

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

Helping Victims and Witnesses in the Juvenile Justice System

A Program Handbook

139731

OJJDP

A Publication of the
Office of Juvenile Justice and Delinquency Prevention

Helping Victims and Witnesses in the Juvenile Justice System: A Program Handbook

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NCJRS

JAN 28 1993

ACQUISITIONS

April 1991

American Institutes for Research
3333 K Street NW
Washington, DC 20007
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Prepared under Grant No. 87-JS-CX-K093 (S-1) from the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs, U.S. Department of Justice.

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Acknowledgements

Without the cooperation of the victim witness assistance programs we visited, this handbook would not have been possible. The program directors of the nine programs we visited during the different stages of this program opened their programs to our review and shared their insights about providing victim assistance in the juvenile system. They also facilitated our visits with juvenile justice personnel and other victim witness professionals in their jurisdictions. For sharing their creative approaches to serving victims of juveniles, we are indebted to:

- **Barbara Phillips, Director of the Community Service Program, Inc., Orange County Superior Court, Santa Ana, California**
- **Barbara Kendall, Director and Coordinator of the Victim/Witness Assistance Unit, Boulder County District Attorney's Office, Boulder, Colorado**
- **Annette Andre, Director of Victim Witness Services, Office of the State's Attorney, West Palm Beach, Florida**
- **Robert Weaver, Supervisor, Department of Juvenile Services, Washington County, Maryland**
- **Paul Gesregan, Director of Juvenile Court Services, Delaware County Juvenile Court, Media, Pennsylvania**
- **Jeff Rosoff, Family Court Victim Witness Services Coordinator, Philadelphia District Attorney's Unit, Pennsylvania**
- **Linda Price, Victim Assistance Coordinator, South Carolina Department of Youth Services Victim Assistance Program, Columbia, South Carolina**
- **Robyn Cyr, Victim Witness Program Director, Yakima County District Attorney's Office, Washington**
- **Roberta Sculley Moebius, Director of Victim/Witness Services, Children's Court Center, Milwaukee, Wisconsin**

The steady guidance and careful reviews of our Advisory Panel have been essential to the success of this program. We are grateful for the unflinching support and assistance of our panel members:

- Judge Randall Hekman, then Judge of Probate, Kent County Juvenile Court, Grand Rapids, Michigan; currently Executive Director of the Michigan Family Forum
- Roberta Sculley Moebius, Director of Victim/Witness Services, Children's Court Center, Milwaukee County, Wisconsin
- Ann L. Schneider, Dean of the College of Public Programs, Arizona State University, Tempe, Arizona
- Jane E. Tewksbury, Regional Supervisor, Middlesex County District Attorney's Office, Cambridge, Massachusetts.

Many other juvenile justice and victim assistance experts have shared ideas and information with us. We particularly want to thank John Stein from the National Organization of Victim Assistance (NOVA) for his insights and guidance. NOVA provided us with their mailing list to identify programs and shared their files on victim-related legislation. Dwight Price of the National District Attorney's Association has been available throughout the program to clarify ideas and provide us with the prosecutor's perspective. Susan Hillenbrand of the American Bar Association shared her collection of statutes related to victims.

The steadfast support, guidance and encouragement of Ms. Travis Cain, our monitor from the Special Emphasis Division of the Office of Juvenile Justice and Delinquency Prevention, has kept the program on course. We have benefitted from the advice and support of a number of other monitors during the preparation of this handbook: Richard Sutton, our first monitor from the Research and Program Development Division; Ms. Brunetta Centner from the Research and Program Development Division; and Benjamin Shapiro from the Special Emphasis Division.

Carolyn Bagin of AIR's Document Design Center edited the first draft of the handbook, providing us with invaluable comments on its content, organization, style, and format.

Finally, our project secretary, Millie Carter, adeptly produced each version of the handbook. We owe the format of the document to her persistence and her facility with complex word processing techniques.

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The Purpose of the Handbook

If you are a juvenile justice policymaker, a provider of juvenile justice services, or a victim assistance provider, this handbook will help you develop services for victims and witnesses of juvenile crime. It will show you how assistance to victims and witnesses of juvenile crime can be provided under a variety of conditions and in a variety of jurisdictions. The purpose of this handbook is to:

- identify programs that have model approaches,
- describe essential and optional program components,
- give you practical guidelines for deciding how to structure and implement your program,
- describe some typical obstacles and show you how some programs have circumvented them, and
- guide you to additional resources.

We based this handbook primarily on a study of victim and witness assistance programs that are operating in the field. In addition, we drew on a comprehensive review of the literature, a mail survey of victim assistance providers, a mail survey of juvenile justice officials, and a review of State juvenile codes.

We make liberal use of examples from the programs that we visited throughout the handbook.

Note that this handbook does not cover:

- **program efforts that do not differentiate between victims of juveniles and victims of adults** (usually programs that intervene when the crime is reported, rather than when charges are filed -- in many cases, before it is known whether the defendant is a juvenile or an adult),
- **restitution programs that do not offer other forms of victim assistance** (because these are the subject of ongoing work by the Office of Juvenile Justice and Delinquency Prevention [OJJDP]), and
- **programs that focus on child victims** (because they may be involved in either the criminal or juvenile justice system and because OJJDP is sponsoring a separate program on the child victim of sexual assault).

