



**VICTIM/WITNESS ASSISTANCE UNDER PCCD'S  
GRANT AND TECHNICAL ASSISTANCE PROGRAM:**

**THE CASE FOR EXPANSION**

**FINAL REPORT**

**JUNE 1989**

**PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY  
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U.S. Department of Justice  
National Institute of Justice

*Part I*

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## I. EXECUTIVE SUMMARY

On June 30, 1984, the General Assembly passed legislation recognizing the importance of victim and witness cooperation to the effectiveness of the criminal justice system. The act provided a bill of rights for crime victims and created a grant and technical assistance program in the Pennsylvania Commission on Crime and Delinquency. The Commission was authorized to make grants and to provide technical assistance to district attorneys and other criminal justice agencies for the purpose of ensuring that the rights and services enumerated in the legislation were honored and protected for victims in a manner no less vigorous than for the protections afforded the accused.

The Commission's legislative mandate included a charge to promote broad-based participation by a maximum number of counties statewide. In March of 1985, the Commission awarded its first grants for victim/witness assistance under the program to 11 counties. As of the Spring of this year, 56 of Pennsylvania's 67 counties are actively participating in the program.

The program is financed by a five dollar penalty assessment on convicted offenders that generates just under \$1 million per year. The experience of the first five years, however, has shown that the legitimate demands for victim/witness assistance statewide cannot be satisfied with a \$1 million fund.

The body of this report documents the gaps in current services, estimates the costs of expansion and offers several recommendations for raising the required revenue. The report calls for the creation of 30 new programs (10 criminal justice/20 community-based). Existing programs would be expanded by approximately 75 full-time equivalent positions over the 85 at present. The report further estimates the costs of clerical support, operational expenses, training and equipment. The total cost of expansion, including a modest increase in PCCD staff support, is \$3.8 million in the first year of full implementation. The cost excluding capital (one-time) expenditures is roughly \$3.4 million.

The report recommends that the entire cost of expansion be borne by revenue derived from penalties on offenders. No General Fund appropriations are sought and local matching contributions are retained only as an option if needed. The specific recommendations are:

1. An increase of \$15 in the current costs.
2. The inclusion of presently excluded diversionary cases, e.g., ARDs.
3. The inclusion of certain currently excluded Motor Vehicle Code offenders, i.e., Driving Under the Influence/Homicide by Vehicle While Driving Under the Influence offenders.
4. Discretionary authority for the court to impose a separate fine of up to 100% of the statutory maximum for direct deposit into PCCD's Victims' Fund.

Projected revenue from the first three recommendations is approximately \$3.5 million per year at maturity. Revenue from the fourth, while harder to predict and subject to significant fluctuation year to year, should be significant over time.

The implementation of the above recommendations offers the opportunity to fulfill the mandate of the authorizing legislation and to further address the serious unmet needs of the Commonwealth's crime victims.

## II. BACKGROUND

The Commission on Crime and Delinquency's involvement in victim/witness services dates back to the mid-seventies when it began funding a variety of victim assistance projects with Law Enforcement Assistance Administration (LEAA) funds. In the fall of 1983 that involvement intensified with a gubernatorial mandate to examine the status of services for victims and witnesses in the Commonwealth and to propose improvements. The resultant report<sup>1</sup> highlighted significant progress in a number of areas while citing the need for state leadership and the coordinated development of additional state and local services.

In December 1983, the Commission appointed its first Victim/Witness Advisory Group comprised of criminal justice and victim service professionals to advise the Commission in its accelerating role on matters of victim-related policy. The group's predominant task was the development of comprehensive statewide standards for services to victims and witnesses of crime.

On June 5, 1984, the Advisory Group presented and the Commission adopted the state's first recognized standards for the treatment of victims and witnesses incorporating direction for both criminal justice and community-based agencies.<sup>2</sup> Less than one month later, on June 30, legislation was enacted creating PCCD's Victim/Witness Services Grant and Technical Assistance Program<sup>3</sup> to be financed by an added five dollar cost on convicted offenders. The impetus for the program was prescribed by statute.

"In recognition of the civic and moral duty of victims of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of victim cooperation to State and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this Commonwealth, the General Assembly declares its intent, in this section, to ensure that all victims of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended in sections 479.1 through 479.5 to victims of crime are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants."<sup>4</sup>

Specifically, the Commission was directed to provide grants and technical assistance to district attorneys and other criminal justice agencies which provide notification/protection services, expedited property return, assistance with victim impact statements/restitution and other services as defined by the Commission.<sup>5</sup> The Commission was further required to "promulgate such guidelines as are necessary to ensure the cost-effective delivery of victim services...and...promote broad-based participation by the maximum number of criminal justice agencies statewide."<sup>6</sup> Relying on the advice of its Victim Services Advisory Committee,<sup>7</sup> the Commission formally adopted the new program guidelines on December 4, 1984.



The guidelines established the criteria for participation in the new program. Grants and technical assistance would be provided to any county which agreed to:

- 1) create a local policy board comprised of criminal justice and victim service professionals to be used to coordinate services and recommend local policy;
- 2) maintain the existing financial commitments to victim services and not use PCCD funding for the purpose of supplantation; and
- 3) complete and file a countywide needs assessment and program plan documenting the gaps in services and identifying the strategies to close those gaps.

The guidelines further: 1) specified that the comprehensive service standards previously adopted by the Commission would prescribe the range of services to be addressed; and 2) set an allocation formula which would yield a fixed allocation for each participating county. Allocations would be derived by calculating and combining each county's proportional influence to the state total on three factors: population, target crime<sup>8</sup> and collections of victim-related penalty assessments.<sup>9</sup>

As of the spring of 1989, fifty-six of the sixty-seven counties in Pennsylvania are actively participating in the program through the provision of grants and/or technical assistance.<sup>10</sup> However, while the Commission has fulfilled its mandate to promote broad-based participation, the demands of victim assistance in fifty-six counties cannot be accommodated by the annual

\$1 million fund generated through the five dollar added cost on offenders. This paper provides an assessment of the need to expand existing services to meet these demands and offers recommendations for financing the additional effort. The scope of this report is limited to criminal justice-based programs and community-based programs which offer services to "other serious crime"<sup>11</sup> victims. It does not include an examination of, or request for additional support for, community-based services to sexual assault, domestic violence and/or child abuse victims. These program services are overseen by the Department of Public Welfare.

BACKGROUND FOOTNOTES

- 1 Victim/Witness Services in Pennsylvania: A Need for Coordination and Development, Pennsylvania Commission on Crime and Delinquency, November 3, 1983.
- 2 Fair Treatment for Victims and Witnesses of Crime: An Action Strategy for Pennsylvania, Pa. Commission on Crime and Delinquency, April 1985.
- 3 Act 1984-96.
- 4 71 P.S. §180-9.
- 5 71 P.S. §180-9.4.
- 6 71 P.S. §180-9.5.
- 7 The Victim/Witness Advisory Group was retained and elevated to committee status in anticipation of its role in the recommendation of program grant awards.
- 8 Homicide, rape, robbery, aggravated assault, burglary and arson.
- 9 \$15 costs under Act 1984-96 and \$10 costs under Act 1982-157 (reauthorized by Act 1988-44).

10 1989 PARTICIPATING COUNTIES WITH ALLOCATIONS

<u>County</u>	<u>Allocations</u>	<u>County</u>	<u>Allocations</u>	<u>County</u>	<u>Allocations</u>
Adams	8095	Dauphin	38035	Montgomery	56694
Allegheny	122498	Delaware	50001	Northampton	18679
Armstrong	7532	Elk	6000	Northumberland	8907
Beaver	15708	Erie	24386	Pike	TA*
Bedford	6000	Fayette	14400	Philadelphia	130808
Berks	25696	Forest	TA*	Schuylkill	12270
Blair	14400	Franklin	12193	Snyder	6000
Bradford	6000	Greene	6000	Somerset	8820
Bucks	39209	Indiana	7693	Sullivan	6000
Butler	14734	Jefferson	6000	Tioga	6000
Cambria	14503	Juniata	TA*	Union	6000
Cameron	6000	Lackawanna	16618	Venango	8111
Centre	14400	Lancaster	31498	Warren	6000
Chester	31613	Lawrence	11497	Washington	15976
Clarion	6000	Lebanon	11229	Wayne	6000
Clinton	6000	Lehigh	23004	Westmoreland	31837
Columbia	6000	Luzerne	25737	Wyoming	6000
Crawford	9555	Lycoming	14400	York	33199
Cumberland	15710	Mercer	11742		

\*TA=Technical Assistance

- 11 Surviving family of homicide victims, robbery, aggravated assault and burglary victims.

### III. THE NEED FOR EXPANSION

In an attempt to quantify the statewide need for services for victims and witnesses of crime, we initially looked at Pennsylvania's Uniform Crime Report which indicates that there were 363,731 crime victims in Pennsylvania in 1987.<sup>1</sup> But this figure includes only those victims who report the crimes to the police. The National Crime Survey reports that in 1987 less than 40% of the personal and property crimes studied were brought to the attention of the police.<sup>2</sup>

Beyond the difficulty in establishing the number of victims lie variables which will significantly influence the need for service. The type of offense, characteristics of the victim and circumstances of the crime will dictate a service need ranging from very little to intensive involvement. Since these are complex factors that occur in different combinations there is no statistical formula which will yield the precise demands for service based upon published data. The PCCD Victim/Witness Assistance Program created by Act 96 has laid an excellent foundation for delivering the range of services which are important to victims. Under the current funding restraints, however, these services cannot be extended to all victims.

#### Current Service Levels

The basis of the Commission's approach to evaluating victim service needs is that the service providers who work most closely with the victims know best the difference between what is currently offered and what is needed. To tap this source of knowledge PCCD contacted the victim services staff in each

district attorney's office as well as the program directors in each of the community-based comprehensive victim service programs. As previously indicated, the scope of this needs assessment is confined to criminal justice-based services and the needs of the other violent crime victims excluding sexual assault, domestic violence and child abuse.

The format for the extensive telephone interview with direct service staff is provided in Attachments A and B. For each of the services listed under the Victims' Bill of Rights, the services separately encouraged in Act 96 and the Commission's Standards, each interviewee was asked to indicate the extent to which the service is being met. The responses were categorized in three ways:

- 1) Service Needs Met - all victims are routinely provided service;
- 2) Service Needs Met Within Available Resources - victims may or may not receive services based upon competing demands on the time of existing staff; and
- 3) Service Needs Not Met - Service is not currently extended to victims.

The results of the criminal justice-based program survey are provided by county below (N=48 - 46 counties with two programs in two counties):

<u>Service Type</u>	<u>Met</u>	<u>Service Needs</u>	
		<u>Met Within Resources</u>	<u>Not Met</u>
<u>Bill of Rights</u>			
Assistance with Victim Impact Statements for Sentencing	15	33	0
Assistance with Restitution	8	40	0
Victim Notification of Offender Release	13	31	4
<u>Other Services</u>			
Assistance with Crime Victim Compensation	20	27	1
Intimidation Protections	16	29	2
Secure Waiting Areas Separate from Defendants during Court	15	20	12
Assistance with Input at Pleas	5	39	2
Assistance with Input at Parole	6	36	3
Witness Management	15	23	9
Notice of Case Status	13	31	2
Notice of Disposition	18	28	1
Court Orientation	18	24	5
Property Return	6	39	0
Coordination of Services and Victim Advocacy	18	30	0

Note: Some rows may sum to less than 48 due to no response in certain areas.

