

## Worksheet 5.2

# The Role of Victim Service Providers Across the Criminal Justice System

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### The Role of Victim Service Providers Across the Criminal Justice System Spectrum

- Inform victims of their rights under law.
- Provide basic information about law enforcement and criminal justice processes.
- (*For violent crime victims*) Provide information about victim compensation, and assistance with applying for compensation benefits.
- Identify and attempt to address victims' most important needs:
  - ♦ Begin with their most basic needs.
  - ♦ Recognize that victims' needs assessment information should be shared with allied professionals through integrated case management.
- Provide information about and referrals to supportive services in the community, as needed.

### Law Enforcement

- Provide crisis response assistance at the crime scene.
- Offer assistance in contacting immediate family members, friends, etc.
- Accompany victims to the hospital or medical care services.
- (In homicide cases) Coordinate death notification services with the responding law enforcement agency.
- Obtain and provide to the victim:
  - ♦ Copy of the police report.
  - ♦ Name and contact information for the responding officer and any investigators or detectives involved in the case.
  - ♦ Any answers to immediate questions he/she may have.
- Provide information about victim protection (as needed):
  - ♦ Assistance in seeking a protective order.
  - ♦ Assistance in developing a safety plan.

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- ♦ Identifying a safe place for the victim to go in the immediate-, short- or long-term.
- Provide information about victim notification about:
  - ♦ Status of the case (any hearings, such as bail or bond, etc.).
  - ♦ Status and/or location of the alleged offender (including any arrest, release, custody status, etc.).
  - ♦ How to register for victim notification.
- Provide resources for (or actual) crime scene cleanup.
- Provide information and resources to repair broken doors, windows, locks, etc.

### **Prosecution**

- Provide information about the status of the case and alleged/convicted defendant.
- Provide information to facilitate the victim's attendance at or participation in court proceedings:
  - ♦ Transportation.
  - ♦ Parking.
  - ♦ Child care.
- Facilitate communications between the victim and the prosecutor:
  - ♦ Identify the victim's wishes.
  - ♦ Share victim input with the prosecutor.
- When the victim is a witness, assist the prosecutor in witness preparation:
  - ♦ Explain the court process, key players, and the victim's role (if any) in court proceedings.
  - ♦ Provide a tour of the courtroom.
  - ♦ Answer any questions about the victim's role or involvement in the prosecution of the case.
- Identify and address victim safety or protection issues:
  - ♦ Help the victim obtain a protective order.
  - ♦ Help with personal safety planning.
- Victim restitution:
  - ♦ Help the victim document financial losses for the purpose of restitution.
  - ♦ Provide documentation to the prosecutor, and ask him/her to request restitution in all cases that result in pecuniary losses to the victim (so the request becomes part of the official court proceedings).
- Victim impact statements:

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- ♦ Help the victim consider information that can be included in a VIS (please visit [www.justicesolutions.org](http://www.justicesolutions.org) for a “model victim impact statement” form).
- ♦ Upon request, assist the victim in completing a VIS.
- Provide information about pre-sentence investigation reports (PSIs) and the victim’s role in providing information to the court or probation authority.
- Provide information about evidence in the case.
- Facilitate property return.
- Provide employer intercession services (as needed).
- (In cases involving multiple victims) Coordinate victims and witnesses for the case.

### **Courts**

- Provide an overview of key court proceedings:
  - ♦ Voir dire (jury selection).
  - ♦ Preliminary hearings.
  - ♦ Court proceedings.
  - ♦ Pre-sentencing hearings.
  - ♦ Sentencing hearing.
- Provide an explanation of the role of key court players:
  - ♦ Judge.
  - ♦ Court manager/administrator.
  - ♦ Prosecutor.
  - ♦ Defense counsel.
  - ♦ Bailiff.
  - ♦ Court reporter.
  - ♦ Jury.
  - ♦ Any others.
- In advance, offer the victim a tour of the courtroom to familiarize him/her with the layout:
  - ♦ Let the victim know if there is a victim/witness waiting area or room that is separate by sight and sound from the alleged/convicted offender and his/her colleagues and family.
    - If not, provide guidance to the victim about security in and around the courtroom.

