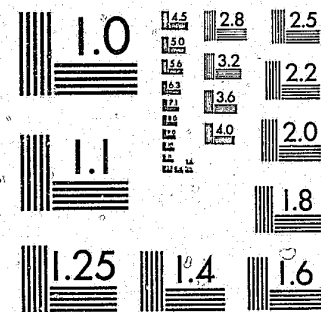


National Criminal Justice Reference Service

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

7/12/83

Law Enforcement Assistance Administration	80-CJ-AX-0900	12/1/81	11
IMPLEMENTING SUBGRANTEE	TYPE OF REPORT		
Division of Criminal Justice 13 Roszel Road, CN 14 Princeton, N.J. 08540	<input type="checkbox"/> REGULAR <input checked="" type="checkbox"/> FINAL REPORT		
SHORT TITLE OF PROJECT Victim/Witness Coordination Project	GRANT AMOUNT \$ 71,875.		
REPORT IS SUBMITTED FOR THE PERIOD THROUGH			
SIGNATURE OF PROJECT DIRECTOR		TYPED NAME & TITLE OF PROJECT DIRECTOR	
		DAG Mary Ann Pidgeon, Director Victim/Witness Project	

COMMENCE REPORT HERE (Add continuation pages as required.)

Attached please find a copy of the Final Report of the Victim/Witness Project of the Division of Criminal Justice which shall serve as a Final Report for LEAA purposes.

INFO COPY

RECEIVED
DEC 14 1981
S.L.E.P.A.

a further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing regulations (FNC 74-2; Criminal Crime Control Act of 1976).	
BY GRANTEE STATE PLANNING AGENCY (Official): <i>Mildred J. [Signature]</i>	DATE 12/15/81

4-557/1 (REV. 2-77) REPLACES EDITION OF 10-75 WHICH IS OBSOLETE.

82827,07

FINAL REPORT OF
THE VICTIM/WITNESS COORDINATION PROJECT

Mary Ann Pidgeon, Deputy Attorney General
Director, Victim/Witness Coordination Project
Judy Wheat Higginbotham, Assistant Coordinator
Victim/Witness Coordination Project

This Project is funded by an LEAA grant

U.S. Department of Justice
National Institute of Justice

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

Permission to reproduce this copyrighted material has been granted by

Public Domain
LEAA? U.S. Dept. of Justice

to the National Criminal Justice Reference Service (NCJRS).

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

TABLE OF CONTENTS

- I. Executive Summary
- II. Critique of Project Activities
 - A. Training
 - B. The Victim/Witness Assistance Hotline
 - C. Victim/Witness Assistance Resource Directory
 - D. Liaison with the Crime Prevention Officers Association, Inc., the Violent Crimes Compensation Board and the New Jersey Council on Crime Victims
 - E. Technical Assistance to Prosecutors' Offices
 - F. The Program Development Guide
 - G. The Notification System
 - H. The Witness Orientation Sound-on-Slide Presentation
 - I. The Newsletter and Monthly Mailings
 - J. Police Training Curriculum
- III. Update of Prosecutors' Offices Victim/Witness Services
 - A. Unique and Outstanding Services
 - B. Additional Services
- IV. The Future of Victim/Witness Assistance
- V. The Institutionalization of the New Jersey Victim/Witness Coordination Project
 - A. The Rationale for Continued Services
 - B. Recommendations for Specific Services Which Should Be Institutionalized
- VI. Conclusion

NCJRS

MAY 17 1982

ACQUISITIONS

I. Executive Summary

Final Report of the Victim/Witness Coordination Project Division of Criminal Justice

A. Critique of Project Activities

1. The status of victim/witness services in New Jersey on the whole is outstanding. Because of the commitment of the Division of Criminal Justice and the county prosecutors, vast improvements in this area have occurred. The work of the Project contributed to this increase in services by accomplishing the following goals:

- a. Training: Lectures were presented to all criminal law judges, deputy attorneys general, assistant prosecutors, detectives, investigators, hotline personnel and victim/witness assistance unit personnel.
- b. Victim/Witness Assistance Hotline: The Project initiated plans and assisted in implementing the State's only 24-hour Victim/Witness Assistance Hotline by preparing and distributing all the printed, audio and videotaped advertising.
- c. Victim/Witness Assistance Resource Directory: The Project compiled and distributed 1200 copies of this Directory of all services which assist victims.
- d. Liaison with Police and Victim-Oriented Groups: The Project facilitated joint cooperation of the police, Violent Crimes Compensation Board and New Jersey Council

on Crime Victims so that more ambitious projects for victims were possible.

e. Technical Assistance to Prosecutors' Offices:

The Project contacted each prosecutor's office to learn of their services and offer assistance in improving them. The Project also participated in three management surveys of prosecutors' offices.

f. Program Development Guide: The Project drafted this document in order to set minimum standards for victim/witness assistance services in prosecutors' offices and to provide information to assist in implementing those services.

g. Notification System: As an aid to prosecutors wishing to increase services, the Project prepared model notification letters which advised victims of the latest development in the criminal litigation. Edwin H. Stier, Director of the Division of Criminal Justice, presented the Notification System to the County Prosecutors' Association and urged its adoption.

h. Sound-on-Slide Presentation: This orientation to the criminal justice system was prepared and distributed upon request to county prosecutors' offices.

i. Newsletter and Monthly Mailings: The Project distributed 2000 newsletters bi-annually to advise those agencies which had contact with victims of the latest developments in the field. Monthly mailings of

victim-related articles were sent to the county prosecutors' offices.

j. Police Training Curriculum: The Police Training Commission was utilized to expand the awareness of victim/witness needs and services through the introduction of the Resource Directory for Victim/Witness Assistance. The Resource Directory will be presented to all police recruit training classes as a tool in servicing victim/witness needs. The Victim/Witness Hotline will also be introduced and recommended for use to refer any and all victims and witnesses of crime.

B. Update of Prosecutors' Offices Victim/Witness Services:

1. The Victim/Witness Service Charts: The Project surveyed each office to ascertain the services now being provided. Three axis charts depicting the information services, logistic services and referral services offered by each office were prepared in November, 1981 and are attached.

2. Unique and Outstanding Services:

- a. Homicide Scene Cleanup
- b. Public Education Projects
- c. Police-Law Enforcement-Social Service Liaison
- d. Immediate Contact with Victim
- e. Telephone On-Call Status for Witnesses
- f. Rape Seminar for Police Officers

3. Additional Services: As anti-semitic and racial violence occur, prosecutors act to meet the needs of the victims involved.

C. Future of Victim/Witness Assistance:

The commitment of law enforcement to serve victims will continue. The U.S. Attorney General's Task Force on Violent Crime has made numerous recommendations to improve services to victims of federal crime. Additionally, the Governor's Adult and Juvenile Justice Advisory Committee recommended victim assistance centers throughout the State.

D. Institutionalization of the New Jersey Victim/Witness Coordination Project:

1. The Rationale for Continued Services: Because the Project gained a reputation for expertise in this field and prosecutors and others have come to rely upon the Division, the statewide technical assistance should continue.

2. Recommendations for Specific Services Which Should Be Institutionalized: It is recommended that the training, in-house resource services, technical assistance to prosecutors' offices and speeches to other groups continue. Also, the establishment of a statewide indemnification fund for victim/witness services should be investigated.

E. Conclusion:

The New Jersey law enforcement community including the Attorney General's Office, the Division of Criminal

Justice, State Police, County Prosecutors, local police and police associations, have demonstrated a commitment to the concept and meaning of victim/witness assistance. This commitment is further strengthened by the judiciary, victim/witness programs, and social service agencies throughout the State. Because of this and the cooperative relationships developed among these agencies and organizations, New Jersey has one of the best victim/witness assistance networks in the nation. This along with the need for continued leadership supports the need for future goals in the victim/witness field.

II. Critique of Project Activities

Assistance to victims and witnesses of crime in New Jersey has greatly increased in recent years. One outstanding addition of victim-oriented services is the provision of victim/witness service in many county prosecutors' offices. These services provide necessary and humane treatment for victims who were oftentimes ignored by the law enforcement community.

The fact that law enforcement has taken the initiative in this area is manifest in the Victim/Witness Coordination Project. The Project is federally funded by a Law Enforcement Assistance Administration grant which was awarded to the Division of Criminal Justice for a two-year period for the purpose of providing assistance to county prosecutors' offices in implementing and improving victim/witness services. Additionally, a goal of the Project was to increase awareness of the plight of crime victims and provide law enforcement personnel with the information necessary to minister to crime victims' needs.

This Final Report shall set forth the progress made toward achieving its goals and outline limitations. Additionally, the Report shall set forth the services provided by each county prosecutor's office, discuss the future of victim/witness services and recommend activities which the Division of Criminal Justice will provide following termination of the grant. It is the goal of this Report to shed some light upon what has been accomplished

for the victim of crime and establish the goals for the future of the victim/witness assistance project.

A. Training

One of the primary goals of the grant was to provide information concerning victim/witness services to law enforcement personnel and the judiciary. In the past year, the Project has conducted several training seminars and provided numerous individual lectures.

First, the Project presented a short lecture to all the criminal court judges in the State at the Judicial College held in Cherry Hill in September, 1981. The Director informed the judges of the problems of victims and the services available to assist them and, in specific, how the judiciary could assist both victims and witnesses. This speech, which was arranged by Edwin H. Stern, Esq., of the Administrative Office of the Courts, was an excellent opportunity to make judges aware of the emotional and physical problems which victims and witnesses endure after a crime and to advise judges of what is being done in New Jersey to help them.

Second, the Project conducted a three-day seminar in November 1980 to train all those assigned to victim/witness services in prosecutors' offices. The Project arranged speakers to present on topics designed to equip each victim/witness unit coordinator and resource person with information necessary to deal with victims and to refer them to state or local agencies for

counseling or other help.

Third, the Project Director lectured at each of the Division's basic training events held for assistant prosecutors, deputy attorneys general and county detectives and investigators. Additionally, the Project Director presented a lecture at an advanced training course for homicide detectives and investigators. The substance of the lecture included the three stages which victims and witnesses must endure before they recover from the crime. The manifestations of each stage and how these events effect the witnesses were also explained. Also, information about victim/witness services such as the Resource Directory, the Hotline and Compassionate Friends was provided. Each group received articles and brochures concerning this information.

B. The Victim/Witness Assistance Hotline

A second major accomplishment of the grant was the initiation of the Victim/Witness Assistance Hotline. In cooperation with the Violent Crimes Compensation Board and the New Jersey Council on Crime Victims, the Project was instrumental in planning and implementing the State's first 24-hour Hotline for victims and witnesses.

The Project prepared and distributed the posters and information cards to prosecutors' offices, courthouses, police departments, hospitals and social service agencies throughout New Jersey. The Project also assisted in the videotaping of the Hotline public service announcement by singer Connie Francis.

The Project distributed the video and audio tapes to all television and radio stations in the tri-state area. The Project also conducted a training seminar for the Violent Crimes Compensation Board personnel which staffs the Hotline in its Newark Office.

Finally, a press conference with Attorney General James R. Zazzali is scheduled to announce the implementation of the Hotline. Connie Francis is also scheduled to appear.

C. Victim/Witness Assistance Resource Directory

The Project compiled and distributed the Resource Directory for Victim/Witness Assistance. The Directory includes the name, address, telephone number and a synopsis of services for each agency listed. The Directory lists agencies which may have an impact on a victim or witness. The Directory was organized on a county-by-county basis and was bound in a loose-leaf binder to enable future updates. Finally, the Project distributed Directories to each police department, prosecutors' office, social service agency and probation department in the State. The Directories distributed totalled 1200.

D. Liaison with the Crime Prevention Officers Association, Inc., the Violent Crimes Compensation Board and the New Jersey Council on Crime Victims

One of the most outstanding results of the Project has been the liaison developed with the other victim-oriented groups such as Crime Prevention Officers Association, Inc., the Violent

Crimes Compensation Board and the New Jersey Council on Crime Victims. The Project Director became a member of the Crime Prevention Officers Association, Inc., and addressed the group concerning the work of law enforcement in the victim/witness field. The liaison with each group has been useful in advancing the victim/witness initiative, keeping current in the assisting in the numerous statewide distribution projects.

E. Technical Assistance to Prosecutors' Offices

The Project served as a resource to the county prosecutors in developing and providing victim/witness assistance services. The technical assistance was rendered in three ways. First, the Project visited prosecutors' offices to learn of each service provided. These meetings were also an opportunity to discuss services which the office should provide and give some advice concerning how to do it. Second, requests for information especially from new victim/witness personnel were handled by the Project. Each new staff member was visited and provided with all necessary information. Third, the Project participated in three management surveys of victim/witness services in prosecutors' offices. The services and facilities were assessed and critiqued for the newly appointed prosecutors in Hudson, Essex and Atlantic Counties.

F. The Program Development Guide

The Program Development Guide was written for the purpose of establishing minimum standards for victim/witness services

and setting forth the information necessary to implement those services. The Program Development Guide sets forth three phases of services and provides information to assist in planning and developing each service. Although the phases allow flexibility, the first and second phases outline the minimum standards which each county prosecutor's office should provide. These services include: notifying victims and witnesses of the legal developments of the criminal case, distributing an information brochure detailing facts necessary for a witness to find the courthouse and what to expect as a witness, referring victims and witnesses to available resources, increasing the general awareness of victim/witness assistance, and providing basic logistic services to reduce inconveniences experienced as a result of involvement in the criminal justice process.

Examples of the outstanding services now provided by prosecutors' offices are set forth and samples of written material, letters, brochures and record-keeping forms are included. The Program Development Guide was printed, bound and distributed to all prosecutors' offices.

G. The Notification System

The letters for notifying crime victims and witnesses of the developments in the legal proceedings of the criminal case were compiled and presented in the Victim/Witness Notification System. This document also includes a rationale for the implementation of these letters and guidelines for their

institution. The Notification System was reproduced, bound and distributed to all prosecutors.

Another important accomplishment of the Project was the presentation of the Notification System to the County Prosecutors' Association. In presenting this document, Division Director Edwin H. Stier urged the association of county prosecutors to adopt the notification letters so that these letters were uniformly utilized throughout the State.

H. The Witness Orientation Sound-on-Slide Presentation

The Project prepared the slides and taped the narrative of a witness orientation sound-on-slide presentation for county prosecutors' offices. The purpose of the presentation is to provide witnesses in criminal matters with sufficient information concerning the courtroom process so that the testimony of witnesses is complete. To customize copies of the production, individual prosecutors were photographed and introductory messages to the presentation were tape-recorded. The presentation was distributed to each prosecutor requesting a copy.

I. The Newsletter and Monthly Mailings

The Project authored and distributed 2000 copies of the Project newsletter four times during the grant period. The Newsletter provided the current information about victim/witness assistance resource information as well as an update of the names and addresses of victim/witness personnel in New Jersey. Articles were reviewed and new services were listed. The

Newsletter was distributed statewide to victim/witness units, law enforcement agencies and social service agencies.

Monthly mailings of recent newspaper and magazine articles and the latest news were sent to prosecutors' offices during the past year. The articles included, for instance, information on preventing a mugging, a manual on assistance for handicapped victims and witnesses and the names of new victim/witness personnel.

J. Police Training Curriculum

The Project Director met with representatives of the Police Training Commission, gathered the background information for lecture material and suggested the immediate inclusion of training on crisis intervention techniques and victim/witness assistance awareness. The Police Training Commission was utilized to expand the awareness of victim/witness needs and services through the introduction of the Resource Directory for Victim/Witness Assistance. The Resource Directory will be presented to all police recruit training classes as a tool in servicing victim/witness needs. The Victim/Witness Hotline will also be introduced and recommended for use to refer any and all victims and witnesses of crime.

III. Update of Prosecutors' Offices Victim/Witness Services

A. Unique and Outstanding Services

Some services provided are so outstanding as to deserve special mention. These services are set forth in the Program Development Guide so that others may replicate them. This list is not exhaustive, but merely representative of the outstanding services. Because the services are so unique, they are repeated below and described in greater detail:

1. Homicide Scene Cleanup: The Victim/Witness Assistance Unit of the Bergen County Prosecutor's Office provides cleanup services of a homicide scene so that family members of the deceased are spared this gruesome task.

2. Public Education Projects: Units in Atlantic, Bergen, Burlington, Mercer, Monmouth, Somerset and Union Counties have expansive public education campaigns. In Burlington County, for instance, the Unit presents its own sound-on-slide presentation to senior citizens and civic groups. Each unit also provides posters and information cards to police departments as well as other agencies.

3. Police-Law Enforcement-Social Service Liaison: The Unit in Atlantic County serves as a liaison with police departments and social service agencies in the county at various meetings to relate and refer victim/witness assistance information. These meetings serve as a vehicle to facilitate the exchange of information between agencies and increase the efforts to assist victims.

4. Immediate Contact with the Victim: In Atlantic and Union Counties, the units receive daily police reports from certain towns and contact the victims of specified crimes immediately. The units, in turn, advise victims of the available services and leaves the name and telephone number of the Unit. Other Units receive individual calls from police personnel concerning victims who need services. This contact comes when the victim most needs the unit's services.

5. Telephone On-Call Status for Witnesses: In Somerset County, the unit provides a recorded telephone service for witnesses. When a witness receives the subpoena, they are instructed to call the unit and leave their name, address and telephone number. This recording is available twenty-four hours a day so that witnesses, especially police officers may telephone at any time. To alleviate unnecessary trips to the courthouse, the witness is telephoned on the day before trial and given instructions about when and where to appear. This also allows witness's questions to surface and appropriate responses can be made.

6. Rape Seminar for Police Officers: The Cape May County Prosecutor's Office presented a day-long seminar concerning the problems encountered by rape victims for police officers in that county. The seminar included a nationally known speaker who instructed the officers in the trauma of the crime as well as the

preservation of evidence for later prosecution.

B. Additional Services

A newly emerging area of concern of the county prosecutors' offices is anti-semitic or racial violence. The Program Development Guide includes a section concerning the needs of these victims and a training lecture on this subject is being prepared. Additionally, each office is individually concerned with this problem. One example is the unit in the Monmouth County Prosecutor's Office where the coordinator of that unit engaged in lengthy counseling of a middle-aged Jewish woman who was the victim of a mugging. Both the woman and her family were counseled at length as the woman was called to testify in two separate criminal trials and the family was very concerned about retribution for the victim's testimony.

IV. The Future of Victim/Witness Assistance

The continued commitment of law enforcement to assist crime victims is manifest at both the State and federal levels. First, the (United States) Attorney General's Task Force on Violent Crime issued a Final Report in August, 1981, which set forth numerous recommendations pertaining to crime victims. The Report noted that the nation owed a duty to crime victims generally, to make them "whole again to the greatest extent possible" and to

improve the criminal justice system so that victims are not victimized twice. Specifically, the Report recommended that the federal law enforcement community increase its concern for victims by (1) providing all relevant information about the victim to the sentencing court; (2) collecting statistics pertaining to victims for dissemination to policymakers in the Department of Justice and Congress; (3) establishing federal standards for fair treatment of victims of serious crime; (4) studying the feasibility of suits against federal agencies for gross negligence when a dangerous person is prematurely released from custody; and, (5) studying various crime victim compensation programs. (United States Department of Justice, Attorney General's Task Force on Violent Crime, Final Report pp. 23, 70, 87-89, August 17, 1981).

The State of New Jersey has gone further in manifesting its commitment to crime victims. In addition to the continuation of the Victim/Witness Coordination Project within the Division of Criminal Justice, the Governor's Adult and Juvenile Justice Advisory Committee recommended that victim assistance centers be established throughout the State in order to aid victims of violent crime and, if necessary, their families. The recommended services include providing information, transportation, clothing, food and trauma counseling. (State of New Jersey, New Jersey Law Enforcement Planning Agency, Governor's Adult and Juvenile Justice Advisory Committee, Standards and Goals

for the New Jersey Criminal Justice System: Final Report, August, 1977)

Finally, the future of victim/witness assistance includes the establishment of a national victim/witness assistance resource center for which the Law Enforcement Assistance Administration has awarded a grant to The National Organization of Victim Assistance (NOVA) and Aurora Associates to provide assistance to state and local agencies which work with crime victims. It is hoped that this grant will provide the framework for a permanent center to maintain and upgrade victim services nationally. (Interview with John Gregrich, Project Specialist, Law Enforcement Assistance Administration, August 30, 1981).

Finally, the future of victim/witness assistance includes the establishment of a national victim/witness assistance resource center for which the Law Enforcement Assistance Administration has awarded a grant to The National Organization of Victim Assistance (NOVA) and Aurora Associates to provide assistance to state and local agencies which work with crime victims. It is hoped that this grant will provide the framework for a permanent center to maintain and upgrade victim services nationally. (Interview with John Gregrich, Project Specialist, Law Enforcement Assistance Administration, August 30, 1981).

V. The Institutionalization of the New Jersey Victim/Witness Coordination Project

A. The Rationale for Continued Services

In addition to the sound reasoning of the federal and State recommendations to continue the commitment to assist crime victims, we, in New Jersey have a special need to continue a statewide coordination of local victim/witness assistance. First, the Project has created a need for statewide assistance to local law enforcement agencies because of its work over the past two years. In other words, the people who work with crime victims locally now look to the Division of Criminal Justice to provide technical assistance when they have a question or a problem. They also look to the Division when a prosecutor wants to start a unit or train new unit personnel.

Moreover, only the Division may promulgate statewide minimum standards for victim/witness assistance, such as those set forth in the Program Development Guide. A statewide effort is necessary to effectively work with the prosecutors to attain these minimum standards. Clearly, the continuation of the statewide approach is needed to insure the progress which each prosecutor's office has made in recent years and assure that the work of the Project is carried through.

Furthermore, the Project attained a reputation for expertise in this field which is utilized by the county prosecutors' offices, courts, labor unions and other organizations. For example, this month, the Honorable

Robert Wilentz, Chief Justice of the New Jersey Supreme Court requested that the Project Director serve on a statewide committee to study the relationships of law enforcement and battered women. In short, the Project has created a need for continued state involvement in this field in order to maintain the high calibre of victim/witness assistance now provided by the law enforcement community in New Jersey.

Second, a statewide program is necessary to coordinate the efforts of other governmental and private interest agencies involved in assisting crime victims. One of the reasons for New Jersey's outstanding programs is the cooperation between the Division of Criminal Justice, Violent Crimes Compensation Board, the Crime Prevention Officers Association, Inc., and the New Jersey Council on Crime Victims. The positive relationship between these groups has fostered cooperation and, thus, more ambitious programs for victims, were possible. For example, the Hotline would not have been as successful if it was supported by only one agency.

Third, continued commitment by the Division is necessary to maintain a channel of communication with the federal government and programs in other states. It is important that those in federal government know of the excellent programs in New Jersey, not only so that they may share our expertise with other states, but also for the purpose of obtaining future federal money for victim/witness

assistance. The optimum source of information about New Jersey's program is the Division of Criminal Justice.

B. Recommendations for Specific Services Which Should Be Institutionalized

In order to satisfy the need for continued statewide commitment to victim/witness assistance by the Division, certain specific services now being provided must be maintained.

First, the training lectures now being provided must continue. The proposed training of police officers in this field must be further developed and courses in the problems of State's witnesses and victims of anti-semitic acts must be accomplished.

Second, the Division should continue to maintain and expand its in-house resource services for State's witnesses and Division employees who need social service referrals or other help.

Third, technical assistance to prosecutors' offices must be continued so that the minimum standards set forth in the Program Development Guide may be achieved and maintained. Quarterly meetings of the victim/witness personnel should be held at the Division to update those in the field on any new developments and to discuss any problems.

Fourth, the establishment of a statewide indemnification fund for victim/witness services on a local level similar to the Violent Crimes Compensation fund should be investigated.

The indemnification fund legislation is the best way to insure uniform and adequate services to victims in each county. California and New York, for example, presently have this type of fund and it is working successfully. Additionally, the need for restitution and the means to increase its use as part of sentence should be studied and pursued.

Fifth, the Division should continue to provide a representative to speak about the need for victim/witness assistance and the victim/witness services offered statewide. This representative should also maintain the liaison with the other victim-oriented groups on the county and the state levels.

Sixth, the Project should continue to publish and distribute the newsletter and monthly mailings.

VI. Conclusion

The commitment of the New Jersey law enforcement community to ministering to the needs of victims and witnesses of crime, as well as to obtaining the conviction of the defendant, is surely one of the strongest in the nation. New Jersey has long recognized the need to provide services to crime victims, not only for the purpose of obtaining the cooperation of the victim in the criminal prosecution, but also for preventing the second victimization so often experienced by crime victims.

New Jersey has undertaken to meet its responsibility to crime victims by statewide and local efforts. The Division of Criminal Justice has encouraged the involvement of prosecutors and police in this endeavor and has been extremely supportive of the work of its Victim/Witness Coordination Project. Moreover, the work in this field has been encouraged by the judiciary, victim/witness programs and police organizations statewide. On the whole, the state of victim/witness assistance in New Jersey is among the best in the nation.

The future goals of the Division should include the promulgation of minimum standards and the technical assistance necessary for county prosecutors to achieve them. The most important and most challenging goal may be the study of indemnification fund legislation so that each county may obtain funds to finance victim/witness services.