As the table illustrates, with the exception of : 1) a separate waiting area for victims and witnesses during court; and 2) witness management, almost all programs are providing some assistance in all areas. It is further encouraging to note that far more counties have satisfied the need for services in these areas than have done nothing (Column 1 vs. Column 3). The most critical problem facing those who assist victims is captured in the center column. Almost all programs are understaffed and the ability to provide assistance suffers accordingly.

Of the forty-six counties receiving funding for the above services, assistance in thirty-four is provided through a part-time position. And even in

those counties which enjoy one or more full-time staff, the volume of victims cannot be served at current staffing levels. Thus, services to victims occur more on the basis of staff availability than on the basis of the actual need.

For the community-based programs, which provide services to "other serious crime" victims, i.e., the family of homicide victims, robbery, aggravated assault and burglary victims, the responses were more erratic. The following table provides a breakdown (there were 26 programs in 20 counties):

<u>Service Type</u>	<u>Met</u>	<u>Service Needs</u>	
		<u>Met</u>	<u>Not Met</u>
		<u>Within Resources</u>	
Crisis Intervention			
24 hour Access for Referral	19	0	7
24 hour Crisis Response	17	1	8
Individual Counseling	14	10	2
Support Group Counseling	6	3	17
Accompaniment to Criminal			
Justice/Medical Facilities	12	14	0
Assistance with Crime Victims			
Compensation	14	12	0
Early Outreach Prior to the			
Judicial Process	5	21	0
Child Care Services	3	6	17
Transportation Services	3	12	11
Employer/Creditor Intercession	13	9	4
Criminal Justice/Relevant			
Other Training	3	16	7

It would appear from this table that the community-based programs are more likely than criminal justice to completely exclude a particular service in favor of a higher concentration of effort in another area. The most disturbing finding is the absence of crisis intervention in as many as seven programs. Important services such as counseling, accompaniment and assistance with victim compensation claims are also found lacking sufficient support.

The staff dedicated to serving this category of other serious victims is analogous to the staff in criminal justice programs in that they are primarily part-time. However, unlike criminal justice programs, which are widespread, programs of this type exist in only 20 counties and, outside Philadelphia, are almost exclusively extensions of sexual assault programs. Given the restricted number of clients in many counties, this approach to meeting the needs of other serious crime victims, i.e., through extension of existing programs, is seen as more cost-effective than the creation of additional autonomous agencies.

#### Need for Additional Staff

Part of PCCD's interview process dealt with the additional staff required to address unmet needs. Each respondent was asked to quantify the need for additional staff. The requests were, with few exceptions, surprisingly modest.

PCCD staff organized the staffing requests by grouping counties on the basis of two objective criteria - common pleas dispositions and personal injury crimes. Common pleas dispositions were viewed as the best indicator of criminal justice workload since the majority of this program's activity is tied to cases disposed at this level. Personal injury crimes, i.e., UCR-reported homicides, robberies and aggravated assaults were viewed as the appropriate workload standards for community-based agencies given the nature of their work which requires their involvement whether or not the offender is apprehended.

Once the counties were grouped into workload blocks based on these criteria, PCCD staff considered the range of existing staff in contrast to the range of desired staff, looked for consensus within blocks of counties and



exercised judgments on the appropriate staffing range for each block of counties. The results of this exercise are provided by type of program in the tables in Attachments C and D. The recommended staffing range, expressed in hours per week for professional and clerical staff, represents PCCD's judgement on the appropriate staffing pattern to meet the demands for the services as referenced above.

For example, in the Block 4 counties of the criminal justice table (Attachment C), staff is recommending from one to two (40 to 80 hours per week) full-time professional staff and from a part to full-time (20 to 40 hours per week) secretary. Staff does not recommend program awards in the smallest counties (Block 9). Given the low volume of victims, we recommend the provision of training and technical assistance to existing staff. The total range of staff begins with 15 to 20 hours of professional staff in counties with 134 to 276 cases per year (Block 8) and peaks in Philadelphia with 26 full-time professional staff (1,040 hours) and 100 hours of clerical support. The overall staffing recommendation roughly approximates an average 1,500 cases per full-time equivalent staff with fewer cases per staff in the smaller counties and more cases per staff in Philadelphia.

The same logic can be applied in the review of the community-based table (Attachment D). Due to the more intensive nature of services, however, the number of victims per full-time equivalent staff is much lower - an approximate average 350 victims per full-time equivalent position.

As previously indicated, the dynamics of victim assistance defy any attempts to quantify the appropriate time needed per case. However, a rough translation of 1,500 cases per full-time equivalent staff is 30 cases per week. This is a reasonable standard when you consider that the victim/witness coordinator's responsibilities, depending upon the outcome of the case, can include all of the following:

- 1) orientation to the criminal justice system
- 2) case status updates
- 3) witness management
- 4) assistance with input on pleas
- 5) assistance with victim compensation claims
- 6) assistance with restitution
- 7) assistance with victim impact statements for sentencing
- 8) notification of offender release
- 9) assistance with input at parole
- 10) employer/creditor intercession
- 11) general coordination of victim services with other criminal justice and social service agencies.

With respect to community-based programs, an average of 350 victims per full-time equivalent position approximates a caseload of roughly 30 victims per month. Again, this is a reasonable standard in light of the more intensive involvement of community-based agencies. These counselors will provide crisis intervention and short-term counseling, organize support groups as needed, assist with victim compensation claims and provide transportation and

accompaniment to medical/criminal justice facilities. It is PCCD's position that these services should be extended to homicide survivors and robbery, aggravated assault, and burglary victims in more than the mere 20 counties which are currently active. These services should be based in all major counties with satellite support extended to the smaller counties where feasible.

NEED FOOTNOTES

- <sup>1</sup> 1987 Crime in Pennsylvania Uniform Crime Report, Pennsylvania State Police, Bureau of Research and Development, p. 96.
- <sup>2</sup> Criminal Victimization 1987, U.S. Department of Justice, Bureau of Justice Statistics Bulletin, October 1988, p. 5.

#### IV. THE COSTS OF EXPANSION

The costs of the statewide program expansion are designed to accomplish two ends: 1) to provide sufficient staff to accommodate the legitimate need for service; and 2) to professionalize the programs by providing salary scales commensurate with responsibilities and sufficient training and resources for the cost-effective delivery of services.

With respect to the latter point, due to the widespread interest in this program and the limited program fund, most counties have been forced to hire staff at substandard salaries. The range of compensation in this program for 1989 is from \$4.46/hour to \$13.36/hour with a median of \$7.00/hour, or \$13,650 per year. Many of these positions include little or no benefits.

While under the program some excellent candidates have been hired, some of which are still employed, the salaries offered to date have been generally insufficient to attract and retain the best staff. The program experiences an annual turnover of about 30% - a serious problem that results in significant program interruptions and difficulties sustaining services at a high level.

The need to concentrate limited funding in salaries causes shortfalls in other budget areas. There is little or no money available for such items as training and advanced equipment. The field of victim assistance is relatively

new and most new hires have little experience in victim services. The training opportunities for program staff have generally been restricted to PCCD's Annual Statewide Victim/Witness Assistance Conference, a limited number of regional seminars on selected topics and some technical assistance, i.e., the transfer of program technology from one jurisdiction to another. PCCD staff is working toward professional standards for these victim assistance positions to include a training curriculum geared to certification and has included some of the costs of this training as part of this request.

The final point on professionalizing these programs deals with equipment. The principal task of criminal justice-based programs is managing information. Victim/witness coordinators need to seek and provide timely information on case status, compensation/restitution matters, pleas, sentencing and parole. Much of this activity requires written communication. The community-based programs are also engaged in a significant amount of written communication with victims and have a need to manage a great deal of client information as part of their case files. For these reasons, part of the ensuing costs is dedicated to the acquisition of automated equipment which would provide programs with a basic management information system and word processing capability.

The costs of program expansion fall into three categories: 1) criminal justice-based programs; 2) community-based programs; and 3) PCCD technical assistance, training and support. The program categories are further subdivided into the creation of new programs, expansion of existing programs, training and equipment. Given the proportion of the total request attributable to Philadelphia and Allegheny County and in light of salary adjustments, staff in these jurisdictions are also accounted for separately.

CRIMINAL JUSTICE-BASED PROGRAMS (Total Costs Summarized at the  
End of this Section.)

I. New Program Additions

As the Recommended Staffing Table in Attachment C indicates, most counties are currently operating criminal justice-based programs with PCCD state funding. We recommend the creation of new programs in ten inactive counties. The cost of creating properly staffed programs is arrived at by multiplying the recommended hours at the top of the range by an hourly rate over a fifty-two week period. For example, the recommended staffing in Chester, a Block 4 county, is 80 and 40 hours respectively for professional and clerical staff. The calculation is as follows:

80 hours/week x \$7.50/hour x 52 weeks = \$31,200

40 hours/week x \$6.00/hour x 52 weeks = \$12,480

Total salaries = \$43,680

The professional hourly salary figure (\$7.50) is consistent with the statewide median salary of an entry level probation officer annualized at \$14,625. Fringe benefits are figured at 25%. Start-up and on-going operational expenses are calculated respectively at \$2,250 and \$850 per staff (See Attachment E). These calculations are made for each of the ten targeted counties (0 current staff) to arrive at a total cost of \$252,275 for ten new program additions.

II. Expansion of Existing Programs

The difference in calculations between new and existing programs is that, for the latter, the existing program staff are subtracted from the total staff recommended, yielding the additional costs. Referring again to Attachment C,

the recommended staffing for Philadelphia is 1,040 and 100 hours respectively for professional and clerical staff. Current hours are 560 and 100. The cost, then, of properly staffing the Philadelphia program is: 480 hours (1,040-560) x \$11.00/hour x 52 weeks, or \$274,560 per year. Since current and recommended clerical hours are identical, no increased costs are associated with clerical support. The \$11.00/hour salary figure is used rather than \$7.50 for consistency with an entry level probation officer in Philadelphia.

The differences between current and recommended staffing hours were similarly calculated for the remaining counties with existing programs. As a group, the figures are as follows:

Professional Staff	905 hours x \$8.50/hour x 52 weeks = \$400,010
Clerical Staff	651 hours x \$6.00/hour x 52 weeks = \$203,112

The \$8.50 figure for the expanded hours of existing staff, rather than \$7.50, provides for the longevity in the position over the entry level salary. Fringe benefits and operating costs are figured on the same basis as for new programs.

### III. Training

The provision of quality services in the victim assistance field, like any other service profession, requires a commitment to basic and continuing education. Thus, staff development is seen as a critical component in the advancement of this statewide program. Training costs have been divided into pre-service and continuing education (See Attachment F). Each new hire would undergo 40 hours of pre-service training (criminal justice orientation) as well as 40 hours of victimization training (counseling orientation) within three to six months of being hired. Additionally, all victim services staff in criminal justice-based agencies would be required to attend 40 hours of continuing



education each year through participation in a combination of statewide, regional and local workshops. The total cost of this training, primarily lodging, travel and subsistence for up to 111 staff in each phase, is \$147,645.

IV. Equipment

As was previously indicated, the nature of the work of victim assistance staff strongly suggests a need for automated equipment for the management of information and facility of written communications. The cost of automating these programs (some already have this capability) is figured at \$180,000 - 30 systems at \$6,000 per system (See Attachment E).