You will find resources for information on these topics in the final chapter of the handbook.

Chapter 1: The Nature of the Problem

Our society has traditionally accepted the notion that juvenile offenders are less culpable and less responsible for their actions than adult offenders, because of their immaturity. In keeping with that philosophy, typically the primary function of the juvenile justice system is to rehabilitate youth, not to punish them, and juvenile proceedings are less formal and less adversarial than those in criminal courts.

However, because juveniles are currently responsible for about 29 percent of the crimes included in the Uniform Crime Reports index, we are becoming increasingly concerned about the consequences of juvenile crime for society as a whole and for victims, as well.

If we are to have a true system of justice, we must provide for humane and fair treatment of victims as well as offenders. And we must do this without compromising the rehabilitative, non-retributive underpinnings of the juvenile system.

What Assistance Is Available to Victims of Juvenile Crime?

Although victim rights and victim witness assistance programming have made great strides in recent years, those who are involved in the juvenile justice system have not shared equally in this progress.

Of the 45 states that had passed victim rights legislation by 1988, only 13 specifically defined their population to include victims of juveniles. Yet the rights provided for in the legislation would hardly conflict with the due process or confidentiality protections afforded juvenile offenders: They generally guarantee victims simple courtesies, such as the timely provision of information about the criminal justice process, separate waiting areas at court, and notification of the outcome of the case.

Nor do juvenile codes clarify the rights of victims. Most juvenile codes are virtually silent about victims, except to define the circumstances under which a victim may obtain the accused juvenile's name or prior record and to recognize restitution to the victim as a permissible sanction.

Victim assistance services in the juvenile system also lag behind those in the adult system. A recent national survey of victim witness assistance programs shows that victims and witnesses of juvenile crime compose a very small proportion of the victim caseloads (1-10%) for the majority of programs. Many of these programs that do serve some victims of juveniles receive referrals from the police, in many cases before it is known whether the perpetrator is a juvenile or an adult. Rarely do such programs provide routine services related to victim participation in the juvenile court process. And of the programs that focus on court-related services, few routinely handle cases in juvenile court.

Do Victims of Juvenile Crimes Need Services?

There is no evidence that victims of juveniles need services less than victims of adults. Instead, research suggests that victims of juveniles and adults respond similarly to victimization and to the criminal justice process. Victims of juveniles report problems such as psychological distress, financial losses, and dissatisfaction with participation in the justice system that are much like the problems reported by adults (Hinrichs, 1981; Davis & Schraga, 1984).

In fact, victims of juveniles may be more vulnerable to the ill effects of victimization because they are more apt to be juveniles themselves. For violent crimes, offenders and their victims are usually close in age (Ereth, Kendrigan, Michael & Benson, 1984; Fagan, Slaughter & Hartstone, 1987; Bureau of Justice Statistics, 1986). Compared to adult victims, teenage victims are more likely to be physically attacked during the commission of a violent crime. They also are more likely to be victimized by multiple offenders and are more likely to know their assailant than are adult victims (Bureau of Justice Statistics, 1986). This may mean that teenage victims are at increased risk of intimidation following the crime.

Victims who become involved in the juvenile court process will encounter a philosophy, terminology, and set of procedures that are even less comprehensible to the average citizen than those of the criminal court. While recent court decisions have extended most of the due process safeguards of the adult criminal courts to juveniles (Feld, 1987; Rubin, 1986; Greenwood, undated), juvenile court procedures are still less formal and adversarial than criminal proceedings. In many jurisdictions, juvenile proceedings remain closed to the public.

Victims who expect their juvenile offenders to be punished may find that the juvenile courts continue to emphasize protection and rehabilitation of the juveniles who are brought before them (Davis, 1974). And victims may be confused by some of the strategies to avoid the stigma of criminal labelling -- for example keeping the name of the defendant confidential and employing special terminology, such as "delinquent" instead of "criminal."

Why Should You Establish Victim Witness Assistance Programs?

The most compelling reasons for developing a victim witness assistance program are that victims deserve to be treated with respect, dignity, and fairness and to be spared secondary victimization by the system. Victims are no less deserving of humanitarian, just treatment because they were victimized by a 15-year old rather than an 18-year old. All the things that victim witness assistance programs do -- educating victims and witnesses about the justice system, answering questions, providing a sympathetic ear, accompanying victims to court -- are efforts to make the system less burdensome for those who are involved. These kinds of efforts can help victims no matter what the offender's age.

The system reaps advantages from victim witness assistance programs as well. Victim witness services help the system operate more efficiently by saving police and prosecutor time and by reducing non-appearance by witnesses (Cook et al., 1987; Cronin & Bourque, 1980; Bolin, 1980, Fry & Miller, 1979).