In summary, the initiative of law enforcement in this field must be lauded. The work of the past two years has built a foundation for the Division, county prosecutors, police and others to continue and expand services to victims and witnesses. Hopefully, this effort will result not only in a larger number of cooperative witnesses and more convictions, but more importantly, the trauma of victimization will decrease. At some point in time perhaps the criminal justice system will be known only for dispensing

LOGISTIC SERVICES OFFERED BY COUNTY PROSECUTORS' OFFICES

Specific Service by Developmental Phase	Counties															
	Atlantic	Bergen	Burlington	Camden	Cape May	Cumberland	Essex	Gloucester	Hudson	Hunterdon	Mercer	Middlesex	Monmouth	Morris	Ocean	Passaic
MAIL SUBPOENA AND TELEPHONE ALERT SYSTEM																
II. Mail subpoena	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
III. Telephone alert, on-call status	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
WITNESS RECEPTION WAITING AREA																
I. Waiting facilities upon need	X	X	X	X	X	X	X	X		X	X	X	X		X	X
II. Witness reception	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Escort to courtroom	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Companion in court	X	X	X	X	X	X	X	X								
III. Waiting facility																
RESPONSE TO INTIMIDATION AND HARASSMENT																
I. Alert V/W to report incidents	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
I. Report incidents to prosecutor	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Pursue prosecution	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
III. Inform crim. just. personnel	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
TRANSPORTATION SERVICES FOR COURT APPEARANCES																
I. Transportation info.	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
I. Transport elderly, disabled	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Logistical assist. for out-of-town witnesses	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
CHILD/CARE ASSISTANCE DURING COURT APPEARANCE																
I. Child care info.	X	X	X	X	X			X		X	X	X	X	X		X
II. Assist in planning services	X	X	X	X	X		X	X								X
III. Provide child care	X	X	X	X	X	X		X		X	X	X	X	X	X	X
EMPLOYER/STUDENT INTERVENTION																
I. Written confirmation of court appearance	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
I. Personal contact w/ employer/school	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
COMPENSATION ASSISTANCE																
I. Info., brochure re. VCCB	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Info. re. other comp.	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
II. Assist w/comp. claims, forms	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
III. Advocacy at comp. hearings	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
RESTITUTION ASSISTANCE																
II. Restitution info.	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
III. Guidance re. rest. claims	X	X	X	X	X	X	X	X		X				X	X	X
III. Advocacy for court order	X		X	X	X	X									X	X
PARKING ASSISTANCE DURING COURT APPEARANCE																
I. Parking info.		X	X	X	X	X		X			X	X	X	X	X	X
II. Arrange reimbursement			X	X												X
III. Arrange reduced costs				X	X											X
PROPERTY RETURN ASSISTANCE																
I. Facilitate prop. return	X	X	X	X	X	X	X	X		X	X	X	X	X	X	X
WITNESS FEE ASSISTANCE																
I. Witness fee info.	X	X	X	X	X	X				X	X	X	X	X		X
I. Pay fee at testimony	X	X	X	X	X				X		X	X	X	X	X	X

INFORMATION SERVICES OFFERED BY
COUNTY PROSECUTORS' OFFICES

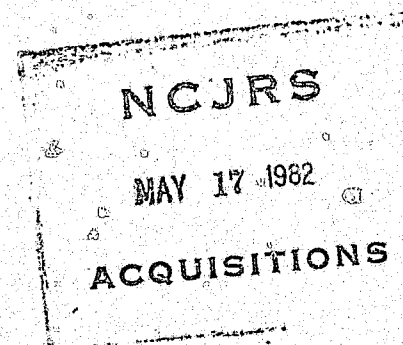
Specific Service by Developmental Phase	Countries																
	Atlantic	Bergen	Burlington	Camden	Cape May	Cumberland	Essex	Gloucester	Hudson	Hunterdon	Mercer	Middlesex	Monmouth	Morris	Ocean	Passaic	Salem
ORIENTATION TO THE CRIMINAL JUSTICE SYSTEM																	
I. Display intro. brochure	X	X	X	X				X			X	X		X		X	X
I. Distribute brochure	X	X	X	X		X		X	X		X	X		X		X	X
I. Bi-lingual brochure			X			X		X	X			X		X		X	X
II. Display handbook	X	X	X	X				X			X						X
II. Sound-on-slide presentation	X	X	X							X	X		X				
II. Respond to concerns	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X
CASE STATUS INFORMATION																	
I. Initial contact letter/brochure, notice of dismissal of compl., plea entry, verdict	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
II. Standard notif. letters (V/W, families of homicide victims)	X	X	X	X		X		X	X	X	X	X	X	X	X		X
II. Notice of disposition to police	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
III. Notif. of unique, special occurrences	X	X	X	X	X	X		X	X	X	X	X	X	X	X		X
CRIME PREVENTION INFORMATION AND REFERRAL																	
II. Refer to local police	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X
II. Display information	X	X	X	X	X			X	X	X	X		X	X			
III. Advise re. techniques	X	X	X	X	X			X		X	X	X					
PUBLIC RELATIONS, COMMUNITY AWARENESS, EDUCATIONAL ACTIVITIES																	
I. Inform community groups	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
I. Display/distribute posters re. V/W services	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
II. Public speaking campaign	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X
II. Participate in seminars	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
III. Conduct media campaign		X	X		X			X		X	X		X	X		X	
III. Conduct seminars		X	X		X			X		X		X		X		X	

SERVICE REFERRAL OFFERED BY
COUNTY PROSECUTORS' OFFICES

Specific Service by Developmental Phase	Countries																
	Atlantic	Bergen	Burlington	Camden	Cape May	Cumberland	Essex	Gloucester	Hudson	Hunterdon	Mercer	Middlesex	Monmouth	Morris	Ocean	Passaic	Salem
SERVICE ASSISTANCE AND REFERRAL																	
I. Service resource info.	X		X	X	X	X	X	X	X	X	X	X	X	X	X		X
II. Case-related counseling	X	X	X	X	X	X	X	X		X	X	X	X	X	X		X
II. Service referral	X	X	X	X	X		X	X	X	X	X	X	X	X	X		X
III. Display service resources info.	X	X	X	X	X	X					X	X	X	X			X
III. Liaison w/agencies, police	X	X	X	X	X	X	X	X			X	X	X	X	X		X
III. Referral follow-up	X	X	X	X	X	X			X	X	X	X	X	X	X		X
III. Homicide clean-up		X		X						X	X	X	X		X		X
CRISIS INTERVENTION, EMERGENCY AID																	
I. Display posters re. V/W services	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
II. Distribute info. cards re. V/W services		X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
II. Liaison w/agencies, police	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
II. Crisis interv. referral	X	X	X	X	X	X	X	X	X		X	X	X	X	X		X
III. Intervene during crisis			X		X	X	X	X				X	X	X	X		X
III. Staff/police training	X	X	X	X	X		X					X		X			X
III. Counsel police/families		X									X			X		X	

PROGRAM DEVELOPMENT GUIDE:
A MODEL FOR VICTIM/WITNESS SERVICES
IN COUNTY PROSECUTORS' OFFICES:

Seal of the
State of New Jersey



Brendan T. Byrne, Governor
James R. Zazzali, Attorney General
Edwin H. Stier, Director

State of New Jersey
Dept. of Law & Public Safety
Division of Criminal Justice



State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

JOHN J. DEGNAN
ATTORNEY GENERAL

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

April 27, 1981

Dear County Prosecutor:

On the whole, New Jersey provides among the most advanced and complete victim/witness service networks in the country. These efforts are to be lauded, while the initiation and development of new services must be encouraged in counties which presently provide victim/witness assistance and those which do not.

Toward this goal, the Division of Criminal Justice maintains the Victim/Witness Coordination Project, in conjunction with a Law Enforcement Assistance Administration grant. The primary goal of this Project is to assist prosecutors' offices in developing and standardizing the services which they provide to victims and witnesses. It is hoped that this goal may be achieved through the implementation of the programs set forth in this Program Development Guide.

The Division of Criminal Justice is pleased to be a part of the victim/witness initiative. Through the efforts of the Division and the county prosecutors' offices, significant advancements in the treatment of victims and witnesses can be achieved. We thank you for your past work in this area and encourage your continued efforts.

Very truly yours,

Edwin H. Stier
Director

dv

TABLE OF CONTENTS

	<u>PAGE</u>
Foreward.....	iii
Introduction.....	1
Part I Why Victim/Witness Assistance.....	4
A. Enhancing the Image of the Criminal Justice System.....	4
B. The Direct Benefits to the Prosecutor's Office.....	6
Part II Victim/Witness Assistance Services.....	8
A. Information Services.....	10
1. Orientation to the Criminal Justice System.....	11
2. Case Status Information.....	12
3. Crime Prevention Information and Referral.....	13
4. Public Relations, Community Awareness and Educational Activities.....	14
B. Logistic Services.....	16
1. Mail Subpoena and Telephone Alert System.....	16
2. Employer/Student Intervention.....	17
3. Parking Assistance.....	18
4. Property Return.....	18
5. Witness Waiting Reception Area.....	19
6. Response to Intimidation and Harassment.....	19
7. Compensation and Restitution Assistance.....	20
8. Transportation to Court.....	21
9. Child Care Assistance.....	21
C. Service Referral.....	23
1. Social Service Referral and Follow-up.....	24
IV. Record Keeping.....	26
Appendices	

LIST OF APPENDICES

- A. Service Implementation Outline
- B. Personnel - Program Development Considerations
- C. Victim/Witness Assistance Brochure
- D. Victim/Witness Notification System for County Prosecutors and the Division of Criminal Justice.
- E. Crime Prevention Resources
- F. Suggested Program Considerations for Special Needs Groups
- G. Sample Record Keeping Cards
- H. Sample Data Collection Form
- I. Program Goals
- J. Information Needed to Monitor and Assess Program Activities.

Foreword

The purpose of this Program Development Guide is to serve as the guideline as well as the goal for the establishment of victim/witness services in the State of New Jersey. This document demonstrates the commitment of the Governor, the Attorney General and Division of Criminal Justice to assist county prosecutors' offices in providing services to victims and witnesses to crime. The model of recommended services was developed to encourage, strengthen and standardize the services provided by prosecutors' offices when administering to the needs of the crime victim and witness.

The implementation of program services is set forth in three phases in order to minimize any anticipated financial burden or managerial inconvenience to the counties. With this in mind, many services may be provided at a relatively small cost and minimal organizational effort. As this document shall explain, even the most inexpensive, basic services are sorely needed by crime victims and witnesses of this State. Furthermore, this minimal assistance benefits not only the victim but also the criminal justice system.

Many people shared responsibility for developing this Program Development Guide. Judy Wheat Higginbotham, Assistant Coordinator of the Victim/Witness Coordination Project, prepared the research and authored a final draft. Special thanks is extended to Carol A. Smith, who wrote a preliminary draft, while she was Project Coordinator.

My appreciation is also extended to the victim/witness assistance units for their valuable suggestions concerning model services and their implementation of these services. It is apparent to me that many of the units provide the most advanced and complete services in the country. Additionally, the Victim/Witness Advisory Council, which is comprised of representatives of the judiciary, law enforcement, social service agencies, health professions and county prosecutors' offices, has provided many useful suggestions.

For further information about the Program, please contact me or Judy Wheat Higginbotham at (609) 452-9500 X 378.

Mary Ann Kenny Pidgeon
Deputy Attorney General
Coordinator, Victim/Witness Project

April 27, 1981

Introduction

Traditionally, the emphasis of the criminal justice system has been upon the defendant in criminal prosecutions. There is no question that the victim of the crime has not received the attention and consideration befitting his or her role in the criminal justice process. Although inadvertently drawn into the system, victims and witnesses are essential to the criminal justice process. It is well known that the effectiveness of the system depends, to a large extent, on their cooperation. Without the cooperation of victims and witnesses, it is clear that the prevention and prosecution of crime would be impossible. Yet, until recently, the problems and needs of victims and witnesses have been overlooked, while the law enforcement community has focused its activity upon the apprehension of the accused, the preservation of the rights of the suspect after arrest and the rehabilitation of the criminal after conviction.

In recent years, the concern for the victims of criminals has been growing. Concomitant with the growth of the victim/witness initiative, the Division of Criminal Justice successfully sought a grant from the Law Enforcement Assistance Administration to establish a statewide Victim/Witness Coordination Project. The primary goal of this Project is to assist in the implementation and standardization of services to victims and witnesses in county prosecutors' offices and police departments in New Jersey. In conjunction with the Project, Governor Brendan Byrne appointed a twenty-eight member Victim/Witness Advisory Council in

April, 1980. Governor Byrne also manifested the commitment of the State to this endeavor by proclaiming the fourth week in April 1980 and 1981 as "Victims' Rights Week."

Undoubtedly, one of the reasons for the increased interest in crime victims and witnesses is the rising crime rate. The trend of the increasing crime rate includes an increase in all crimes--crimes against people and property, rich and poor, young and old and urban and suburban.¹ Even the increasing figures do not reveal the magnitude of the problem, as a study of one New Jersey city found that only one half of all crimes are reported to the police. In other words, in some communities, there may be twice as many crimes and twice as many victims as reported.²

The dramatic increase in crime is manifest in the New Jersey statistics. The most recent compilation of statistics in our State reveals that during one twenty-four hour period one person is murdered, five women are raped, fifty people are robbed, forty-three people are victims of aggravated assaults, 321 buildings are burglarized and 606 items of property are reported as stolen.³ These figures demonstrate an 18 per cent increase in violent crimes and an 11 per cent increase in non-violent crimes committed in New Jersey since 1977.⁴

The magnitude of these figures cannot totally be assessed until consideration is given to those who are victimized by the crimes and the suffering they experience. Chief Justice Warren E. Burger expressed his concern for the victims of crimes in his annual report to the American Bar Association on February 19, 1981, when he called for the criminal justice system to be more cognizant of

victims' problems and needs, and to shift a portion of its attention from the accused to the victim. Chief Justice Burger summarized the position of the victim at present when he stated:

Is society redeemed if it provides massive safeguards for accused persons. . .and yet fails to provide elementary protection for its decent law-abiding citizens?⁵

With this question in mind, the Program Development Guide for Victim/Witness Assistance shall set forth the rationale for victim/witness services, outline the services which should be provided and explain the most efficient means of implementing these services. Specific details and suggestions are set forth in the Appendices. It is our goal that the establishment of these programs will go a long way toward providing the proper treatment for the innocent victims of crime.

I. WHY VICTIM/WITNESS ASSISTANCE

Those counties which do not provide victim/witness assistance may question its purpose and value. The answer is that victim/witness assistance solves two major problems of the prosecutor's office. The first is the public's unwillingness to become involved in the criminal justice system and the second is the lack of time which prosecutor's office personnel have to provide information and handle problem witnesses. This section shall explain these problems and Section II shall set forth the specific services which solve them.

A. Enhancing the Image of the Criminal Justice System

The growing crime problem is a continuing concern of law enforcement officials, government and citizens, but it is clear that the problem cannot be effectively attacked and curtailed without the cooperation of those involved--victims, witnesses and the general public. For this reason, there is a growing recognition of the fact that the average citizen has become cynical and distrustful of the criminal justice system. As a result of this attitude, many people are becoming reluctant to report crime and participate in the ensuing criminal litigation. Consequently, witness cooperation problems are noted by prosecutors as a leading cause of case dismissals.

The public's negative attitude was explained in the 1980 study of the rising crime rate which was submitted to the Governor by John J. Degnan, Attorney General, Edwin H. Stier, Director of the Division of Criminal Justice and Colonel Clinton L. Pagano,

Superintendent of the New Jersey State Police. The report stated:

The public at large has become aware of the deficiencies in the treatment of victims and witnesses by the criminal justice system. Resulting cynicism and distrust has led to victim's failing to report crimes and witnesses' failing to come forward in the first instance.⁶

The uncooperative attitude of the public has been linked in many cases to insensitive and unresponsive treatment by the criminal justice system.⁷ For example, during the year July 1971 to June 1972, a sample of Newark residents was selected and surveyed concerning crime victimization. Survey respondents who acknowledged that they were victims of unreported crime were asked to explain why they did not contact the police to report the crime. The answers cited by survey respondents implied that the citizens' negative attitude toward the police, law enforcement procedures and the judicial process prevented their reporting of the crime.⁸

This pervasive negative attitude has a myriad of causes. A primary cause of the lack of witness cooperation has been attributed to insensitive treatment by some in the criminal justice system. In the past, many victims of crimes such as rape suffered immense embarrassment and ridicule during the litigation of the criminal case. Much has been accomplished of late to assist victims and encourage their participation in the criminal justice process. The increased rate of conviction demonstrates the effectiveness of this approach.⁹

A second reason for the citizens' unwillingness to become involved is inadequate communication between the police, the prosecutor's office, the bench and the witness. Even the lack of

the simplest information such as directions to the courthouse or when and where a witness is to appear may cause a witness to experience unnecessary delays and wasted trips to the courthouse. Moreover, poor communication concerning the witness's role in the litigation often causes confusion and anxiety concerning what a witness is to do during the litigation. A 1973 Washington, D.C., study revealed that fourteen per cent of lay witnesses surveyed indicated that advance notice and information about their role as a witness would have increased their willingness to cooperate with the criminal justice system.¹⁰

One of the primary goals of victim/witness assistance is to improve the image of the criminal justice system and, consequently, increase the public's willingness to become involved. The sample services set forth in Section II, such as providing information about case status and the courthouse, have been successful in many jurisdictions in providing the support necessary for victims and witnesses to file a complaint and participate fully in the judicial proceedings. These services are designed not only to assist the victims and witnesses and change their attitudes but also to increase the number of criminals who are apprehended and convicted.

B. The Direct Benefits to the Prosecutor's Office

The prosecutor's office obviously benefits from the enhanced perception of law enforcement which victim/witness services generate, but many other practical benefits also derive from the assistance. First, the victim/witness assistance provides the sensitivity necessary to calm distraught or nervous witnesses and encourage their cooperation.

Second, victim/witness assistance saves the time of the assistant prosecutors, detectives and investigators by providing information about the case and the role of the witness which otherwise would be provided by the personnel assigned to the case. Third, the staff is also spared spending extraordinary amounts of time coping with the "problem witness" or the extremely demanding witness because the victim/witness assistance personnel will assume that responsibility. When necessary, the victim/witness assistance specialist may act as a buffer for the rest of the office.

Fourth, through victim/witness assistance, a prosecutor's office may more easily maintain updated ^{contact} addresses for witnesses so that the office will be able to contact the witness for trial.

Finally, the communication of information between the prosecutor's office and the witness increases the rate of appearances in court by witnesses, thus, reducing the number of continuances in a case. The savings in court time and payment of police overtime may be substantial.¹¹

II. VICTIM/WITNESS ASSISTANCE SERVICES

Crime and victimization affect all segments of society, however, the impact may differ according to the offense or individual involved. The effects suffered by certain population groups such as women, young children and the elderly are often enhanced by their personal characteristics or vulnerabilities, either real or imagined.¹² Furthermore, different crime categories produce varying effects on the involved individuals. For instance, the impact of a violent or personal crime is generally more pronounced than the impact of a non-violent or property crime. More specifically, an offense, against the person, such as sexual assault, produces more exaggerated effects on the victim or witness than a larceny because it exposes individual vulnerabilities, poses a threat to the person involved and endangers that individual's private self.

The victimization experience and the following involvement in the criminal justice process produce a variety of consequences including:

• Emotional Stress

Distress
Withdrawal
Mental Suffering
Safety, Security Concerns

• Economic Losses

Loss of Money, Property
Property Damage, Repair
Loss of Income
Time off Work due to Injuries, Court Appearances
Loss of Job due to Stigma of Being a Victim
Insurance Cancellation

• Life-Style Readjustments

Inconveniences
Frustration
Time, Waiting
Travel, Child Care

• Physical Injury

Pain, Suffering
Disfigurement, Disability
On-going Treatment, Medical Rehabilitation

• Psychological Trauma

Fear of Retaliation: Real or Imagined
Anxiety, Shame, Guilt, Blame
Feelings of Helplessness
Loss of Autonomy
Anger, Frustration
Depression
Phobia

• Social Stigmatization

Family's Negative Reaction
Friends' Negative Reaction
Social Stigma
Loss of Status or Reputation

The results of the experience of being a crime victim manifest certain needs common to victims and witnesses. The victim's needs and the services designed to meet them are easily divided into three primary categories. First, providing information to victims and witnesses concerning their case and the judicial system will help a witness arrive at court and increase his or her cooperation when testifying. Second, logistic services, such as a witness waiting area or facilitated property return, will lessen the burdens resulting from the criminal litigation. Third, referral to social services reduces the physical, social and psychological problems inherent in victimization.

In this Section, the services provided in each of these categories shall be set forth. The purpose of the service and suggestions for implementation are also explained. An outline of these services and implementation suggestions has been appended for your reference as Appendix A.

A. INFORMATION SERVICES

A victim's or witness's sense of purposefulness and involvement in the criminal justice process can encourage a positive attitude toward the system and increase cooperation. Communication with the victim or witness is an important means of promoting a sense of involvement. This can be achieved through information services such as a written or personal orientation to the criminal justice process, case status information and case disposition information. Not only is it useful to inform victims and witnesses about the criminal justice process once they become involved, but it is also beneficial to conduct public awareness activities and educational activities as well as provide information which may help the victim or witness avoid future criminal victimization.

Every member of the Prosecutor's Office should share the responsibility for answering the questions of victims and witnesses. However, the primary responsibility may rest upon the victim/witness assistance contact person or the unit personnel for the sake of efficiency and continuity. The person assigned this responsibility may be a full time staff member or may also perform other duties such as an investigative or office management. Volunteers, such as the elderly or college students earning college credit for their work, often provide valuable assistance to

prosecutor's offices. In any event, the Project will provide training and a general orientation to victim/witness assistance to any new staff in this area. A detailed description of personnel considerations is attached as Appendix B. The specific information which is most commonly provided to victims and witnesses is set forth below.

1. Orientation to the Criminal Justice System

Informing the victim and witness about the criminal justice system, including an explanation of the possible course of the litigation, is a good start toward improved victim/witness relations. This information will engender the victim's and witness's sense of involvement, usefulness, importance and consequently his or her comfort.

Orientation information includes: written or personal introductory explanations of the criminal justice process, a welcoming statement or opening message, directions to the courthouse, information about what to expect as the case progresses through prosecution stages and witness guidelines for testifying in court. When possible, communication to orient victims and witnesses to the criminal justice process should begin at the time the crime incident is reported to police and continue throughout the prosecution process. The delivery of information should not be delayed nor should long interruptions in communication exist. Delays will only contribute to apathy, confusion and the loss of contact or current address information.

In addition to avoiding gaps in communications with victims and witnesses, all staff members who have even minor contact with a witness should be advised to refrain from an insensitive, tactless

attitude or statement which would inhibit the cooperation of a witness. The manner in which information is provided is as important as the timeliness and usefulness of the information. When possible, the information should be provided in Spanish.

In addition to providing orientation information through verbal communications, printed brochures, pamphlets, newsletters and audio-visual aids are useful. For example, a pamphlet which provides a brief introduction to the criminal justice system and services available to victims and witnesses should be forwarded to the victim or witness along with an introductory letter or subpoena to appear for grand jury or trial. This pamphlet is presently provided by many prosecutors' offices. It may be reproduced quite inexpensively and many county printing offices printed them at no cost to the prosecutor's office. A copy of a sample brochure is appended as Appendix C.

Another orientation information source which may be obtained at no cost to the prosecutor's office is the witness orientation sound-on-slide presentation. This presentation is provided by the Division which will photograph and tape record an introduction from the Prosecutor. The slide presentation also includes a visual introduction to the court house, the role of the witness and the procedures of testifying.

2. Case Status Information

Victims and witnesses have, in the past, received no information concerning the disposition of the criminal litigation of the crime in which they were involved. This lack of information

would naturally cause a victim or witness, who had cooperated with law enforcement authorities or taken time from work to testify in court, to decide that their participation in the criminal justice system had been futile. This sense of futility is easily avoided by the mailing of form letters to notify victims and witnesses of the significant legal developments in the case. By sending a simple form letter, the Prosecutor can advise the person of the outcome of the case and express his gratitude for the citizen's cooperation. Surely, providing this information encourages a sense of confidence and commitment in the public.

The form letters, which are sent in a series and correspond to the significant legal developments in a case, are known as the notification system. The suggested text of each letter and a detailed explanation of the purpose of the system is appended in the document entitled "Victim/Witness Notification System" as Appendix D.

3. Crime Prevention Information and Referral

Crime prevention information represents a proactive response to crime and thus serves as a crime deterrent. The information, which includes pamphlets concerning home security and personal safety, is readily available from crime prevention groups and local police departments. Specific information for the aged and handicapped is also available. These brochures may be included in an information rack or similar structure and placed where victims or witnesses may see and take them. A listing of organizations which provide this type of material is appended as Appendix E.

4. Public Relations, Community Awareness and Educational Activities

A major avenue to improving the public's perception of the criminal justice system is to provide information about victim/witness services. Spreading the word about the services also encourages increased cooperation between the law enforcement community and other institutions, such as social service agencies and community organizations. When possible special emphasis should be placed upon making the police aware of victim/witness services and increasing their sensitivity to victims. The resulting improved communication should increase the utilization of the victim/witness assistance services and improve cooperation between the institutions which serve victims.

The public may learn of victim/witness assistance services from newspaper articles about your office. Many in the prosecutor's staff tell excellent "true life" stories about their experiences with victims and witnesses which make very interesting news stories. Additionally, public speaking engagements are a common method of improving public relations. In one county, the victim/witness assistance staff filled a busy speaking calendar by writing to every civic organization in the county to advise them of their availability for speaking engagements. The list of organizations was provided by the county library. The staff also prepared a slide presentation which explains the criminal justice system and the available victim/witness assistance services.¹³

The exchange of information between agencies may be facilitated by the establishment of a liaison group. Another county has assembled representatives of the service agencies, the

police and the prosecutor's office for monthly discussions concerning the availability and efficiency of the distribution of victim/witness assistance. This group also provides a 24-hour hotline for police officers to call in order to obtain information for social service referral for needy victims.¹⁴

Additionally, training programs, workshops and seminars sponsored by the prosecutor's office and other interested groups may increase public awareness. An appropriate occasion for this approach is Victim's Rights Week, which is traditionally held in April of each year. Victim's Rights Week is a time when attention is focused on the victim/witness initiative and thus, it is an opportune time to stage a public function.

B. LOGISTIC SERVICES

Services which assist victims and witnesses cope with the logistics of court appearances and visits to the prosecutor's office should greatly improve the public's perception of law enforcement. These services, which attempt to reduce the personal cost and inconvenience of the witness, are set forth below.

1. Mail Subpoena and Telephone Alert System

Efficient witness management and court appearance scheduling are two fundamental, but major services. These services, coupled with specialized mail subpoena and a telephone alert system or on-call subpoena can greatly reduce inconvenience to witnesses. Firstly, mailed subpoenas will save the costs of manpower and time needed to provide personal service to appear. They also provide a less intimidating method of notifying a witness of a required appearance. This, in turn, will encourage witness cooperation. Secondly, a telephone alert system or on-call subpoena will reduce witness waiting time and unnecessary trips to appear in court.

Mailed subpoenas, when delivered, will advise the witness that a court appearance will be required. The mailed subpoena should also provide witnesses with (1) the name and number of a person to contact in case of any problems or concerns, (2) adequate advance notice of scheduled court appearances to allow time to make any necessary arrangements to appear and (3) introductory information about the criminal justice process and what to expect, which is usually set forth in the orientation brochure.

Rather than appear at unnecessary times, witnesses can be assigned an on-call status. After receiving the subpoena, witnesses placed on-call are instructed to telephone the prosecutor's office concerning the anticipated trial date. This telephone contact may keep the witness informed of any changes in the required date or time of appearance while reducing unnecessary trips to the courthouse and unnecessary waiting time. One office provides this information on a telephone answering machine to save the time of the staff.¹⁵ In addition to scheduling appearance dates and times or arranging telephone alert status, telephone contact will identify possible witness problems or uncooperative behavior.

2. Employer/Student Intervention

Employer intervention assistance entails arranging time off from work without penalty for witnesses scheduled to appear in court. Student intervention provides similar assistance in arranging time off from school for court appearances.

This assistance may be rendered through written communications or telephone contact with either the employer or school to confirm or explain the witness's scheduled court appearance. Public awareness activities concerning victim/witness needs and a previously established rapport with area businesses and industries will be beneficial in conducting intervention services. One prosecutor's office is working with the local Chamber of Commerce in this effort.¹⁶

3. Parking Assistance

Information about available parking facilities will be of assistance to witnesses scheduled to appear before the grand jury or in court if provided in advance. This service may be arranged with a parking facility located within the area of the courthouse. If fees are assessed, payment arrangements with the parking facility may be negotiated in advance or the witness may be reimbursed for costs incurred. The use of special dated passes or stamped parking tickets are additional considerations.

Information concerning parking facilities and assistance can be made available to witnesses in an introductory letter or brochure forwarded along with the subpoena to appear.

4. Property Return

Information about the property return policy and procedures will assist victims in obtaining personal property seized as evidence. Property return assistance may involve intervention on behalf of victims' seeking return of personal property. Guidance will provide the necessary direction on how and where to make inquiries about property return, while intervention will assist the victim in working through necessary procedures to recover seized property or advocating procedures, which will improve policies. The use of photographs as a record of evidentiary property, for example, provides an alternative to the unnecessary retention and storage of many items until the final disposition of the case. This procedure is presently provided in the New Jersey Penal Code of Criminal Justice at N.J.S.A. 2C:65-1 et. seq.

5. Witness Waiting Reception Area

A witness waiting area should be provided, when at all possible, so that a witness does not have to mingle with defendant, defendant's family, defense counsel or defense witnesses. That commingling certainly increases a witness's anxiety and may invite threats and intimidation. This area is also a logical place to provide victim/witness assistance information and counseling. The Prosecutor's staff may provide their old magazines, newspapers and toys for children of the waiting witnesses. Plants and posters donated by the staff is an inexpensive, cheerful way to decorate. A waiting area is also beneficial to the Prosecutor's Office because an assistant prosecutor who is appearing before the grand jury or in trial will know where to locate his witnesses.

It is also appropriate for a Prosecutor to scrutinize the area where police officers must wait to testify. Because waiting consumes a large amount of a police officer's time, a quiet, comfortable room, removed from defendant, should be arranged when possible.

6. Response to Intimidation and Harassment

Victim/witness fears of reprisal and threats of intimidation significantly influence their willingness to cooperate with the criminal justice system through crime reporting and prosecution activities. The emotional or psychological effects suffered as a result of such threats, either real or imagined, are frequently profound.

To alleviate or reduce either the effects of threats, victim/witness services should include supportive counseling, protective escort and aggressive prosecution in appropriate cases of intimidation. Police, prosecutors and judicial personnel should be educated in the importance and need to address these concerns. Sensitivity and intervention should be stressed. Furthermore, intimidation attempts should be discouraged by rigid enforcement of relevant laws and court procedures such as bail revocation and obstruction of justice charges. Victims and witnesses should be alerted to available services and policies which address threats of intimidation and harassment and encouraged to report any incidents for further attention. Finally, an escort may be provided for the intimidated witness by the prosecutor's office, sheriff's department or a volunteer.

7. Compensation and Restitution Assistance

Restitution and compensation services provide a means to relieve the victim from pecuniary losses resulting from the crime. By attempting to restore the victim to the state prior to victimization, restitution and compensation also serve a rehabilitative function. Restitution is generally utilized to recover monetary losses due to medical expenses, property loss or damages from the defendant. Similarly, compensation is available to recover pecuniary losses which were incurred as a result of a crime-related injury. The losses may be recovered from means other than the defendant, such as the Violent Crimes Compensation Board.