A summary of the costs for criminal justice-based programs is provided in the following table.

SUMMARY OF PROGRAM COSTS

CRIMINAL JUSTICE-BASED PROGRAMS

	<u>Costs Including Start-Up Expenditures</u>	<u>Costs Excluding Start-Up Expenditures</u>
I. <u>NEW PROGRAM ADDITIONS (10)</u>		
Staff Costs - 390 hours/week @ \$7.50/hour x 52 weeks	\$ 152,100	\$ 152,100
Clerical Costs - 100 hours/week @ \$6.00/hour x 52 weeks	\$ 31,200	\$ 31,200
Fringe Benefits - \$183,300 x 25%	\$ 45,825	\$ 45,825
Operating Costs (Attachment E)	<u>\$ 23,150</u>	<u>\$ 8,000</u>
TOTAL NEW PROGRAMS	\$ 252,275	\$ 237,125

	<u>Costs Including Start-Up Expenditures</u>	<u>Costs Excluding Start-Up Expenditures</u>
<b>II. <u>EXISTING PROGRAM EXPANSION</u></b>		
Staff Costs -		
<u>Philadelphia</u> - 480 hours/week @ \$11.00/hour x 52 weeks	\$ 274,560	\$ 274,560
<u>State less Philadelphia</u> - 905 hours/week @ \$8.50/hour x 52 weeks	\$ 400,010	\$ 400,010
Clerical Costs - 651 hours/week @ \$6.00/hour x 52 weeks	\$ 203,112	\$ 203,112
Fringe Benefits - \$877,682 x 25%	\$ 219,421	\$ 219,421
Operating Costs - (Attachment E)	<u>\$ 63,525</u>	<u>\$ 15,250</u>
TOTAL EXISTING PROGRAM COSTS	\$1,160,628	\$1,112,353
<b>III. <u>TRAINING AND STAFF DEVELOPMENT</u></b>		
Pre-service Training - 51 40-hour training programs. (Att. F)	\$ 28,560	\$ 15,120
Continuing Education - Specialized training and conferences. (Attachment F)	<u>\$ 119,085</u>	<u>\$ 111,885</u>
TOTAL TRAINING AND STAFF DEVELOPMENT	\$ 147,645	\$ 127,005
<b>IV. <u>EQUIPMENT</u></b>		
Automated Equipment Needs - 30 systems @ \$6,000/system (Att. E)	\$ 180,000	\$ -0-
GRAND TOTAL	<u>\$1,740,548</u>	<u>\$1,476,483</u>

COMMUNITY-BASED PROGRAMS (Total Costs Summarized  
at the End of this Section.)

I. New Program Additions

As previously indicated, services for homicide survivors, robbery, aggravated assault and burglary victims are available in only 20 counties. We recommend the creation of programs in an additional 20 counties which are currently inactive. The process for calculating costs is identical to the basis used for criminal justice-based programs. Recommended staffing is found in Attachment D.

II. Expansion of Existing Programs

Again, using the figures from Attachment D, the calculations parallel those for criminal justice programs with one exception - clerical salaries in Philadelphia and Allegheny County are figured at \$8.50/hour to reflect higher labor costs.

III. Training

The commitment to personnel training in community-based programs is just as important as in the criminal justice system. New hires in the community-based programs would receive 40 hours of pre-service training and during the first year would complete a 20-hour internship with a criminal justice-based victim/witness program as well as a 25-hour internship with an experienced comprehensive community-based program. Continuing education on relevant topics would be required at a rate of 40 hours per year. A cost breakout is provided in Attachment G.

IV. Equipment

Automated information systems for client data files and word processing would be installed at a cost of \$6,000 per system (See Attachment E).

A summary of the costs for community-based agencies is provided in the following table.

SUMMARY OF PROGRAM COSTS

COMMUNITY-BASED PROGRAMS

	<u>Costs Including Start-Up Expenditures</u>	<u>Costs Excluding Start-Up Expenditures</u>
I. <u>NEW PROGRAM ADDITIONS (20)</u>		
*Staff Costs - 860 hours/week @ \$7.50/hour x 52 weeks	\$ 335,400	\$ 335,400
*Clerical Costs - 110 hours/week @ \$6.00/hour x 52 weeks	\$ 34,320	\$ 34,320
*Fringe Benefits - \$369,720 x 25%	\$ 92,430	\$ 92,430
*Operating Costs (Attachment E)	<u>\$ 50,000</u>	<u>\$ 16,700</u>
TOTAL NEW PROGRAMS	\$ 512,150	\$ 478,850
II. <u>EXISTING PROGRAM EXPANSION</u>		
Staff Costs -		
<u>Philadelphia</u> - 480 hours/week @ \$11.00/hour x 52 weeks	\$ 274,560	\$ 274,560
** <u>Allegheny County</u> - 560 hours/week @ \$11.00/hour x 52 weeks	\$ 320,320	\$ 320,320
<u>State less Phila./All.</u> - 565 hours/week @ \$8.50/hour x 52 weeks	\$ 249,730	\$ 249,730

	<u>Costs Including Start-Up Expenditures</u>	<u>Costs Excluding Start-Up Expenditures</u>
Clerical Costs -		
<u>Philadelphia</u> - 60 hours/week @ \$8.50/hour x 52 weeks	\$ 26,520	\$ 26,520
** <u>Allegheny County</u> - 40 hours/week @ \$8.50/hour x 52 weeks	\$ 17,680	\$ 17,680
<u>State less Phila./All.</u> - 197 hours/week @ \$6.00/hour x 52 weeks	\$ 61,464	\$ 61,464
Fringe Benefits - \$950,274 x 25%	\$ 237,569	\$ 237,569
Operating Costs - (Attachment E)	<u>\$ 50,325</u>	<u>\$ 13,500</u>
TOTAL EXISTING PROGRAM EXPANSION	\$1,238,168	\$1,201,343
III. <u>TRAINING AND STAFF DEVELOPMENT</u>		
Pre-service Training - 25-hour internship for 41 staff. (Attachment G)	\$ 12,423	\$ 12,423
Continuing Education - Specialized training and conferences. (Attachment G)	<u>\$ 111,265</u>	<u>\$ 111,265</u>
TOTAL TRAINING AND STAFF DEVELOPMENT	\$ 123,688	\$ 123,688
IV. <u>EQUIPMENT</u>		
Automated Equipment Needs - 17 systems @ \$6,000/system (Att. E)	\$ 102,000	\$ -0-
GRAND TOTAL	<u>\$1,976,006</u>	<u>\$1,803,881</u>

\*Includes Delaware County.

\*\*Recommended staffing includes staff for criminal justice-based services. Both criminal justice and community-based services are provided by the community-based agency.

PCCD TECHNICAL ASSISTANCE, TRAINING AND SUPPORT

In order to accommodate the increased demand for support services associated with the magnitude of this program expansion, PCCD has identified a need for two additional program staff and a full-time clerk stenographer. These additional staff would be dedicated to the expanded training and technical assistance role of the program. Costs are figured as follows:

2 Criminal Justice Systems Planner IIs @ \$23,000	\$46,000
1 Clerk Stenographer @ \$13,500	\$13,500
Fringe Benefits @ 30% x \$59,500	\$17,850
Training for the Lead Trainer	\$ 2,500
Training and Staff Development for 3 existing/ 1 new staff positions @ \$2,200/staff	<u>\$ 8,800</u>
TOTAL PCCD COSTS	\$88,650

SUMMARY OF TOTAL PROGRAM COSTS

FOR INCREASED SERVICES

	<u>Costs Including Start-Up Expenditures</u>	<u>Costs Excluding Start-Up Expenditures</u>
CRIMINAL JUSTICE-BASED PROGRAMS	\$1,740,548	\$1,476,483
COMMUNITY-BASED PROGRAMS	\$1,976,006	\$1,803,881
PCCD VICTIM SERVICE PROGRAM	<u>\$ 88,650</u>	<u>\$ 88,650</u>
TOTAL COSTS	\$3,805,204	\$3,369,014

## V. VICTIM/WITNESS ASSISTANCE IN OTHER STATES

In order to consider the different approaches to funding victim/witness assistance, PCCD staff researched the status of services in other states. The methodology relied upon two sources: 1) the National Organization for Victim Assistance's 1987 Legislative Directory<sup>1</sup>; and 2) a state-by-state review of statutes guided by the topical index under victims and victim assistance. This research yielded the following observations.

- A total of 34 states outside Pennsylvania provide for victim/witness assistance programs<sup>2</sup> by statute<sup>3</sup>. The levels of authorization range from permission to establish victim/witness coordinator positions (Louisiana/South Dakota) to significant and specifically dedicated financial support (California - \$8.3 million/Massachusetts - \$6 million).
- Thirty-two states provide for explicit funding to support some level of victim assistance<sup>4</sup>. Unfortunately, in many of these states, the funds are enjoined with other causes which rank higher in the order of priority for disbursement. Thus, in some cases, no dollars are, in fact, distributed for victim/witness assistance and, in other cases, the proportion of dollars available for this purpose is comparatively low.
- In seven states special offender-supported funds have been set up for the exclusive purpose of funding victim/witness assistance<sup>5</sup>; seven others provide funding from the state victim compensation fund<sup>6</sup>;

eight states combine victim assistance funding under the umbrella of a broader fund<sup>7</sup>; nine others provide a general fund appropriation without the imposition of fines or penalties<sup>8</sup>; and one state finances victim assistance through a civil penalty.<sup>9</sup>

- Of the twenty-two states which finance victim assistance through some form of criminal penalty<sup>10</sup>, all require a conviction. Four specifically include a plea of nolo contendere<sup>11</sup> and eight provide for a fee in cases which are the equivalent of or similar to ARD<sup>12</sup> in Pennsylvania.<sup>13</sup> Further, four states provide for the extraction of fees from forfeitures<sup>14</sup> and four specifically include juvenile delinquents as prospective payors.<sup>15</sup>

An analysis comparing the financial penalties imposed and the amounts they yield in the various states is complicated by three factors: 1) the lack of uniformity in the classification of crimes; 2) the inclusion or exclusion of certain offenses; and 3) the variation in the use of the fees collected.

#### Offense Classification

In most states crimes are classified as felonies or misdemeanors usually determined by whether the maximum incarceration is more or less than one year. Some states further divide felonies into violent and non-violent; misdemeanors into gross and petty. In Pennsylvania, we have three classes each of felonies and misdemeanors in addition to a summary offense classification.<sup>16</sup>



Most states that impose an added cost for victim assistance tie the cost to the classification of offense, i.e., you pay more as the grade escalates. But since the qualifications for a felony and misdemeanor differ considerably by state, the fee structure is extremely difficult to align.

#### Relevant Offenses

Some states specifically include or exclude certain offenses by statute. Thus, a state which has lower fees per case but includes more cases may well collect amounts greater than states which impose higher fees on restricted cases. The statutes are generally vague on which offenses are specifically included or excluded.

#### Complex Usage

As stated above, seven states have created funds which exclusively support victim assistance. However, in fifteen states the funds collected for victim assistance are part of a broader package which finances such items as court costs, victim compensation, law enforcement training, etc. Thus, while you can compare fee structures in some states, it is difficult to attribute a specific amount to victim assistance for comparative purposes.

