful of referrals and only four victims had received services. Most of these cases had involved a single telephone contact with the victim. The most time-consuming referral had involved face-to-face help with filing for victim compensation. Thus, it had not been necessary to set priorities among cases, although the Center had decided to give preference to victims of violent crime if it ever became necessary.

Although referrals had been few, the interns were recording them all in a log; they had also designed forms for recording information about each victim, the offense, the referral source, and the services rendered.

Status at the End of the Grant

In Spring 1992, the Probation Department conducted a half-day training session on the juvenile justice system for Center staff and several volunteers. The Advisory Committee also continued to meet periodically over the course of the grant, although less frequently as the project moved from planning to implementation. At one of its last meetings, the committee reviewed and approved an evaluation form to be sent to persons who had received project services.

By the third quarter, the brochure had been printed. Probation began including it along with a separate letter from the Center in the initial mailing to victims. With the help of probation, project interns also identified 12 "old" victims from probation files and sent them an outreach letter as well. In July, the project held a well-attended press conference about the project in which the Family Court judge and the Deputy Director of Probation also participated. In spite of these efforts, however, few victims of juvenile crime have requested the Center's services (only 7 as of the end of June).

During this period, the project and the Center underwent several staffing changes. The first two interns completed their semester and were replaced by a single summer intern; two new interns came on board in the fall. Fortunately, one of the initial interns had taken a paid position with the Center and was able to help train the new recruits. In addition, the Center Director was on maternity leave for several weeks in the spring and then resigned to take another position in the fall. She was replaced by the Associate Director, who also had several years experience with the program. It seems unlikely that any of these changes affected the volume of project referrals, however. Because of its slow start-up, the project extended its operations through December 1992.

Accomplishments

The Crime Victims Assistance Center has met its objectives of providing outreach to crime victims, developing resource materials, and establishing linkages with juvenile justice agencies. It has not been able to meet its numerical objective of serving 75 victims, however. Probably the Center overestimated the proportion of victims that would need or seek out help. Certainly, the Binghamton area has less serious juvenile crime than bigger cities. Or perhaps the public is just taking a while to catch on to a new service. Compared to victim assistance programs that are based within a justice agency, the project operates at a disadvantage, in that

it does not have routine access to case files and relies on other agencies to act as intermediaries for the Center in many instances.

The program has met another operational challenge quite well, however. The Center has been able to attract and recruit three cycles of interns so far, and has been pleased with their talent and dedication.

Prospects for Institutionalization

This project was designed to survive the loss of Federal support. Grant funds were invested in developing procedures and policies rather than new staff, and these should endure. Otherwise the project relies on volunteers, and all indications are that the Center can attract and retain them under the current internship system. The Advisory Committee is expected to cease regular meetings, but the Center feels that the group could easily be reconvened should any new policy or procedural questions arise.

Juvenile Court Victim Witness Project, Philadelphia, Pennsylvania

The Philadelphia District Attorney's Office serves victims and witnesses in cases prosecuted by the District Attorney (D.A.). The agency has been serving victims and witnesses of juvenile crime since 1980, when the District Attorney's Juvenile Division received a special Federal grant for witness coordination and support. Services in the adult courts did not begin until 1985, in contrast to the usual pattern in which the juvenile program is implemented after the adult program.

All of the District Attorney's victim witness services now are supervised by the Director of Victim Witness Services. These include not only victim witness coordination and support for juvenile and adult cases, but also a special advocacy program for victims of child abuse, and a witness security project, which works with witnesses who have been or may be intimidated. The entire program employs ten staff besides the director. The juvenile and adult units are located several blocks apart, each near the courtrooms where their respective cases are heard.

Three of the staff positions — a victim-witness coordinator, a volunteer coordinator, and an administrative assistant — are in the Juvenile Victim Witness Unit. The juvenile unit's total budget for salary and fringe benefits only is approximately \$113,000. The volunteer coordinator's position was created under the OJJDP grant; the other positions are part of the District Attorney's regular budget. The District Attorney also covers the operating expenses of the unit.