Although restitution and compensation are generally not the direct responsibility of the prosecutor's office, assistance can be made available to victims through information and referral to available services and resources. This involves advising the victim of such services, explaining what the service is, assisting with the completion of claims forms, gathering verification of losses and damages and providing referrals to appropriate resources including the Violent Crimes Compensation Board and insurance companies. The county probation department will provide assistance in arranging restitution.

8. Transportation to Court

At present, most prosecutor's offices will arrange transportation to court for an aged, handicapped or out-of-town witness. In one county, an investigator will pick up and deliver witnesses who are afraid to drive to the courthouse.¹⁷

Transportation assistance may also involve investigating possible resources, such as public transportation, family friends, or volunteers and making necessary arrangements when appropriate. In special cases, it may be possible to utilize law enforcement resources, such as sheriff's offices, prosecutor office, investigative personnel or victim/witness unit personnel for transporting victims and witnesses. Travel assistance and lodging for out-of-town witnesses is appropriate in relevant cases.

9. Child Care Assistance

In addition to other court-related inconveniences victims and witnesses may experience, child care may present another problem. Assistance in arranging or providing child care in such instances may be appropriate.

Child care assistance may be provided by the victim/witness unit staff, volunteer resources or other services resources. It may be possible to arrange such services with a conveniently located child care center or reimburse the witness for babysitting costs.

C. SERVICE REFERRAL

The most important victim service often immediately follows the crime when the victim or witness is in a crisis state.¹⁸ The police investigative processes and questioning add to the crisis experience. Therefore, effective intervention at this point is important and referral becomes necessary to help the victim or witness overcome the debilitating stress suffered as a result of the crime. Because the individual in crisis cannot effectively cope with the confronting stress, assistance in seeking recommended emergency care or treatment is needed.

Crisis intervention services include "supportive, short-term counseling, emergency funds, temporary housing, transportation, or companionship at the hospital...."¹⁹ Other crisis needs may include medical attention, death notification, homemaker services, emotional/psychological services, or availability of multi-lingual counselors.

Intervention, information, and referral as soon after the crime incident as possible is important to effective service during this crisis period. Because police officers generally make the first contact with the victim and witnesses, their cooperation is needed in referring victims and witnesses to available services.

Crisis intervention or emergency assistance can be provided through (1) direct referral to appropriate service agency or resourcer, (2) referral to a crisis intervention or victim/witness assistance center, or (3) a telephone hot line number.

1. Social Service Referral and Follow-Up

Victims and witnesses experiencing residual effects from the crime or related needs may benefit from social service assistance. Because many victims and witnesses may be unfamiliar with services available to them, information and referral assistance will be useful. Furthermore, because victim/witness needs may involve services beyond the realm of the prosecutor's office, outside resources are necessary to address certain needs.

A current, comprehensive resource directory will serve as an important tool in making referrals. The Project has drafted and distributed a complete statewide compendium of social services. Additional copies are available upon request. A contact with the selected service resource prior to actual referral will introduce the client and situation at hand, facilitate effective service and overcome unnecessary delays. Contact may be made by telephone or a letter of introduction. A previously established rapport and protocol with the service resource and a specific contact follow-up concerning service delivery and client satisfaction will be useful in assuring effective service, satisfaction of client needs and determine desirability of the agency in making future referrals.

2. Victims and Witnesses Needing Special Considerations

In addition to the needs and problems experienced by victims and witnesses in general, several groups of victims and witnesses are recognized as having special needs arising from the victimization experience. These needs can be related to factors such as the nature of the crime incident and as well as characteristics of the involved individual. As a result of these

factors, the individual may suffer a greater impact from the crime incident and may require special understanding. A sampling of special needs groups are listed below:

- Child Victims/Witnesses
- Elderly Victim/Witnesses
- Rape/Sexual Assault Victims
- Battered Women, Victims of Domestic Violence
- Violent Crimes Victims
- Minority Ethnic Groups
- Victims of Anti-Semitic and Racial Violence
- Handicapped Victims/Witnesses (physically
impaired, hearing impaired, visually
impaired, emotionally impaired)
- Mentally Retarded Victims/Witnesses
- Families of victims of Homicide/Sudden Death
- Police

For the sake of brevity, an outline of the special needs of these groups and suggestions for meeting these needs is set forth in Appendix F. This section serves only as an overview of the problems and the suggested solutions.

IV. Recording Keeping

Most counties which provide victim/witness assistance maintain records of their services. Information which is usually recorded includes the victim's or witness's name, address, phone number, date of birth, offense, file number, municipality, the name of the assistant prosecutor assigned to the case and the case disposition. These facts are often recorded on a large index card. A sample is attached at Appendix G.

Several counties also maintain a daily log of contacts with victims and witnesses, which includes the name of the person and the action or information provided. A sample form for cataloging this information is found in Appendix H. This information is very useful if the person keeping the record is asked to write a monthly report. Even when not requested, it is often valuable to provide the prosecutor with a monthly report so that he or she knows the volume of victim/witness assistance which is rendered.

Maintaining this information is also valuable when evaluating services. The analysis which results from data collected will provide a basis to assess service delivery to victims and witnesses and identify areas of needed improvement. The information gathered and evaluative analysis will not only benefit future program development but also program management activities.

Assessment of victim/witness programs and services can be achieved through performance or impact measures using either quantitative or qualitative data. In any case, the data collected to assess program activities and services should correspond with the general goals of victim/witness assistance as well as the stated goals and objectives of the specific program or service.

Recommended program goals are attached as Appendix I. Measurement criteria can be selected from areas such as client satisfaction, the number and frequency of victim/witness services offered and improvements in witness cooperation with the criminal justice system, e.g., increased crime reporting, increased rate of successful prosecution, and increased rate of witness appearance. Information needed to monitor and assess program activities and services is listed and attached as Appendix J, while sample data collection forms are attached as Appendices F and G.

Footnotes

- ¹State of New Jersey, Division of State Police, Uniform Crime Reporting Unit, 1979 Uniform Crime Report 6-15 (1980)
- ²City of Newark, Newark High Impact Anti-Crime Program Office (Newark Office of Criminal Justice Planning), Victimization Survey: City of Newark New Jersey 48 (July 30, 1974).
- ³State of New Jersey, Division of State Police, Uniform Crime Reporting Unit, 1979 Uniform Crime Report 15 (1980)
- ⁴Id. at 21
- ⁵Annual Report form Chief Justice Warren E. Burger to the American Bar Association 9 (February 19, 1981)
- ⁶State of New Jersey, Department of Law and Public Safety, An Institutional Response to the Rising Crime Rate in New Jersey 29 (December 1, 1980)
- ⁷U.S. Department of Justice, Law Enforcement Assistance Administration, National Institute of Law Enforcement and Criminal Justice, Victim/Witness Assistance 3 (Robert H. Rosenblum, Carol Holliday Blew, July, 1979)
- ⁸U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Improving Witness Cooperation 5-7 (William D. Falcon, Editor; D.C. Heath and Company, August, 1976) (hereinafter cited as Improving Witness Cooperation)
- ⁹County of Essex, Office of the Prosecutor, Annual Report, Sexual Assault and Rape Analysis Unit 4 (February, 1981)
- ¹⁰Improving Witness Cooperation, supra at 5-6; 15-16.
- ¹¹Id.
- ¹²U.S. Department of Justice, Law Enforcement Assistance Administration, Victim/Witness Services, A Survey of Literature 20-21 (Emilio C. Viano, undated)

- 13 Interview with George F. McCarthy, Coordinator and JoAnn Jahns, Assistant Coordinator, Victim/Witness Assistance Unit, in Mount Holly, New Jersey (February 11, 1981).
- 14 Interview with Robert Widitz, Office Manager, Atlantic County Prosecutor's Office in Atlantic City, New Jersey (April 8, 1981).
- 15 Lecture delivered at Law Enforcement Assistance Administration Cluster Conference in Elkridge, Maryland (January 22, 1981).
- 16 Interview with Robert Widitz, Office Manager, Atlantic County Prosecutor's Office in Atlantic City, New Jersey. (April 8, 1981).
- 17 Interview with Hugh Cahill, Investigator, Essex County Prosecutor's Office, in Newark, New Jersey (April 6, 1981).
- 18 M. Bard and D. Sangrey, The Crime Victim's Book 32-38 (1979).
- 19 Minneapolis Medical Research Foundation, Inc., in collaboration with the National Institute of Mental Health, Mental Health Services Development Branch, Evaluation and Change, Services for Survivors, "Victims of Violence: Psychological Responses, Treatment Implications" 42 (Special Issue, 1980).
- 20 J. Barkas, Victims 36-37 (1979).

APPENDIX A
SERVICE IMPLEMENTATION OUTLINE

I. INFORMATION SERVICES

A. Purpose/Intent

1. encourage positive attitude toward criminal justice system on the part of victims, witnesses, and the general public
2. enhance victim/witness sense of purposefulness and involvement
3. increase victim/witness participation and cooperation with the criminal justice system

B. Orientation to the Criminal Justice System

1. pamphlet, brochure

- a. accompany introductory letter regarding victim/witness assistance and services
- b. attach to subpoena to appear before grand jury or in court
- c. visually displayed and available for interested individuals
- d. distribute during public awareness activities
- e. distribute through:
 - (1) prosecutor's office
 - (2) local police departments
 - (3) community organizations and service agencies
 - (4) other interested agencies, organizations

2. handbook

- a. master copy available for review in witness waiting area
- b. visually displayed and available for interested individuals
- c. distribute during public awareness activities

- d. distribute through:
 - (1) prosecutor's office
 - (2) local police departments
 - (3) community service agencies
 - (4) other relevant or interested agencies
- 3. sound-on-slide presentation
 - a. witness viewing on an individual need basis
 - b. available for general viewing within witness waiting area
 - c. public education tool during speaking engagements
- 4. consultation with victim/witness by
 - a. victim/witness advocate
 - b. victim/witness contact person
 - c. other criminal justice personnel
- 5. information to include
 - a. name and number of person to contact with questions and concerns
 - b. introductory message
 - c. services available to victims/witnesses
 - d. suggestions for victims/witnesses
 - e. witness guidelines for testifying in court
 - f. overview of the judicial system
 - g. directions to the courthouse, map
 - h. glossary of court-related terms
- 6. communication procedures--service delivery
 - a. timely--avoid gaps in communications
 - (1) begin at the time the crime incident is reported to police
 - (2) continue throughout the judicial process

- b. nature--sensitive, tactful, informative
- c. bi-lingual information and materials

C. Information Concerning Case Status and Disposition

- 1. victim/witness notification system
 - a. series of standard letters regarding case developments
 - b. telephone contact
- 2. standard letters corresponding to significant phases of criminal prosecution
 - a. initial contact
 - b. administrative dismissal
 - c. remand to municipal court
 - d. indictment returned
 - e. no bill
 - f. accusation filed
 - g. acceptance into PTI
 - h. guilty plea
 - i. not guilty after trial
 - j. guilty after trial
 - k. dismissal of indictment
- 3. notification of unique or special occurrences
 - a. notice of subpoena for grand jury or trial
 - b. notice of continuation or referral to inactive status
 - c. transfer to another county for prosecution
 - d. change in plea status
 - e. notice of sentence date or special disposition

4. information to include

- a. case identifying information, e.g., file number, defendant's name
- b. offense(s) charged
- c. specific action taken and date
- d. name and number of person to contact with questions
- e. acknowledgement and appreciation for cooperation and assistance given

5. service delivery

- a. provide services to victims, civilian witnesses, law enforcement personnel
- b. production of notification letters--methods
 - (1) individually typed
 - (2) printed form letters
 - (3) photocopied form letters
 - (4) produced on word processing equipment
 - (5) automatic typewriter
- c. timely--avoid delays, gaps in communications
- d. nature and style of letter--neat, concise, personal, informative, business-like
- e. bi-lingual communications

D. Crime Prevention Information and Referral

1. brochures, pamphlets, written literature

a. distribute through:

- (1) prosecutor's office
- (2) local police departments

b. visually displayed and available for victim/witness acquisition

- (1) prosecutor's office

- (2) local police departments

c. make bi-lingual literature available

2. consultation with victim/witness by:

a. victim/witness advocate

b. victim/witness contact person

c. other criminal justice personnel--referral resources

3. public speaking activities

4. information to include

a. crime prevention techniques

b. crime prevention services

c. list of resources--names and addresses

d. name of person to contact within referral agencies

5. basic techniques to list

a. personal safety measures

b. home security techniques

c. car crime prevention

d. rape prevention

6. basic services to list

a. home security surveys

b. instructions in self-defense

c. property identification

d. neighborhood crime watch program

7. service delivery techniques
 - a. direct service delivery
 - b. liaison with local police departments
 - c. cooperative relationship with crime prevention units within police departments and State agencies

E. Public Relations, Community Awareness, and Educational Activities

1. printed materials, brochures, pamphlets
2. panel, workshop participation
3. training programs, seminars
4. public speaking engagements
5. media campaign, press releases, public service announcements
6. information to include
 - a. need for victim/witness services
 - b. purpose of victim/witness services
 - c. available services
 - d. benefits of victim/witness services
 - e. resource information--name and address
7. audiences
 - a. victims and witnesses
 - b. social service agencies
 - c. community service agencies
 - d. hospital staff, medical professionals
 - e. civic groups, senior citizen groups
 - f. schools
 - g. churches
 - h. police, criminal justice personnel

II. LOGISTICAL SERVICES

A. Purpose/Intent

1. increase efficiency of witness management
2. enhance efficiency of judicial process
3. reduce trauma and inconveniences which victims and witnesses experience
4. enhance victim/witness willingness to participate in the criminal justice process
5. improve effectiveness of the criminal justice system through increased citizen cooperation

B. Mail Subpoena, On-Call Status, Telephone Alert

1. mail subpoena
 - a. to appear before grand jury
 - b. to testify in court
 - c. in lieu of personal service
 - d. information to include
 - (1) advise witness of required court appearance
 - (2) name and address of person to contact in case of problems or concerns
 - (3) introductory information re: judicial process
 - (4) instructions re: on-call status
2. on-call status
 - a. instructions to telephone prosecutor's office provided in subpoena
 - b. telephone confirmation of court appearance date upon receipt of subpoena
 - c. telephone prosecutor's office re: more specific court calendar date
 - d. advise witness of trial delay
 - e. advise witness of re-scheduled court appearance

3. telephone alert status

- a. reminder phone call one day before scheduled appearance
- b. telephone call to witness one hour before scheduled time to appear
- c. civilian witnesses, police witnesses who satisfy selected criteria

C. Witness Reception, Waiting Area, and Escort to Court

1. reception and information

- a. receive witness upon arrival at courthouse
- b. directions re: where to proceed
- c. answer witness questions or concerns
- d. notice of witness availability to advise prosecutor or court of witness arrival

2. designated waiting area

- a. separate from defendant, defendant's family or friends
- b. away from general courthouse traffic
- c. arrange special facilities in sensitive or threatening situations when space restrictions exist

3. escort to court

- a. escort to the courtroom
- b. companion during court appearance
 - (1) protective service
 - (2) support, reassurance
 - (3) cases of specific need due to threats, fears of intimidation (real or perceived)

4. service providers

- a. victim/witness advocate
- b. victim/witness contact person
- c. volunteer staff or resource interns
- d. prosecutor's office personnel

e. sheriff's department personnel

D. Response to Intimidation/Harassment

1. alert victims/witnesses to report incidents

2. report and refer incidents for rigorous prosecution

3. assign priority to reported incidents

- a. maintain close scrutiny
- b. request investigation be given priority
- c. suggest/advocate rigid enforcement of relevant laws and court procedure
 - (1) specific conditions on bail
 - (2) bail revocation proceedings when conditions set forth are violated
 - (3) obstruction of justice charges

4. alert and solicit support from other criminal justice personnel

- a. prosecutor's office personnel
- b. judicial personnel
- c. sheriff's officers
- d. court attendants
- e. court clerks
- f. local law enforcement officers

5. training

- a. areas/issues
 - (1) need to address intimidation/harassment concerns
 - (2) effects of intimidation/harassment
 - (3) intervention techniques and responses
- b. audience/participants
 - (1) police
 - (2) prosecutor's officer personnel
 - (3) judiciary

6. areas of service

- a. supportive counseling, reassurance
- b. escort, companion protective services
- c. home security survey
- d. alternate housing, re-location
- e. employment change

E. Transportation Services for Court Appearances

- 1. information re: available transportation services
- 2. information to include
 - a. types of transportation services
 - b. list of services
 - (1) public transportation service
 - (2) alternate services
 - (a) family
 - (b) friends
 - (c) community organizations
 - (d) volunteer resources
 - c. schedule information
 - d. cost information
- 3. assistance in planning and arranging transportation
 - a. consultation, guidance
 - b. special arrangements
 - c. out-of-state, out-of-county arrangements
 - (1) transportation--air travel, ground transportation
 - (2) overnight lodging, meals
- 4. provide transportation
 - a. special situations--no other means available
 - b. utilize criminal justice resources

(1) prosecutor's office personnel

- (a) victim/witness staff
- (b) investigations personnel

(2) local law enforcement personnel

(3) sheriff's office personnel

5. service delivery

- a. information and referral
- b. planning, reservations, arrangements
- c. careful screening when providing transportation needed
- d. develop resources--interagency cooperation

6. developing resources, potential alternate resources

- a. criminal justice personnel
- b. community service organizations
- c. churches, civic groups
- d. volunteer organizations, resources

F. Child Care Assistance During Court Appearances

- 1. information re: child care services
- 2. information to include
 - a. types of services available
 - b. list of possible services
 - (1) family
 - (2) friends, neighbors
 - (3) day care centers
 - (4) volunteer resources
 - c. name, address and number of agency/person to contact
- 3. assistance in planning and arranging services
 - a. consultation, guidance

- b. negotiate special arrangements with an area center
- c. provide child care assistance through victim/witness staff (in-house service)

4. service delivery

- a. information and referral
- b. plan and arrange child care assistance
- c. careful screening to assess need
- d. develop resources--interagency cooperation
 - (1) child care centers
 - (2) volunteer resources
 - (3) community agencies, organizations, churches

G. Employer/Student Intervention

1. written communication to confirm appearance
 - a. provide letter to confirm court appearance based on an individual need
 - b. provide standard form letter on routine basis to confirm appearance
 - c. conduct letter campaign with area employers/schools to encourage cooperation
2. phone contact to confirm appearance
3. information to include
 - a. need for witness appearance
 - b. scheduled date and time of appearance
 - c. confirmation of actual appearance date and time
4. intervention services
 - a. arrange time off without penalty
 - b. arrange time off without loss of pay

5. service delivery

- a. efficient witness management and court operations
- b. minimize unnecessary trips to courthouse and delays
- c. provide contact with area employers/schools
 - (1) public awareness campaign re: victim/witness initiative
 - (2) establishment of rapport, cooperative working relationship

H. Compensation Assistance

1. brochure, pamphlet

- a. accompany introductory letter to victims of violent crime
- b. attach to subpoena to appear
- c. openly displayed and available for acquisition
- d. distribute through:
 - (1) prosecutor's office
 - (2) local police department
 - (3) hospitals, medical centers
 - (4) other interested agencies

2. consultation by victim, verbal information

- a. victim/witness advocate
- b. victim/witness contact person
- c. other criminal justice personnel

3. information to include

- a. name and number of person to contact with questions
- b. types of compensation benefits or services available

- (1) Violent Crimes Compensation Board
- (2) insurance benefits
- (3) disability insurance
- (4) medical benefits, coverage
- (5) employer benefits
- (6) civil litigation

4. claims/application assistance

- a. assist in obtaining and completing applications of claims forms
- b. guidance re: collecting verification of losses or injuries

5. provide support and advocacy through compensation eligibility hearings

6. service delivery techniques

- a. information referral assistance
- b. support and advocacy
- c. cooperative working relationship with relevant agencies

I. Restitution Assistance

1. consultation with victim, verbal assistance

2. information to include

- a. available means of obtaining restitution
 - (1) sentencing order
 - (2) condition of probation, parole
 - (3) pre-trial intervention plan of treatment
 - (4) civil litigation
- b. procedures involved in obtaining a restitution order
- c. name and number of person to contact regarding restitution

3. guidance in preparing and documenting restitution claims

- a. computing losses
- b. obtaining verification

4. assist in obtaining restitution order

- a. present a statement of losses or injuries to prosecutor prior to any pre-trial decisions or negotiations
- b. request that restitution be considered as a disposition in relevant cases
- c. seek cooperation from
 - (1) assistant prosecutor
 - (2) probation
 - (3) court personnel

5. service delivery

- a. information re: available assistance and referral
- b. support and advocacy
- c. cooperative working relationship with relevant agencies

J. Parking Assistance

1. written information, literature

- a. accompany introductory letter to victim/witness
- b. attach to subpoena to appear

2. information to include

- a. available parking within vicinity of the courthouse
- b. map noting available parking facilities

3. reimbursement for parking expense

4. reduced parking rates

5. arrange free parking

K. Property Return Assistance

1. information and referral
 - a. property return policy
 - b. property return procedures
 - c. name and number of person to contact for property return
2. intervention
3. advocacy
 - a. having property returned
 - b. improving property return
 - c. developing improved procedures
4. service delivery
 - a. information and referral
 - b. cooperative working relationship with agencies
 - (1) local police department
 - (2) investigating law enforcement personnel

L. Witness Fee Assistance

1. information
 - a. availability witness fee
 - b. procedure for requesting and obtaining allotted fee
2. referral to proper source for payment

III. Service ReferralA. Purpose/Intent

1. assist victim/witness in overcoming crime-related trauma
2. enable victim/witness to deal effectively with investigative and judicial process
3. encourage more positive perceptions of the criminal justice system

B. Social Service Referral

1. pamphlet, brochure
 - a. accompany introductory letter
 - b. attach to other communications with victim/witness
 - c. distribute through:
 - (1) prosecutor's office
 - (2) local police departments
 - (3) community service agencies
 - (4) other relevant or interested agencies
2. consultation with victim/witness
 - a. victim/witness advocate
 - b. victim/witness contact person
 - c. other criminal justice personnel
3. information to provide
 - a. types of services available
 - b. list of resources--name and address
 - c. name of person to contact within the agency

4. basic services to list
 - a. Violent Crimes Compensation Board
 - b. crisis intervention centers
 - c. community guidance centers
5. referral procedure
 - a. assess client needs
 - b. identify appropriate service agency
 - c. provide referral information, give options
 - d. contact agency to introduce client
 - (1) letter of introduction
 - (2) referral cards of introduction
 - (3) telephone contact to referral resource
6. referral tools to facilitate effective service
 - a. develop rapport with referral resource agencies
 - b. follow-up procedures
 - (1) to confirm service delivery
 - (2) to determine client satisfaction
 - (3) feedback from service agency/client
 - c. referral tool--Resource Director for Victim/Witness Assistance, service categories, areas of service
 - (1) aging
 - (2) alcohol abuse
 - (3) crime compensation, restitution
 - (4) crisis intervention
 - (5) dispute resolution
 - (6) domestic violence
 - (7) drug abuse
 - (8) emergency food and shelter
 - (9) employment, vocational training

- (10) handicap
- (11) health and counseling services
- (12) legal services
- (13) rape and sexual assault
- (14) rental assistance
- (15) victim/witness units and services
- (16) welfare, financial assistance

C. Crisis Intervention/Emergency Aid

1. posters to advertise victim/witness units and services on display
 - a. police stations
 - b. community bulletin boards
 - c. schools
 - d. public transportation systems
 - e. churches
 - f. hospitals
 - g. court houses
 - h. municipal buildings, government offices
2. identification (business) cards to advertise victim/witness units and services
 - a. distribute directly to victim/witness units by
 - (1) police personnel
 - (2) hospital, medical personnel
 - b. openly displayed and available at
 - (1) police stations
 - (2) hospitals
 - (3) court house
 - (4) municipal and government buildings
3. hotline, 24-hour service

4. on-site crisis intervention
 - a. victim/witness advocate
 - b. police personnel
5. areas of service
 - a. medical attention
 - b. transportation, e.g., from crime scene to hospital
 - c. financial assistance
 - d. alternate housing
 - e. notification of death
 - f. counseling and support services
 - g. emotional, psychological services
 - h. homemaker services
 - i. help in re-securing burglarized home
 - j. employment alternatives
 - k. availability of multi-lingual, multi-cultural counselors, services
6. service delivery techniques
 - a. liaison with local police departments
 - (1) to facilitate early intervention
 - (2) to obtain client referrals and names of potential clients
 - (a) direct referral from police responding to the crime report
 - (b) review of incident reports or daily police logs by police personnel or victim/witness advocate
 - (3) to encourage more sensitive treatment toward victims and witnesses
 - (4) to introduce in-service training regarding victim/witness assistance
 - b. liaison with other community resources
 - (1) to encourage effective intervention and service delivery

- (2) to educate service providers regarding victim/witness assistance and victim/witness needs
- (3) easy access to services through referral network
- c. crisis intervention training
 - (1) victim/witness unit staff, contact person
 - (2) police personnel

APPENDIX B

PERSONNEL

PROGRAM DEVELOPMENT--CONSIDERATIONS

Program Development--Considerations

Personnel

Staff selection is based on program goals and objectives. The range of services to be provided, the program location or affiliation, and the sensitive nature of victim/witness concerns should be considered when selecting staff. Victim/witness staff must be able to work with a broad scope of people, including not only victims and witnesses, but also police, prosecuting personnel, judicial personnel, defense counsel, social service providers, and business people (e.g., landlords, creditors, and employers). In addition to having the ability to work with many types of people, victim/witness staff must have initiative, an ability to assess client needs, a sense of commitment, and a willingness to promote improvements. (Stein, "Better Services" Evaluation & Change p. 104.)

The major responsibilities of program staff include service delivery, rapport building with criminal justice and community agencies, program publicity, educational activities, and administrative functions. Although the number and nature of staff persons may vary, fundamental staff includes core personnel, resource persons, and auxiliary service providers.

A. Major Responsibilities of Program Staff

1. Service delivery.
2. Rapport building.
3. Public relations.

4. Educational activities.
5. Administrative functions.

B. Core Staff Persons/Key Staff

1. Program Director--Administrator

a. Duties and Responsibilities

- (1) Oversee program activities.
- (2) Develop ideas and plans.
- (3) Promote program credibility:
 - (a) within criminal justice system;
 - (b) government;
 - (c) community organizations;
 - (d) clientele;
 - (e) public.

b. Qualifications--General Management and Administrative Skills

- (1) Ability to conceptualize problems.
- (2) Ability to organize materials.
- (3) Ability to speak and write effectively.
- (4) Ability to make decisions.
- (5) Ability to work with different people effectively in a variety of settings.
- (6) Commitment to making improvements and changes.

c. Knowledge and Attitudes

- (1) Knowledge of problems, practices, and cultures of the system within which the program operates:

- (a) criminal justice system;

- (b) victim/witness problems and needs.

- (2) Knowledge of community resources.

- (3) Knowledge of technical aspects of program administration.

- (4) Appreciation of and commitment to program monitoring, evaluation, and changes as needed.

d. Experience

- (1) Educational experience--college graduate with specialized education or training in the areas of administration and supervision.

- (2) Employment experience--within criminal justice system and some related experience in human service work.

2. Victim/Witness Advocate

a. Duties and Responsibilities

- (1) Identify and contact prospective clients.

- (2) Assess client needs.

- (3) Service client needs:

- (a) direct service;

- (b) referral service.

- (4) Resource development.

- (5) Conduct educational and awareness activities.

- (6) Record case information

- (7) Facilitate (client and system).

b. Qualifications and Skills--General skills in human service work and the criminal justice system.

- (1) Counseling skills.
- (2) Interviewing skills.
- (3) Communication skills.
- (4) Ability to relate well to others.
- (5) Writing and verbal skills.
- (6) Ability to plan, organize, and implement

ideas.

c. Areas of Knowledge

- (1) Human service.
- (2) Mental Health.
- (3) Crisis intervention.
- (4) Criminal justice system.
- (5) Case management.
- (6) Counseling and interviewing techniques.
- (7) Information recording.

d. Attitudes and Perceptions

- (1) Empathic.
- (2) Respectful.
- (3) Diplomatic.
- (4) Open-minded/flexible.

3. Secretarial Person

a. Duties and Responsibilities

- (1) Type.

- (2) File.
- (3) Record-keeping.
- (4) Reception.

b. Qualifications--clerical skills

c. Knowledge

- (1) Orientation to criminal justice system.
- (2) Orientation to human service field.

d. Attitudes

- (1) Respectful.
- (2) Empathic.