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- (Upon request) Accompany the victim to court proceedings.
- Explain any court decisions related to the speed of proceedings:
  - ♦ Delays.
  - ♦ Continuances.
- Upon the court's decision:
  - ♦ Help the victim to obtain a copy of court proceedings (there is usually a cost associated with obtaining court transcripts).
- In cases that result in a "guilty" verdict:
  - ♦ Help the victim to obtain a copy of the sentencing order.
  - ♦ Explain any conditions of sentencing (particularly those that pertain to the victim).
  - ♦ Provide information about what will happen to the convicted offender:
    - Status and location.
    - Any pre- or post-sentencing investigation reports.
    - Contact information for the custody facility or probation agency/officer.
- In cases that result in a "not guilty" verdict:
  - ♦ Be prepared to provide victims with an explanation about how the decision was reached.
  - ♦ Provide information about and referrals to supportive services.

### **Probation**

- Provide victims with an overview of probation supervision:
  - ♦ Information about the probation agency.
  - ♦ Name and contact information of supervising probation officer.
  - ♦ Court-ordered conditions of supervision.
  - ♦ What to do in cases where the offender is in violation of conditions of supervision.
    - Any victims' rights relevant to probation violations.
- Provide victims with information about and assistance in completing pre-sentence investigation reports (PSIs).
- Provide assistance with any measures that enhance victim safety:
  - ♦ Obtaining protective orders.
  - ♦ Personal safety planning.
- Provide information about victim restitution:

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- ♦ How to document financial losses for restitution.
- ♦ Information included in the court order.
- ♦ Information about how to seek civil remedies to complement court-ordered restitution (this may be automatic in some states and, in others, may require specific action by the victim).
- Provide information about how offenders are assessed for risk, including any information that is specific to the victim.
- Provide information about any victim/offender programming (where relevant):
  - ♦ Victim awareness programming or victim impact classes.
  - ♦ Victim/offender dialogue or mediation.
  - ♦ Victims' input into offenders' community service assignments.

### **Institutional Corrections**

- Provide information about how the victim can be notified about the status and location of the offender.
- Provide information about designated staff that can provide victims with information and assistance:
  - ♦ Centralized Departments of Corrections units.
  - ♦ Work site staff (at prison institutions).
- Provide information about how offenders are classified for placement within a DOC.
- (When relevant) Provide information about victim restitution, and how to seek it from incarcerated offenders.
- Provide information about any victim/offender programming (where relevant):
  - ♦ Victim awareness programming or victim impact classes.
  - ♦ Victim/offender dialogue or mediation.
  - ♦ Victims' input into offenders' community service assignments.
- Provide information about offender programming:
  - ♦ Education.
  - ♦ Sex offender treatment.
  - ♦ Batterers intervention.
  - ♦ Victim awareness programming.
  - ♦ Any other programs.
- Provide information about the estimated length of sentence:

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- ♦ Prepare the victim for potential release date/hearing.
- ♦ Provide any known information about the offender's transition to parole release.
- In death penalty cases:
  - ♦ Information about potential appellate proceedings and any relevant victims' rights.
  - ♦ Information about victims' rights to participate in/attend executions.

**Parole**

- Provide information about the state's paroling authority (including any designated victim assistance programs/divisions), and its decision-making process.
- Provide information to victims about any rights they have relevant to an offender's release on parole and/or parole hearing:
  - ♦ Participation.
  - ♦ The pre-parole investigation (PPI) process, and any victim's right to input.
  - ♦ Victim impact statements at parole hearings (in person, in writing, or through any other venue available under law) and victim input relevant to:
    - Safety/protection.
    - Restitution or other legal/financial obligations (such as child support).
    - Other conditions of supervision (i.e., requesting offender programming, such as batterers intervention classes or sex offender counseling, etc.).
- Provide information about victim's attendance at parole hearings:
  - ♦ Facility (location and security issues).
  - ♦ How to dress, and restrictions on what to bring.
  - ♦ Security and accompaniment.
  - ♦ (Where relevant) Long-distance closed-circuit proceedings.
- Following parole hearings, debriefing with the victim:
  - ♦ Paroling authority decision.
  - ♦ Any victim concerns, and developing a plan to address them.
- (In cases involving parole release) Provide information about:
  - ♦ The parole release decision, and conditions of supervision (particularly those specific to the victim, i.e., safety and protection).
  - ♦ Name and contact information for the supervising parole agent/officer.
  - ♦ What the victim can do in cases of parole violation:
    - How to notify authorities if a violation occurs.
    - Victims' rights relevant to parole violation hearings.