The juvenile unit's primary mission is to inform victims and witnesses about court proceedings and outcomes, and to make the process of coming to court to testify less onerous. The unit also informs victims of their rights to compensation and restitution, solicits victim impact statements, and makes referrals to other resource agencies. The unit is on the main floor of the Family Court building, where there are several juvenile courtrooms. The district attorneys who handle juvenile cases have their offices in the same building.

History and Background

Philadelphia, with a population of about 1.6 million, is the nation's fifth largest city. Like many of the nation's other large cities, its population is disproportionately minority and poor. It is plagued by high crime rates and mushrooming court caseloads. The Family Court alone handled approximately 8500 delinquency petitions last year.

According to Pennsylvania's Victim Bill of Rights, passed in 1984, victims of juvenile crime have the same rights as victims of adults. These rights include the right to have victim impact information included in the presentence report, to have restitution ordered when feasible, and in serious cases, to be informed (upon request) of the offender's parole or

release. The Pennsylvania statute also established a grant and technical assistance program that encourages district attorneys and other agencies to offer secure waiting areas for victims and witnesses and to improve notification, protection, and property return. In 1986, the state also passed a Child Bill of Rights incorporating special protections and procedures for young victims of sex offenses. In addition, the state has a compensation program covering victims of juvenile and adult crime.

The juvenile code itself makes few references to victims, but it does expressly permit victims to be accompanied in the courtroom by support persons or legal counsel. It also provides for restitution to victims consistent with the offense and the child's earning capacity. (Parental liability for restitution is limited to \$300.) The Probation Department has a separate unit to monitor restitution compliance; this unit also places some youth in positions where they can earn enough to make the payments. If a youth does not comply with the restitution order, a court hearing is scheduled and the victim is notified of the date, in case he or she wishes to attend.

Philadelphia has a number of community resources available for victims. Among the most important is the city's network of six neighborhood-based victim services programs. These programs, supported by state funds and overseen by the District Attorney's Office, refer victims to human service agencies and help with compensation claims. Some also offer counseling, bilingual assistance, support groups, and other programs. In addition, Philadelphia has several city-wide programs, including the Action Alliance Elderly Victim Assistance Program, Women Against Abuse, Women Organized Against Rape, Families of Murder Victims, and the Support Center for Child Advocates. All these programs are available to victims of adult or juvenile crime whether or not an offender is arrested or prosecuted in their case.

For victims and witnesses who become involved in the juvenile court process, the District Attorney's juvenile victim witness unit is the primary point of contact. Before the OJJDP award, the unit routinely:

- sent subpoenas to prospective witnesses, along with an insert about the juvenile justice process
- mailed victim impact forms and information about restitution and compensation
- called witnesses about hearings or schedule changes when there was not enough time for mail notification
- notified victims of the disposition in cases that were resolved before trial
- managed a small waiting room reserved primarily for fearful witnesses, child victims, and victims of sex offenses (including child victims of adults).

The unit also tried to reach as many victims as possible by telephone, to alert them to impending subpoenas and uncover any related needs or problems. Unit staff could help with scheduling conflicts, filling out forms, employer intervention, or referrals to community agencies, for example. Staff also could arrange for transportation to court in a special van provided by the District Attorney's Office.

Because of the high volume of Family Court cases, however, the unit found it hard to give systematic personal attention to most victims. Often they got individualized attention only because a victim or a district attorney took the initiative to request it. The OJJDP victim witness grant program offered the juvenile unit a chance to do better, through the development of a new volunteer component. Past experience had shown that it was hard to profit fully from volunteer help unless there was someone with time to manage and supervise. The new grant would provide this time, enabling the unit to reach more victims and respond to their needs on a more personal level.