C. Supplemental Personnel--Support Staff/Support Systems

1. Police/Prosecutor Liaison

- a. Client referral (to program staff).
- b. Provide information:
 - (1) Criminal justice system information.
 - (2) Case status/disposition information.
 - (3) Property return information.

2. Court Liaison (Administrative Personnel)

- a. Assist with educational/awareness activities with court administration.
- b. Assist with judicial training.

3. Court Attendant

- a. Provide information while awaiting testimony.
- b. Provide support, reassurance.
- c. Report intimidation, harassment

4. Probation/Pre-Trial Intervention (PTI) Personnel

- a. Case disposition information.
- b. Victim advocacy--presentence report impact statement.
- c. Restitution determination and collection (court sentencing order).

5. Community Service Workers, Resources, Liaison

- a. Provide linkages to resources and services.
- b. Provide services.
- c. Client referral resource.
- d. Public relations, education and awareness activities (disseminate information).
- e. Source of volunteers.
- f. Volunteer recruitment
- g. Outreach workers
- h. Examples: social service agencies, civic groups, churches, hospitals, educational institutions, human service associations, senior citizen groups.

APPENDIX C
VICTIM/WITNESS ASSISTANCE BROCHURE

CONTINUED

1 OF 3

A brief list of service agencies which may be of assistance to crime victims and witnesses is provided below (Examples are noted.)

Violent Crimes Compensation Board
122 W. State Street
Trenton, New Jersey 08608

Crisis Intervention Center

Community Guidance Center

Emergency Aid Agencies

IMPORTANT INFORMATION

File Info/No. _____

Ass't. Prosecutor _____

Investigator _____

Telephone No's. _____

DATES/TIMES TO REMEMBER

Grand Jury date _____ time _____

Pre-Trial
Conference date _____ time _____

Trial date _____ time _____

LOCATION: The County Prosecutor's Office, Superior Courts, and Grand Jury are all located....
Parking is available

map

VICTIM/WITNESS
GUIDE

COUNTY PROSECUTOR'S OFFICE
Victim/Witness Assistance Unit
telephone number _____

Message from the County Prosecutor

Dear Citizen;

You, as a witness, are important to the Criminal Justice System.

If our criminal justice system is to operate successfully, we must have your support, assistance, and cooperation. We also realize that the concerns and interests of victims and witnesses must be addressed.

This pamphlet has been prepared to assist you through the court experience. We hope you will find both the pamphlet and the victim/witness services we offer useful.

Thank you for your cooperation.

Very truly yours,

County Prosecutor

Victim/Witness Services

- Information about the criminal justice system
- Information about the specific case in which you are involved
- Private victim/witness waiting area
- Child care services during court appearance, if necessary
- Escort service to Courtroom
- Employer Intervention
- Referral to social service agencies
- Property return assistance
- Available parking facilities
- Transportation to Court, if necessary

For additional information
or assistance call:

Witness Guidelines

- Tell the truth, if your answer was confusing, re-state it.
- Don't guess, give facts, not opinions.
- Be sure that you understand the question.
- Answer only the questions asked, do not volunteer information.
- Speak clearly and loudly.
- Don't look for assistance when you are on the stand, if you need help, ask to speak to the judge.
- If the question is about distance or time and your answer is only an estimate, be sure to say it is only an estimate.
- Be courteous.
- Do not answer if there is an objection.
- Be serious, avoid joking.
- Neat appearance and proper dress are important.
- Above all--DO NOT LOSE YOUR TEMPER--Upon cross-examination Stay Calm..

APPENDIX D

VICTIM/WITNESS NOTIFICATION SYSTEM
FOR COUNTY PROSECUTORS AND THE
DIVISION OF CRIMINAL JUSTICE
(DRAFT)

(DRAFT)

VICTIM/WITNESS NOTIFICATION SYSTEM
FOR COUNTY PROSECUTORS AND THE
DIVISION OF CRIMINAL JUSTICE

Seal of the
State of New Jersey

Brendan T. Byrne, Governor
James R. Zazzali, Attorney General
Edwin H. Stier, Director

State of New Jersey
Dept. of Law & Public Safety
Division of Criminal Justice

INTRODUCTION

The Victim/Witness Notification System for County Prosecutors and the Division of Criminal Justice was prepared by the Victim/Witness Coordination Project within the Prosecutor's Supervisory Section of the Division of Criminal Justice. The System was developed as the result of a survey of county prosecutor's offices and informal meetings with prosecutors' personnel which were conducted by the Project. (The Victim/Witness Advisory Council and The County Prosecutor's Association to be added after meetings are held.) The Victim/Witness Coordination Project is funded by a LEAA grant and staffed by Mary Ann Kenny Pidgeon, Deputy Attorney General, Coordinator and Judy Wheat Higginbotham, Assistant Coordinator.

TABLE OF CONTENTS

	Page
Introduction.....	i
List of Appendices.....	iii
Problem Statement.....	1
Description of Model Notification System.....	6
Production of Notification Letters.....	8
Program Strategies.....	10
Conclusion.....	11
Appendices	
References	

VICTIM/WITNESS NOTIFICATION SYSTEM

Problem Statement

The overall "treatment of witnesses in the criminal justice system has had a negative effect on crime prevention and deterrence"¹ and has discouraged citizens from becoming involved with the criminal justice system in the areas of reporting crime, cooperating with investigative agencies, and providing testimony at grand jury or trial that is crucial to the successful prosecution of the defendant.² The successful prosecution of a criminal case primarily depends upon the complete cooperation of and recollection of the criminal event by the witnesses. The effectiveness of the criminal justice system to a large degree depends upon the memory of witnesses who provide testimony that describes details of the offense, as well as the identification of the accused. Moreover, it is clear that witness cooperation problems are often a leading cause of case dismissals.

A report on street crime, presented to Governor Byrne in December, 1980, by Attorney General John J. Degnan expressed concern for the lack of cooperation on the part of citizens in reporting crime and participating in the criminal process and emphasized the need to address relevant problems. The report attributes this lack of cooperation on the part of citizens to "the deficiencies in the treatment of victims and witnesses by the criminal jurisdiction".

¹Michael Ash, "On Witnesses: A Radical Critique of Criminal Court Procedures," Notre Dame Lawyer, Vol. 48:386, December, 1972, p. 387.

²Ibid.

which result in "cynicism and distrust."³

The Prosecutors Manual, a publication authored in 1978 by a task force of deputy attorneys general and assistant prosecutors, similarly stressed the need to address the concerns of victims and witnesses. The task force which was established by the Attorney General through the Division of Criminal Justice and The County Prosecutors Association of New Jersey stated in the Manual that:

[t]he cooperation of the victim and witness is often essential to successful prosecution. Yet, where the victim or witness feels dissatisfied with his experience with the system, he will be apathetic, and reluctant to get involved in the future, either as a witness, or in assisting a police officer in distress. Surveys have revealed the presence of such displeasure with the victim/witness treatment by the prosecuting attorney, and have demonstrated its natural result--a serious problem with victims and witnesses who refuse to cooperate in the efforts to apprehend and convict law violators.⁴

The surveys conducted by the National Institute of Law Enforcement and Criminal Justice, the Institute for Law and Social Research (INSLAW), and the National District Attorneys Association (NDAA) during the early 1970's concluded that witness lack of cooperation is linked to inadequate or inappropriate communication, the lack of proper case management, and the treatment that victims and witnesses

³"An Institutional Response to the Rising Crime Rate in New Jersey (A Report to Governor Byrne, submitted by John J. Degnan, Attorney General; Edwin H. Stier, Director, Division of Criminal Justice, and Colonel Clinton L. Pagano, Superintendent, New Jersey State Police)," State of New Jersey, Department of Law and Public Safety, Trenton, New Jersey, December 1, 1980, p. 28.

⁴The Prosecutors Manual, State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice and The County Prosecutors Association of New Jersey, New Jersey, 1978, p. 47.

received while involved in the criminal justice system.⁵

Victims and witnesses, although expected to participate in the criminal justice process, have not traditionally been informed of case progress after the arrest of the defendant. The information void which frequently occurs after a crime is reported may cause victims and witnesses to believe that "their efforts to obtain satisfaction and justice through the criminal justice process may seem to have been a waste of time and money" and can discourage cooperation and cause the criminal justice system to be viewed as insensitive to citizens' needs. Not only does the oftentimes callous treatment of victims and witnesses, who hope and expect to receive consideration, result in their dissatisfaction with the system, but it also decreases the future effectiveness of the criminal justice system.⁶

During the past three years, the Attorney General through the Division of Criminal Justice, the County Prosecutors, through The County Prosecutors Association of New Jersey, and the New Jersey Supreme Court, through the Administrative Office of the Courts, have identified various victim/witness problems and have taken initiatives to attempt to ameliorate them. A primary initiative has been the proposed implementation of a comprehensive notification system to inform victims and witnesses of significant case

⁵Improving Witness Cooperation, Summary Report of the District of Columbia Witness Survey and a Handbook for Witness Management, U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Washington, D.C., August, 1976, pp. vii, 5-8; The Victim Advocate, National District Attorneys Association Commission on Victim/Witness Assistance, Washington, D.C., (no date), p. 9; Witness Notification Unit, Number 5, Institute for Law and Social Research, Washington, D.C., 1976, pp. 1-6.

⁶The Prosecutors Manual, loc. cit.

developments during various phases of the prosecution of criminal cases.

In order to institutionalize a notification system, procedures must be established that will result in the transmittal of a series of letters which inform victims and witnesses of significant case developments. The information and contact provided to victims and witnesses through the use of notification letters encourage a sense of confidence and commitment to the criminal justice system. The sense of involvement, usefulness, and importance which results will contribute to improved cooperation and, in turn, successful prosecution of criminal cases.

Positive feedback and supportive research regarding notification systems have been gathered through evaluative studies and surveys. Project evaluations for the Pima County, Arizona, Victim/Witness Unit and Project Turnaround victim/witness program, Milwaukee County, Wisconsin, indicate that project components designed to keep victims and witnesses informed of case status and developments provided the greatest benefits of the various victim/witness services. Further, notification system services operated by these victim/witness units were found to contribute to higher witness appearance rates and greater witness cooperation. In addition, the study found that case dismissals due to witness problems were substantially reduced.⁷ Law enforcement and

⁷Victim/Witness Assistance, U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Washington, D.C., July, 1979, pp. 50, 51, and 65.

criminal justice personnel who were contacted during the study provided positive comments about victim/witness notification services by noting the following benefits: increased willingness of witness to testify, greater availability of witness, a higher rate witness of cooperation, and improved conviction rates.⁸

Moreover, surveys conducted by the National District Attorneys Association Commission on Victim/Witness Assistance indicate that victims and witnesses have a strong desire to be kept informed of case developments and dispositions. Survey respondents, who were lay witnesses selected from a random sampling of criminal cases prosecuted in Washington, D.C. during 1973, recommended the implementation of notification procedures as a much needed area of improvement within the criminal justice system.

In essence, the proposed Witness Notification System contained herein represents an important service for victims and witnesses because it: (1) fulfills a responsibility of the criminal justice system to inform victims and witnesses of case proceedings, (2) enhances citizens' perception that participation in the system is important and appreciated and (3) will, over a period of time, increase the public's confidence and desire to participate in the criminal justice process as knowledge of such interest and concern on the part of government becomes widespread.⁹

⁸"Executive Summary, Final Report, Milwaukee County Project Turnaround," Evaluation/Policy Research Associates, Ltd. and Price Waterhouse & Co., Milwaukee, Wisconsin, 1979, pp. 13, 14.

⁹The Victim Advocate, loc. cit.

Description of Model Notification System

The model notification system consists of a series of standard letters which correspond with each significant phase of criminal prosecution. The following is a listing of such standard letters which represent the principal notifications to be provided to victims and witnesses advising them of case developments. A. sample copy of each notification letter listed below is attached. (See Appendix A).

- I INITIAL CONTACT
- II ADMINISTRATIVE DISMISSAL
- III REMAND TO MUNICIPAL COURT
- IV INDICTMENT RETURNED
- V NO BILL
- VI ACCUSATION FILED
- VII ACCEPTANCE INTO PRE-TRIAL INTERVENTION
- VIII GUILTY PLEA
- IX NOT GUILTY AFTER TRIAL
- X GUILTY AFTER TRIAL
- XI DISMISSAL OF INDICTMENT

In addition to the standard notification letters attached herewith, notification of unique or special occurrences that may arise in the case should also be considered and provided to the victim or witness when appropriate. Examples include developments in criminal proceedings such as notice of subpoena for grand jury or trial, notice of continuation or referral to inactive status, transfer to another county for prosecution, change in plea status (i.e., retraxit of not guilty plea), and notice of sentence date or special disposition. This special type of notification frequently

may be made by telephone contact. Although notifications in such instances are optional, they are nevertheless strongly suggested. It cannot be gainsaid that the principal letters sent at the most significant phases of prosecution are the most important and the greatest asset to assist in opening the lines of communication with the witness. However, letters sent at other stages can supplement and enhance the benefits of the basic notifications and, therefore, encourage greater witness satisfaction and cooperation.¹⁰

An informational brochure or orientation pamphlet is also beneficial when included with a subpoena to appear for grand jury or trial. The brochure or pamphlet should provide information about the services available to victims and witnesses, an introduction to and an overview of the criminal justice process, suggestions for testifying in court, and the name and telephone number of a contact person within the prosecutor's office should additional assistance be needed. The brochure will familiarize witnesses with what to expect during the court process as well as provide the name of a contact person to respond to relevant concerns and inquiries. This additional informational service will contribute to feelings of comfort and confidence of the victim/witness in the system as well as encourage more effective participation. A sample brochure has been appended herewith. (See Appendix B).

The proposed notification system is appropriate for civilian witnesses as well as law enforcement officers. However, a

¹⁰The Prosecutors Manual, loc. cit.; Keep Them Informed, National District Attorneys Association, Chicago, Illinois, (no date).

single letter or postcard listing principal stages of prosecution can be utilized as an alternative to individual notification letters for law enforcement officers. The current case status would be checked to indicate any significant development in case proceedings. Because law enforcement officers do not share the same need for a detailed letter about the case status or development in prosecution, the single letter or postcard would be less comprehensive and more efficient but yet appropriate. A sample notification letter for law enforcement officers is attached. (See Appendix C).

Production of Notification Letters

As is true of all correspondence, the notification letters may be prepared by several methods. Letters may be individually typed, produced by word processing equipment, or form letters may be printed or photocopied. There is no question that an individually typed letter, personally signed by someone on the prosecutor's staff, is the most effective form of written communication. Anyone who receives an individually typed letter is more likely to read and respond to this more personalized form of correspondence.

Moreover, an individually typed notification letter is easily programmed into an automatic typewriter system. Whether the computerized word processing or the mag card machine is utilized, the notification letters may be easily adapted to this equipment as it becomes available because the body of the letter is the same for each type of letter. A secretary is merely requested to type the name and address of the victim or witness while the machine completes the body of the letter. When it is necessary to add

individual information, the machine may be programmed to stop while the secretary types in such information, then the machine will complete the letter. This method of typing the letter results not only in a more personal contact with the victim or witness, but also it may prove to be more economical as it frees a secretary for other tasks while the machine types the letter. Additionally, some offices have found, despite an initial capital investment in word processing equipment, that the overall cost of producing typewritten material has decreased because the number of secretaries and their overtime pay are reduced.¹¹

An alternative to the individually typed notification letter is the printed form letter. A form notification letter may be printed or photocopied and sent with the name and the address of the victim or witness typed in the appropriate space. The form letter may have blank spaces where individual information may be inserted. This type of letter does not appear as personal or as neat as the computerized or mag card letter which will include the individual information in the course of the letter, but it will convey the essential facts necessary to inform the victim or witness of the progress of the case.

Program Strategies

The timeliness and cost of notification letters, as well as the nature and style of the letters, are important considerations. Well-planned and organized procedures along with effective supervision will contribute to the efficient management of the

¹¹"Word Processing and Productivity Improvement, Final Report," State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, Princeton, New Jersey, November, 1980, pp. 4-6.

notification system.

Information such as the names and addresses of witnesses, as well as developments in case proceedings or changes in case status, must be made available to the notification system staff at appropriate intervals to assure proper notifications. This may be accomplished by either manual or automated methods, such as the Prosecutors Management Information System--(PROMIS). If accomplished manually, the information can be obtained either by routing the case material through the designated staff person who will prepare the notification letter, or by having the staff person gather the needed information from other sections within the office.¹²

The form for recording the required information should be well planned so that it is accurately completed. Information that should be recorded includes, for example, witness residence address and telephone number, employment address and telephone, work hours and vacation dates, and the names and addresses of close relatives or friends. A well-organized and managed system for not only recording information, but also filing relevant information will expedite retrieval and response tasks where inquiries concerning individual cases are made.¹³ (See Appendix D).

¹²The Victim Advocate, op. cit., pp. 12, 13.

¹³Improving Witness Cooperation, op. cit., pp. 33, 34; Victim/Witness Assistance, op. cit., p. 38.

PROMIS, a computerized information system, offers an alternative to the manual system of gathering, recording, and retrieving relevant witness and case information. This type of system is able to provide more efficiency, especially when dealing with volume, by generating needed information through automation.¹⁴

Conclusion

Although notification systems are highly recommended because of the benefits to victims and witnesses as well as the criminal justice system and are presently operational throughout the state, disparities in procedures and the extent of notification exist. Results of a survey of prosecutors' offices, conducted by the Division of Criminal Justice Victim/Witness Project during the latter part of 1980, determined that a high number of principal notification letters are now being utilized or are planned for future implementation.¹⁵ (See Appendix E). The proposed notification system will result in further developments in notification systems within various counties. And while differences may exist from county to county, the proposed notification will encourage greater standardization in the treatment of victims and witnesses.

In summary, a well-developed, efficient notification system will insure effective communication among victims and witnesses,

¹⁴Witness Notification Unit, op. cit., p. 3.

¹⁵"Witness Notification Survey," State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice Victim/Witness Project, Princeton, New Jersey, December 16, 1980, p. 1.

prosecutor office personnel, and law enforcement officers. By enhancing the victim/witness' perception of their own importance and appreciation of their efforts, as well as their knowledge of the judicial process, notification of case proceedings will encourage improved cooperation with the criminal justice system. The costs of implementing and operating a notification system are surely minimal when compared with the benefits derived by the citizens and the criminal justice system. Research has shown that notification systems not only positively affect witness cooperation, but also have a similar effect upon prosecuting personnel, law enforcement officials and the general public as well as raise the esteem of the entire criminal justice system.¹⁶

¹⁶Keep Them Informed, National District Attorneys Association, Chicago, Illinois, (no date); The Victim Advocate, op. cit., p. 12.

APPENDIX A
STANDARD NOTIFICATION LETTERS
(Samples)



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JOHN J. DEGHAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The above matter was received by this office and is being reviewed. As a witness in the case, you will be contacted as a result of our review.

A copy of our Victim/Witness Guide is enclosed which outlines the criminal justice process and the services offered by our Victim/Witness Unit. The pamphlet is merely an introductory aid, so if you have any further questions, feel free to contact this office. Furthermore, if you should change your address or telephone number, please notify this office.

Please call (name of victim/witness advocate) at (telephone number) to report any changes or inquire about any questions you may have. Thank you for your cooperation.

Very truly yours,

Prosecutor, _____ County

Initial Contact, Opening of File



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Please be advised that the charges against the defendant were dismissed after a careful review and full consideration of all available evidence.

Your cooperation as a witness has been important to the criminal justice process and is greatly appreciated. Please feel free to call (name of victim/witness advocate) within this office at (telephone number), if you have any questions regarding the above matter.

Very truly yours,

Prosecutor, _____ County

II Administrative Dismissal



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The above matter was referred to _____ Municipal Court for prosecution after a careful review and full consideration of all available evidence. The Municipal Court will notify you of the scheduled hearing date. If you have any questions about the scheduling procedures, it would be advisable to contact the Municipal Court Clerk at (telephone number).

Your continued cooperation and assistance is appreciated. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours,

Prosecutor, _____ County

III Remand to Municipal Court



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14

PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JUDITH A. YASKIN
ACTING ATTORNEY GENERAL
JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The _____ County Grand Jury has reviewed the above matter and considered the evidence involved. As a result of its review, the Grand Jury did not find probable cause for the return of an indictment. Therefore, criminal prosecution will not be pursued and the case will be closed. Your assistance as a witness in preparing the case for presentation to the Grand Jury is greatly appreciated.

Thank you for your continued interest and cooperation. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours,

Prosecutor, _____ County

IV No Bill



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14

PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JUDITH A. YASKIN
ACTING ATTORNEY GENERAL
JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The defendant in the above matter waived the right to a grand jury hearing. As a result, an accusation charging the defendant with (charges) has been filed and prosecution will continue.

Your role as a witness is essential to the criminal justice system and important to the prosecution of this matter. Therefore, your continued interest and cooperation will be appreciated. If you have any questions, please call (name of victim/witness advocate) at (telephone number).

Very truly yours,

Prosecutor, _____ County

V Accusation Filed



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The _____ County Grand Jury has considered the evidence in the above matter and returned an indictment charging defendant with (charges).

As a witness in the matter, you may receive a subpoena to appear for the trial. Please contact (name of victim/witness advocate) of this office at (telephone number) to confirm receipt of the subpoena or report any change of address or telephone number.

Your role as a witness is essential to the criminal justice system and important to the prosecution of this matter. Therefore, your continued interest and cooperation is requested and will be appreciated. If you have any questions, please feel free to call.

Very truly yours,

Prosecutor, _____ County

VI Indictment Returned

New Jersey Is An Equal Opportunity Employer



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

New Jersey law provides that all defendants are eligible to apply for participation in a Pre-trial Intervention Program. This program is administered through the court system and requires careful screening and review. It is designated to rehabilitate defendants and provide an alternative to criminal prosecution in appropriate cases.

After a thorough review of the matter, the defendant was accepted into the County Pre-trial Intervention Program. Through this program, court ordered supervision will continue for _____ months. If the special conditions of supervision are fulfilled, the charges against the defendant will be dismissed.

Your continued cooperation and assistance are greatly appreciated. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours,

Prosecutor, _____ County

VII Acceptance into Pretrial Intervention

New Jersey Is An Equal Opportunity Employer



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

This letter is to advise you that the defendant pleaded guilty to the charge(s), _____ on _____. Therefore, you may disregard any subpoena pertaining to this matter since a trial is no longer necessary. Although the matter did not reach trial, a conviction would not have been possible without your assistance and cooperation.

A sentence date will be scheduled after the County Probation Department completes a presentence investigation. If you have any questions about sentencing or other concerns, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Thank you for your assistance and cooperation in preparing this case for prosecution.

Very truly yours,

Prosecutor, _____ County

VIII Guilty Plea

New Jersey Is An Equal Opportunity Employer



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Thank you for your cooperation in presenting the above case. With your assistance, prosecution was vigorously pursued. The defendant, however, was found not guilty of the offense(s) charged.

Proving a criminal case during trial "beyond a reasonable doubt" is not easy. Trial procedures have been established to reduce the possibility of innocent persons being convicted. It is important, however, that with your help the case was pursued within the framework of our criminal justice system.

If you have any questions about the verdict, please feel free to call (name of victim/witness advocate) at (telephone number).

Very truly yours,

Prosecutor, _____ County

IX Not Guilty after Trial

New Jersey Is An Equal Opportunity Employer



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JUDITH A. YASKIN
ACTING ATTORNEY GENERAL

JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Thank you for your cooperation in presenting the above case. With your assistance, the case was successfully prosecuted.

The defendant was found guilty of the offense(s), _____ on _____. A sentence date will be scheduled after the County Probation Department completes a presentence investigation for the Court.

If you have any questions about the case prosecution or sentencing, please feel free to call (name of victim/witness advocate) at (telephone number).

Very truly yours,

Prosecutor, _____ County

X Guilty after Trial



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JUDITH A. YASKIN
ACTING ATTORNEY GENERAL

JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The charges against the defendant in the above matter were dismissed by the court after careful review and consideration. Your continued assistance and cooperation, however, is greatly appreciated.

Please be advised that the charges against the defendant were dismissed after a careful review and full consideration of all available evidence.

Your cooperation as a witness has been important to the criminal justice process and is greatly appreciated. Please feel free to call (name of victim/witness advocate) within this office at (telephone number) if you have any questions regarding the above matter.

Very truly yours,

Prosecutor, _____ County

XI Dismissal of Indictment

APPENDIX B
INFORMATION BROCHURE
(Sample)

Message from the County Prosecutor

Dear Citizen;

You, as a witness, are important to the Criminal Justice System.

If our criminal justice system is to operate successfully, we must have your support, assistance, and cooperation. We also realize that the concerns and interests of victims and witnesses must be addressed.

This pamphlet has been prepared to assist you through the court experience. We hope you will find both the pamphlet and the victim/witness services we offer useful.

Thank you for your cooperation.

Very truly yours,

County Prosecutor

Victim/Witness Services

- Information about the criminal justice system
- Information about the specific case in which you are involved
- Private victim/witness waiting area
- Child care services during court appearance, if necessary
- Escort service to Courtroom
- Employer Intervention
- Referral to social service agencies
- Property return assistance
- Available parking facilities
- Transportation to Court, if necessary

For additional information
or assistance call:

Witness Guidelines

- Tell the truth, if your answer was confusing, re-state it.
- Don't guess, give facts, not opinions.
- Be sure that you understand the question.
- Answer only the questions asked, do not volunteer information.
- Speak clearly and loudly.
- Don't look for assistance when you are on the stand, if you need help, ask to speak to the judge.
- If the question is about distance or time and your answer is only an estimate, be sure to say it is only an estimate.
- Be courteous.
- Do not answer if there is an objection.
- Be serious, avoid joking.
- Neat appearance and proper dress are important.
- Above all--DO NOT LOSE YOUR TEMPER--Upon cross-examination Stay Calm.

A brief list of service agencies which may be of assistance to crime victims and witnesses is provided below (Examples are noted.)

Violent Crimes Compensation Board
122 W. State Street
Trenton, New Jersey 08608

Crisis Intervention Center

Community Guidance Center

Emergency Aid Agencies

IMPORTANT INFORMATION

File Info/No. _____

Ass't. Prosecutor _____

Investigator _____

Telephone No's. _____

DATES/TIMES TO REMEMBER

Grand Jury date _____ time _____

Pre-Trial date _____ time _____
Conference

Trial date _____ time _____

LOCATION: The County Prosecutor's Office, Superior Courts, and Grand Jury are all located....
Parking is available

map

VICTIM/WITNESS GUIDE

COUNTY PROSECUTOR'S OFFICE
Victim/Witness Assistance Unit
telephone number

APPENDIX C
NOTIFICATION LETTER FOR
LAW ENFORCEMENT OFFICERS



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JUDITH A. VACKIN
ACTING ATTORNEY GENERAL
JOHN J. DEGNAN
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear Officer:

Please be advised of the current status or action taken in
the above-noted matter.

- () Administrative Dismissal
- () Plea of Accusation
- () Municipal Court Remand by Grand Jury
- () No Bill
- () Indictment Returned (for _____)
- () Acceptance into PTI Program
- () Downgrade by Prosecutor, Guilty Plea to Lessser
Offense (_____)
- () Dismissal of Indictment
- () Not Guilty After Trial
- () Other Action (_____)

Date of Action (_____)

Thank you for your continued cooperation.

Very truly yours,

Prosecutor, _____ County

Case Status/Police Officer _____

APPENDIX E
CRIME PREVENTION RESOURCES

CRIME PREVENTION RESOURCES

1. New Jersey Crime Prevention Officers Association, Inc.
Captain Paul Kelly, President
652nd Salem Avenue
Elizabeth, New Jersey 07208
2. New Jersey State Police Crime Prevention Unit
West Trenton, New Jersey 08628
3. Take a Bite of Crime--McGruff Campaign
Crime Prevention Center
Box 6700
Rockville, Maryland 20850
4. New Jersey Department of Community Affairs
Safe and Clean Neighborhoods Program
329 West State Street
Trenton, New Jersey 08625
5. County Sheriffs and Local Police Departments
6. National Sheriffs Association
National Neighborhood Watch Program
1250 Connecticut Avenue, N.W.
Washington, D.C. 20036
7. Scovill Security Products Division
Yale Marketing Department
P.O. Box 25288
Charlotte, North Carolina 28212
8. State Farm Fire and Casualty Company
State Farm General Insurance Company
Home Office
Bloomington, Illinois 61701

9. Traveler's Insurance Company
Hartford, Connecticut 06101

10. Shell Answer Books
P.O. Box 61609
Houston, Texas 77208

11. Commercial Union Assurance Companies
1 Beacon Street
Boston, Massachusetts 02108

12. National Retired Teachers Association
American Association of Retired Persons
1909 K Street, N.W.
Washington, D.C. 20049

APPENDIX F
SUGGESTED PROGRAM CONSIDERATIONS FOR
SPECIAL NEEDS GROUPS

1. Child Victims/Witnesses

Crime categories (sensitive areas of victimization): sexual abuse, incest, abuse, and neglect.