The concept of taxing offenders to pay for criminal justice-related facilities or services is not new. A common reservation, however, in the consideration for expanding offender liabilities is "how much is too much?" With the above comparative complications noted, the following information is

provided as an illustration of the minimum additional penalties imposed nationwide (the focus of this research dealt only with penalties in some way tied to victim assistance - other user fees are known to exist). Not all of the revenue derived from these sources is used exclusively to fund victim/witness assistance. All assessments and surcharges are imposed on criminal offenses unless otherwise noted.

VICTIM-RELATED ASSESSMENTS IN THE U.S.

1988

<u>State</u>	<u>Flat Assessment</u>			<u>% Surcharge on Fines</u>	<u>Comment</u>
	<u>Fel.</u>	<u>Mis.</u>	<u>Other</u>		
Alabama	\$15	\$10	\$2 (traffic)	\$25-\$10,000	Fine surcharge restricted to felonies
*Arizona	\$30	\$30			Monthly fee paid by probationers/parolees
*Arkansas	\$ 5	\$ 5	\$5		At discretion of local court
California				70%	Includes forfeitures and other assessments; excludes parking
Colorado				35%	Includes traffic, fish and wildlife, parks and recreation; excludes parking
Connecticut	\$20	\$15			Includes housing and environment codes, speeding, reckless driving, DUI and racing
Florida	\$200	\$50	\$50		Includes criminal traffic
Illinois	\$25/\$20	\$20		10%	Includes traffic except surcharge on speeding fine; felony broken down into violent/non-violent
Indiana					\$10 on marriage license fees + 15.26% of all local court collections
Kentucky	\$10	\$10			Includes penal code only
Maryland					Civil penalty (Son of Sam contracts)
*Massachussetts	\$25	\$15	\$15		\$15 on failure to pay motor vehicle fine when fine is less than or equal to \$100; includes delinquents
Minnesota	(\$25 to \$50)			10%	Assessment or 10% of fine depending on whether fine is imposed

VICTIM-RELATED ASSESSMENTS IN THE U.S. (Continued)

1988

<u>State</u>	<u>Flat Assessment</u>			<u>% Surcharge on Fines</u>	<u>Comment</u>
	<u>Fel.</u>	<u>Mis.</u>	<u>Other</u>		
Missouri	\$ 5	\$ 5	\$5		Includes traffic
*New Jersey	\$ 5	\$ 5	\$5		Includes delinquents
Ohio	\$20	\$ 6			Includes traffic and delinquents
Oregon	\$50	\$20	\$40		Other offense is DUI
*Pennsylvania	\$ 5	\$ 5	\$5		Other offense is summary; Crimes Code and Drug Act only
Rhode Island	\$100	\$60	\$20	10%	Assessment <u>or</u> 10% of fine whichever is greater
Tennessee	(\$5.25 or \$20)				Tax on civil suits filed and criminal convictions; \$20 pertains to criminal convictions obtained outside city court - All others pay \$5.25.
Texas	\$20	\$10	\$5		Includes traffic
Vermont	\$ 5	\$ 5	\$5		Includes traffic, fish and game and local ordinances (motor vehicle)
Washington	\$70	\$45			Includes delinquents and traffic except vehicular homicide/DUI
*Wisconsin	\$50	\$30			per count

Note: Traffic offenses exclude parking unless otherwise noted.

\*All or most of proceeds used for Act 96-type victim/witness assistance.

In the interest of obtaining additional data on the comparative commitments to victim assistance programs, staff conducted follow-up phone calls to the largest states and secured the following information. The following table shows the state funding, funding mechanism, offender status and required match for the victim assistance programs in the 13 largest states (top 25%) ranked by population. The victim assistance programs in this table are restricted to criminal justice/comprehensive community-based programs which serve all violent crime victims. Specialized programs, i.e., sexual assault, domestic violence and child abuse are excluded from these figures unless otherwise noted.

Comparison of Pennsylvania Victim/Witness Assistance Program with Those of Most Populous States - 1988-89

<u>State</u>	<u>Population</u>	<u>Victim Assistance \$</u>	<u>Funding Source</u>	<u>Offender Status</u>	<u>Local Match</u>
California	27,663,000	\$8,300,000	70% surcharge on criminal and traffic (moving violations) fines and forfeitures deposited in State Indemnity Fund. \$8.3 million (7%) of Fund used for PCCD-type (Act 96) Victim Assistance.	Conviction/ Forfeitures	Not required.
New York	17,828,000	\$2,242,000	State Appropriation	--	25% local match.
Texas	16,788,000	\$ 930,000	Flat costs of \$5 to \$20 levied on criminal and traffic (moving violation) offenses deposited in Criminal Justice Planning Fund. Dollars allocated to local government on basis of population and criminal justice expenditures. Local discretion on spending priorities. \$930,000 = 5% of CJP Fund.	Conviction	5 year phase out at 20% per year.
Florida	12,023,000	0	Flat cost of \$50 to \$200 on criminal offenses. Victim assistance is third priority for distribution of dollars. No dollars allocated for victim assistance due to insufficient income. Eventual allocation limited to \$.25/resident in each county.	Conviction	50% local match.

Comparison of Pennsylvania Victim/Witness Assistance Program with Those of Most Populous States - 1988-89

<u>State</u>	<u>Population</u>	<u>Victim Assistance \$</u>	<u>Funding Source</u>	<u>Offender Status</u>	<u>Local Match</u>
Pennsylvania	11,936,000	\$1,000,000	\$5 cost on criminal/drug offenses deposited in state Victim Assistance Fund. 100% of fund used for victim assistance.	Conviction	Not required.
Illinois	11,582,000	\$ 703,000	10% surcharge on fines on criminal/traffic offenses excluding speeding/parking fines <u>plus</u> flat cost of \$20-25 per offense. Funds CJ and community-based programs including rc/dv/ca. Of \$2 million collected each year, approximately \$703,000 (35%) for PCCD-type (Act 96) victim assistance programs.	Conviction/ ARDS (surcharge only).	Not required.
Ohio	10,784,000	\$ 97,500	Flat costs of \$6-20 levied on criminal and traffic (moving violations) offenses. Legislature appropriates dollars from fund for victim assistance. 88-89 appropriation for all programs = \$269,900 of which \$97,500 (38%) for PCCD-type (Act 96) victim assistance programs. Fund has \$18 million surplus.	Conviction/ Forfeitures/ Delinquency	Not required.

Comparison of Pennsylvania Victim/Witness Assistance Program with Those of Most Populous States - 1988-89

<u>State</u>	<u>Population</u>	<u>Victim Assistance \$</u>	<u>Funding Source</u>	<u>Offender Status</u>	<u>Local Match</u>
Michigan	9,200,000	\$ 2,100,000	State appropriation	-	Not required.
New Jersey	7,672,000	\$ 230,000	Assessments of \$30 to \$10,000 on violent crimes with injury; \$15-30 on all others. Money deposited in State Compensation Fund except first \$5 of each assessment to State Victim/Witness Advocacy Fund. Legislature appropriates funds to State Department of Law and Public Safety for disbursement. \$230,000 for FY 88-89.	Conviction/ Delinquency	Salaries are paid by local government.
North Carolina	6,413,000	\$ 900,000	State appropriation	-	Not required.
Georgia	6,222,000	None	-	-	-
Virginia	5,940,000	\$ 300,000	State appropriation	-	Not required.
Massachusetts	5,855,000	\$ 6,000,000	Flat costs of \$15 to \$25 on criminal and traffic (defaults) offenses. Money deposited in State Victim Assistance Fund. 100% for PCCD-type (Act 96) victim assistance.	Conviction/ Delinquency/ ARDs	Not required.



As can be seen, Pennsylvania ranks in the middle of these states in the level of state support for victim assistance. Several of the states contacted, however, indicated that they were in the process of upgrading the level of assistance available and had either introduced or were in the process of introducing amending legislation for this purpose.

#### Summary

Pennsylvania has been one of the leading states with respect to the financial commitment to victim/witness assistance. However, the experience of other states is instructive and offers reasonable options for expanding the Pennsylvania program to meet the demands for service. These options include: 1) higher penalties for existing (Crimes Code/Drug Act) offenses; 2) the inclusion of additional offenses, e.g., motor vehicle offenses; 3) expanded offender status, e.g., diversionary/delinquent cases and the extraction of a fee from forfeitures; and 4) surcharges on fines, either fixed or at the discretion of the court.

OTHER STATES FOOTNOTES

- <sup>1</sup> Victim Rights and Services: A Legislative Directory 1987 (Washington, D.C.: National Organization for Victim Assistance, 1988).
- <sup>2</sup> Victim/witness assistance programs include those which provide services such as orientation, case status notification, assistance with input at plea/sentence/parole, assistance with restitution/property return/compensation, crisis intervention, counseling and accompaniment services. Agencies providing services to special clients, e.g., sexual assault or domestic violence may or may not be included in the state program.
- <sup>3</sup> Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Florida, Hawaii, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington and Wisconsin.
- <sup>4</sup> Ibid. less Louisiana and South Dakota.
- <sup>5</sup> Arizona, Arkansas, Illinois, Indiana, Massachusetts, New Jersey and Wisconsin.

- 6 Alabama, Connecticut, Kentucky, Missouri, Ohio, Oregon and Rhode Island.
- 7 California, Colorado, Florida, Minnesota, Tennessee, Texas, Vermont and Washington.
- 8 Hawaii, Michigan, Nebraska, New Hampshire, New York, North Carolina, Oklahoma, South Carolina and Virginia.
- 9 Maryland.
- 10 Supra Notes (5) (6) and (7).
- 11 Arizona, Florida, Rhode Island and Vermont.
- 12 Accelerated Rehabilitative Disposition - a pretrial disposition program in which, upon satisfactory completion, the charges against the defendant are dismissed and the record may be expunged. See Pa. R. Crim. P., Rule 175, 42 Pa. C.S.A.
- 13 Alabama, Colorado, Illinois, Massachusetts, Oregon, Tennessee, Vermont and Wisconsin.
- 14 California, Ohio, Oregon and Washington.
- 15 Massachusetts, New Jersey, Ohio and Washington.
- 16 18 Pa. C.S.A. §1101 et. seq.

## VI. OPTIONS FOR FINANCING EXPANDED SERVICES

As the experience of other states indicates, there is a variety of options for financing victim assistance. These options can be grouped into three categories: 1) enhanced penalties on offenders; 2) state general fund appropriations; and 3) local public and private funding. While there are pros and cons inherent in each source of support, all could significantly impact the level and quality of services for victims.

### Penalty Assessments

One of the most attractive aspects of penalty assessments is the sense of justice derived from taxing the offenders for services for their victims. There is also the theory that as serious crime increases and more individuals are victimized the additional offenders provide a corresponding increase in the revenue for services. As a practical matter these observations are not necessarily correct. Under our current system of a flat \$5 fee, there is an inverse relationship between the harm caused and the revenue produced, i.e., most of the revenue is paid by summary and misdemeanor offenders. As the gravity of the offense escalates and greater periods of incarceration are imposed, there is less likelihood that the entire costs will be collected. Thus, increases in serious offenses alone may not, under the current system, produce additional revenue for services.

Other states have controlled for this inequity in two ways: 1) by increasing the costs as the offense escalates; and 2) by imposing a percent

surcharge on fines. In both ways, as the severity of the offense increases, the offenders are required to pay more.