The District Attorney's application, developed under the supervision of the Director of Victim Witness Services, was one of the three selected for OJJDP funding. The Office received an award of \$20,000 for one year, starting in October 1991.

Project Plan

The overall goal of the project "is to help alleviate the fear, anxiety and confusion often experienced by victims and witnesses who are involved in the juvenile court system, by utilizing an outreach approach, and by providing two specific service components: an orientation program and court accompaniment by volunteers" (Grant Application, June 27, 1991).

Specifically, the court orientation component aims to provide every victim or witness who wants it with a brochure and a brief group orientation to the juvenile court system. The court accompaniment component aims to provide more concentrated one-on-one services, including accompaniment to court, for victims in the more serious juvenile offenses.

To help implement these two components, the unit planned to add a third staff member, a Volunteer Coordinator. He or she would set up an orientation program for all victims and witnesses reporting for court, and would recruit, train, and supervise 25 volunteers from the community and local colleges and universities.

The \$20,000 Federal grant would be used exclusively to support the Volunteer Coordinator's salary. The District Attorney's Office would contribute the balance of the Coordinator's salary, all fringe benefits, and the Coordinator's travel to the training session offered by AIR. The District Attorney also would provide for supervision by the Director of

Victim Witness Services and the Deputy D.A. in charge of the Juvenile Division, as well as operating expenses.

Implementation Status of the Program

Start-Up

The Philadelphia project got started more slowly than expected, because the city was in the midst of a fiscal crisis. Although the Director of Victim Witness Services promptly recruited a Volunteer Coordinator, she was unable to hire her until January 1992, when the District Attorney was finally able to release the matching funds for the grant. As a result, the Volunteer Coordinator missed AIR's training session in December, and the juvenile unit's Victim Witness Coordinator attended instead.

The hiring delay did not stall all activities, however. Before the grant came through, the program had already begun the court orientation component, in collaboration with attorneys from the Juvenile Division, and had managed to complete most of the victim witness information brochure.

Status at Grant Midpoint

AIR visited the project in May 1992. At this point, both components of the program were in place, although the volunteer component had not yet reached its target of involving 25 volunteers.

Court orientation. By the first quarter of the project, the court orientation program had begun. Every morning, unit staff meet witnesses at the entrance of the courthouse as they report with their subpoenas. (All witnesses are subpoenaed for 8:30 a.m.) Prosecution witnesses and their families are identified and directed to a court waiting room set aside especially for orientation. They also receive the victim witness information brochure to peruse while they are waiting.

Around nine o'clock, an attorney from the Juvenile Division makes a brief presentation. The presenter thanks the witnesses for coming and emphasizes how important their role is in the process. He or she then briefly describes the purpose and philosophy of the juvenile justice system. The presenter also explains that witnesses are often sequestered, discusses continuances, and notes that witnesses may be contacted by a defense attorney or investigator. After handling general questions, the presenter then introduces the prosecutors covering each courtroom. Witnesses are encouraged to see the attorney assigned to their courtroom with other questions. Then the witnesses disperse to the waiting rooms outside

their assigned courtrooms or, in selected cases, move to the juvenile unit's own private waiting room. (The private waiting room cannot accommodate everyone.)

At the time of AIR's visit, this portion of the program appeared to be running smoothly. That day, there were about 30 people at the orientation, making it a fairly busy day. The number of subpoenas issued per day varies from about five to 35, but witnesses are often accompanied by friends or family.

Volunteer accompaniment. The Volunteer Coordinator came on board January 6, 1992 and promptly began recruiting volunteers. With the help of the District Attorney's Director of Community Relations and Director of Information, the project issued a press release to about 40 local and community newspapers. Ten papers carried the notice. The Volunteer Coordinator also notified local universities about the program, attended a career fair, and contacted several victim assistance agencies. Those interested were asked to call for applications, enabling the Coordinator to provide additional information and screen out people who could not commit a full day to a volunteer activity.