Children may have difficulty communicating the facts of the offense because of fear or lack of verbal capacity. Parents may serve as interpreters.

Children are frequently not believed but often blamed for the offense.

Conclusive medical evidence in sexual abuse cases involving children is difficult to obtain.

Parents tend to be too embarrassed and distressed to press charges in sexual abuse cases.

Neighbors, relatives, teachers, etc. are frequently reluctant to get involved in abuse cases.

Legal action against abuser may be frustrated for several reasons: the child's confusion and fear, the child's inability to be an effective witness.

Service resources: Division of Youth and Family Services, Community guidance/family counseling centers.

Interagency cooperation/protocol needed between law enforcement and social service agencies to avoid conflict and unnecessary repetitive questioning.

Children are easily intimidated and victimized again by the nature of the criminal justice process.

Develop coordinated approach in dealing with children: joint interviewing between agencies, vertical prosecution, effective interviewing techniques.

Enlist parent's cooperation in the criminal justice process and keep them aware of case developments--utilize family intervention.

Communicate with children in an understandable manner.

Ascertain what the offense means to the child and address it on that level.

Be concerned about family's reactions because that affects the child's reaction.

Protection from further sexual exploitation is needed.

2. Elderly Victims/Witnesses

Areas of vulnerability: physical, psychological, economic.

Major crime categories include: burglary, purse-snatching, robbery, confidence games.

Physical vulnerability results from frailty due to age.

The elderly are perceived as easy prey because of the frailties of age.

Psychological/emotional trauma associated with victimization can result in self-imposed isolation--imprisonment in one's own home as a precautionary measure.

Injuries and consequences of the victimization experience tend to have long-lasting after effects.

Limited income status exaggerates the economic hardships resulting from victimization.

Outreach is significant in service delivery because of the self-imposed isolation or limited mobility.

Service needs: shelter, medical care, counseling, transportation, food, reassurance, emergency aid, physical protection, emotional support, restitution, replacement of lost documents.

Service resources: telephone reassurance--CONTACT, Social Security, Division on Aging.

3. Rape/Sexual Assault Victims/Witnesses

Reactions: physical symptoms, fears, isolation, panic, depression, long-term effects.

Concern for physical safety--description of perpetrator.

Medical attention needs.

Preferred reactions, long-term emotional problems are not uncommon.

Rape is experienced as a potential murder situation.

Rape is an act of violence, not sexual arousal or frustration as sometimes implied by the social stigma.

Additional traumas associated with the investigation and prosecution process: sensitive questions, male dominated system, repetitive questioning, public disclosure of personal self and painful, embarrassing events, delays in judicial process bail status for offenders and fear of further harm.

Counseling needs: empathy, respectful listener, acceptance as normal, healthy individual in a state of emotional upset, non-judgemental attitude, reassurance.

Residual effects: long-term psychological/emotional problems, marital problems, mental illness, suicide.

The offense, itself, will often cause anxiety in others about what to say or do because of their own fears and vulnerabilities.
(Evaluation and Charge, Sexual Assault Victims, at 131).

Service resources: support groups, rape crisis centers.

Security concerns: new housing, employment change, alter lifestyle.

4. Battered Women, Victims of Domestic Violence

Service needs: emergency shelter, transportation food, medical care, emotional support, legal advice, job assistance, supportive counseling.

Service resources: crisis intervention, shelters counseling centers, Division on Women, displaced homemaker services.
("Sexual Abuse of Children," Justice Assistance News, Vol. 1, No. 8., U.S. Department of Justice, October, 1980, Washington, D.C.)

Dependent nature of abuser and victim: economic dependency, emotional dependency, children.

Batterers are generally not violent or abusive outside the home.

Many believe that the victim is to blame for the abuse.

Victim is often hesitant to report the offense for fear of being ridiculed, blamed, or disbelieved.

If prosecution is pursued, victim may be faced with retaliatory behavior.

Support from family and religious institutions is generally lacking because the solution may involve marital separation/divorce.

Examine circumstances surrounding the incident and provide the victim with options for action.

5. Victims of Violence

Immediate need for warmth and reassurance to help victim integrate feelings about the incident.

Medical attention.

Psychological symptoms: depression, inability handle anger, anxiety, paranoid ideation, sleep disturbances with recurrent nightmares, loss of sense of basic trust.

Potential to become self-destructive or violent.
(Ordway P. Burdeon, "Reaching Out to the Victims of Family Violence," Law Enforcement News, March 10, 1980).

Safety and security concerns.

Compound costs: ambulance service, emergency room treatment, follow-up, medical care, lost job time.

Service needs: medical attention, emergency assistance, vocational rehabilitation, housing security.

6. Ethnic Victims/Witnesses

Be sensitive to cultural differences.

Be sensitive to the possible need for an interpreter.

Make printed information/material about the criminal justice system and victim/witness assistance available in languages other than English.

7. Victims of Anti-Semitic and Racial Violence

Because of historical prejudices and insensitive treatment, may be more sensitive to less tactful, considerate, treatment.

Be sensitive to anti-semitic and racial violence of the past which may cause extreme reaction to the swastika or burning cross.

The swastika represents the holocaust and survivors of the holocaust will be extremely frightened by it.

The burning cross represents an anti-black sentiment and will cause blacks to be concerned.

Advise the victim that the act is not usually done by an organized extremist group but by young people who do not know what they are doing.

Advise the victim that many acts although symbolic are not against the victim personally.

Ask victim if there is a neighborhood dispute which may have precipitated the act, rather than it being racially motivated.

Assure the victim that it probably will not happen again.

Remember that these crimes usually occur at Halloween and not at other times of the year.

Contact the local police department to report the crime if victim has not.

Service Resources: Judy Mandelbaum,
Anti-Defamation League,
513 West Mount Pleasant,
Livingston, N.J. 07039
(201) 984-4546.

8. Handicapped Victim/Witness

Physically handicapped, mentally handicapped, emotionally disturbed, visually impaired, hearing impaired, mobility impairments, communications impairments.

The handicapped person experiences the same needs as anyone else, but, at times, the needs are more exaggerated.

Be aware and sensitive of ways to identify the handicapped victim to handicapping characteristics, assess the handicap, and identify ways to overcome or deal with it.

Service areas (examples); reader services for the blind, transportation services, special legal services, interpretation services for hearing impairments.

Educate police, prosecuting personnel, and criminal justice personnel about handicapped characteristics, impairments, and effective ways of working with the handicapped.

Use special public information programs to educate handicapped persons about the criminal justice system and victim/witness assistance and make services accessible.

Services resources: New Jersey Division of Vocational Rehabilitation; Victim/Witness Project for the Handicapped Victim, Gallaudet College, Kendall Green, Washington, D.C. 20002
(202) 651-5480

9. Mentally Retarded

An understanding of mental retardation and the effects will aid service delivery.

Effects include (to varying degrees): intellectual limitations, social immaturity, inadequacy in personal relationships.

The mentally retarded person experiences frustrations, feelings of inferiority, and resentment as a result of the handicap.

The mentally retarded person will frequently try to compensate for and hide inadequacies.

Utilize other resources (family, friends, social agencies) to assess extent of the handicap.

Patience and sensitivity is needed to help the mentally retarded individual overcome exaggerated fears and feelings of inadequacy.
(Evaluation and Charge, Victims of Violence at 44).

10. Families of Victims of Homicide/Sudden Death

Family members experience intensive psychological reactions because there was no time to prepare for the death.

The family's sense of loss and guilt lingers and is exaggerated by the legal proceedings which keep a focus on the death.

The family is left in disarray; since there was no warning or time to adjust to the death.

The need for an autopsy may be in conflict with religious beliefs.

The grieving process cannot be properly ended without continuing communications and knowledge of case activities such as autopsy findings, investigative findings, case developments during prosecution, and case disposition.

Continuing problems may exist if the death occurred as a result of a family quarrel or neighborhood dispute.

Financial hardships may exist if head of household dies.

Guilt feelings and self-blame may be prevalent for having failed to protect the victim from death.

Surviving siblings experience trauma and difficulty dealing with the death which may result in emotional problems, drug or alcohol abuse.

Because of the sensitive nature of the situation, notification of death should be done in person.

To overcome crisis, families should be in touch with a support group, those who have shared a similar experience, as soon after the incident as possible.

Outside support systems are weak in homicide/sudden death because of fears that they too may be vulnerable.

(Barkas, J., Victims, at 36-37).

Service needs: insurance compensation benefits for survivors, assistance in preparing claims and obtaining necessary documents, on-going communications regarding case, referral to appropriate support group, crime scene clean-up.

Service resources: Violent Crimes Compensation Board, Social Security, employee benefits, Compassionate Friends, Parents of Murdered Children, SID (Sudden Infant Death).

APPENDIX G
SAMPLE RECORD KEEPING CARDS

VICTIM/WITNESS
INFORMATION REPORTING FORM

Case No. _____

Ind. No. _____

Defendant _____

Asst. Pros. _____

Name _____ status (victim or witness) _____

Address _____

telephone _____

Employer _____ telephone _____

Address _____

Work Schedule _____

Original Charge(s) _____

Final Charge(s) _____

CASE STATUS INFORMATION

Action Taken and Date _____

SERVICE INFORMATION

APPENDIX H
SAMPLE DATA
COLLECTING FORM

VICTIM/WITNESS SERVICE LOG

[illegible]

APPENDIX I
PROGRAM GOALS

Goals/Objectives--Program Development

Proper program planning and systematic delivery of services are essential to the development of a well-organized, meaningful program and effective victim/witness assistance. To do this, various factors must be considered including the problems to be addressed, victim/witness needs, methods of service delivery, the nature of involved organizations and interrelationships, personnel requirements, and desired outcomes.

Organizational Structures--System Responsiveness

Victim/witness assistance is recommended on the basis of recognized areas of need as well as the criminal responsibility and the appropriateness of the justice system to address them. Criminal justice system responsiveness to victim/witness needs is warranted for several reasons, as noted below:

- The criminal justice system, a public institution, has a responsibility to serve its public supporters.
- It is law enforcement and criminal justice agencies which have, at times, been insensitive and unresponsive to victims and witnesses and other members of the general public.
- Law enforcement agencies generally make the first official contact and are able to respond to the immediate needs of either the victim or witness after commission of the crime.

- The prosecutor's office is able to identify and service victim and witness needs as they enter the prosecution process.
- The court system is able to determine the offender's responsibility and ability to make reparation or restitution and can enter an order to that effect.
- Further trauma can result during the prosecution stages if witnesses are not treated appropriately (Victim/Witness Services, Review of the Literature, Viano, p. 26).
- The efficiency and effectiveness of criminal justice functions are dependent upon citizen cooperation. System responsiveness fosters cooperation and vice versa ("Victims and Witnesses," California Probation Parole and Correctional Association, pp. 1, 2).

By nature of the New Jersey criminal justice system and the role of victims and witnesses in the criminal justice process, victim/witness assistance is appropriately delivered by county prosecutors' offices: In addition to having direct access to a specific clientele of victims and witnesses, it is feasible for county prosecutors' offices to establish cooperative working relationships with local police departments and community service agencies. This, in turn, will facilitate both client referrals and service referrals.

Aspects of Program Development--

Program planning and development requires several steps and activities to achieve systematic and effective delivery of services to victims and witnesses. These steps and activities are outlined below.

1. Identify clientele.
 - victims/witnesses
 - special target groups
2. Identify victim/witness problems and needs.
 - crime-related
 - court-related
3. Identify service needs.
4. Assess resources.
 - available services
 - service gaps
5. Select services for prosecutor's office.
 - appropriate services
 - feasibility
 - considerations (office structure and budget, staff, community resources)
6. Develop service delivery system.
 - make available services known (public awareness)
 - develop interagency cooperation for client referrals/service referrals
 - develop referral procedures
7. Service victim/witness needs
 - screen potential clientele
 - initiate contact with victim/witness
 - develop rapport
 - assess individual needs
 - identify potential service resources
 - provide information and referral
8. Assess referral, follow-up.

APPENDIX J
INFORMATION NEEDED TO MONITOR
AND ASSESS PROGRAM ACTIVITIES

Information Needed to Monitor and Assess Program Activities

Client Data

Number served

Status (Victim, Witness, Relative)

Descriptive characteristics (age, sex, ethnic background,
areas of residence, employment status)

Offense Data

Crime category (crimes against the person property
crimes)

Service Delivery Data

Source of referral

Service needs

Service requests

Services provided

Referral resource utilized

Client feedback/satisfaction

The following pages(8) contain material protected by the
Copyright Act of 1976 (17 U.S.C.): Assault: a case History
by the Victim; Today, the Inquirer Magazine, June 7, 1981(Philadelphia)

National Criminal Justice Reference Service

ncjrs

Copyrighted portion of this
document was not microfilmed
because the right to reproduce
was denied.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

New Jersey Public Health Association
P.O. Box 311
Kearny, New Jersey 07032

PROGRAM INFORMATION

Health Dept. 609-267-0631
Health Dept. 609-997-0600
Chairperson 201-763-3662, 763-3339

**CONTINUED EDUCATION CREDITS
HAVE BEEN APPROVED FOR:
PHYSICIANS, NURSES, PHARMACISTS,
HEALTH OFFICERS AND SOCIAL WORKERS**

CO-SPONSORS

Academy of Medicine of New Jersey
Medical Society of New Jersey
New Jersey State Nurses Association
New Jersey Education Association
New Jersey Association of School Psychologists
New Jersey Chapter, American Academy of Pediatrics
New Jersey Pharmaceutical Association
New Jersey Health Officers Association
Professional Health Officers Society of New Jersey
New Jersey Association of School Administrators
New Jersey Chapter, National Association of Social Workers
New Jersey Congress of Parents and Teachers
New Jersey Association on Correction
National Council on Crime and Delinquency
New Jersey Council of Churches
New Jersey State Police
New Jersey Division on Aging
New Jersey Division on Criminal Justice
New Jersey Association of Non-Profit Homes for the Aging
New Jersey Crime Prevention Officers Association

Seniors Attendance:
Courtesy of Prudential Insurance Company

*Hear the Experts--
Open to Professionals and the Public*

AN ALL-DAY SYMPOSIUM ON

**SENIOR CITIZENS:
VICTIMS
of
ABUSE and RIP-OFFS**

AN INTERDISCIPLINARY APPROACH

**Monday
October 19, 1981
9:00 AM - 3:30 PM**

**Holiday Inn
Route I South
North Brunswick, NJ**

Sponsored by:
**THE NEW JERSEY PUBLIC
HEALTH ASSOCIATION
and
THE NEW JERSEY STATE
DEPARTMENT OF HEALTH**

(Cost of registration and luncheon - \$12)

"The best is yet to be..." Robert Browning

PROGRAM

MORNING SESSION

- 9:00 A.M.** Registration: Coffee & Danish
Honored Guest:
Joanne E. Finley, M.D., M.P.H.
Commissioner of Health
N.J. State Department of Health
- 9:20 A.M.** Greetings:
Patricia J. Wood, R.N., M.A., Pres.
N.J.P.H.A.
- 9:30 A.M.** Introductory Remarks:
Sylvia Herz, Ph.D.
Symposium Chairperson
Psychologist & Sociologist
- 10:00 A.M.** **David L. Holton**
Chief Investigator. U.S. Senate. Special Comm. on Aging Former Chief Investigator, House Select Committee on Aging
TOPIC "Frauds Against the Elderly"
- 10:30 A.M.** **Bruce Vladeck, Ph.D.**
Assistant Commissioner, N.J. State Department of Health Author: Unloving Care-The Nursing Home Tragedy and
PANEL **John J. Fay, Jr.**
Ombudsman for the Institutionalized Elderly of N.J.
N.J. Department of Community Affairs
TOPIC "Institutional Neglect and Deinstitutionalization"
- 11:00 A.M.** **Philip W. Brickner, M.D.**
Director, Department of Community Medicine
St. Vincent's Hospital and Medical Center of New York
Author: Home Health Care for the Aged "Innovative Program"-New York Times, June 18, 1981
TOPIC "How to Help Older People Stay in Their Own Homes and Out of Institutions"
- 11:30 A.M. - 12:00 P.M.** Open Discussion: Audience & Panel
- 12:00 - 1:30 P.M.** Luncheon
Gubernatorial Candidates' Remarks
Hon. Jim Florio
Hon. Tom Kean

AFTERNOON SESSION

- 1:30 P.M.** Commissioner **Stanley C. Van Ness**
New Jersey Public Advocate and Public Defender
TOPIC "Advocacy on Behalf of Senior Citizens"
- 2:00 P.M.** **Beth Hess, Ph.D.**
Professor of Sociology
County College of Morris
Author: Growing Old in America and
Aging and Old Age
TOPIC "Criminal Victimization of the Elderly"
- 2:30 P.M.** **Meyer Schreiber, M.S.**
Associate Professor
Department of Sociology & Social Work - Kean College
TOPIC "Protective Services: Prevention of Abuse, Neglect and Exploitation"
- 3:00 P.M.** Open Discussion: Audience & Panel

SYMPOSIUM COMMITTEE

- Symposium Chairperson **Sylvia Herz, Ph.D.**
Program Chairperson **Annette M. Hirsch, R.N., M.P.H.**
President-Elect **Walter Trommelen, M.P.H.**
- | | |
|--------------------------------|-------------------------------|
| Donna DeMaise | Ronald A. Muzyk |
| James Frangos | Walt Nicol |
| Dr. Robert F. Goldsboro | Col. Clinton L. Pagano |
| Edward Grosvenor | Cliff B. Ross |
| Charles Heitzmann | Sylvia Wiser |
| William J. McBurney | Ronald S. Ulinsky |

NOTE: Category I, AMA accreditation has been provided for physicians through the Academy of Medicine of New Jersey.

Nurses, pharmacists, health officers, and social workers will receive Continuing Education credits from their respective state associations.

Reservations necessary by Oct. 10, 1981
Please make early reservations!
Mail reservations and make checks payable to:
Symposium - NJPHA
P.O. Box 311
Kearny, NJ 07032

Registration Fee and Luncheon \$12 per person
All reservations are a first-in, first reserved basis. Space is limited.

I enclose herewith \$
for
SENIOR CITIZENS: VICTIMS OF ABUSE AND RIF-OPFS at the Holiday Inn, Route 1 South,
North Brunswick, NJ on Monday, October 19, 1981.

NAME
ADDRESS
AFFILIATION or ASSOCIATION

For Membership:
I accept an invitation to membership in the New Jersey Public Health Association and enclose my dues of \$15 in addition to my registration. I will receive your Newsletter as well. MAIL TO: NJPHA, P.O. BOX 311, KEARNY, NJ 07032. **NOTE: Please do not submit vouchers**

DIVISION OF CRIMINAL JUSTICE

VICTIM/WITNESS COORDINATION PROJECT

(Program Abstract)

INTRODUCTION

Issues relating to victims and witnesses of crime have come into the forefront over the past 10-20 years. The focus and nature of concern, however, has progressively changed. Initially, the growing problem of victim unwillingness to report crime and witness disinterest in participating in the prosecution process was documented through research and surveys. Problems of uncooperative attitudes were linked to what was described as an insensitive and unresponsive criminal justice system.

Current trends, however, favor responsive attitudes toward victims and witnesses and are characterized by sensitivity and understanding. Efforts to improve the treatment of those caught up in the system have been intensified along with the development of service programs such as crisis-intervention, crime prevention, victim compensation, and general victim/witness assistance activities. Although the programs differ from one another, each has relevance to the problem of victimization.

STATEMENT OF PROBLEM

Victims and witnesses are recognized as important elements of the criminal justice system. Citizen confidence and cooperation are essential to crime control efforts and prosecution. Therefore, the needs and issues of victims and witnesses are of primary concern. Specialized programs and services have been and continue to be developed to deal with relevant needs and issues. Further development and improvements, however, are needed.

Various types of victim/witness programs exist in New Jersey, but they are limited in number and differ in scope. Seven programs located in county prosecutor offices exist, but are operating at various stages of development. These programs provide a range of services beginning after the criminal incident and continuing through the court process. Programs which are specifically victim-oriented generally operate at or through the local police level and provide crisis-intervention or services that satisfy immediate need. Specialized victim services are also offered by sensitive crime investigative units either at the local police or prosecutor level

(eg., rape task forces, child abuse programs) as well as community-based programs (eg., battered women's shelters, rape crisis centers). Crime prevention and public education programs should also be mentioned as relevant services since they, too, deal with victimization, although from a different perspective.

In addition to being limited in number, victim/witness programs in New Jersey lack uniformity and coordination. These factors have an overall effect on the nature and quality of services offered and the extent of efficiency under which services are provided. Therefore, a need exists to expand, develop, and improve upon services in this field.

Since the criminal justice system depends upon victim and witness cooperation, it is necessary to foster that cooperation by minimizing the uncomfortable nature and inconveniences commonly associated with the criminal incident and the proceedings which follow. This can be accomplished through various means and services which respond to the specific needs and concerns of victims and witnesses. A basic component is treating the victim or witness with respect and dignity from the onset of his/her involvement in the criminal justice system. Other priority concerns include: effects of crime on victim, mental and emotional suffering, loss of time from work and other routine activities, property-related problems, physical injury, loss of income, inconvenience of unnecessary court trips and transportation, lack of reparation, stigmatization, and fear or reprisal.

GOALS AND OBJECTIVES

The N. J. Victim/Witness Coordination Project is designed to address problem areas within the victim/witness field. The project, operating with LEAA funding, is administered by the N. J. Department of Law and Public Safety, Division of Criminal Justice. Two staff persons, coordinator and assistant coordinator, are employed by the project along with a director and secretarial person. The project officially began January, 1980.

Specific problems which the project addresses include-- insufficiency of programs, lack of uniformity, and lack of coordination within the victim/witness field. Project goals and objectives follow:

- develop a comprehensive plan for delivering services to victims and witnesses
- develop training and informational material for **HOUSERS** personnel, police and prosecutor personnel
- establish an information network including a resource **library**, clearinghouse, and bi-monthly newsletter

ACQUISITIONS

82827497

- o develop a statewide organization, advisory council, and support system
- o provide technical assistance and training opportunities
- o develop a system to foster communication between program personnel, resources, and related agencies and groups

PROGRAM METHODOLOGY

A survey of existing needs and resources in the victim/witness and related fields will be conducted as an initial project activity. Utilizing the needs assessment, a comprehensive plan for delivery of services and use of resources will be developed. The integration of services, development of uniform referral procedures, and use of volunteer resources will be emphasized. The program model and guidelines will provide an essential tool for recommending and implementing program development ideas as the project progresses.

Training and informational material will be developed to facilitate effective delivery of services and improve treatment of victims and witnesses. Material will be developed for police, prosecutor, and program personnel. To supplement this, an informational network and statewide organization will be established to foster communications between diverse groups and organizations including law enforcement, government agencies, social service agencies, and community organizations. As people and groups become more aware of the problems and needs experienced by victims and witnesses, an improved response is likely. A statewide organization will also provide a means to promote and develop needed services. Information will be disseminated through a bi-monthly newsletter (every two months), a resource library, and a clearinghouse for technical assistance or other types of information.

VICTIM/WITNESS SERVICES

A Program Development Guide

State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice
Victim/Witness Coordination Project

INTRODUCTION

Criminal activity has been an increasing problem within New Jersey and nationally. The increasing crime rate trend holds true for all serious crimes, both violent and non-violent, and is predicted to continue rising in future years. As the incidence rate of crime increases, the affects increase as well. No area is excluded from the effects. Crime rate increases are noted for urban, suburban, and rural communities alike. (Uniform Crime Reports, State of New Jersey, 1978, pp. 6-15).

As criminal activity increases, the victimization rate rises and a great many more people are subjected to the effects of crime. Crime statistics do not reflect the true rate of victimization since unreported crime is two times greater than crime reported police. To present a more accurate account of criminal activity, victimization studies have been undertaken. These studies not only assess the true volume of crime, but also ascertain the consequences of victimization and effects on both the individual and the criminal justice system. (Victim/Witness Services, Review of the Literature, pp. 3-4).

Victim suffering originates from the crime incident, subsequent involvement in the criminal justice process, and social stigmatization. Witnesses suffer similar problems and inconveniences as they become involved in the prosecution process. Although both are inadvertently drawn into the system, their interests and concerns have not been adequately represented. The criminal justice system, as a social institution, has

appropriately undertaken various efforts to address these issues and improve the administration of justice. Historically, victim/witness needs have been overlooked while defendants benefitted from a diversity of services and rehabilitative opportunities. Furthermore, the criminal justice process is dependent upon the cooperation of victims, witnesses, and the public in general. Crime prevention, control, and prosecution activities cannot be effective without this cooperation. Factors which affect or deter citizen participation and cooperation, then, are of great concern and obstacles should be eliminated. Research reveals that citizen cooperation is related to the treatment they receive and their attitudes toward law enforcement in general. The likelihood of citizen cooperation is increased as the emotional and social needs of the individual are satisfied. (Monograph, Victim/Witness Assistance, p. 3). In other words, cooperation can be increased with the assistance to overcome the consequences of the crime and related court experiences. Victim/witness assistance programs provide the needed services. However, services are inadequate and frequently victims and witnesses are unaware of their availability.

Assessments of existing programs have substantiated their value to both victims/witnesses and the criminal justice system. Therefore, additional services in this area are recommended. (Concept Paper, NDAA, p. 2) As citizens begin to realize the system's efforts toward responsiveness to people who are not offenders, they will respond in a similar manner by showing

more cooperative attitudes toward criminal justice. The effects, in turn, become, cyclical. (A Report of the Proceedings of the Correctional Leadership Institute, The California Probation, Parole. . . , p.2).

This program development guide has been prepared to present an overview of the problem and how it might be addressed. The purpose and benefits of victim/witness programs as well as the suggested services will be discussed. This document will hopefully serve to encourage program development and provide guidelines for planning and implementing victim/witness services.

PROBLEM STATEMENT

Crime and Victimization - Available Statistics

Statistical data and information regarding crime and victimization have been gathered from criminal justice resources and victimization surveys. Most data dealing with crime reflects only that which was reported to law enforcement officials and does not depict the true rate of victimization. Surveys reveal that only one-half of the crime which occurs is reported. Therefore, the actual rate of crime and victimization is two times the amount of reported crime. (Ironies of American Law Enforcement," The Public Interest, p. 48).

The figures presented by New Jersey State Police reflect only reported crime. Data collection methods and classification categories which were compatible to federal methods were adapted, thus allowing easier comparisons between local, state, and national findings. Classifications of violent crime--Rape, Robbery, Assault, and non-violent crime--Breaking and Entering, Larceny, and Motor Vehicle Theft, were utilized. Comparisons revealed that New Jersey crime and survey findings were consistent with, and supported by, national findings. (Uniform Crime Reports, State of New Jersey, 1977, pp. 3-5).

The incident rate of crime in New Jersey has been continually rising over the past years and future increases are predicted. Over a ten-year period, between 1967 and 1977, the occurrence of crime almost doubled. Between 1977 and 1978, the increase of all index crimes (Rape, Robbery, Assault, Breaking and

Entering, Larceny, and Motor Vehicle Theft) reported in New Jersey was 1.8 percent. This percent change compared with the national increase of 1.0 percent.

Although the percent change for all index crimes in New Jersey between 1977 and 1978 was less than two percent, violent crime rose 7.9 percent in New Jersey and 5.0 percent in the United States during that same time period. By comparison, non-violent crime rose 1.3 percent in New Jersey and 1.0 percent in the United States. A comparison of index crime percent changes between the years 1977 and 1978 for New Jersey and the United States is depicted in figure 1. (Uniform Crime Reports, State of New Jersey, 1978, pp. 9-20).

The crime problem and its intensity are more easily understood when additional factors are considered. The rate of unreported crime, limited number of arrests, and small percent of convictions magnify the problem. Criminal justice data reveal that arrests are made in only 20 percent of all reported cases of serious crimes and only about one-half of those cases result in convictions. ("Ironies of American Law Enforcement," The Public Interest, p. 48). Furthermore, the number of arrests in New Jersey in many crime categories does not always increase at a rate consistent with the increased rate of crime. In many instances, the arrest rate will decrease while the crime rate increases. (Uniform Crime Reports, State of New Jersey, 1977, p. 52).