Another arguable inequity in the Pennsylvania system, which has been controlled for in other states, is the exclusion of certain individuals from the responsibility for the assessment. In Pennsylvania, persons placed in diversionary programs, e.g., Accelerated Rehabilitative Disposition (ARD)<sup>1</sup>, are not required to pay the victims' penalty<sup>2</sup>, although they may be required to pay costs and restitution<sup>3</sup> and in certain instances, e.g., driving under the influence, are required to pay special costs related to the offense.<sup>4</sup>

Juveniles adjudicated delinquent are similarly excluded from the responsibility for the assessment,<sup>5</sup> even though in many cases the only distinction between the delinquent and criminal act is the age of the offender.

Another category of potential contributors tapped in other states involves those who abscond while awaiting trial. It is the practice of several states to extract the assessment which would have been due upon conviction from the amount forfeited for failure to appear.

Finally, because of the statutory restriction as to relevant crimes, i.e., Crimes Code/Drug Act offenses, certain offenders who as a group may and do cause harm to victims are excluded from consideration. Offenders convicted of such crimes as driving under the influence and homicide by vehicle while driving under the influence are absolved of the responsibility for the victims' assessment because these crimes are part of the Motor Vehicle Code.<sup>6</sup> (DUI Crimes will need to be statutorily included in Pennsylvania's victim compensation

law by 1990 in order to continue receipt of federal Victims of Crime Act funding.)<sup>7</sup> Several states have gone beyond these crimes to impose victims' penalties for all moving violations in the traffic code.

As explained in the appendix on collections history (See Appendix I - Collections), precise calculations of revenue tied to convictions are speculative due to the status of published court data. The following table, however, is provided as an illustration of the relative potential impact of some of the collection strategies employed in other states if applied in Pennsylvania.

<u>Funding Mechanism</u>	<u>Calculation</u>	<u>Potential Revenue at Maturity</u>
Increased Flat Costs	Each \$5 increment yields approximately \$1 million.	@ \$10 - \$2 million @ \$15 - \$3 million @ \$20 - \$4 million @ \$25 - \$5 million
Escalating Costs	Estimated annual convictions of Crimes Code/Drug Act offenses @ various collection rates. (1986) Summaries	
	224,000 @ 80% = 179,200	@ \$10 = \$1,792,000
	Misdemeanors 33,000 @ 60% = 19,800	@ \$15 = \$ 297,000
	Felonies 10,000 @ 40% = 4,000	@ \$20 = \$ 80,000
		<u>\$2,169,000</u>
% Surcharge on Fines	Data unavailable at this time.	

<u>Funding Mechanism</u>	<u>Calculation</u>	<u>Potential Revenue at Maturity</u>
Inclusion of ARDs	Annual ARD Dispositions on All Charges - 23,500 (1986).	@ \$ 5 - \$117,500
		@ \$10 - \$235,000
		@ \$15 - \$352,500
		@ \$20 - \$470,000
	on Crimes Code/ Drug Act Offenses only - 8,460 (1986).	@ \$ 5 - \$ 42,300
		@ \$10 - \$ 84,600
		@ \$15 - \$126,900
		@ \$20 - \$169,200
Inclusion of Delinquents	Substantiated Charges of Delinquent Acts for Crimes Code/Drug Act Offenses (1987) - 11,259	@ \$ 5 - \$ 56,295
		@ \$10 - \$112,590
		@ \$15 - \$168,885
		@ \$20 - \$225,180.
Inclusion of Forfeitures	No data available.	
Inclusion of DUI/Homicide by Vehicle-DUI/All Moving Violations	DUI Convictions 1986 - 10,385	@ \$ 5 - \$ 51,295
		@ \$10 - \$103,850
		@ \$15 - \$155,775
		@ \$20 - \$207,700
	Homicide by Vehicle-DUI Convictions 1986 - 56	@ \$ 5 - \$ 280
		@ \$10 - \$ 560
		@ \$15 - \$ 840
		@ \$20 - \$ 1,120
Proceeds from Moving Violations under EMS Act at \$10. 1988 - \$7,017,294	@ \$ 5 - \$ 3.5 mil.	
	@ \$10 - \$ 7.0 mil.	
	@ \$15 - \$10.5 mil.	
	@ \$20 - \$14.0 mil.	

As the table shows, while the imposition of escalating costs and the inclusion of certain dispositions, i.e., ARDs/delinquencies/DUIs/HBVs, may be

appealing, they do not generate comparable revenue to increased costs on current offenses and the inclusion of moving violations. This is true for two reasons. First, the selected dispositions do not occur with sufficient frequency to generate significant revenue at costs of \$5 to \$20. Secondly, summary offenders are more likely to pay their full costs than felons. Thus, beyond the higher volume of lesser offenses there is a higher collection rate per offense. From a purely economic, as opposed to punitive, standpoint increased penalties should be concentrated in the lesser offenses.

The counter argument to this approach is the imposition of the same costs for felons and summary offenders given the disproportionate harm caused.

#### State General Fund Appropriation

A state General Fund appropriation offers the advantage of immediate access to the full appropriation in the first year as opposed to the maturation process required for penalties on offenders. However, continuing appropriations may be less stable than offender liabilities due to general economic conditions and annual shifts in funding priorities.

The sexual assault, domestic violence and child abuse programs currently rely upon state appropriations for a significant portion of their funding. For sexual assault services, \$1.3 (57%) of the \$2.3 million appropriated in the 1988-89 state budget is provided from the General Fund.<sup>8</sup> For domestic violence \$3.9 of the \$6.2 million (63%) comes from the General Fund.<sup>9</sup> While the costs of child abuse programs are not separated from the general costs of child welfare (includes services for delinquent children) these programs also rely upon the General Fund for a great deal of their support.



The disadvantage, then, of seeking General Fund revenue to further PCCD's Victim/Witness Assistance Program is that the funds appropriated from this source may be secured at the expense of increases for these other important victim service programs.

#### Local Public and Private Support

While PCCD does not require a local match of its state funding, most counties are providing some support toward the program through either a budget line item or the assumption of operational costs. Local private sources such as the United Way and private foundations are also providing significant funding for community-based programs. Although it is unrealistic to expect the counties and/or private local sources to finance a major portion of this program, some matching contribution could provide added leverage in developing the additional resources needed.

The most serious drawback to a system of local match is the difficulty of administering it fairly. Not all counties have an equal ability to provide matching support and credit for current commitments would be difficult to establish.

Another disadvantage of local match is the possibility that, upon imposing this condition, the county commissioners would elect to terminate the program fearing an increasing obligation of county funds.

These factors need to be weighed carefully in the consideration of a policy of local match.

OPTIONS FOOTNOTES

- 1 Pa. R. Crim. P., Rule 175, 42 Pa. C.S.A.
- 2 Diversions are not considered convictions.
- 3 Pa. R. Crim. P., Rule 182, 42 Pa. C.S.A.
- 4 Act 1982-289.
- 5 Adjudications of delinquency are not considered convictions.
- 6 75 Pa. C.S.A. §§3731 and 3735.
- 7 See Victims of Crime Act of 1984 as amended by The Anti-Drug Abuse Act of 1988, P.L. 100-690, Title VII, Subtitle D, Section 1403(c)(3).
- 8 1988-89 Governor's Executive Budget, Commonwealth of Pennsylvania, p. E306.
- 9 Ibid at E305.

## VII. RECOMMENDATIONS

The statewide cost of program expansion outlined in this report will require an additional \$3.3 to \$3.8 million. With this target in mind and in light of the counter arguments to various options, the following recommendations are divided into a recommended strategy and other considerations. The recommended strategy includes those recommendations which are warranted and should be vigorously pursued. Other considerations include those options which are either difficult to justify or hold less promise.

### I. RECOMMENDED STRATEGY

- 1) AN INCREASE OF \$15 IN THE CURRENT COSTS.

Rationale: The current \$5 cost does not produce sufficient revenue to provide services which are commensurate with the need and \$20 is not an excessive fee.

Estimated Annual Revenue: \$3,000,000.

- 2) THE IMPOSITION OF A FLAT \$15 COST ON ALL DIVERSIONARY, E.G.,ARD, CASES.

Rationale: Current PCCD costs are levied on all offenders convicted of Crimes Code and Drug Act offenses. Most costs are paid by summary offenders. Given that diversionary programs provide a second chance for primarily admitted

misdemeanants, the penalty is appropriately affixed as a consequence of their actions. Persons placed in diversionary programs currently pay various costs and fees as part of their "penalty".

Estimated Annual Revenue: \$ 350,000.

- 3) THE IMPOSITION OF A FLAT \$20 COST ON ALL PERSONS CONVICTED OF DRIVING UNDER THE INFLUENCE AND HOMICIDE BY VEHICLE WHILE DRIVING UNDER THE INFLUENCE.

Rationale: Given the potential and realized harm associated with these offenses, an added cost upon conviction is appropriate. Legislation is pending to make driving under the influence offenses part of Pennsylvania's victim compensation law.

Estimated Annual Revenue: \$ 200,000.

- 4) DISCRETIONARY AUTHORITY FOR THE COURT TO IMPOSE A SEPARATE FINE OF UP TO 100% OF THE STATUTORY MAXIMUM FOR DEPOSIT INTO PCCD'S SPECIAL, NON-LAPSING VICTIMS' FUND.

Rationale: The court should be afforded the capacity to adjust offender liabilities based on the extent of victim harm, both direct and indirect, and the offender's ability to pay. PCCD has received several calls from district attorneys inquiring as to the authority of the court to

impose a fee in excess of the \$15 prescribed by law. The statute is vague on this point. A separate discretionary fine would permit the court to sentence those offenders, e.g., in vice cases, elderly scams, etc., beyond the standard costs based on the need for victim assistance associated with their offenses and the level of their ill-gotten gains.

Estimated Annual Revenue: Fluctuating. Information on fines is speculative and the opportunities/inclination of the court to impose this fine may vary markedly from year to year.

TOTAL ESTIMATED ANNUAL REVENUE FROM ABOVE RECOMMENDATIONS: \$3,550,000.

## II. OTHER CONSIDERATIONS

### 1) Escalating Costs

The combination of reduced volume as the grade escalates and reduced collection potential argues against this option as a source of significant increased revenue. Still, the appeal of enhanced fees for those who cause the greatest harm may have some political value in moving legislation.

2) Flat % Surcharge on All Fines

The imposition of flat costs recommended above is a form of this with a wider application. Both are not needed and the discretionary fine, also recommended above, provides for selective application at a level (100%) which could produce significant revenue.

3) Inclusion of Delinquents

There is a modest volume of delinquent adjudications each year. Possible political discomfort associated with extending financial liabilities on children could slow legislative momentum.

4) Extracting Costs from Forfeitures for Failure to Appear

The disposition of bail forfeitures is divided among state, county and municipal government.<sup>1</sup> Tapping forfeitures would likely alienate some state leaders and local government associations (county commissioners, boroughs, townships) since costs would be taken from dollars currently retained at these levels. Estimated revenue from this source is modest.

5) Costs on Moving Traffic Violations

Although this option represents the most lucrative of all, it is philosophically difficult to tie traffic offenders to criminal victimizations. A recent amendment to The Emergency Medical Service

Act extended the \$10 fine from moving to all traffic violations<sup>2</sup>, except parking, due in part to problems of interpretation as to what constitutes a "moving" violation. Thus, it is unlikely given the EMS experience that a moving violation fee would be supported.

6) General Fund Appropriations

The attempt to secure General Fund appropriations would find PCCD competing with other victim groups, i.e., the Coalitions against Rape and Domestic Violence and child abuse programs, for dollars that they have traditionally acquired through this source. These programs should continue to seek General Fund support without competition from PCCD.