As a result of the recruitment activities, over 50 applications were received in the second and third quarters of the project. After screening, which involved personal interviews and reference and criminal record checks, about half of the applicants were invited to participate in training. A first group of twelve started training in February, and a second group of thirteen began in May.

The standard training consists of an all-day session, including presentations by the elected District Attorney, the chief of the Juvenile Division, and staff of the Victim Witness Program. Recruits then spend a full day observing court operations, and another day in one-on-one training with the Volunteer Coordinator before starting to work on their own. In the few instances where volunteers have been unable to attend the all-day training, the Coordinator has done all of the training individually.

The first volunteers began assisting victims and witnesses in mid-March. Volunteers are assigned to cases by the Volunteer Coordinator, who reviews the witness list each day and flags cases that are a high priority for personal assistance. These include cases involving personal injury, elderly victims, and juvenile victims. The Victim Witness Coordinator, who handles most of the unit's phone contacts with witnesses, or the district attorneys involved also may request help for certain cases — if the victim is especially apprehensive, for example.

The Coordinator and the volunteers identify the witnesses on the priority list as they arrive for court in the morning and approach them to offer assistance. Their mission includes providing a sympathetic ear as well as finding out whether the victim needs help with restitution, victim impact forms, witness fees, letters to a school or employer, and transportation. If the victim is being harassed or intimidated, the relevant district attorney

will be notified. If the victim needs counseling or help with compensation, the volunteer refers the victim to an appropriate agency; the Coordinator later notifies the agency responsible for compensation if the project has made a referral. If a victim wants company while waiting for court or in the courtroom, the volunteer provides it.

Volunteers complete a form documenting the amount and type of assistance they have provided in each case. The Volunteer Coordinator uses these forms to compile her quarterly reports on project activities. From mid-March through June 1992, volunteers had assisted 111 victims, spending nearly an hour and forty-five minutes on each case. Aside from providing accompaniment, volunteers were most likely to help out with restitution forms (35 cases), victim compensation (19 cases), and victim impact forms (18 cases). There were five referrals to counseling. As a matter of policy, in making a counseling referral the program always provides the names of at least three public or nonprofit agencies selected from a master list according to the needs and/or area of residence of the victim.

If a case is continued, the project encourages the volunteer to try to be available again on the continuance date, so that the victim has some continuity. This is difficult to manage, however, because some volunteers have part-time jobs or other commitments that limit their flexibility.

The staff were happy with the quality of the volunteers recruited so far, and with the methods of recruitment and training. At the time of our visit, engaging more volunteers was still a priority. The Volunteer Coordinator also was interested in providing volunteers with more training in counseling techniques, and encouraging the district attorneys to play a bigger role in identifying victims who needed services.

Status at the End of the Grant

The program continues to function as described above. Court orientation is provided daily and volunteers are actively involved in working with high-priority victims. A second edition of the information brochure, incorporating minor changes, is being readied for printing. The Coordinator is assembling a volunteer training policy and procedures manual and plans to train another group of volunteers in mid-September 1992.

The Coordinator currently has about as many volunteers as she can supervise well (one or two a day is optimal). However, based on the first few months, she is prepared for considerable volunteer turnover. Some volunteers have been less available than anticipated,

and others have quit to take full-time jobs or return to school full-time. Therefore, she expects to recruit continually.³

Because of the delayed hiring of the Coordinator, the program requested and received a two-month extension, through November 1992.

Accomplishments

This project has substantially met the objectives established in its original proposal. Indeed, most of the court orientation component was in place before the problems related to the grant matching funds were resolved. The volunteer program, although it started late, also is well-developed at this point. The program appears to be fully integrated into the operations of the existing juvenile victim witness unit and accepted by the district attorneys in juvenile and the courthouse staff.