Victimization is a product of crime. As crime increases, victimization rates increase. The extent of victimization for

Figure 1
INDIVIDUAL INDEX OFFENSES*
Percent Change from 1977 to 1978

Index Offenses	New Jersey	United States
Murder	- 1.7	-
Forcible Rape	+12.5	+ 6
Robbery	+ 6.6	+ 3
Atrocious Assault	+ 8.9	+ 7
Breaking and Entering	+ 1.4	+ 1
Larceny-Theft	- 0.3	-
Motor Vehicle Theft	+ 9.5	+ 1

* Source: Uniform Crime Reports, State of New Jersey, 1978, page 20.

reported crime can generally be expressed by the number of offenses committed as noted in Figure 2. This data reflects the number of index crimes reported in New Jersey during 1977 and 1978. A comparison of yearly rates is expressed as a percent change. According to this State Police data, over 381,000 index crimes were reported in 1978. Based on surveys dealing with both reported and unreported crime, the actual victimization rate for that same year (1978) would be estimated at 763,000, or double the rate of reported crime. (Uniform Crime Reports, State of New Jersey, 1978, p. 21).

Citizen Cooperation

Crime has been a growing problem and concern of law enforcement officials, government, and society, and cannot be addressed effectively without the cooperation of those involved. Citizen unwillingness to report crime and disinterest in participating in the criminal justice process appeared as a growing problem which thwarted criminal justice efforts and was documented through research.

Citizen disinterest and uncooperative behavior hinder crime prevention and control activities, arrest rates, and the rate of successful prosecution. The likelihood of arrest and conviction are greatly affected by delayed reporting or failure to report the crime, as well as uncooperative attitudes from victims and witnesses at the crime scene and during the court process. Victimization surveys and witness-oriented research projects have repeatedly substantiated the existence of uncooperative behavior and the effects on the criminal justice system.

Problems of uncooperative attitudes have been linked to

Figure 2
Victimization Estimates Expressed *
in terms of the Number of
Offenses Committed
1977/1978

Index Offenses	Year	Number of Offenses	Percent Change
Murder	1977	407	-1.7
	1978	400	
Rape	1977	1,535	+12.5
	1978	1,727	
Robbery	1977	13,220	+ 6.6
	1978	14,096	
Atrocious Assault	1977	13,575	+ 8.9
	1978	14,784	
Breaking and Entering	1977	105,281	+ 1.4
	1978	106,743	
Larceny	1977	203,350	- 0.3
	1978	202,753	
Motor Vehicle Theft	1977	37,492	+ 9.5
	1978	41,037	
Total	1977	374,860	+ 1.8
	1978	381,540	

* Source: Uniform Crime Reports, State of New Jersey, 1978,
page 21.

what is described as an insensitive and unresponsive criminal justice system. Research indicates that cooperation with the system is associated with how it is perceived by the individual and the public in general. In other words, attitudes toward the system and the treatment received while involved with the system affect the extent of cooperation provided. To address this problem further, the factors which influence citizen attitudes must be identified. (Victim/Witness Services, Review of the Literature, pp. 19-20). (Monograph, Victim/Witness Assistance, p. 2).

VICTIM/WITNESS COORDINATION PROJECT

An Evaluation Proposal

State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice

VICTIM/WITNESS COORDINATION PROJECT

DIVISION OF CRIMINAL JUSTICE

IN-HOUSE EVALUATION PROPOSAL

STATEMENT OF THE PROBLEM

Victims and witnesses are recognized as important elements of the criminal justice system. Citizen confidence and cooperation are essential to crime control efforts and prosecution. Therefore, the needs and issues of victims and witnesses are of primary concern. Specialized programs and services have been and continue to be developed to deal with relevant needs and issues. Further development and improvements, however, are needed.

Various types of victim/witness programs exist in New Jersey, but they are limited in number and differ in scope. In addition to being limited in number, victim/witness programs in New Jersey lack uniformity and coordination. These factors have an overall effect on the nature and quality of services offered and the extent of efficiency under which services are provided. Therefore, a need exists to expand, develop, and improve upon services in this field.

PROJECT DESCRIPTION

The N. J. Victim/Witness Coordination Project is designed to address problem areas within the victim/witness field. The project, operating with LEAA funding, is administered by the

N. J. Department of Law and Public Safety, Division of Criminal Justice. Two staff persons, coordinator and assistant coordinator, are employed by the project along with a director and secretarial person. The project officially began January, 1980. Specific problems which the project addresses include--insufficiency of programs, lack of uniformity, and lack of coordination within the victim/witness field.

A survey of existing needs and resources in the victim/witness and related fields will be conducted as an initial project activity. Utilizing the needs assessment, a comprehensive plan for delivery of services and use of resources will be developed. The integration of services, development of uniform referral procedures, and use of volunteer resources will be emphasized. The program model and guidelines will provide an essential tool for recommending and implementing program development ideas as the project progresses.

Training and informational material will be developed to facilitate effective delivery of services and improve treatment of victims and witnesses. Material will be developed for police, prosecutor, and program personnel. To supplement this, an informational network and statewide organization will be established to foster communications between diverse groups and organizations including law enforcement, government agencies, social service agencies, and community organizations. As people and groups become more aware of the problems and needs experienced by victims and witnesses, an improved response is likely. A statewide organization will also provide a means to promote and develop needed services. Information will be disseminated through a bi-monthly newsletter (every two months), a resource library, and a clearinghouse for technical assistance or other types of information.

OVERVIEW OF PROPOSED EVALUATION PLAN

To assess project activities and accomplishments, a plan has been developed to monitor and evaluate the efforts made to achieve stated goals and objectives. The proposed evaluation plan has specifically been designed to (1) focus on the extent to which objectives are being achieved; (2) provide feedback about project activities so modifications can be made as needed; and, (3) provide a management tool.

LIMITATIONS

The scope of the proposed evaluation plan is limited to specified project goals and objectives. Effort and activities will be recorded and used as measurements of what has been achieved.

Project staff members will assume the responsibility of recording their activities and organizing the gathered information in an orderly and meaningful manner.

I. Goal: Develop standard models for prosecutor, police, and community victim/witness service programs.

A. Objective: Select and describe the range of services that are appropriately delivered by a prosecutor program.

(Evaluation Questions)

1. Are the services included in the model recommended in the literature?
2. Is there a legitimate need for the recommended services?
3. Do county prosecutors offices have the capacity for such services?
4. What will be the anticipated impact or effect of such services and what will be the benefits?

B. Objective: Select and describe what services should be delivered by a police victim/witness program.

(Evaluation Questions)

1. Are the services included in the model recommended in the literature?
2. Is there a legitimate need for the recommended services?
3. Do local police departments have the capacity for such services?
4. What will be the anticipated impact or effect of such services and what will be the benefits?

(Methodology)

A review of the literature will be conducted initially to identify what victim/witness services have been developed either in theory or practice. Recommendations for such services and

the assumptions on which they are based along with their success will be investigated and documented. This research will provide a general, overall list of possible services and their impact and value.

Victimization studies conducted in New Jersey will be researched to gather information concerning crime rates, categories, and victim profiles. A determination of what services are needed and their priority will be made based on the gathered information. Studies have revealed that crime victims have varying needs based on personal characteristics, such as age, and the specific offense involved (eg., Breaking and Entering with Intent to Steal, Rape, etc.).

A survey of county prosecutors' offices and police departments will be conducted to determine capacity for services. The survey will involve an on-site field visit and interview with the Prosecutor, police personnel, and victim/witness program personnel. The purpose, nature, and design of the prosecutor's office and police departments, along with their inter-relationship, will be considered in the survey and following analysis. Services presently in effect, the manner of their delivery, and the extent to which they are offered will be noted and considered along with any available information regarding their success or problems.

After gathering the needed information and organizing it in an orderly and meaningful fashion, program services will be analyzed in terms of anticipated impact and value. Each service will be assessed according to need, appropriateness, feasibility,

relative cost, and impact. This will facilitate the ranking of program services according to priority. Services will be categorized according to program location, prosecutor's office or police department.

Anticipated impacts of program services which will benefit victims, witnesses, and the criminal justice system include: interagency coordination and cooperation in dealing with victims and witnesses (linkages between police, prosecutors offices, and other agencies), improved witness cooperation and increased rate of successful prosecution, reduced inconveniences experienced by witnesses, sensitivity toward victims and assistance with service referrals to recover from the criminal incident, better informed and prepared witnesses, and improved perceptions of the criminal justice system.

C. Objective: Utilize volunteer groups within the framework of victim/witness program models.

(Evaluation Questions)

1. To what extent do volunteer groups or resources exist in New Jersey?
2. How can volunteer resources be utilized to benefit or assist victim/witness service programs?
3. What is the nature and frequency of volunteer groups involved in the victim/witness or related fields?
4. What are the benefits of utilizing volunteer resources?

(Methodology)

Volunteer resources in New Jersey will be identified, described, and classified in terms of utilization within the victim/witness field. Information concerning volunteer resources will be collected through library research, a review of available literature, and personal contacts. This collected information will, in turn, be organized in two groups -- prospective resources and utilized resources. Resources presently being utilized will further be described according to the manner in which they are used and the extent to which they are used.

D. Objective: Develop a network of referral resources.

(Evaluation Questions)

1. Does the network encompass all areas of victim/witness needs and services?
2. Are victim/witness programs equipped and prepared to provide complete referral service?
3. Does the referral network provide uniform procedures for making referrals and acquiring follow-up feedback?

(Methodology)

Referral resource needs will be defined in conjunction with the services identified for program models and program capability to provide such services. Specific agencies and resources will be identified to provide specialized victim/witness services which do not fall within the purview or expertise of victim/witness programs and personnel.

After conducting this needs assessment and identifying specific resource agencies, linkages will be established through

communications and a cooperative agreement to assist in serving victim/witness needs. To facilitate an on-going relationship between victim/witness programs and referral resources as well as provide some consistency in service delivery, uniform procedures for making referrals and acquiring follow-up feedback will be developed with the cooperation and agreement of agencies involved.

A resource directory will be planned and developed as a result of these activities. Specific information about program focus and purpose, clientele, fee assessment policy, and anything else which is relevant will be included in the directory.

Victim/Witness Program personnel will be encouraged to report on their use of the referral network so a future assessment can be conducted. Recommended record-keeping procedures will include information such as how often referrals are made, which agencies were utilized, what service was being sought, and what feedback was obtained as a result of any follow-up.

II. Goal: Implement standard models in existing victim/witness programs.

A. Objective: Compare each existing program with standard model in terms of recommended services.

(Evaluation Questions)

1. To what extent do existing programs include recommended services developed with the models?

2. Do existing programs reflect priority service needs?

(Methodology)

Victim/Witness programs within New Jersey will be surveyed to identify what services are being provided. This information will, in turn, be compared to develop models to identify possible gaps in service-service needs. Individual program needs will be more clearly defined by assessing program capacity. Based on the type, nature, location, and capacity of the program, priority service areas will be identified. In other words, services will be assessed and ranked according to individual programs in relation to their appropriateness, feasibility, related cost, and impact.

B. Objective: Suggest service recommendations to existing programs which should improve the effectiveness of service delivery.

(Evaluation Questions)

1. What is the premise for service recommendations?

2. Which modifications are most often implemented?

3. By what process are accepted service recommendations implemented?

4. For what reasons are service recommendations not implemented?

5. What procedure(s) and techniques are used for suggesting the incorporation of recommended service needs into existing programs?

(Methodology)

Existing programs will be compared to the developed models to determine differences in recommended services. The need of assessment and anticipated benefits of services not in effect, the procedure and techniques used in making service suggestions, and the process by which recommended services are implemented will provide the means for evaluating implementation of service recommendations. To accurately assess outcomes of the implementation process, services implemented will be observed for variations.

The frequency of recommended service adoptions will be recorded along with the procedure for suggesting incorporation of service (i.e., number and nature of contacts), and implementation process (i.e., any significant changes or alterations to either the recommended service or program organization). The perceived and stated reasons for rejection of recommended service suggestion will also be recorded.

(When determining service recommendations factors such as need, appropriateness, feasibility, cost, impact, and capacity will be considered).

III. Goal: Establish new victim/witness programs.

A. Objective: Conduct promotional campaigns directed at prosecutors, police chiefs, and appropriate funding sources to establish new programs within prosecutor offices and major city police departments.

(Evaluation Questions)

1. How frequently are promotional campaigns conducted?
2. What is the nature of the promotional activities and campaigns?
3. What is the outcome of promotional activities and campaigns?

(Methodology)

Promotional campaigns to establish new victim/witness programs will be measured in terms of frequency and nature of activities -- the types of contacts or meetings and who was involved. This information will be recorded and tabulated along with information concerning the outcome of such activities.

B. Objective: Provide consulting services regarding program development, funding acquisition, and personnel recruitment to agencies that are planning or establishing victim/witness programs.

(Evaluation Questions)

1. What is the frequency and nature of consulting services provided?
2. What is the outcome of the consulting services provided?

(Methodology)

Data concerning all consulting services will be recorded in terms of frequency and nature of service provided (i.e., who is

initiating the contact, what is the purpose of the contact, by what means is the service provided). The outcome of each consultation service will also be recorded and analyzed as a measure of achievement. This includes feedback received from program personnel, administrator, or other sources, and perceptions of project staff. Factors which will be considered when assessing achievement include: the development of new programs; initiation of plans for a program; a commitment to start a new program; an agreement or disagreement with the concept of a program and underlying philosophies.

CONTINUED

2 OF 3

IV. Goal: Make proper training in techniques of victim/witness services for program personnel, volunteers, and law enforcement personnel more accessible.

A. Objective: Provide training for directors and other personnel in prosecutor programs and police programs.

(Evaluation Questions)

1. What is the nature and frequency of training programs?
2. What is the nature and number of participants receiving training?
3. How did participants perceive training?

(Methodology)

Training efforts will be documented by the number of sessions held, the nature and content of sessions, utilization of good training techniques as identified in the literature, and the number and type of participants. To further assess training efforts, participant attitudes and perceptions will be surveyed.

B. Objective: Develop a syllabus for prosecutor program describing procedures for training volunteers in crisis intervention.

(Evaluation Questions)

1. What steps are taken to develop the syllabus?
2. What resources are utilized in developing the syllabus?
3. Does the syllabus incorporate recommended training procedures?
4. Does the syllabus cover all possible areas of volunteer services?

5. How is syllabus perceived by others?

(Methodology)

All activities undertaken when developing the syllabus will be recorded and then organized in an orderly manner.

A bibliography and tabulation of resources utilized in developing the syllabus will be prepared. When completed, the syllabus will be reviewed and assessed according to the following criteria: incorporation of recommended training procedures (extracted from the literature or other resources); inclusion of training and procedural information covering all possible areas of volunteer service, clarity, and, usefulness. To assist with the assessment, feedback will be requested from resource people.

C. Objective: Develop a syllabus for police and prosecutor program personnel describing procedures for training police officers in techniques to be used in relating to crime victims.

(Evaluation Questions)

1. What steps and activities are undertaken in the development of the syllabus?
2. What resources (literature and otherwise) are utilized in developing the syllabus?
3. Are recommended training procedures incorporated within the syllabus?
4. Does the syllabus cover techniques which are known to be useful when police relate to crime victims?
5. How long is the syllabus perceived by others?

(Methodology)

The process of developing a syllabus describing procedures for training police officers in techniques to be used in relating to crime victims will be received in terms of what steps and activities were undertaken. Each step and activity will be recorded during the process and later tabulated along with a list of resources.

The completed syllabus will be assessed to determine if the following recommended training procedures and techniques which are known to be useful when police relate to crime victims. An additional review and analysis will be conducted to assess the syllabus in terms of clarity and usefulness. Feedback will be requested from a resource person from the victim/witness (or a related field).

V. Goal: Establish a statewide approach to victim/witness assistance.

A. Objective: Organize a New Jersey Victim/Witness Advisory Council which will centralize and coordinate advocacy of victim/witness interests.

(Evaluation Questions)

1. By what process are prospective members identified?
2. What steps are taken to identify actual participants?
3. Does the Advisory Council reflect a representative selection of participants from the victim/witness or related fields?
4. What is the nature and frequency of Advisory Council meetings?

(Methodology)

All efforts and tasks involving the organization of an Advisory Council and the identification and selection of prospective representatives will be documented and tabulated. The steps taken to obtain a commitment to participate from representatives will be documented and tabulated as well. This will include information regarding the nature, frequency, and outcome of contacts with prospective members.

After the Advisory Council is formed, the membership will be reviewed and assessed in terms of being a representative of the victim/witness and related fields. The nature and frequency of Council meetings will be recorded and meetings will be assessed according to group interaction and the development of relevant perspectives or influence on the outcome of a victim/witness issue.

B. Objective: Demonstrate an information network which will monitor new strategies and techniques in victim/witness services and disseminate such information to programs throughout the State.

(Evaluation Questions)

1. Does the information network comprise varied groups and organizations involved in or related to victim/witness issues or concerns?
2. What resources are incorporated in the network?
3. By what means, to whom, and how frequently is information disseminated?

(Methodology)

The information network developed to monitor and disseminate information concerning new strategies and techniques will be reviewed in terms of the nature and participating groups and organizations. Participating groups and organizations will be identified by involvement in or relationship to victim/witness issues or concerns. The resources that are incorporated in this network (eg., films, books, articles, and bibliographies) will be recorded along with documentation of what information or reference material is being disseminated, by what means, to whom, and how frequently. This data will be tabulated categorically.

C. Objective: Conduct regular reviews of programs and assist with implementation of new strategies and techniques; provide feedback to SLEPA concerning programs applying for funding.

(Evaluation Questions)

1. How frequently are reviews and communications re: assistance conducted?

2. Are new strategies/techniques adopted by programs provided with assistance?
3. How is assistance perceived?
4. How frequently is feedback provided to SLEPA re: programs applying for funding?
5. How is feedback perceived by SLEPA?

(Methodology)

All program reviews and communications regarding assistance will be recorded and tabulated according to nature and outcome. Any new strategies or techniques adopted by programs provided with assistance will be recorded and viewed as a measure of success. Program personnel perceptions will be recorded and used as a source of feedback to assess the assistance efforts provided. The frequency with which SLEPA is provided feedback regarding programs applying for funding will be recorded and tabulated indicate to the effort applied. SLEPA perceptions of feedback will be noted and used as a form of assessing project activities.

EXECUTIVE ORDER NO. 86

WHEREAS, it is the policy of the State of New Jersey to develop a coordinated and unified strategy for effective implementation of Victim/Witness programs statewide; and

WHEREAS, several state, county, and local agencies and business organizations are concerned with Victim/Witness assistance; and

WHEREAS, the Department of Law and Public Safety, through its Division of Criminal Justice, made application to and was awarded a grant by the Law Enforcement Assistance Administration to fund the Victim/Witness Coordination Program; and

WHEREAS, the establishment of a New Jersey Advisory Council on Victim/Witness Assistance is an integral part of the implementation of that assistance.

NOW, THEREFORE, I, BRENDAN BYRNE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created a New Jersey Advisory Council on Victim/Witness Assistance (The Advisory Council). The Advisory Council shall be composed of 29 members, consisting of the following 28 individuals or their respective designees, and one citizen representative to be appointed by the Governor:

- (a) The Attorney General.
- (b) The Director of the Division of Criminal Justice.
- (c) The Chief Justice of the New Jersey Supreme Court.
- (d) The Director of the Administrative Office of the Courts.
- (e) The Commissioner of the State Department of the Public Advocate.
- (f) The President of the County Prosecutors Association.
- (g) The Chairman of the Management Committee of the County Prosecutors Association.
- (h) The President of the Police Chiefs Association.
- (i) The President of the New Jersey Association of Counties.
- (j) The Director of the Division of Mental Health and Hospitals.
- (k) The President of the New Jersey Conference of Mayors.
- (l) The Executive Director of the State Law Enforcement Planning Agency.
- (m) The Director of the Division on Aging.

Division of Youth and Family Services.

- (o) The President of the New Jersey Hospital Association.
- (p) The Superintendent of the New Jersey State Police.
- (q) The President of the New Jersey State Bar Association.
- (r) The Chairman of the New Jersey Chapter of Compassionate Friends, Inc.
- (s) The Director of the State Division of Public Welfare.
- (t) The Director of the State Division on Women.
- (u) The President of the New Jersey Coalition for Battered Women.
- (v) The President of the New Jersey Association for Retarded Citizens.
- (w) The President of the New Jersey State Chamber of Commerce.
- (x) The Chairman and the Co-Chairman of the New Jersey Council on Crime Victims.
- (y) The Chairman of the New Jersey Violent Crime Compensation Board.
- (z) Two members of the Board of the New Jersey Council on Crime Victims to be designated by the Council.

2. The Council members will select a Chairman from among its members at their first regularly scheduled meeting which shall be convened by the Attorney General.

3. The objective of The Advisory Council will be to coordinate advocacy of Victim/Witness interests.

4. The Advisory Council, drawing upon its collective knowledge and experience, shall provide assistance and advice to the Attorney General in Victim/Witness related matters.

5. The Advisory Council may meet with county and local government officials and other interested public and private organizations and persons as a body to discuss possible coordination, consolidation or modification of Victim/Witness assistance when such action would make these programs more effective.

6. The Advisory Council shall:

- (a) Foster communication among various groups, both public and private, involved in Victim/Witness assistance activities and programs;
- (b) Promote further study of Victim/Witness assistance programs in New Jersey and their impact upon the people of the State;

- (c) Review and discuss existing and proposed legislation, and administrative regulations and procedures concerned with Victim/Witness assistance programs;
- (d) Identify existing or potential funding sources and offer recommendations to coordinate the allocation of resources which are committed to Victim/Witness assistance related programs;
- (e) Coordinate the development and implementation of Victim/Witness assistance;
- (f) Assist in defining the Victim/Witness assistance programs responsibilities among various agencies so as to eliminate duplication and maximize available resources.

7. (a) The Advisory Council is authorized to call upon any department, office, division or agency of the State to supply such data, program reports, and other information, personnel and assistance as it deems necessary to discharge its responsibilities under this Order.

(b) All departments and agencies are authorized and directed, to the extent possible and not inconsistent with law, to cooperate with the Advisory Council and to furnish it with such information, personnel, and assistance as may be necessary to accomplish the purposes of this Order.

8. The Advisory Council shall meet at the call of the Chairman.

9. The Advisory Council shall receive administrative staff support from the New Jersey Victim/Witness Coordination Program in the Department of Law and Public Safety, Division of Criminal Justice.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal
this 18th day of April
in the year of Our Lord, one
thousand nine hundred and
eighty of the Independence of
the United States, the two
hundred and fourth.

/s/ Brendan Byrne
GOVERNOR

Attest:

VICTIM/WITNESS "HOT LINE" STAFF TRAINING

1. Show Crime: What About the Victim - Sound on slide presentation.
2. Emotional conditions of Victim/Witness.
3. Needs of Victim/Witness.
4. Services for Victim/Witness -
(Violent Crime Compensation Board)
5. Methods of Referring -
 - 1) To program in existence
 - 2) To areas where no program exists, but a contact persons exists.
 - 3) To areas totally uncovered by program or contact person - (Directory)
6. Role play
7. Course evaluation

GOALS OF "HOT LINE"

1. Information and referral to existing programs
2. Referral to contact persons in counties without programs (when available).
3. Information on Violent Crime Compensation Board
4. Assistance with Victim/Witness referrals to social agencies where no program or contact persons exists

SUPPLIES

1. 5 notebooks (regular size)
2. Clear sheets to wrap around 8X10 paper
3. 2 large - notebooks
4. dividers for notebooks
5. flipchart paper

LIBRARY FOR VICTIM/WITNESS PROGRAM

ALCOHOLISM - N.J. Division of Alcoholism Training, Education and Prevention Unit	041
ANNUAL MESSAGE - N.J. GOVERNOR Blueprint for the 80's Brendan Byrne, Governor	022
AUDIO-VISUAL - M.T.I. Criminal Justice Audio/Visual and Public Catalog 1980	011
AUDIO-VISUAL - Publisher - Audio/Visual Communications Division, Office of Operations	012
AUDIO-VISUAL - Motorola Film Catalog	027
BUSINESS CRIME - Edwin L. Miller, Jr., District Attorney Buyers Beware	049
BUSINESS CRIME - Gary W. Flakne, County Attorney Minneapolis, Minnesota 55487 Fraud - The Target is <u>YOU!</u>	050
BUSINESS CRIME (Article) - The Impact of Crime on Business <u>Everyone Pays</u>	1
COMMUNITY ORGANIZATION PROJECT - Mrs. Barbara Wright-Bell State Prevention Coordinator New Jersey State Community Organization Project	040
CRIME - Dual Labs. - National Crime Survey Introduction to Data	068
CRIME - California District Attorneys Association Prospectus	037
CRIME - Gould Publications - Criminal Justice Code of New Jersey	054
CRIME - Fourth Power in the Balance	058
CRIME - Victims of Crime or Victims of Justice	024
CRIME - Public Opinion About Crime - The Attitudes of Victims and Nonvictims in Selected Cities	057
CRIME - National Institute of Law Enforcement and Criminal Justice Law Assistance - Expanding the Perspective of Crime Data; for Policymakers	023
CRIME - Myths and Realities about Crime	014
ANNUAL REPORT - Annual Report - 1979, New Jersey (Article) Association on Correction Robert W. Davis, President	33

-2-

CRIME - The Crime Victims Book	001
CRIME - Victims of Personal Crime	002
CRIME - Crime Against Persons in Urban, Suburban, and Rural Areas	029
CRIME - Sample Surveys of the Victims of Crime	003
CRIME AGAINST THE ELDERLY - Crime Against the Elderly	010
CRIME AGAINST THE ELDERLY - Criminal Justice & the Elderly Trainer's Manual Crime Prevention for Senior Citizens	059
CRIME AGAINST THE ELDERLY - Criminal Justice and the Elderly	060
CRIME AGAINST THE ELDERLY - Criminal Justice & the Elderly Anti-Crime Programs for the Elderly: Combining Community Crime Prevention and Victim Services	061
CRIME AGAINST THE ELDERLY - Crime and Apprehension Plague the Elderly: Four Federal Agencies Try to Help	064
CRIME AGAINST THE ELDERLY - By the Criminal Justice and the Elderly Program, Legal Research and Services for the Elderly, of the National Council of Senior Citizens	062
CRIME AGAINST THE ELDERLY - Senior Citizen - The Target <u>is You!</u>	051
CRIME AGAINST THE ELDERLY - Crime and the Elderly	076
CRIME PREVENTION - National Neighborhood Watch Program Manual	035
CRISIS INTERVENTION - Police Crisis Intervention	039
CRISIS INTERVENTION - Police Crisis Intervention Bibliography	006
CAREER CRIMINAL (Article) - Recidivism and Career Criminal Programs	2
CIVIL LIABILITY (Article) - Recent Trends - The Use of Civil Liability to aid Crime Victims	3
CHILD ABUSE (Article) - Victims of Innocence: The Tragedy of Child Abuse	4
CRIMINAL JUSTICE (Article) - How to Mobilize Citizen Support for Criminal Justice Improvement: A Guide for Civic and Religious Leaders	27

DIRECTORIES	- Directory of Community Crime Prevention Programs - National and State Levels	031
DIRECTORIES	- The Division of Narcotics and Drug Abuse Control	042
DIRECTORIES	- Directory of Victim/Witness Assistance Services-The Victim Advocate	017
ELDERLY (Article)	- Crimes Against the Elderly	5
ELDERLY (Article)	- Criminal Victimization of Older Persons: Problems and Programs	29
ELDERLY (Article)	- Reporting and Non-Reporting of Crime by Older Adults	29A
ELDERLY (Article)	- The Elderly Victim: Vulnerability To The Criminal Act	29B
FAMILY VIOLENCE	- Family Violence - The Victim Advocate	015
FAMILY VIOLENCE	- The Family Support Division, San Diego County, 1976	048
FAMILY VIOLENCE	- Spouse Abuse - A selected Bibliography	071
FAMILY VIOLENCE	- Battered Women: A Legal Handbook for New Jersey Women (Spanish & English)	066
FAMILY VIOLENCE	- Violence In The Home Is A Crime Against The Whole Family	034
FILMS (Article)	- Films available at Burlington County Police Academy	6
HOMICIDE (Article)	- National Homicide Symposium - Address to California District Attorney's Association - October 27, 1976	7
INTIMIDATION	- Reducing Victim/Witness Intimidation	025
INTIMIDATION (Article)	- Nightmares - Problem: Scared Witness	8
INTIMIDATION (Article)	- Fear Keeps Many Out of Witness Box	8A
INTIMIDATION (Article)	- Reducing Victim/Witness Intimidation: A Package	8B
INTIMIDATION (Article)	- Reducing Victim/Witness Intimidation: A Package	8B