7) Local Matching Dollars

The pros and cons have been stated previously. The requirement of local match should be retained as an option in the event that the final authorization via the above recommended strategies falls short of the targeted need. Local match should only be imposed as a method to fill the gaps created by other shortfalls.

RECOMMENDATIONS FOOTNOTES

<sup>1</sup> Pa. C.S.A. §3571 et.seq.

<sup>2</sup> Act 1988-121



APPENDIX I

COLLECTIONS

The Commission's Victim/Witness Services Grant and Technical Assistance Program is financed with a five dollar penalty assessment on convicted offenders. The penalty assessment applies only to individuals who plead guilty or no contest to or are otherwise convicted<sup>1</sup> of "...an act committed in Pennsylvania which, if committed by a mentally competent, criminally responsible adult, who had no legal exemption or defense, would constitute a crime as defined in and proscribed by Title 18 of the "Pennsylvania Consolidated Statutes," (relating to crimes and offenses) or enumerated in the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act..."<sup>2</sup> The act specifically excludes offenses involving the operation of a motor vehicle which result in injury unless the injury was intentionally inflicted.<sup>3</sup>

The cost is mandatory and is deposited in a special, non-lapsing fund established for the exclusive use of the Commission to carry out the provisions of the Act.<sup>4</sup>

When the authorizing legislation was passed, PCCD projected a gradual increase in revenue through the first three years with the fund leveling off at approximately \$1 million per year thereafter. The projection was based on the collection experience under the Crime Victims Compensation Program which had been financed since its inception with a similar ten dollar penalty assessment.<sup>5</sup>

The \$1 million at maturity was believed to be a conservative estimate for three reasons:

- 1) CVC revenue had averaged \$2.2 million per year in the two years immediately preceding Act 96. PCCD's five dollar assessment, one-half of CVC's ten dollar figure, would then likely yield \$1.1 million.
- 2) Prior to the enactment of Act 96, there was some confusion regarding whether the CVC cost was discretionary or mandatory. The new language of Act 96 clarified this matter requiring the imposition of costs in all relevant cases.<sup>6</sup>
- 3) The CVC cost was based only on Title 18 (Crimes Code) offenses. Act 96 expanded the relevant crimes to include Drug Act offenses.<sup>7</sup>

However, despite the conservative projection, the PCCD cost has yet to yield \$1 million per year. Another unexpected development has been the fact that CVC revenue has not exceeded the \$2 million level since FY 1984-85, the first year of collections under Act 96.

The following table shows the calendar year collection of PCCD costs by county since the inception of the program in July of 1984.

TOTAL PCCD COST COLLECTIONS BY COUNTY

1984 - 1988

	1984*	1985	1986	1987	1988	Total
Adams	2,108	6,280	8,741	7,917	7,651	32,697
Allegheny	22,866	81,218	89,492	84,870	84,174	362,620
Armstrong	1,851	5,541	5,352	6,616	7,040	26,399
Beaver	3,221	12,775	15,271	16,466	15,972	63,705
Bedford	1,045	2,915	3,068	4,643	4,497	16,167
Berks	7,377	20,146	20,990	22,039	22,421	92,973
Blair	3,930	11,454	12,604	13,878	13,011	54,878
Bradford	635	3,006	3,781	4,138	3,641	15,201
Bucks	9,248	31,647	36,931	36,333	36,380	150,539
Butler	4,752	15,764	17,731	20,785	20,759	79,791
Cambria	4,216	12,679	14,176	16,374	16,164	63,610
Cameron	55	340	282	472	509	1,657
Carbon	887	2,940	4,205	5,311	6,010	19,353
Centre	4,176	11,755	15,923	18,742	18,214	68,812
Chester	8,102	28,793	34,204	30,906	33,286	135,290
Clarion	1,813	6,574	6,706	6,923	6,963	28,978
Clearfield	2,319	8,107	9,304	9,436	10,097	39,263
Clinton	915	2,994	3,493	3,683	3,992	15,077
Columbia	1,669	5,365	5,977	6,263	7,212	26,486
Crawford	4,140	9,990	9,913	10,011	10,529	44,582
Cumberland	4,354	15,674	17,858	19,738	20,665	78,289
Dauphin	8,204	28,879	33,884	36,739	32,831	140,537
Delaware	7,771	35,388	41,119	40,307	38,469	163,055
Elk	590	2,217	2,347	2,457	2,593	10,204
Erie	5,029	19,241	24,222	24,562	25,652	98,705
Fayette	4,075	10,700	13,616	13,925	13,700	56,016
Forest	405	260	480	465	424	2,034
Franklin	2,033	7,607	8,575	9,380	9,660	37,256
Fulton	255	985	1,316	1,173	1,367	5,095
Greene	830	2,787	3,963	3,451	3,366	14,396
Huntingdon	395	1,983	2,352	2,690	3,313	10,732
Indiana	1,740	7,185	8,598	9,654	10,320	37,496
Jefferson	1,205	4,508	5,258	5,327	5,352	21,650
Juniata	145	662	917	827	1,035	3,585
Lackawanna	4,214	11,898	15,343	17,267	17,952	66,674
Lancaster	7,569	25,622	33,501	33,569	38,646	138,906
Lawrence	1,384	4,338	5,137	5,535	5,625	22,018
Lebanon	2,117	7,777	8,999	9,732	10,328	38,952
Lehigh	5,264	16,884	21,810	20,255	20,815	85,027
Luzerne	6,196	20,753	23,958	26,731	25,104	102,741
Lycoming	2,881	9,382	11,444	12,653	13,094	49,454

	1984*	1985	1986	1987	1988	Total
McKean	954	3,245	3,839	4,236	4,259	16,533
Mercer	4,098	11,771	13,297	13,135	13,763	56,063
Mifflin	942	3,189	4,395	4,763	4,925	18,213
Monroe	1,973	6,549	8,113	9,839	10,182	36,656
Montgomery	12,657	46,324	56,367	56,836	55,973	228,157
Montour	165	628	953	770	1,157	3,673
Northampton	4,733	15,037	18,292	18,722	21,376	78,161
Northumberland	1,583	5,547	6,246	7,271	8,412	29,059
Perry	864	2,658	2,913	3,407	3,664	13,506
Philadelphia	8,184	41,834	46,624	54,096	42,021	192,759
Pike	336	1,165	1,732	1,783	1,878	6,893
Potter	250	835	899	976	1,316	4,275
Schuylkill	2,521	9,845	12,660	15,639	17,275	57,940
Snyder	655	2,803	3,224	3,745	3,948	14,375
Somerset	1,521	5,467	5,572	6,076	6,053	24,689
Sullivan	160	275	395	395	340	1,565
Susquehanna	602	2,784	1,753	2,038	1,946	9,122
Tioga	749	2,025	2,443	2,834	3,230	11,282
Union	815	2,558	2,595	2,691	3,067	11,726
Venango	2,190	5,134	5,717	7,020	6,608	26,668
Warren	723	2,283	2,754	2,483	2,954	11,196
Washington	3,281	11,023	12,816	13,278	15,133	55,531
Wayne	380	1,280	1,598	1,706	2,003	6,967
Westmoreland	7,749	32,270	31,808	30,771	30,719	133,318
Wyoming	510	2,471	2,476	2,693	2,641	10,791
York	9,998	33,337	40,396	40,636	36,660	161,027
TOTAL	220,574	767,350	892,718	930,082	930,336	3,741,045

\*6 months

Source: Pennsylvania Department of Revenue  
Reports Reconciliation Division

PCCD has monitored the collection performance by county and has used these figures in the calculation of its annual county allocations under both its state and federal victim assistance programs.<sup>8</sup> However, true county collection performance cannot be precisely determined due to the lack of relevant conviction data.

As previously indicated, the mandatory cost only applies to Crimes Code and Drug Act convictions. Most of these convictions occur at the district justice level. Unfortunately, convictions for cases processed at this level are not isolated nor are the cases reported by type of offense. Thus, while we can determine the number of summary complaints and non-traffic citations disposed by the lower courts in each county, we do not know how many resulted in conviction nor can we distinguish Crimes Code/Drug Act cases from the myriad of other offense codes, e.g., Liquor Code violations, Welfare Code violations, Fish and Game laws, local ordinances, etc. Given this inability to measure each county's collection performance through an examination of relevant convictions, the Commission's focus to date has been a simple comparison of counties by size of jurisdiction. Theoretically, the larger counties with more dispositions should collect more penalties. As the data in the following table indicate, this theory is generally correct. The table ranks the Commonwealth's sixty judicial districts by selected dispositions and collections in 1986 (latest available judicial statistics). Dispositions include all guilty pleas and trials for summary complaints, non-traffic citations and misdemeanors (pleas only) at the district justice level as well as for felonies and misdemeanors similarly disposed by the common pleas courts.

TOTAL PCCD COST COLLECTIONS FOR PENNSYLVANIA JUDICIAL DISTRICTS

RANKED BY SELECTED DISPOSITIONS

1986

	<u>Dispositions</u>	<u>Collections</u>		<u>Dispositions</u>	<u>Collections</u>
<u>District</u>	<u>1986</u>	<u>1986</u>	<u>District</u>	<u>1986</u>	<u>1986</u>
Allegheny	42,941*	89,492	Indiana	2,937	8,598
Philadelphia	37,336**	46,624	Monroe	2,869	8,113
Montgomery	26,810	56,367	Clearfield	2,779	9,304
Delaware	16,593	41,119	Colum./Montour	2,661	6,930
Dauphin	16,076	33,884	Somerset	2,378	5,572
Bucks	15,690	36,931	Lawrence	2,048	5,137
York	15,004	40,396	Northumberland	2,006	6,246
Chester	13,192	34,204	Clarion	1,957	6,706
Lancaster	11,728	33,501	Adams	1,954	8,741
Westmoreland	9,580	31,808	Carbon	1,823	4,205
Luzerne	8,727	23,958	Snyder/Union	1,800	5,819
Centre	8,497	15,923	Armstrong	1,698	5,352
Erie	8,344	24,222	Venango	1,622	5,717
Northampton	8,035	18,292	Jefferson	1,438	5,258
Berks	7,955	20,990	Bradford	1,415	3,781
Lehigh	7,814	21,810	Juniata/Perry	1,407	3,830
Cumberland	6,689	17,858	Greene	1,346	3,963
Butler	5,137	17,731	McKean	1,324	3,839
Washington	4,943	12,816	Mifflin	1,310	4,395
Blair	4,739	12,604	Clinton	1,116	3,493
Lackawanna	4,406	15,343	Bedford	1,069	3,068
Cambria	4,375	14,176	Tioga	1,037	2,443
Lycoming	4,353	11,444	Forest/Warren	995	3,234
Schuylkill	4,207	12,660	Cameron/Elk	966	2,629
Beaver	4,128	15,271	Huntingdon	953	2,352
Mercer	4,050	13,297	Sullivan/Wyoming	849	2,871
Fayette	3,742	13,616	Wayne	739	1,598
Franklin/Fulton	3,629	9,891	Pike	587	1,732
Lebanon	3,288	8,999	Susquehanna	543	1,753
Crawford	3,002	9,913	Potter	416	899
			TOTAL	353,808	892,718

\*Includes estimates of summary trials and guilty pleas in Pittsburgh Magistrates Court.

\*\*Includes estimates of summary trials and guilty pleas in Philadelphia Municipal Court.