Prospects for Institutionalization

Overall, the picture for institutionalization of the grant is bright. Although Philadelphia's budget crisis poses a constant threat to all city agencies, the elected District Attorney is especially supportive of volunteer involvement in the court system and the Office plans to retain the grant-funded position of Volunteer Coordinator. Thus, the volunteer component is expected to continue for the foreseeable future. The court orientation component is even less vulnerable to budget pressures. The procedures are not dependent on extra staff and are now routine.

³ The all-day commitment required of a volunteer appears to be the major obstacle. Unfortunately, this requirement stems from the court's case calendaring procedure, which brings all witnesses in at once, first thing in the morning. The project can never be certain how long it will be before a given witness is called to testify or when court will be over for the day.

Chapter 3. Effectiveness of Pilot Programs

The pilot programs funded by OJJDP were intended to represent a test of the materials and concepts developed under the Victims and Witnesses in the Juvenile Justice System Development Program. This test fit within the development program's broader goal of stimulating the development of services to victims and witnesses of juvenile crime nationwide. There were many indications that change was occurring. Requests for information to the development program from victim assistance programs nationwide indicated that there was a movement afoot to extend victim services into the juvenile system. And panels on victim assistance in the juvenile system began appearing on the agendas of national conferences. Whether the Federal government played a role in spurring this movement in its sponsorship of the development program or whether it was a simultaneous occurrence is unclear, and to some extent, unimportant. What is important is that victims and witnesses in the juvenile system are beginning to reap the benefits of the victim assistance movement.

Within this context the mission of the pilot sites was to test the applicability of the specific model approaches advocated by the development program. A corollary question was to determine whether the program materials would be of assistance to the jurisdictions selected for awards. Because the development program materials were directed toward agencies and programs exploring options for assistance in the juvenile system and designing programs, there was a tacit assumption that at least some of the pilot sites would be relatively inexperienced in victim assistance or the juvenile justice environment. But the realities of the site selection process — which required applicants to pull together credible proposals in a short period of time — ensured that experienced programs would have the edge. Two of the grantees had already designed their programs, inhibiting the level of benefit we could expect from their association with the development program. Therefore the program became a test, not of the utility of the development program materials and concepts, but of what three programs would be able to accomplish with modest grant awards of \$20,000 in two cases and \$11,522 in the third.

Accomplishments of the Pilot Programs

The modest size of the grant awards should be a primary consideration in weighing the accomplishments of the pilot programs. Working within the funding parameters, the programs were able to tailor their goals and objectives to fit the constraints of their environments and to pinpoint the areas where their assistance would be most effective. Their accomplishments fall into three categories: development of new products, improvements in services to victims and witnesses, and improvements in system functioning.

New products. Conscious of the resource constraints on their communities and agencies, all three programs recognized the need to develop concrete products. These

products could continue beyond the grant period even if the staff or volunteers recruited under the grant did not. Thus, all three programs developed a brochure especially for victims or witnesses of juvenile crime, which describes key elements of juvenile justice procedure and the victim services available. In addition, Marietta, Georgia developed a policy and procedures manual to serve as a basis for training new staff and volunteers, and Philadelphia has a similar manual in progress. Philadelphia and Binghamton both developed new forms to ensure that the services they provided and the characteristics of their cases would be routinely documented. And in Binghamton, where the grantee had no previous involvement in juvenile court, project interns also had to develop new form letters for victims of juveniles.

Services to victims and witnesses. In all three locations, a primary goal of the grant was to improve the quantity and quality of services to victims and witnesses of juvenile crime.

In Binghamton, the project has publicized its services to victims of juvenile crime by various means, including outreach to justice system personnel, a letter to victims in cases referred to juvenile court intake, a brochure, and the mass media. Operating outside the juvenile system, the program currently plays no role in notifying victims of case schedules and outcomes. It concentrates instead on crisis intervention, advocacy, victim compensation, victim impact statements, and information and referral as needed. So far, few victims have requested these services, but the staff and interns are ready and willing to work with them when they do.