JUDGES & VICTIMS	- Are Judges Responsible For Victims Too?	008
JUSTICE & THE ELDERLY	- Justice and Older Americans	075
MURDER (Article)	- The Murder of a Newsman	9
NATIONAL VICTIMS SERVICES CONF. (Article)	- Coming of Age II - Theory, Application, & Action	10
N.J. COUNCIL ON CRIME VICTIMS (Article)	- N.J. Council on Crime Victims	11
NEWSLETTERS (BOOK V)	Child Support Report Concern, July, 1979 Concern, August, 1979 Concern, September, 1979 Concern, October, 1979 Concern, November, 1979 Concern, December, 1979 Concern, January, 1980 Concern, February, 1980 Concern, March, 1980 Corrections Perspective Criminal Justice & the Elderly - Summer, 1978 Criminal Justice & the Elderly - Winter 1979-1980 Illinois Organization of Victim Assistance Justice Assistance News Law Enforcement - Office of the County Prosecutor-Bergen County, N.J. LEAA Newsletter Mercer Police Newsletter-Nov./Dec., 1979 Mercer Police Newsletter-Jan./Feb., 1980 County of Middlesex Blue Line N.J. Council on Crime Victims N.J. Justice Response to Violence in the Family Trends and Forecasts News and Views	Book V - Green Book
PREGNANCY	- Pregnancy Discrimination	021
PROSECUTION	- Grand Jury Complex	055
PROSECUTION	- C3: Trial Prosecutors Office	056
PROSECUTION	- Sexual Assault Trial Considerations	072

PROMIS (Article)	- Selected Items-PROMIS-Cost Benefit Data	12
PROSECUTOR'S BULLETIN (Article)	- Prosecutor's Bulletin - Volume No. 1 Issue No. 3 - Month-Nov./Dec. 1979	13
PROPERTY RETURN (Article)	- Speedy Return of Property to Victims of Crimes	14
PROPERTY RETURN (Article)	- Property Return	14A
PROPERTY RETURN (Article)	- Return of Stolen Property to Victims	14B
PROTECTION OF RIGHTS (Article)	- The Golden Rule of Reciprocal Protection and Restraint	15
PSYCHOLOGICAL RESPONSES TO CRIME (Article)	- The "Second Injury" to Victims of Violent Crimes	16
PSYCHOLOGICAL RESPONSES TO CRIME (Article)	- Victim Responses to Terror	16A
PAROLE (Article)	- Promises, Performance, and Principles: An Empirical Study of Parole Decisionmaking in Connecticut	28
PROJECTS (Article)	- Project Ready	32
RAPE	- Ecology of Rape, Kansas City Metropolitan Area	073
RAPE	- The Realities of Rape	053
RAPE	- Sexual Assault - The Target is You!	052
RAPE	- Stop Rape Crisis Center Baton, Rouge, Louisiana	067
RAPE	- Rape Victimization in 26 American Cities	028
RESEARCH EVALUATION	- Research Evaluation Technology Transfer	018
RETARDATION & CRIMINAL JUSTICE	- Retardation and Criminal Justice (A training manual for criminal justice personnel)	013
RAPE (Article)	- Office of the Prosecutor Burlington County	17

RAPE (Article)	- Rape	17A
RESIDENT HANDBOOK (Article)	- Morrow Projects of the New Jersey Association on Credits	30
RESOURCE PROJECTS (Article)	- Women Offender Resource Projects	31
T. V. VIOLENCE (Article)	- The Violence Hours - TV's Effect on our Children	18
TERRORISM (Article)	- Terrorism	19
TRAINING (Article)	- Volunteer Training Packet	20
VICTIMIZATION	- Criminal Victimization Surveys in 13 American Cities	046
VICTIMIZATION	- Criminal Victimization in Eight American Cities	004
VICTIMIZATION	- Criminal Victimization in the United States	030
VICTIMIZATION	- Criminal Victimization in the United States	005
VICTIMS & WITNESSES	- Improving Witness Cooperation	045
VICTIMS & WITNESSES	- The Role of the Victim in the Prosecution of Violent Crimes	007
VICTIMS & WITNESSES	- Center for Criminal Justice and Social Policy	069
VICTIMS & WITNESSES	- Help For Victims and Witnesses	033
VICTIMS & WITNESSES	- Victim/Witness Services: A Review of the Literature	065
VICTIMS & WITNESSES	- Executive Summary-Final Report Milwaukee County Project-Evaluation	044
VICTIMS & WITNESSES	- Program Models: A Series for the Practitioner	032
VICTIMS & WITNESSES	- Guide for Discretionary Grant Programs	026
VICTIMS & WITNESSES	- Victim Information Program First Annual Report	036
VICTIMS & WITNESSES	- A Primer for Model Victim/Witness Assistance Centers	063
VICTIMS COMPENSATION	- Compensating Victims of Violent Crimes	038

VICTIM ADVOCATE	- Forgotten Person - The Victim Advocate	020
VICTIM ADVOCATE	- The Victim Advocate - Criminal Justice System	016
VICTIM MOVEMENT	- Oregon Crime Victims Week April 23 - April 27, 1979	019
VICTIM MOVEMENT	- Perspectives on the Victims' Movement	009
VICTIMOLOGY	- Victimology	074
VICTIMIZATION (Article)	- The Ultimate Human Right	21
VICTIMIZATION (Article)	- The Victim Goes on the Offensive	21A
VICTIMIZATION ART (Article)	- Jim Kirwan: Profile of the Artist	22
VICTIMIZATION STATISTICS (Article)	- Criminal Victimization in the U.S.: A Comparison of 1976 and 1977 Findings Advance Report	23
VICTIM SERVICE PROGRAMS (Article)	- Help for the Victim	24
VICTIM SERVICE PROGRAMS (Article)	- The Hillenbrand Report A National Forum on Local Issues	24A
VICTIM SERVICE PROGRAMS (Article)	- Aid to the Victim	24B
VIOLENCE (Article)	- Violence in the Media	25
VIOLENCE (Article)	- Violence in the Media	25A
VIOLENCE (Article)	- Violence in the Media	25B
VIOLENCE (Article)	- Violence in the Media	25C
WITNESS COOPERATION	- Improving Witness Cooperation	077
YOUTH (Article)	- Youth Crime: A National Shame	26

Articles can be found in four books. The following are:

- BOOK I - ARTICLES 1 THROUGH 8B
- BOOK II - ARTICLES 9 THROUGH 16A
- BOOK III - ARTICLES 17 THROUGH 26
- BOOK IV - ARTICLES 27 THROUGH 33

STATE OF WISCONSIN

1979 Assembly Bill 169

Date published*: February 29, 1980

CHAPTER 111 , LAWS OF 1979

AN ACT to repeal 15.197 (16) and 46.95 (4); to renumber 813.025 (1) and (2); to amend 50.01 (1), 59.20 (5) (b), 59.395 (5), 165.85 (4) (b), 973.05 and 973.07; and to create 15.197 (16), 20.435 (8) (c) and (h), 46.95, 767.23 (1m), 813.025 (2), 940.19 (1m), 940.33, 969.02 (2m), 971.37 and 973.055 of the statutes, relating to domestic abuse, creating a council on domestic abuse, creating an appropriation, granting rule-making authority and providing penalties.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Legislative findings. The legislature finds that:

- (1) Domestic abuse is a serious social problem which requires a comprehensive, informed and determined response by a concerned society.
- (2) There is a need to promote public understanding of domestic abuse and to provide specialized training for persons who must deal directly with the problem.
- (3) There is a critical need for specialized assistance to victims of domestic abuse, as well as their abusers, and the state should share in supplying this assistance.
- (4) Domestic abuse poses unusual challenges to government agencies and the legal system and additional methods and resources are necessary to meet these challenges.

SECTION 2. 15.197 (16) of the statutes is created to read:

15.197 (16) COUNCIL ON DOMESTIC ABUSE. There is created in the department of health and social services a council on domestic abuse. The council shall consist of 9 members nominated by the governor and appointed, with the advice and consent of the senate, for staggered 3-year terms. Persons appointed shall have with a recognized interest in and knowledge of the problems and treatment of victims of domestic abuse. This subsection does not apply on or after July 1, 1985.

SECTION 2m. 15.197 (16) of the statutes, as created by chapter (this act), laws of 1979, is repealed.

SECTION 3. At the appropriate place in the schedule of section 20.005 of the statutes, insert the following amounts for the purposes indicated:

	1979-80	1980-81
20.435 Health and social services, Department of		
(8) GENERAL ADMINISTRATION		
(c) Domestic abuse grants	GPR A -0-	1,000,000

SECTION 4. 20.435 (8) (c) and (h) of the statutes are created to read:

20.435 (8) (c) Domestic abuse grants. The amounts in the schedule for the purposes of s. 46.95, except that the total expenditures under par. (h) and this paragraph shall not exceed \$1,000,000 in any fiscal year.

(h) Domestic abuse assessment. All moneys received from the domestic abuse assessment surcharge on court fines, as authorized under s. 973.055, for the purposes of s. 46.95.

SECTION 5. 46.95 of the statutes is created to read:

46.95 Domestic abuse grants. (1) DEFINITIONS. In this section:

(a) "Domestic abuse" means physical abuse or threats of physical abuse between persons living in a spousal relationship or persons who formerly lived in a spousal relationship.

* Section 990.05, 1977 Wisconsin Statutes: Laws and acts; time of going into force. "Every law or act which does not expressly prescribe the time it takes effect shall take effect on the day after its publication."

(b) "Organization" means a nonprofit corporation or a public agency which provides or proposes to provide any of the following domestic abuse services:

1. Shelter facilities or private home shelter care.
2. Advocacy and counseling for victims.
3. A 24-hour telephone service.
4. Community education.

(c) "Spousal relationship" means either a marital relationship or 2 persons of the opposite sex who share one place of abode with minor children and live together in a relationship which is similar to a marital relationship, except that the 2 persons are not married to each other.

(2) DISTRIBUTION OF FUNDS. (a) The secretary shall make grants from the appropriations under s. 20.435 (8) (c) and (h) to organizations for the provision of any of the services specified in sub. (1) (b). Grants may be made to organizations which have provided domestic abuse services in the past or to organizations which propose to provide services in the future.

(b) In reviewing applications for grants, the department shall consider:

1. The need for domestic abuse services in the specific community in which the applicant provides services or proposes to provide services.
2. Coordination of the organization's services with other resources in the community and the state.
3. The need for domestic abuse services in the areas of the state served by each substate health planning agency as defined in s. 150.001 (13).
4. The needs of both urban and rural communities.

(c) No grant may be made to an organization which provides or will provide shelter facilities unless the department of industry, labor and human relations determines that the physical plant of the facility will not be dangerous to the health or safety of the residents when the facility is in operation. No grant may be given to an organization which provides or will provide shelter facilities or private home shelter care unless the organization ensures that the following services will be provided either by that organization or by another organization, person or agency:

1. A 24-hour telephone service.
2. Temporary housing and food.
3. Advocacy and counseling for victims.
4. Referral and follow-up services.
5. Arrangements for education of school-age children.
6. Emergency transportation to the shelter.

(d) No organization may receive more than 70% of its operating budget or \$100,000 annually, whichever is less, under this section. If the organization is not or will not be providing shelter facilities or private home shelter care, it shall not receive more than 70% of its operating budget or \$50,000 annually, whichever is less, under this section.

(e) Of the funds distributed under this section, 40% shall be for shelter facilities that are providing services on the date of application for the grant and 40% shall be for shelter facilities that will begin to provide services after the date of application for the grant or for private home shelter care, and 20% shall be for the services listed in sub. (1) (b) 2 to 5 that will not be provided in connection with shelter care programs with preference given to organizations in areas of the state where those services are not otherwise available. Any funds that are not spent under this formula at the end of a fiscal year may be reallocated by the department to one of the other categories. The expenditure of reallocated funds shall not be counted for the purpose of determining the percentages of fund distribution by category under this paragraph.

(3) REPORT BY DEPARTMENT. In addition to the biennial report of the secretary under s. 15.04 (1) (d), the department shall annually prepare and transmit to the governor and legislature a report of activities under this section, including names and locations of organizations receiving grants, the amounts of grants, services provided by grantees and the number of persons served. The report may also include recommendations for changes in the formula specified in sub. (2) (e).

(4) ADVICE FROM COUNCIL. The council on domestic abuse shall review applications for grants under this section and shall advise the secretary as to whether the applications should be approved or denied. The council shall consider the criteria under sub. (2) (b) when reviewing the applications. This subsection does not apply on or after July 1, 1985.

SECTION 5m. 46.95 (4) of the statutes, as created by chapter (this act), laws of 1979, is repealed.

SECTION 6. 50.01 (1) of the statutes is amended to read:

50.01 (1) "Community-based residential facility" means a place where 3 or more unrelated adults reside in which care, treatment or services above the level of room and board but not including nursing care are provided to persons residing in the facility as a primary function of the facility, except that the department may approve an application from a nursing home which serves fewer than 20 residents and which otherwise meets the definition of this subsection to be licensed and regulated as a community-based residential facility. The reception and care or treatment of a person in a convent or facility owned or operated exclusively by and for members of a religious order shall not constitute the premises to be a "community-based residential facility". "Community-based residential facility" does not include a facility or private home that provides care, treatment and services only for victims of domestic abuse, as defined in s. 46.95 (1) (a), and their children.

SECTION 6g. 59.20 (5) (b) of the statutes, as affected by chapter 34, laws of 1979, is amended to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 29.997 for the natural resources assessment surcharge and the amount required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 6r. 59.395 (5) of the statutes, as affected by chapter 34, laws of 1979, is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state tax required to be paid on each civil action, cognovit judgment and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the amount for court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87, (2) (b) for the penalty assessment surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 7. 165.85 (4) (b) of the statutes is amended to read:

165.85 (4) (b) No person shall may be appointed as a law enforcement officer, except on a temporary or probationary basis, unless such the person has satisfactorily completed a preparatory program of law enforcement training approved by the board and has been certified by the board as being qualified to be a law enforcement officer. The program shall include at least 240 hours of training. The specific curriculum of the 240-hour preparatory program shall be promulgated by the board as a rule under ch. 227. The rule shall ensure that there is an adequate amount of training to enable the person to deal effectively with domestic abuse incidents. The period of temporary or probationary employment established at the time of initial employment shall not be extended by more than one year for an officer lacking the training qualifications required by the board. The total period during which a person may serve as a law enforcement officer on a temporary or probationary basis without completing a preparatory program of law enforcement training approved by the board shall not exceed 2 years, except that the board shall permit part-time law enforcement officers to serve on a temporary or probationary basis without completing a program of law enforcement training approved by the board to a period not exceeding 6 years. For purposes of this section, a part-time law enforcement officer is a law enforcement officer who routinely works not more than one-half the normal annual work hours of a full-time employee of the employing agency or unit of government. Law enforcement training programs including municipal, county and state programs meeting standards of the board shall be acceptable as meeting these training requirements.

SECTION 8. 767.23 (1m) of the statutes is created to read:

767.23 (1m) If a family court commissioner believes that a temporary restraining order or injunction under s. 813.025 (2) is appropriate in an action, the court commissioner shall inform the parties of their right to seek the order or injunction and the procedure to follow. On a motion for such a restraining order or injunction, the family court commissioner shall submit the motion to the court within 5 working days.

SECTION 9. 813.025 (1) and (2) of the statutes are renumbered 813.025 (1) (a) and (b).

SECTION 10. 813.025 (2) of the statutes is created to read:

813.025 (2) (a) A judge may issue a temporary restraining order requiring a person to avoid premises occupied by someone with whom the person is living or has lived in a spousal relationship, as defined in s. 46.95 (1) (c), or not to contact that person or both. Such an order may only be issued if the judge has reasonable grounds to believe that a violation of s. 940.19 has occurred or, based on the prior conduct of the parties, may occur. The order may only be issued to the person whom the judge believes has violated or may violate s. 940.19. A petition for the order may be filed by the alleged or potential victim of the violation of s. 940.19. Violation of an order issued under this subsection is punishable under s. 940.33.

(b) Notice need not be given to the defendants prior to the issuance of a temporary restraining order under this subsection. The court may grant the temporary restraining order at any time before the hearing and determination of the application for an interlocutory injunction. The temporary restraining order shall be effective only for 5 days unless extended after notice and hearing thereon, or upon written consent of the parties or their attorneys. The temporary restraining order shall not remain in force beyond the time of the determination of the application for an interlocutory injunction. The order or injunction under this subsection may be issued only by a judge and not by a court commissioner. An injunction under this subsection shall not be effective for more than 2 years.

SECTION 11. 940.19 (1m) of the statutes is created to read:

940.19 (1m) Whoever causes great bodily harm to another by an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed is guilty of a Class E felony.

SECTION 12. 940.33 of the statutes is created to read:

940.33 Violation of certain restraining orders or injunctions. Whoever knowingly violates an order or injunction issued under s. 813.025 (2) is guilty of a Class C misdemeanor.

SECTION 14. 969.02 (2m) of the statutes is created to read:

969.02 (2m) In addition to or in lieu of the alternatives under subs. (1) and (2), the judge may:

(a) Place the person in the custody of a designated person or organization agreeing to supervise him or her.

(b) Place restrictions on the travel, association or place of abode of the defendant during the period of release.

SECTION 15. 971.37 of the statutes is created to read:

971.37 Deferred prosecution programs. (1) The district attorney may enter into a deferred prosecution agreement under this section with a person accused of, or charged with, a violation of s. 940.19 (1) or (1m) if the alleged victim lives with or has lived with the person in a spousal relationship, as defined in s. 46.95 (1) (c). The agreement shall provide that the prosecution will be suspended for a specified period, not to exceed one year from the date of the agreement, if the person complies with conditions specified in the agreement. The agreement shall be in writing, signed by the district attorney or his or her designee and the person, and shall provide that the person waives his or her right to a speedy trial and that the agreement will toll any applicable civil or criminal statute of limitations during the period of the agreement, and, furthermore, that the person shall file with the district attorney a monthly written report certifying his or her compliance with the conditions specified in the agreement.

(2) The written agreement shall be terminated and the prosecution may resume upon written notice by either the person or the district attorney to the other prior to completion of the period of the agreement.

(3) Upon completion of the period of the agreement, if the agreement has not been terminated under sub. (2), the court shall dismiss, with prejudice, any charge or charges against the person in connection with the crime specified in sub. (1), or if no such charges have been filed, none may be filed.

(4) Consent to a deferred prosecution under this section is not an admission of guilt and the consent may not be admitted in evidence in a trial for the crime specified in sub. (1), except if relevant to questions concerning the statute of limitations or lack of speedy trial. No statement relating to the crime, made by the person in connection with any discussions concerning deferred prosecution or to any person involved in a program in which the person must participate as a condition of the agreement, is admissible in a trial for the crime specified in sub. (1).

(5) This section does not preclude use of deferred prosecution agreements for other crimes.

SECTION 15g. 973.05 of the statutes, as affected by chapter 34, laws of 1979, is amended to read:

973.05 Fines and penalty assessments. (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. 165.87, any applicable domestic abuse assessment imposed by s. 973.055, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s.

29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, any applicable domestic abuse assessment, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

(2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, any applicable domestic abuse assessment, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full and shall then be applied to payment of the fine.

SECTION 15m. 973.055 of the statutes is created to read:

973.055 Domestic abuse assessments. (1) On or after the effective date of this act (1979), if a court imposes a fine, the court shall determine whether the criminal conduct involved domestic abuse, as defined in s. 46.95 (1) (b). If the court makes the finding, it shall impose a domestic abuse assessment, in addition to the fine and penalty assessment, in an amount of 10% of the fine imposed. If multiple offenses are involved, the domestic abuse assessment shall be based on the total fine for all offenses which involved domestic abuse. If a fine is suspended, the domestic abuse assessment shall be reduced in proportion to the suspension.

(2) After the court determines the amount due, the clerk of the court shall collect and transmit the amount to the county treasurer as provided in s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(3) All moneys collected from domestic abuse assessments shall be deposited by the state treasurer in s. 20.435 (8) (h) and utilized in accordance with s. 46.95.

SECTION 15r. 973.07 of the statutes, as affected by chapter 34, laws of 1979, is amended to read:

973.07 Failure to pay fine or costs. If the fine, costs, penalty assessment, applicable domestic abuse assessment payment, applicable natural resources assessment or applicable natural resources restitution payment are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, applicable domestic abuse assessment payment, applicable natural resources assessment or applicable natural resources restitution payment are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 16. Council on domestic abuse; initial appointments. The terms of the initial members of the council on domestic abuse shall expire, as designated at the time of appointment, as follows: 3 terms on July 1, 1980, 3 terms on July 1, 1981, and 3 terms on July 1, 1982.

SECTION 17. Program responsibility. (1) In the list of program responsibilities specified for the department of industry, labor and human relations in section 15.221 (intro.) of the statutes, reference to section "46.95 (2) (c)" is inserted.

(2) In the list of program responsibilities specified for the department of justice in section 15.251 (intro.) of the statutes, reference to section "813.025" is deleted and reference to section "813.025 (1) (b)" is inserted.

SECTION 18. Effective date. (1) Except as provided in sub. (2), this act takes effect on the first day of the 3rd month commencing after its publication.

(2) The repeal of sections 15.197 (16) and 46.95 (4) of the statutes by SECTIONS 2m and 5m of this act takes effect July 1, 1985.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Proclamation

WHEREAS, creating a better understanding of the rights of crime victims and witnesses, and the nature of our criminal justice system, will help achieve greater citizen participation in crime reduction; and

WHEREAS, the State of New Jersey has demonstrated an interest in the rights of crime victims through legislation, and through efforts on behalf of the Attorney General's Office, the Victim/Witness Coordination Program within the State Division of Criminal Justice, and the appointment of an Advisory Council on Victim/Witness Assistance; and

WHEREAS, better reporting of crime, and the willingness of citizens to testify in court, remains essential to crime control and an effective judicial system; and

WHEREAS, every citizen should be concerned about the treatment and services available to crime victims, since these services may be needed by anyone at any time;

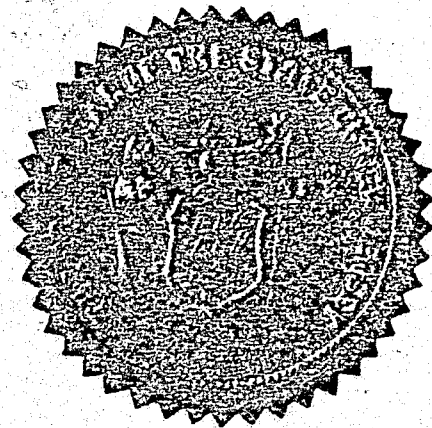
NOW, THEREFORE, I, BRENDAN BYRNE, Governor of the State of New Jersey, do hereby proclaim

April 20 - 26, 1980

as

CRIME VICTIMS' RIGHTS WEEK

in New Jersey



GIVEN, under my hand and the Great Seal of the State of New Jersey, this eighteenth day of April in the year of Our Lord one thousand nine hundred and eighty and of the Independence of the United States, the two hundred and fourth.

GOVERNOR

BY THE GOVERNOR:

DONALD LAN, SECRETARY OF STATE

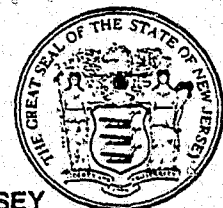
VICTIM/WITNESS

Program Development Guide:

A Model for Victim/Witness Services
in County Prosecutors' Offices

82827597

Supplement
Personnel Considerations



Brendan T. Byrne, Governor
James R. Zazzali, Attorney General
Edwin H. Stier, Director

STATE of NEW JERSEY
DEPARTMENT of LAW & PUBLIC SAFETY
DIVISION of CRIMINAL JUSTICE

outside resources is necessary since the prosecutor's office is unable to provide all the help that victims and witnesses may need. Knowledge of the criminal justice system and office policies is necessary to enable staff to respond to questions and concerns that victims and witnesses may raise about prosecution.

General areas of concerns include the length of time from complaint to disposition, plea bargaining policies, the means of determining sentence, bail policies, the role of pre-trial intervention, probation and parole, and the major stages of prosecution.

In addition to these basic areas of knowledge, victim/witness staff must be prepared to deal with clientele experiencing a diversity of needs and displaying attitudes ranging from anger to reluctance and cynicism. Furthermore, victim/witness staff must have initiative, an ability to assess client needs, a sense of commitment, and a willingness to promote improvements.

The major responsibilities of program staff include service delivery, rapport building with criminal justice and community agencies, program publicity, educational activities, and administrative functions. Although the number and nature of staff persons may vary, fundamental staff includes core personnel, resource personnel and auxiliary service providers. An outline providing an overview of staff persons, respective duties, responsibilities, and qualifications follows.

Victim/witness staff selection is based upon program goals and objectives, the range of services provided, and the nature of both victim/witness concerns and criminal justice system concerns. Staff members will be responsible not only for assisting victims and witnesses in obtaining needed services but also responding to criminal justice system needs such as counseling reluctant witnesses and encouraging witness cooperation. This requires the ability to work with a broad scope of people including the victim/witness clientele, police, prosecuting and judicial personnel, defense counsel, social service providers, and business representatives such as landlords, creditors, employers, and insurance claims representatives. Furthermore, to perform effectively, staff members must have basic knowledge of social service agencies, community resources, the criminal justice system, and office policies. Knowledge of

MAY 17 1982

ACQUISITIONS

A. Major Responsibilities of Program Staff

1. Service delivery.
2. Rapport building.
3. Public relations.
4. Educational activities.
5. Administrative functions.

B. Core Staff Persons/Key Staff

1. Program Director--Administrator

a. Duties and Responsibilities

- (1) Oversee program activities.
- (2) Develop ideas and plans.
- (3) Promote program credibility:
 - (a) within criminal justice system;
 - (b) government;
 - (c) community organizations;
 - (d) clientele;
 - (e) public.

b. Qualifications--General Management and Administrative Skills

- (1) Ability to conceptualize problems.
- (2) Ability to organize materials.
- (3) Ability to speak and write effectively.
- (4) Ability to make decisions.
- (5) Ability to work with different people effectively in a variety of settings.
- (6) Commitment to making improvements and changes.

c. Knowledge and Attitudes

- (1) Knowledge of problems, practices, and

cultures of the system within which the program operates:

- (a) criminal justice system;
- (b) victim/witness problems and needs.

(2) Knowledge of community resources.

(3) Knowledge of technical aspects of program administration.

(4) Appreciation of and commitment to program monitoring, evaluation, and changes as needed.

d. Experience

(1) Educational experience--college graduate with specialized education or training in the areas of administration and supervision.

(2) Employment experience--within criminal justice system and some related experience in human service work.

2. Victim/Witness Advocate

a. Duties and Responsibilities

- (1) Identify and contact prospective clients.
- (2) Assess client needs.
- (3) Service client needs:
 - (a) direct service;
 - (b) referral service.
- (4) Resource development.
- (5) Conduct educational and awareness activities.
- (6) Record case information.
- (7) Facilitate (client and system).

b. Qualifications and Skills--General skills in human service work and the criminal justice system.

- (1) Counseling skills.
- (2) Interviewing skills.
- (3) Communication skills.
- (4) Ability to relate well to others.
- (5) Writing and verbal skills.
- (6) Ability to plan, organize, and implement

ideas.

c. Areas of Knowledge

- (1) Human service.
- (2) Mental Health.
- (3) Crisis intervention.
- (4) Criminal justice system.
- (5) Case management.
- (6) Counseling and interviewing techniques.
- (7) Information recording.

d. Attitudes and Perceptions

- (1) Empathic.
- (2) Respectful.
- (3) Diplomatic.
- (4) Open-minded/flexible.

3. Secretarial Person

a. Duties and Responsibilities

- (1) Type.
- (2) File.
- (3) Record-keeping.
- (4) Reception.

b. Qualifications--Clerical, Secretarial Skills

c. Knowledge

- (1) Orientation to criminal justice system.
- (2) Orientation to human service field.

d. Attitudes

- (1) Respectful.
- (2) Empathic.

C. Supplemental Personnel--Support Staff/Support Systems

1. Police/Prosecutor Liaison

a. Client referral (to program staff)

b. Provide information:

- (1) Criminal justice system information.
- (2) Case status/disposition information.
- (3) Property return information.