Source: Dispositions - 1986 Annual Report Administrative Office of Pennsylvania Courts

Collections - Pennsylvania Department of Revenue Reports Reconciliation Division.

The table shows that there is a strong positive correlation between dispositions and collections.<sup>9</sup> However, there are a few obvious exceptions to the trend. The exceptions would appear to be those counties which need to improve their collection performance. However, the inability to use more refined court data, as explained above, suggests caution in too strong a reliance on these relationships. Clearly, those counties which fall significantly beyond the pattern require more attention. The Commission needs to work with the Department of Revenue, the Office of the Auditor General and the local collection agents to promote a stronger collection effort in these counties.



COLLECTIONS FOOTNOTES

<sup>1</sup> 71 P.S. §180-7.15a.

<sup>2</sup> 71 P.S. §180-7.

<sup>3</sup> Ibid.

<sup>4</sup> Supra Note (1) at c.

<sup>5</sup> Act 1976-139.

<sup>6</sup> 71 P.S. §180-7.15.

<sup>7</sup> Supra Note (2).

<sup>8</sup> A county's proportional influence to the total collections statewide, (Act 1984-96 and Act 1988-44), expressed as a percent, is given one half weight in PCCD's allocation formula. Population and target offenses are each given one quarter weight.

<sup>9</sup> The correlation coefficient (r) = .95.

ATTACHMENTS

**VICTIM/WITNESS ASSISTANCE UNDER PCCD'S  
GRANT AND TECHNICAL ASSISTANCE PROGRAM:**

**THE CASE FOR EXPANSION**

**FINAL REPORT**

**JUNE 1989**

**PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY  
P.O. BOX 1167 FEDERAL SQUARE STATION  
HARRISBURG, PA. 17108-1167  
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**Alfred Blumstein, Chairman**

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Bureau of Program Development**

*mjl*  
**126155 P2**

**Victim Services Program Staff**

**John Kunkle, Manager  
Mary Ann Rhoads  
Jeff Hubert**

ATTACHMENT A

U.S. Department of Justice  
National Institute of Justice

126155

*Part II*

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PCCD CRIMINAL JUSTICE-BASED PROGRAMS NEEDS ASSESSMENT

TELEPHONE SURVEY

County \_\_\_\_\_

Victim/Witness Coordinator \_\_\_\_\_

Telephone \_\_\_\_\_

Date(s) Called \_\_\_\_\_

Date of Interview \_\_\_\_\_

Information from this survey will be used to assess the need for additional resources for victim services. For each service listed, you should be aware of the following:

1. Is the service offered?
2. Are victims aware of the service?
3. How extensively is the service provided?
4. Are there unmet service needs?
5. What additional resources are needed to meet the unmet service needs?

More specific questions related to the services follow.

VICTIM RIGHTS:

Impact Statements

Are victims notified that they have the opportunity to provide input at the time of sentencing?

Are victims aware that the coordinator is available for consultation in preparing an impact statement?

Do most victims avail themselves of this right?

Is more program time needed to assist victims with preparing statements?

Restitution

Is the victim asked for a statement of loss that is provided to the court?

Do most victims provide this information if appropriate?

Is there a need for more coordinator involvement with restitution?

Notification of Offender Release

Do victims know they have the right to be notified of the release of a feloniously assaultive offender?

How many victims want to be notified?

If victims indicate interest in being notified, are they so informed?

If not, how much more program time would it take to meet this need?

NOTIFICATION SERVICES:

Compensation and Referral

Are victims told about compensation and available social services?

Is assistance offered in completing compensation claim forms?

Has there been an increase in the number of claims being referred? If so, how many more claims are being processed?

Do all victims who request this service get timely assistance? If not, how much more time is needed to provide expeditious claims service?

Witness Management

Is there an on-call system?

Are people called off as soon as possible?

Is there a need for more coordinator involvement in the on-call system?

Disposition

Are victims notified of the outcome of their case and the sentence imposed?

Which types of victims receive this service?

Should other types of victims receive this service? If so, how much more time would be required to provide service to them?

PROTECTION SERVICES:

Intimidation

Do you know the procedure for responding to reports of witness intimidation?

Is the response such that it encourages continued cooperation in the system?

Secure Waiting Area

Is there a waiting area for victims and witnesses? If so, is there enough space for all victims who need it?

Property Return

Is property returned as soon as possible after it is seized if it is not required for court?

If used for court, is property returned as quickly as possible after its use?

STANDARDS:

Orientation Brochure

Is an orientation brochure available? If so, do all victims whose case is bound over receive a brochure?

Case Status

What is the response time for providing case status information?

Should the response time be improved? If so, how much additional time would be required for upgrading this service?

Input for Pleas and Parole

Are victims notified of the opportunity to have input?



How many victims request this service?

Is there adequate time to assist with input?                      If not, how  
much time is required to do so?

COORDINATION/ADVOCACY:

If there is a need for more interaction with the criminal justice system to improve victim services, how much more time would be required to achieve this?

COMMENTARY:

Using specific examples, characterize the treatment of victims before and after the initiation of the victim/witness program.

PROGRAM OPERATION:

How much of the coordinator's time is spent doing clerical tasks?

If clerical support is provided, for how many hours?

Evaluating all of the above, what is the appropriate staffing level for this program? Note the number of positions and hours associated with each position.

Does the program have access to automated equipment for word processing and/or data collection?

Is there a need for additional computer equipment?

ATTACHMENT B

PCCD COMPREHENSIVE COMMUNITY-BASED PROGRAMS NEEDS ASSESSMENT

TELEPHONE SURVEY

COUNTY \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

DATE(S) CALLED \_\_\_\_\_

DATE OF INTERVIEW \_\_\_\_\_

NOTE: Questions are applicable to "other serious crime victims" only. Other serious crime victims are defined as the surviving family in cases of homicide and victims of robbery, burglary and aggravated assault where the assault is not sexually or domestically oriented.

1. Crisis Intervention

- Do you have 24 hours a day accessibility?
  
- Do you have the capability for 24 hours a day response for crisis situations?
  
- What is your average response time?
  
- Do you have the capacity for meeting the crisis intervention needs of other serious crime victims?  
  
If not, what additional resources would be required?

2. Counseling/Support Groups

- Do you provide individual counseling for other serious crime victims?

- What support groups for peer victims/survivors do you provide?
  
- Are you meeting other serious crime victims' needs for counseling and support groups?

If not, what additional resources would be required?

### 3. Accompaniment

- Do you provide victim accompaniment to medical, police or criminal justice facilities for other serious crime victims?
  
- Do you have the ability to provide this service for all such victims who request it?
  
- What additional resources are needed to provide accompaniment services at a level which satisfies the needs of these victims/witnesses?

### 4. Crime Victim's Compensation Assistance

- How many other serious crime victims have been assisted with claims this year and how does this compare to last year?

- Are you able to satisfy the demands for crime victim compensation assistance?

If not, what additional resources would be needed?

5. Early Outreach

- Do you have the ability to attend District Justice preliminary hearings?

For what victims?

- Is there a need for additional outreach services to other serious crime victims?

What additional resources would be required?

6. Criminal Justice/Relevant Others Training

- Do you coordinate/provide training for the criminal justice providers along with other service providers, such as emergency room personnel, on sensitivity to victim trauma?

- What additional training is needed?  
How much more time would be required to accomplish this?

7. Employer/Creditor Intercession, Transportation and Childcare

- Do you provide the following services for other serious crime victims? What is the overall need for these services?

Employer/Creditor Intercession

Transportation Services

Childcare Services

- What additional resources for your program are needed in these areas?

8. Automated Equipment

- Are you currently using any automated equipment for word processing and/or data collection?

- Do you have any additional needs for such equipment?

9. Personnel

- Evaluating all of the above items and keeping in mind that we are specifically dealing with the "other serious crime victims" component of your program, what is the appropriate staffing level needed to fully comply with the victim services standards?  
NOTE: Include clerical support.



ATTACHMENT C

PCCD VICTIM SERVICES NEEDS ASSESSMENT

RECOMMENDED STAFFING UNDER

STATEWIDE PROGRAM EXPANSION

CRIMINAL JUSTICE-BASED PROGRAMS

<u>BLOCK</u>	<u>COUNTY</u>	<u>CASES DISPOSED</u> <sup>1</sup>	<u>CURRENT HOURS PER WEEK</u>		<u>DESIRED HOURS PER WEEK</u>		<u>RECOMMENDED STAFFING RANGE<sup>2</sup> IN HOURS PER WEEK</u>	
			<u>STAFF</u>	<u>CLERICAL</u>	<u>STAFF</u>	<u>CLERICAL</u>	<u>STAFF</u>	<u>CLERICAL</u>
1	Philadelphia	37,615	560	100	1,160	100	1,040	100
2	*Allegheny	14,688	*	*	*	*	*	*
3	Bucks	7,487	25	0	25	0	200	120
	Montgomery	5,579	40	0	40	25	to	
	Delaware	5,513	200	120	200	120	160	80
4	Chester	3,407	0	0	0	0		
	York	2,994	40	35	80	35		
	Dauphin	2,975	40	0	40	0		
	Berks	2,414	40	0	40	0	80	40
	Lehigh	2,385	40	0	40	20	to	
	Lancaster	2,281	65	20	65	20	40	20
	Westmoreland	2,237	33	20	33	20		
	Northampton	1,998	0	0	0	0		
*Erie	1,939	*	*	*	*			

BLOCK	COUNTY	CASES DISPOSED <sup>1</sup>	CURRENT HOURS PER WEEK		DESIRED HOURS PER WEEK		RECOMMENDED STAFFING RANGE IN HOURS PER WEEK <sup>2</sup>	
			STAFF	CLERICAL	STAFF	CLERICAL	STAFF	CLERICAL
5	Cumberland	1,768	25	0	27	0		
	Beaver	1,540	35	14	35	35		
	Luzerne	1,345	40	0	40	8		
	Washington	1,326	37	0	87	0		
	Blair	1,297	35	0	35	10		
	Lycoming	1,145	25	0	40	20	40	20
	Centre	1,098	30	0	60	10		
	*Cambria	1,084	*	*	*	*	40	0
	Schuylkill	1,069	20	0	20	0		
	Butler	1,064	40	0	40	20		
	Clearfield	1,034	0	0	0	0		
	Lebanon	936	35	0	70	0		
	Fayette	912	38	0	38	0		
	Lawrence	876	25	0	25	0		
Lackawanna	844	61	0	70	20			
6	*Franklin	798	*	*	*	*		
	Mercer	789	16	0	16	7		
	Crawford	750	19	0	35	0	40	0
	Indiana	692	23	0	23	0		
	Somerset	629	17	0	35	0		
	Adams	509	30	0	40	0	30	0
	Northumberland	398	20	0	40	0		
	Monroe	393	0	0	0	0		
7	Mifflin	387	0	0	0	0		
	Jefferson	379	25	0	0	0		
	Tioga	366	17	0	17	0		
	McKean	357	0	0	0	0		
	Armstrong	354	16	0	20	0	30	0
	Warren	329	20	0	30	0		
	Bradford	327	24	0	30	0	20	0
	Carbon	327	0	0	0	0		
	Greene	321	20	0	20	0		
	Clinton	317	15	0	15	0		
	Columbia	311	20	0	40	0		
	Venango	305	12	0	13	0		

BLOCK	COUNTY	CASES DISPOSED <sup>1</sup>	CURRENT HOURS		DESIRED HOURS		RECOMMENDED	
			PER WEEK		PER WEEK		STAFFING RANGE IN	
			STAFF	CLERICAL	STAFF	CLERICAL	STAFF	CLERICAL
8	Perry	276	0	0	0	0		
	Clarion	212	15	0	20	0		
	Elk	208	18	0	22	0		
	Bedford	191	17	0	35	0	20	0
	Huntingdon	183	0	0	0	0		to
	Snyder	163	8	0	8	0	15	0
	Wayne	160	15	0	15	0		
	Wyoming	160	0	0	0	0		
	Union	134	10	0	25	0		
9	Potter	113						
	Forest	110						
	Pike	98						
	Susquehanna	95						
	Fulton	79						
	Cameron	69						
	Sullivan	68						
	Montour	64	8	0	14	0		
Juniata	52							

Staff does not recommend program awards for these counties. Given the low volume of cases we recommend the extension of training and technical assistance to existing staff.