In Marietta and Philadelphia, Federal support has allowed existing programs to enhance their previous efforts, by adding new services or making existing services available to more victims. In Philadelphia, all prosecution witnesses now get an oral briefing and orientation on their court appearance date. Victims in more serious and sensitive cases also are now much more likely to get personal, face-to-face attention from a victim assistant. This assistant is trained to provide crisis intervention and advocacy and to ensure that the victim gets help with his or her victim impact statement, victim compensation, restitution, and other needs.

In Marietta, the program managed to weather a period of shaky volunteer support and maintain the popular on-call, witness reception, and restitution services that had been implemented only a year before. In addition, the program was able to extend its disposition notification service to victims of misdemeanors.

Improvements in system functioning. Because the grants were modest, two of the recipients were already working with juvenile cases before the grant, and our own period of observation is short, it is hard to measure the systemic effects of these projects. However, it seems fair to say that for the most part, the juvenile justice personnel in these jurisdictions liked the projects and welcomed their increased involvement with victims and witnesses. In Binghamton, for the first time, juvenile justice personnel were sensitized to the local services

available to victims of juvenile crime. It seems clear that they are willing to refer persons in need, even if referrals have been sparse so far. In Philadelphia and Marietta, observers see the projects as contributing to a more orderly, humane, and comprehensible justice process for system personnel and victims alike.

Adherence of the Pilot Programs to the Development Program

The fidelity of the programs to the development model was constrained by two factors. First, when the grantees wrote their proposals describing their program plans, they had no information or materials about the development program other than the short description in the program announcement. Second, two of the programs were already providing services in the juvenile system, and had already designed their program procedures and materials. Thus the potential of the development program for influencing the pilot development process was compromised from the beginning.

But it was not particularly difficult to adhere to the development program, since the materials such as the Handbook do not prescribe a single model of victim assistance in the juvenile system. Rather, the program advocates that localities fit their programs to the exigencies of their environments. For example, if the district attorney's office is already notifying victims of the case outcome on a regular basis, there is no need for the program to intervene in the process. Or if the statutes preclude accompaniment to court and the juvenile court judge will not permit it, then the program will have to develop alternative means of providing support. The Handbook also counsels programs to start small and grow in small increments as they build credibility and garner resources.

The basic structure of the development program consists of the nine components described as "integral to the central mission of victim assistance programs in the juvenile system — to help victims negotiate the juvenile process, to afford them their legal rights, and to make participation in the system less burdensome and offensive." The Handbook points out that these components do not need to be elaborate, time-consuming efforts, nor does each of them need to affect the entire victim or witness population. There was an assumption that programs would be operating with very limited resources, and that initial plans could not be too ambitious.

The pilot programs did mold their service menu to more closely fit the component structure advocated by the development program. Philadelphia already provided most of the services that did not require personal contact, and were able to fill the missing pieces of crisis intervention and referral with the grant funds. And both Marietta and Binghamton were working to expand their service menu, despite their implementation problems.

Whether the program materials and training sessions played a significant role in their development is doubtful. The materials were not intended for an audience already well-

versed in victim assistance in the juvenile system. As a result, they probably were most helpful to Binghamton, which had not previously been active in juvenile cases. The project representatives who attended the training were too experienced to profit much from it, although they reported that the samples of forms and brochures contained in the manual were useful. Also, two of the representatives attending the training were not the personnel who would directly operate the program. Nonetheless, we believe that the Handbook can serve as a resource document as the programs continue to evolve.

Implementation Obstacles

The pilot programs faced three sets of implementation difficulties: problems meeting the procedural and reporting requirements of a Federal program; problems attracting and maintaining volunteers; and problems fitting their services to the caseloads of victims and witnesses in the juvenile system.

Problems with the Federal requirements. While all three grantees were already operating victim assistance programs, only Philadelphia had experience managing a Federal grant. Binghamton, however, had received several grants from other sources. Two of the programs were confused initially about what was required to finalize their cooperative agreements with the government, and the process resulted in delays in initiating services in all three programs. Programs also were uncertain about the format and information to be included in the quarterly progress reports. In the face of meager grant awards, the start-up and reporting requirements appeared weighty.