2. Court Liaison (Administrative Personnel)

a. Assist with educational/awareness activities with court administration.

b. Assist with judicial training.

3. Court Attendant

a. Provide information while awaiting testimony.

b. Provide support, reassurance.

c. Report intimidation, harassment.

4. Probation/Pre-Trial Intervention (PTI) Personnel

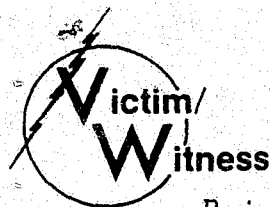
a. Case disposition information.

b. Victim advocacy--presentence report impact statement.

c. Restitution determination and collection court sentencing order.

5. Community Service Workers, Resources, Liaison

- a. Provide linkages to resources and services.
- b. Provide services.
- c. Client referral resource.
- d. Public relations, education and awareness activities (disseminate information).
- e. Source of volunteers.
- f. Volunteer recruitment
- g. Outreach workers
- h. Examples: social service agencies, civic groups, churches, hospitals, educational institutions, human service associations, senior citizen groups.



Project for the Handicapped

RECEIVED
SEP 11 1981

DIV. OF
CRIMINAL JUSTICE

September 1, 1981

Dear Victim/Witness Service Provider:

You have recently received a copy of VICTIM JUSTICE FOR DISABLED PERSONS: A RESOURCE MANUAL and a set of eleven brochures on legal and other issues relating to disabled persons. To assist the Victim/Witness Project for the Handicapped in evaluating the publication, we ask that you take a few moments to respond to the enclosed questionnaire. (Two copies are enclosed, one for an additional reviewer.)

VICTIM JUSTICE FOR DISABLED PERSONS attempted to meet the information needs that you and your colleagues expressed in an earlier survey. The present questionnaire will help the Project determine how well it met your needs and what needs remain unanswered. PLEASE RESPOND BY OCTOBER 15, 1981.

Thank you so much for your time and support.

Sincerely,

Myra S. Per-Lee

Myra S. Per-Lee
Project Director

QUESTIONNAIRE

VICTIM JUSTICE FOR DISABLED PERSONS: A RESOURCE MANUAL

1. Name of organization _____
2. Address _____

3. Phone number () _____
4. Name of reviewer _____
5. Does your organization provide direct services to victims and witnesses?
Yes _____ No _____
6. Approximate number of persons served by your organization this year. _____
7. Approximate number of persons served who were -hearing impaired _____
-visually impaired _____
-deaf-blind _____
-mobility impaired _____
-communication impaired _____
8. How many persons are employed or volunteer on your staff? _____
9. How many persons on your staff have read the manual? _____
10. Did the manual add to your general knowledge and understanding of physically disabled persons?
Yes _____ No _____
11. Did the manual adequately convey ways in which persons with physical disabilities can participate in and contribute to the efforts of the criminal justice system?
Yes _____ No _____
12. Did the manual provide adequate information about how to work with and accomodate persons with specific physical disabilities?
Yes _____ No _____
13. Was the information in the manual presented in a clear, readable style?
Yes _____ No _____

14. Is the information easily retrievable for future reference when working with a disabled client?

Yes _____ No _____

15. Which topics covered in the manual are most useful to you?

Yes No

a. Information about handicapping conditions?

b. Information about specific accommodations you should make for clients with disabilities?

1) hearing impaired

2) visually impaired

3) deaf-blind

4) mobility impaired

5) communication impaired

c. Information about how to provide outreach to disabled populations?

d. Information about legislation regarding the responsibilities of federally funded agencies to provide equal access to disabled persons?

e. Sources for further information and referral?

16. Has your service already implemented any of the accessibility modifications or other suggestions presented in the manual?

Yes _____ No _____

If yes, please specify _____

17. Does your service plan to make modifications for disabled persons in the future?

Yes _____ No _____

If yes, please specify _____

18. Have you contacted any of the organizations listed in the appendices for further information regarding disability?

Yes _____ No _____

19. Did the supplementary brochures provide you with useful information about issues affecting disabled persons?

Yes _____ No _____

Specify those which were most helpful _____

20. Comments: _____

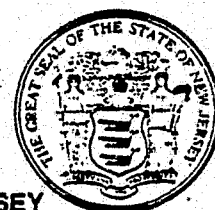
THANK YOU VERY MUCH!!

Please return questionnaire to Myra Per-Lee, Victim/Witness Project for the Handicapped, National Academy of Gallaudet College, Kendall Green, Washington, D.C. 20002.

**Victim/Witness
Notification System**
for County Prosecutors and the
Division of Criminal Justice

82827
1787

Brendan T. Byrne, Governor
James R. Zazzali, Attorney General
Edwin H. Stier, Director



STATE of NEW JERSEY
DEPARTMENT of LAW & PUBLIC SAFETY
DIVISION of CRIMINAL JUSTICE

VICTIM/WITNESS NOTIFICATION SYSTEM
FOR COUNTY PROSECUTORS AND THE
DIVISION OF CRIMINAL JUSTICE

NCJRS

MAY 17 1982

ACQUISITIONS

Brendan T. Byrne, Governor
James R. Zazzali, Attorney General
Edwin H. Stier, Director

State of New Jersey
Dept. of Law & Public Safety
Division of Criminal Justice

INTRODUCTION

The Victim/Witness Notification System for County Prosecutors and the Division of Criminal Justice was prepared by the Victim/Witness Coordination Project within the Prosecutor's Supervisory Section of the Division of Criminal Justice. The System was developed as the result of a survey of county prosecutor's offices and informal meetings with prosecutors' personnel which were conducted by the Project. The Victim/Witness Coordination Project is funded by a LEAA grant and staffed by Mary Ann Kenny Pidgeon, Deputy Attorney General, Coordinator and Judy Wheat Higginbotham, Assistant Coordinator.

TABLE OF CONTENTS

	Page
Introduction.....	i
List of Appendices.....	iii
Problem Statement.....	1
Description of Model Notification System.....	4
Production of Notification Letters.....	7
Program Strategies.....	8
Conclusion.....	10
Appendices	
References	

LIST OF APPENDICES

Appendix

- A. Informational Brochure, "Victim/Witness Guide"
- B. Standard Notification Letters (Samples)
- C. Notification Letter for Law Enforcement Officers
- D. Standard Form for Recording Witness Information

VICTIM/WITNESS NOTIFICATION SYSTEM

Problem Statement

The overall "treatment of witnesses in the criminal justice system has had a negative effect on crime prevention and deterrence"¹ by discouraging citizens from becoming involved in the criminal justice process through crime reporting, investigative and prosecution activities.² The identification of the accused and successful prosecution of a criminal case primarily depend upon the complete cooperation and effective participation of victims and witnesses. Yet, victim/witness cooperation problems are often a leading cause of case dismissals.

Concern for the lack of cooperation with the criminal justice system on the part of victims, witnesses, and citizens in general has been the subject of many reports and publications. The Prosecutors Manual, developed by the Department of Law and Public Safety, Division of Criminal Justice, and The County Prosecutors Association of New Jersey, summarized the problem in the following statement:

Witnesses and victims are expected to cooperate with criminal justice agencies but these agencies often are unable to insure that such persons are treated with consideration.

The cooperation of the victim and witness is often essential to successful prosecution.

¹Michael Ash, "On Witnesses: A Radical Critique of Criminal Court Procedures," Notre Dame Lawyer, Vol. 48:386, December, 1972, p. 387.

²Ibid.

Yet, where the victim or witness feels dissatisfied with his experience with the system, he will be apathetic, and reluctant to get involved in the future, either as a witness, or in assisting a police officer in distress.³

In a 1980 report on street crime, former Attorney General John J. Degnan expressed similar concern for the lack of citizen cooperation and emphasized the need to address relevant problems. Further, the report states that "deficiencies in the treatment of victims and witnesses by the criminal justice system" not only cause "some victims and witnesses to lose interest or to cease to cooperate with the prosecution" but also deter a citizen's willingness to report crimes in the first instance.⁴

Research substantiates criminal justice system responsibility for victim/witness cooperation problems. Surveys conducted by the National Institute of Law Enforcement and Criminal Justice, the Institute of Law and Social Research (INSLAW), and the National District Attorneys Association (NDAA) conclude that victim/witness lack of cooperation is linked to inadequate or inappropriate communications, improper case management, and the treatment that victims and witnesses receive while involved with the

³The Prosecutors Manual, State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice and The County Prosecutors Association of New Jersey, New Jersey, 1978, p. 47.

⁴"An Institutional Response to the Rising Crime Rate in New Jersey (A Report to Governor Byrne, submitted by John J. Degnan, Attorney General; Edwin H. Stier, Director, Division of Criminal Justice, and Colonel Clinton L. Pagano, Superintendent, New Jersey State Police)," State of New Jersey, Department of Law and Public Safety, Trenton, New Jersey, December 1, 1980, p. 28.

criminal justice system.⁵ These surveys not only identify the problem, but also recommend victim/witness services as a remedy.

The proposed notification system to inform victims and witnesses of significant case developments during the prosecution of criminal cases represents a primary initiative to address victim/witness concerns and reduce citizen cooperation problems. Victims and witnesses who experience the information void which frequently occurs after a crime is reported may believe that "their efforts to obtain satisfaction and justice through the criminal justice process...have been a waste of time and money." This, in turn, may cause the criminal justice system to be viewed as insensitive to citizens' needs and can discourage cooperation with the criminal justice system.⁶

On the other hand, the information and contact provided to victims and witnesses through the use of the proposed notification system will encourage a sense of confidence and commitment to the criminal justice system. The resulting sense of involvement, usefulness, and importance which victims and witnesses experience will contribute to improved cooperation and, in turn, successful prosecution of criminal cases.

⁵Improving Witness Cooperation, Summary Report of the District of Columbia Witness Survey and a Handbook for Witness Management, U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Washington, D.C., August, 1976, pp. vii, 5-8; The Victim Advocate, National District Attorneys Association Commission on Victim/Witness Assistance, Washington, D.C., (no date), p. 9; Witness Notification Unit, Number 5, Institute for Law and Social Research, Washington, D.C., 1976, pp. 1-6.

⁶The Prosecutors Manual, loc. cit.

In essence, the proposed Witness Notification System contained herein represents an important service for victims and witnesses because it: (1) fulfills a responsibility of the criminal justice system to inform victims and witnesses of case proceedings, (2) enhances citizens' perception that participation in the system is important and appreciated and, over a period of time, (3) will increase the public's confidence and desire to participate in the criminal justice process as knowledge of such interest and concern on the part of government becomes widespread.⁷

The proposed Witness Notification System not only benefits victims and witnesses but also benefits the criminal justice system through increased willingness to testify on the part of witnesses, greater availability of witnesses, a higher rate of witness cooperation, reduced case dismissals due to witness problems, and improved conviction rates.⁸

Description of Model Notification System

The model notification system, which is presently in effect in most counties in New Jersey, consists of a series of standard letters which correspond with each significant phase of criminal prosecution. The standard letters, listed below, represent the principal notifications to be provided to victims and

⁷The Victim Advocate, loc. cit.

⁸Victim/Witness Assistance, U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Washington, D.C., July, 1979, pp. 50, 51, and 65; "Executive Summary, Final Report, Milwaukee County Project Turnaround," Evaluation/Policy Research Associates, Ltd. and Price Waterhouse & Co., Milwaukee, Wisconsin, 1979, pp. 13, 14.

witnesses advising them of case developments. A perusal of the letters reveals that in most cases only two letters are required. These letters provide notification of the most important action taken during the grand jury stage or the trial stage of the litigation. Thus, in most cases, the victim or witness will receive the introductory brochure and two disposition letters. A sample copy of the introductory brochure and each notification letter listed is attached. (See Appendices A and B).

I. INTRODUCTORY BROCHURE INCLUDED IN GRAND JURY SUBPOENA

II. GRAND JURY STAGE

- A. ADMINISTRATIVE DISMISSAL
- B. REMAND TO MUNICIPAL COURT
- C. INDICTMENT RETURNED
- D. NO BILL
- E. ACCEPTANCE INTO PRE-TRIAL INTERVENTION

III. TRIAL STAGE

- A. GUILTY PLEA
- B. NOT GUILTY AFTER TRIAL
- C. GUILTY AFTER TRIAL
- D. DISMISSAL OF INDICTMENT

The informational brochure or orientation pamphlet, which is included with a subpoena to appear for grand jury or trial, provides information about the services available to victims and witnesses, an introduction to and an overview of the criminal justice process, suggestions for testifying in court, and the name and telephone number of a contact person within the prosecutor's office should additional assistance be needed. The brochure will familiarize witnesses with what to expect during the court process

as well as provide the name of a contact person to respond to relevant concerns and inquiries. This additional informational service will contribute to feelings of comfort and confidence of the victim/witness in the system as well as encourage more effective participation.

In addition to the principal notification letters and introductory brochure, notification of unique or special occurrences that may arise in the case may also be considered and provided to the victim or witness when appropriate. Examples include developments in criminal proceedings such as notice of subpoena for grand jury or trial, notice of continuation or referral to inactive status, transfer to another county for prosecution, change in plea status (i.e., retraxit of not guilty plea), and notice of sentence date or special disposition. This special type of notification frequently may be made by telephone contact. Although notifications in such instances are optional, they are nevertheless strongly suggested. It cannot be gainsaid that the principal letters sent at the most significant phases of prosecution are the most important and the greatest asset to assist in opening the lines of communication with the witness. However, letters sent at other stages can supplement and enhance the benefits of the basic notifications and, therefore encourage greater witness satisfaction and cooperation.¹⁰

The proposed notification system is appropriate for civilian witnesses as well as law enforcement officers. However,

¹⁰The Prosecutors Manual, loc. cit.; Keep Them Informed, National District Attorneys Association, Chicago, Illinois, (no date).

single letter or postcard listing principal stages of prosecution can be utilized as an alternative to individual notification letters for law enforcement officers. The current case status would be checked to indicate any significant development in case proceedings. Because law enforcement officers do not share the same need for a detailed letter about the case status or development in prosecution, the single letter or postcard would be less comprehensive and more efficient. A sample notification letter for law enforcement officers is attached. (See Appendix C).

Production of Notification Letters

As is true of all correspondence, the notification letters may be prepared by several methods. Letters may be individually typed, produced by word processing equipment, or form letters may be printed or photocopied. An individually typed letter, personally signed by someone on the prosecutor's staff, is the most effective form of written communication. Anyone who receives this more personalized form of correspondence is more likely to read the letter and respond in a cooperative manner.

Moreover, an individually typed notification letter is easily programmed into an automatic typewriter system, either the computerized word processing or the mag card machine. The notification letters are easily adapted to this equipment as it becomes available because the body of each standard letter remains the same. A secretary is merely requested to type specific case information such as the name and address of the victim or witness while the machine completes the body of the letter. This method of

typing the letter results not only in a more personal contact with the victim or witness, but may also prove to be more economical as it frees a secretary for other tasks while the machine types the letter. Additionally, some offices have found that despite an initial capital investment in word processing equipment, the overall cost of producing typewritten material has decreased because the number of secretaries and their overtime pay are reduced.¹¹

An alternative to the individually typed notification letter is the printed form letter. A form notification letter may be printed or photocopied and sent with the specific case information typed in the appropriate space. This type of letter does not appear as personal or as neat as the computerized or mag card letter, but it will convey the essential facts necessary to inform the victim or witness of the progress of the case.

Finally, the question of personnel to address the letters is frequently asked. This responsibility can be assumed by victim/witness assistance personnel, regular staff personnel, or, as in many counties, special employees subsidized by alternate funds or volunteers.

Program Strategies

The effectiveness of the notification system depends upon efficient management, organization, and supervision. The timeliness of notification letters, as well as the nature, style, and cost of the letters, is an important consideration for an effective system.

¹¹"Word Processing and Productivity Improvement, Final Report," State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, Princeton, New Jersey, November, 1980, pp. 4-6.

To assure proper notifications, information such as the names and addresses of witnesses, as well as developments in case proceedings or changes in case status, must be made available to the notification system staff either by manual or automated methods at appropriate intervals. If accomplished manually, the information can be obtained either by routing the case material through the designated staff person who will prepare the notification letter, or by having the staff person gather the needed information from other sections within the office.¹²

The Prosecutors Management Information System, PROMIS, a computerized information system, offers an alternative to the manual system of gathering, recording, and retrieving relevant witness and case information. This type of system will provide more efficiency, especially when dealing with volume, by generating needed information through automation.¹³

The form for recording the required information should be well planned so that it is accurately completed. Information to be recorded includes, for example, witness residence address and telephone number, employment address and telephone, work hours and vacation dates, and the names and addresses of close relatives or friends. A well-organized and managed system for not only recording information, but also filing relevant information, will expedite retrieval and response tasks where inquiries concerning individual cases are made.¹⁴ (See Appendix D).

¹²The Victim Advocate, op. cit., pp. 12, 13.

¹³Improving Witness Cooperation, op. cit., pp. 33, 34; Victim/Witness Assistance, op. cit., p. 38.

¹⁴Witness Notification Unit, op. cit., p. 3.

Conclusion

Clearly, most county prosecutors' offices in New Jersey are striving to meet the needs of victims and witnesses for information about the criminal case. Surveys conducted by the Victim/Witness Coordination Project in 1980 and 1981 revealed that most county prosecutors' offices utilize the principal notification letters. Implementation of this minimum notification system in every county will result in substantial improvement in the treatment of victims and witnesses.

APPENDIX A INFORMATIONAL BROCHURE "Victim/Witness Guide"

A brief list of service agencies which may be of assistance to crime victims and witnesses is provided below (Examples are noted.)

Violent Crimes Compensation Board
122 W. State Street
Trenton, New Jersey 08608

Crisis Intervention Center

Community Guidance Center

Emergency Aid Agencies

IMPORTANT INFORMATION

File Info/No. _____

Ass't. Prosecutor _____

Investigator _____

Telephone No's. _____

DATES/TIMES TO REMEMBER

Grand Jury date _____ time _____

Pre-Trial date _____ time _____
Conference

Trial date _____ time _____

LOCATION: The County Prosecutor's Office, Superior Courts, and Grand Jury are all located....
Parking is available

map

VICTIM/WITNESS GUIDE

COUNTY PROSECUTOR'S OFFICE
Victim/Witness Assistance Unit
telephone number

Message from the County Prosecutor

Dear Citizen;

You, as a witness, are important to the Criminal Justice System.

If our criminal justice system is to operate successfully, we must have your support, assistance, and cooperation. We also realize that the concerns and interests of victims and witnesses must be addressed.

This pamphlet has been prepared to assist you through the court experience. We hope you will find both the pamphlet and the victim/witness services we offer useful.

Thank you for your cooperation.

Very truly yours,

County Prosecutor

Victim/Witness Services

- Information about the criminal justice system
- Information about the specific case in which you are involved
- Private victim/witness waiting area
- Child care services during court appearance, if necessary
- Escort service to Courtroom
- Employer Intervention
- Referral to social service agencies
- Property return assistance
- Available parking facilities
- Transportation to Court, if necessary

For additional information
or assistance call:

Witness Guidelines

- Tell the truth, if your answer was confusing, re-state it.
- Don't guess, give facts, not opinions.
- Be sure that you understand the question.
- Answer only the questions asked, do not volunteer information.
- Speak clearly and loudly.
- Don't look for assistance when you are on the stand, if you need help, ask to speak to the judge.
- If the question is about distance or time and your answer is only an estimate, be sure to say it is only an estimate.
- Be courteous.
- Do not answer if there is an objection.
- Be serious, avoid joking.
- Neat appearance and proper dress are important.
- Above all--DO NOT LOSE YOUR TEMPER--Upon cross-examination Stay Calm.

APPENDIX B
STANDARD NOTIFICATION LETTERS
Samples



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

JAMES R. ZAZZALI
ATTORNEY GENERAL

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Please be advised that the charges against the defendant were dismissed after a careful review and full consideration of all available evidence.

Your cooperation as a witness has been important to the criminal justice process and is greatly appreciated. Please feel free to call (name of victim/witness advocate) within this office at (telephone number), if you have any questions regarding the above matter.

Very truly yours,

Prosecutor, _____ County

I. Grand Jury Stage
A. Administrative Dismissal



State of New Jersey

JAMES R. ZAZZALI
ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The above matter was referred to _____ Municipal Court for prosecution after a careful review and full consideration of all available evidence. The Municipal Court will notify you of the scheduled hearing date. If you have any questions about the scheduling procedures, it would be advisable to contact the Municipal Court Clerk at (telephone number).

Your continued cooperation and assistance is appreciated. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours, _____

Prosecutor, _____ County

- I. Grand Jury Stage
B. Remand to Municipal Court



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The _____ County Grand Jury has considered the evidence in the above matter and returned an indictment charging defendant with (charges).

As a witness in the matter, you may receive a subpoena to appear for the trial. Please contact (name of victim/witness advocate) of this office at (telephone number) to confirm receipt of the subpoena or report any change of address or telephone number.

Your role as a witness is essential to the criminal justice system and important to the prosecution of this matter. Therefore, your continued interest and cooperation is requested and will be appreciated. If you have any questions, please feel free to call.

Very truly yours, _____

Prosecutor, _____ County

- I. Grand Jury Stage
C. Indictment Returned



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

JAMES R. ZAZZALI
ATTORNEY GENERAL



13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The _____ County Grand Jury has reviewed the above matter and considered the evidence involved. As a result of its review, the Grand Jury did not find probable cause for the return of an indictment. Therefore, criminal prosecution will not be pursued and the case will be closed. Your assistance as a witness in preparing the case for presentation to the Grand Jury is greatly appreciated.

Thank you for your continued interest and cooperation. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours,

Prosecutor, _____ County

I. Grand Jury Stage
D. No Bill



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

JAMES R. ZAZZALI
ATTORNEY GENERAL



13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

New Jersey law provides that all defendants are eligible to apply for participation in a Pre-trial Intervention Program. This program is administered through the court system and requires careful screening and review. It is designated to rehabilitate defendants and provide an alternative to criminal prosecution in appropriate cases.

After a thorough review of the matter, the defendant was accepted into the County Pre-trial Intervention Program. Through this program, court ordered supervision will continue for _____ months. If the special conditions of supervision are fulfilled, the charges against the defendant will be dismissed.

Your continued cooperation and assistance are greatly appreciated. If you have any questions, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Very truly yours,

Prosecutor, _____ County

I. Grand Jury Stage
E. Acceptance into Pretrial Intervention



State of New Jersey

JAMES R. ZAZZALI
ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9300

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

This letter is to advise you that the defendant pleaded guilty to the charge(s), _____ on _____. Therefore, you may disregard any subpoena pertaining to this matter since a trial is no longer necessary. Although the matter did not reach trial, a conviction would not have been possible without your assistance and cooperation.

A sentence date will be scheduled after the County Probation Department completes a presentence investigation. If you have any questions about sentencing or other concerns, please feel free to call (name of victim/witness advocate) within this office at (telephone number).

Thank you for your assistance and cooperation in preparing this case for prosecution.

Very truly yours,

Prosecutor, _____ County

II. Trial Stage
A. Guilty Plea



State of New Jersey

JAMES R. ZAZZALI
ATTORNEY GENERAL

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9300

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Thank you for your cooperation in presenting the above case. With your assistance, prosecution was vigorously pursued. The defendant, however, was found not guilty of the offense(s) charged.

Proving a criminal case during trial "beyond a reasonable doubt" is not easy. Trial procedures have been established to reduce the possibility of innocent persons being convicted. It is important, however, that with your help the case was pursued within the framework of our criminal justice system.

If you have any questions about the verdict, please feel free to call (name of victim/witness advocate) at (telephone number).

Very truly yours,

Prosecutor, _____ County

II. Trial Stage
B. Not Guilty after Trial



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14

PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

JAMES R. ZAZZALI
ATTORNEY GENERAL

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear _____:

Thank you for your cooperation in presenting the above case. With your assistance, the case was successfully prosecuted.

The defendant was found guilty of the offense(s) _____ on _____. A sentence date will be scheduled after the County Probation Department completes a presentence investigation for the Court.

If you have any questions about the case prosecution or sentencing, please feel free to call (name of victim/witness advocate) at (telephone number).

Very truly yours,

Prosecutor, _____ County

II. Trial Stage
C. Guilty after Trial



State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14

PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

JAMES R. ZAZZALI
ATTORNEY GENERAL

RE: State v. _____
Prosecutor File No. _____

Dear _____:

The charges against the defendant in the above matter were dismissed by the court after careful review and consideration. Your continued assistance and cooperation, however, is greatly appreciated.

Please be advised that the charges against the defendant were dismissed after a careful review and full consideration of all available evidence.

Your cooperation as a witness has been important to the criminal justice process and is greatly appreciated. Please feel free to call (name of victim/witness advocate) within this office at (telephone number) if you have any questions regarding the above matter.

Very truly yours,

Prosecutor, _____ County

II. Trial Stage
D. Dismissal of Indictment

APPENDIX C
NOTIFICATION LETTER FOR
LAW ENFORCEMENT OFFICERS
Sample



JAMES R. ZAZZALI
ATTORNEY GENERAL

State of New Jersey
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE

13 ROSZEL ROAD
CN 14
PRINCETON, NEW JERSEY 08540
TELEPHONE 609-452-9500

EDWIN H. STIER
DIRECTOR

RE: State v. _____
Prosecutor File No. _____

Dear Officer:

Please be advised of the current status or action taken in the above-noted matter.

- () Administrative Dismissal
- () Plea of Accusation
- () Municipal Court Remand by Grand Jury
- () No Bill
- () Indictment Returned (for _____)
- () Acceptance into PTI Program
- () Downgrade by Prosecutor, Guilty Plea to Lessser Offense (_____)
- () Dismissal of Indictment
- () Not Guilty After Trial
- () Other Action (_____)

Date of Action (_____)

Thank you for your continued cooperation.

Very truly yours,

Prosecutor, _____ County

Case Status/Police Officer

APPENDIX D
STANDARD FORM FOR
RECORDING WITNESS INFORMATION

1. INTAKE DATE AND TIME

2. REFERRAL DATE

3. CASE NO.

IND. NO.

ASST. PROS.

4. DEFENDANT

VICTIM/WITNESS INFORMATION

PERSONAL DATA

5. NAME

6. ADDRESS

(Street)

(City)

(County)

(State)

(Zip)

(Telephone)

7. STATUS (Victim, Witness)

8. AGE

9. SEX

OFFENSE DATA

10. ORIGINAL CHARGES/TYPE OF OFFENSE

11. DATE OF OFFENSE

LOCATION OF OFFENSE (City, County)

13. POLICE CONTACTED/REPORT FILED

14. FINAL CHARGES

EMPLOYMENT DATA

15. EMPLOYER (Name and Address)

(Telephone)

16. WORK SCHEDULE

SERVICE INFORMATION

17. PROBLEM(S) STATED

18. INVOLVEMENT WITH OTHER AGENCIES (Current & Past)

19. DATE

SERVICE REQUESTED/ACTION TAKEN

20. FOLLOW-UP CONTACT (Date, Nature of Follow-up, Results)

REFERENCES

- Ash, Michael, "On Witnesses: A Radical Critique of Criminal Court Procedures," Notre Dame Lawyer, Vol. 48:386, December 1972.
- Evaluation/Policy Research Associates, Ltd. and Price Waterhouse and Company, "Executive Summary, Final Report, Milwaukee County Project Turnaround," Illinois, 1979.
- Institute for Law and Social Research, Witness Notification Unit, Number 5, Washington, D.C., 1976.
- National District Attorneys Association Commission on Victim/Witness Assistance, Keep Them Informed, Chicago, Illinois, (no date).
- , The Victim Advocate, Washington, D.C., (no date).
- State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice, "An Institutional Response to the Rising Crime Rate in New Jersey (A Report to the Governor submitted by John J. Degnan, Attorney General; Edwin H. Stier, Director, Division of Criminal Justice, and Colonel Clinton L. Pagano, Superintendent, New Jersey State Police)," Trenton, New Jersey, December 1, 1980.
- , and The County Prosecutors Association of New Jersey, The Prosecutors Manual, New Jersey, (no date).
- , "Witness Notification Survey," Princeton, New Jersey, December 16, 1980.
- U.S. Department of Justice, National Institute of Law, Enforcement and Criminal Justice, Law Enforcement Assistance Administration, Improving Witness Cooperation, Summary Report of the District of Columbia Witness Survey and a Handbook for Witness Management, Washington, D.C., August 1976.
- , Victim/Witness Assistance, Washington, D.C., July 1979.

END