<sup>1</sup>Total Common Pleas criminal case dispositions - Source: 1986 Annual Report Administrative Office of Pennsylvania Courts.

<sup>2</sup>Includes current staff/clerical hours.

\*These counties provide criminal justice-based services through a community-based agency. Recommended staffing is reflected in footnote (\*\*\*) to Community-Based Program Table.

ATTACHMENT D

PCCD VICTIM SERVICES NEEDS ASSESSMENT

RECOMMENDED STAFFING UNDER

STATEWIDE PROGRAM EXPANSION

COMMUNITY-BASED PROGRAMS<sup>1</sup>

BLOCK	COUNTY	PERSONAL INJURY <sup>2</sup> CRIMES <sup>2</sup>	CURRENT HOURS PER WEEK		DESIRED HOURS PER WEEK		RECOMMENDED STAFFING RANGE <sup>3</sup> IN HOURS PER WEEK	
			STAFF	CLERICAL	STAFF	CLERICAL	STAFF	CLERICAL
1	Philadelphia	15,499						
	Families of Murder Victims		60	0	140	20	140	20
	Cope		40	40	200	40	200	40
	Episcopal Services		100	10	140	10	140	10
	Northwest Victim Services		140	40	180	60	180	60
	Elderly Victim Assistance		40	0	100	20	100	20
	Walnut Hill		60	0	160	0	160	0
			<u>440</u>	<u>90</u>	<u>920</u>	<u>150</u>	<u>920</u>	<u>150</u>
2	*Allegheny	5,343	216	48	776	88	776	88
3	**Delaware	3,022	120	40	160	40	360	100
4	Montgomery	1,450	40	20	82	20	<u>140</u>	<u>40</u>
	Dauphin	1,430	80	0	125	0		to
	Bucks	1,235	80	0	136	5	<u>100</u>	<u>40</u>
5	Berks	752	48	20	64	20	<u>80</u>	<u>20</u>
	***Erie	667	70	35	105	35		to
	Chester	614	80	10	100	20	<u>60</u>	<u>10</u>
	Lackawanna	602	0	0	0	0		

BLOCK	COUNTY	PERSONAL INJURY <sup>2</sup> CRIMES	CURRENT HOURS PER WEEK		DESIRED HOURS PER WEEK		RECOMMENDED STAFFING RANGE <sup>3</sup> IN HOURS PER WEEK	
			STAFF	CLERICAL	STAFF	CLERICAL	STAFF	CLERICAL
6	Lancaster	560	0	0	0	0		
	Lehigh	517	60	0	72	0		
	Westmoreland	461	0	0	0	0		
	Washington	381	0	0	0	0	60	10
	York	378	24	8	84	8		to
	Luzerne	371	160	20	230	30	40	10
	Northampton	364	25	0	33	0		
	***Cambria	290	80	0	120	40		
	***Franklin	289	20	0	60	0		
7	Beaver	227	0	0	0	0		
	Cumberland	197	0	0	0	0		
	Fayette	196	0	0	0	0		
	Butler	172	8	0	8	0	35	0
	Lawrence	168	0	0	0	0		to
	Schuylkill	168	0	0	0	0	15	0
	Mercer	160	0	0	0	0		
	Lycoming	141	40	1	48	5		
	Monroe	134	0	0	0	0		
	Blair	126	0	0	0	0		
	Indiana	104	10	0	10	0		
	8	Northumberland	81					
Lebanon		78						
Clinton		77	No					
Centre		76	Services					
Adams		70	At				10	0
Clearfield		65	Present					
Crawford		60						
Bradford		54						

BLOCK	COUNTY	PERSONAL INJURY <sup>2</sup> CRIMES <sup>2</sup>	CURRENT HOURS		DESIRED HOURS		RECOMMENDED	
			PER WEEK		PER WEEK		STAFFING RANGE <sup>3</sup> IN	
			STAFF	CLERICAL	STAFF	CLERICAL	STAFF	CLERICAL
9	Carbon	51						
	Somerset	48						
	Armstrong	41						
	Tioga	41						
	Perry	40						
	Columbia	37						
	Elk	37						
	Pike	36						
	Jefferson	34						
	Potter	34						
	Warren	33						
	Venango	31						
	McKean	30						
	Wayne	30						
	Susquehanna	28						
	Bedford	24						
	Greene	23						
	Clarion	22						
	Mifflin	21						
	Union	21						
	Cameron	19						
	Huntingdon	17						
	Snyder	17						
	Wyoming	16	25	0	30	0		
	Montour	12						
	Fulton	10						
	Juniata	9						
	Forest	6						
	Sullivan	5	5	0	7	0		

Staff does not recommend program awards for these counties. Given the low volume of personal injury crimes we recommend the extension of training and technical assistance to local community-based social service programs on the special needs of serious crime victims.

<sup>1</sup> Defined as programs which offer services to other serious crime victims, i.e., surviving family of homicide victims, robbery, aggravated assault and burglary victims. These programs are currently, or would be expected to become, components of existing agencies which offer services to other crime victims, e.g., sexual assault and/or domestic violence victims.

<sup>2</sup> Reported homicides, robberies and aggravated assaults. Source: 1987 Crime in Pennsylvania Uniform Crime Report. Aggravated assault figures were reduced by 12% to reflect assaults attributed to domestic violence. The domestic violence programs would provide services to these victims.

<sup>3</sup> Includes current hours per week.

\*Includes staffing for criminal justice-based services.



\*\*Current and desired staff hours for elderly services only. Recommended hours to include all ages of other serious crime victims.

\*\*\*Recommended staffing range does not include staffing for criminal justice-based services. The following ranges combining recommended staffing for both criminal justice-based and community-based services should be used:

Erie	<u>160</u>		<u>60</u>
		to	
	<u>100</u>		<u>30</u>
Cambria	<u>100</u>		<u>30</u>
		to	
	<u>80</u>		<u>10</u>
Franklin	<u>100</u>		<u>10</u>
		to	
	<u>70</u>		<u>10</u>

ATTACHMENT E

ATTACHMENT E

OPERATIONAL COSTS

Start-up Costs

	<u>New Programs</u>	<u>Adding Additional Staff</u>	<u>Adding Clerical Help</u>
Desk	\$ 368.00	\$ 368.00	\$ 613.00
Chair	267.00	267.00	147.00
File Cabinet	275.00		
Telephone	90.00	90.00	90.00
Typewriter	<u>400.00</u>	<u>          </u>	<u>400.00</u>
	\$1,400.00	\$ 725.00	\$1,250.00

On-going Costs

	<u>New Programs</u>	<u>Adding Additional Staff</u>	<u>Adding Clerical Help</u>
Telephone	\$ 360.00	\$ 120.00	\$ 120.00
Postage	250.00		
Supplies	<u>240.00</u>	<u>180.00</u>	<u>180.00</u>
	\$ 850.00	\$ 300.00	\$ 300.00

Basis for Costs:

Furniture - Mid-range prices in office supply catalogue.

Telephone - Cost of a two line basic touchtone phone and an estimated monthly charge.

Postage - Estimated mailings for medium-size program.

Supplies - Estimated cost of desk supplies, i.e., stapler, pens, etc., and paper.

AUTOMATED EQUIPMENT COSTS

Hardware - CPU	
Monitor	
Printer	\$4,500
Software - Word Processing	
Data Base	
Spread Sheet	1,000
Training	<u>500</u>
	\$6,000

Note:

Automated equipment needed due to the amount of written communication and statistical information required by the program.

ATTACHMENT F

TRAINING AND STAFF DEVELOPMENTCRIMINAL JUSTICE-BASED PROGRAMSPRE-SERVICE TRAINING

Recommendation: 40 hours of pre-service training for all new hires.

Cost:

2 days in Harrisburg office (\$96 travel, \$90 lodging, \$48 subsistence)	\$234
3 days at selected field site(s) (\$109 travel, \$145 lodging, \$72 subsistence)	\$326
Total per person	<u>\$560</u>

Estimated 51 positions x \$560 = \$28,560

Total Pre-service Training = \$ 28,560

CONTINUING EDUCATION

Recommendation: New hires will attend 40 hours of "victimization training" within 3-6 months of their hire date. Training to be provided at no cost by existing victim service programs.

Cost:

40 hrs. training X \$7.50 per hour (salary during training) = \$300

Estimated 51 positions x \$300 = \$15,300

Recommendation: All victims services staff will attend 40 hours of training on an annual basis as part of a continuing education program.

A sample breakdown is as follows:

3 Regional Workshops- 15 hours	111 staff x \$45/workshop x 3/year	= \$ 14,985
Annual Conference - 12 hours	111 staff x \$300 conference expense	= \$ 33,300
Other Training - 13 hours	111 staff x \$500/staff	= \$ 55,500
(Topical Seminars) 40 hours	TOTAL	<u>\$103,785</u>

Total Continuing Education = \$119,085

TOTAL TRAINING AND STAFF DEVELOPMENT

PRE-SERVICE TRAINING	= \$ 28,560
CONTINUING EDUCATION	= <u>\$119,085</u>

TOTAL \$147,645

ATTACHMENT G

VICTIM SERVICES NEEDS ASSESSMENT SURVEY

COMMUNITY-BASED PROGRAMS

PRE-SERVICE TRAINING

Recommendation: 40 hours of pre-service training for all new hires utilizing existing rape crisis/other serious crimes training (78 staff).

No Cost

Recommendation:

New program hires will complete a 20 hour internship with the Criminal Justice-Based Victim Witness Program (78 Staff).

No Cost

Recommendation: New program hires will complete a 25 hour Internship with Comprehensive Community-Based Agency.

Cost:

3 days at selected field site (\$96 travel, \$135 lodging, \$72 subsistence) \$303

41 staff at \$303 = \$12,423

Total Pre-service Training = \$ 12,423

CONTINUING EDUCATION

Recommendation: Community-Based services staff will attend 40 hours of training on an annual basis as part of a continuing education program.

A sample breakdown is as follows:

Regional Workshops	15 hours	119 staff x 45/workshop x 3/year	= \$ 16,065
Annual Conference	12 hours	119 staff x \$300 conference expense	= \$ 35,700
Other Training (Topical Seminars)	13 hours	119 staff x \$500/staff	= \$ 59,500
		Total Continuing Education	= <u>\$111,265</u>

TOTAL TRAINING AND STAFF DEVELOPMENT

PRE-SERVICE TRAINING = \$ 12,423  
CONTINUING EDUCATION = \$111,265

TOTAL \$123,688