Problems attracting and maintaining volunteers. The two programs structured around court schedules — Marietta and Philadelphia — show that volunteers are not "free." To use them effectively and maintain program stability requires staff to develop and document procedures, train, supervise, and motivate. Court schedules create particular problems for volunteers since they do not provide much flexibility for volunteers who also have paid jobs or who are in school during the day. Although Philadelphia has succeeded in attracting and training sufficient volunteers, the staff are resigned to the prospect of frequent turnover, and consequently repeated cycles of recruitment and training.

The location of Juvenile Court proved to be a particular problem in attracting volunteers in Marietta. The court is far from the center of town, distant from any restaurants, and in a fairly bleak building facing the city dump. The program recognized that the absence of the camaraderie and pleasantries of the Superior Court location was a factor in the poor volunteer turn-out. One effort that met with some success was to arrange for a luncheon at the Juvenile Court for the volunteers in training for the Superior Court to reduce the Juvenile Court's negative image.

Problems fitting services to caseloads. Marietta and Philadelphia, the two programs operating from agencies within the juvenile justice system, had difficulties managing the high caseloads of victims and witnesses targeted by their programs. In Philadelphia, with its large juvenile court, this is a "normal" affliction, ameliorated somewhat by the new grant, but never curable. In Marietta's case, the caseload problem was compounded by the fact that there were fewer than expected volunteers, resulting in the volunteer coordinator providing most of the services. Since location within the system guaranteed that cases would come to both programs' attention, the problem became one of determining what levels of services they could provide given the available staff.

A non-profit agency with no juvenile justice affiliation, the Binghamton program had the opposite problem of too few referrals. With only 300 cases a year referred to Juvenile Court (and some of these are "victimless"), there are many fewer potential clients in Binghamton than in the other two locations. And so far, concerns about confidentiality prevent the program from routinely obtaining copies of victim and witness lists. Instead, it relies primarily on self-referrals from victims who read about the program in the packet mailed out by probation and on referrals from police. Over the course of the grant only a few victims sought program services as a result of these mechanisms. It is unclear whether this reflects a low need for services in juvenile court or whether the program needs to be more aggressive in promoting the services among juvenile justice personnel and the general public. However, many programs venturing into the juvenile justice system for the first time encounter a slow pace of referrals at first, as they establish their credibility in a new arena. It also is possible that Binghamton is following that pattern.

Conclusions

The pilot programs made considerable strides in improving services to victims and witnesses of juvenile crime in their jurisdictions. Each of the programs identified the precise problem areas affecting victims in that jurisdiction and made wise choices in employing the grant funds. To some extent the modest grant sizes were a blessing since the programs did not accumulate a large staff, but used the funds to create concrete products that would be of assistance once Federal funding ceased. At this juncture, it appears that Philadelphia will be able to continue the staff position created under the grant and Binghamton will continue to recruit an intern to work on juvenile cases. In Marietta the program has temporarily reverted to an all-volunteer basis as they search for alternative funding sources.

Nowhere were the programs seen as detracting from the central purpose of the juvenile justice system to rehabilitate the youth before it. Fairness and equitable treatment of victims and witnesses did not mean less just or fair treatment of juvenile delinquents. In fact, some of the policies and procedures implemented by the programs smoothed the operation of the system for all of the parties involved. For instance, the court check-in procedures and on-call system in Marietta reduced court congestion and eliminated the need to have the defendant's

name yelled before a crowd of up to several hundred. That the programs could prove their worth without disturbing defendant rights no doubt educated juvenile justice practitioners and policymakers about victim witness assistance. It is our hope that these converts will in turn educate others as to the desirability of implementing victim assistance programs in the juvenile system and our network of services will continue to grow.