By making participation in the system more tolerable for both victims and witnesses, programs may also produce longer term effects, such as increasing the willingness of victims or witnesses to report future crimes.

In addition, defendants benefit indirectly from victim witness assistance programs. By encouraging victims to participate and by documenting the impact of the offense, programs increase the likelihood that defendants see the consequences of their illegal actions and are held accountable for them. Programs play a role in ensuring that the notions of justice that defendants absorb from interacting with the juvenile system include the equitable and compassionate treatment of the victim as well as the offender.

Are there any reasons not to develop victim assistance programs in the juvenile system? We did not find any insurmountable statutory barriers to such programs. State juvenile codes may restrict victims' access to information or to court hearings in order to protect the confidentiality and privacy of the juvenile defendant, but they do not otherwise specifically

prohibit victim participation. Victim assistance programs can usually accommodate the statutory impediments that do exist by making minor adjustments to procedures. For example, programs may use numbers instead of names when the defendant's identity cannot be divulged.

Moreover, in a recent national survey, judges and prosecutors reported that statutes and case law permit most forms of victim participation. And juvenile justice agencies in most jurisdictions reported that they already provide limited and occasional services to victims and witnesses of juvenile crime in conducting routine business. For instance, the prosecutor typically notifies victims of court appearances through subpoenas and the court sometimes fields questions about the outcome of a case or restitution requirements. What the victim assistance program can do is to coordinate and streamline existing fragmented and occasional services, as well as fill service gaps.

Nor did we find any insurmountable operational barriers to victim assistance programs in the juvenile system. Victim assistance programs for the juvenile system can accommodate a variety of operating agencies and jurisdictional differences. Programs are run successfully by prosecutor's offices, probation departments, juvenile courts, private organizations, law enforcement agencies, and correctional agencies. They are found in rural areas as well as in urban areas and in courts of different structures and sizes.

Excessive cost is not a barrier either. Programs can be low cost, using space and personnel donated by the host agency, frequently supplemented by volunteers. Typically, programs begin small and expand incrementally as the demand for services grows and as system personnel see the benefits of the program.

This does not mean that programs are problem free. The challenge in developing a program is to fit it to the exigencies of the environment, thereby minimizing potential difficulties. This requires thorough and careful decisionmaking and planning. In the next chapter, we look at the key decisions to be made in designing your program and introduce eight programs that have adapted successfully to the needs and constraints of their jurisdictions.

Chapter 2: Key Decisions in Designing Victim Witness Assistance Programs for the Juvenile System

Answers to the following set of interrelated questions drive the design of victim assistance programs:

1. What organization will sponsor the program?
2. What are the program goals?
3. What is the target population?
4. How and when will the program identify the target population?
5. What services will the program offer?
6. Where will the program's offices be located?
7. What resources -- money, staff, arrangements with other agencies -- will be needed to support the program?
8. Who will provide the resources?

The descriptions on the following pages show how eight pioneer programs addressed these questions. These particular examples reflect some of the diversity in organizational arrangements, geographical location, size of jurisdiction, and statutory environments found among juvenile victim assistance programs. We intentionally describe a range of programs -- from modest programs that offer a limited array of services to more comprehensive and expensive programs.

Case Study 1:

The Boulder County (CO) District Attorney's Victim/Witness Assistance Unit provides services to victims and witnesses in cases that are referred to the prosecutor in Boulder County, a suburban jurisdiction of about 217,900 people. Services provided to victims of juveniles do not differ much from those provided to victims of adults because court procedures in the two systems are quite similar and the juvenile code recognizes a number of victim rights -- disclosure of the juvenile's name, attendance at disposition and restitution hearings, and presentation of an oral or written impact statement.

Since its inception in 1976, the program has grown to seven full-time and one part-time staff. Since 1986, one full-time staff member has been assigned to work primarily with victims and witnesses in juvenile cases. The cost of the juvenile component is approximately \$30,000, supported about equally by the district attorney and federal Justice Assistance Act funds (through a state block grant).

The juvenile specialist identifies clients primarily by screening police referrals to the prosecutor. She sends every victim a letter that describes the charges that were filed, delineates basic victim rights, and directs the victim to the program for more information. She also sends a victim impact form to victims of property crimes involving losses over \$50. The specialist calls all victims of violent or exceptional crimes within 24 hours of the referral. She also telephones all witnesses who are scheduled to appear in court and all victims who have not returned their restitution or impact forms within 10 days.

In the course of these mail and telephone contacts, the specialist provides most of the program services: crisis counseling and referral, orientation to the court process, resolution of appearance problems, placement of witnesses on call, and assistance in documenting victim impact and restitution and compensation claims. When victims must appear in court, the specialist arranges courtroom tours and accompanies them to court, especially for children or particularly apprehensive individuals. She greets each victim and witness who comes to court in the unit's waiting area. At the close of the case, she notifies all victims and significant witnesses of the outcome by mail or telephone.

One staff person, with clerical assistance from the D.A.'s staff, is able to handle all the filing letters and witness notifications, averaging about 40 each a month. In addition, she contacts about 80 victims a month by telephone and 20 a month in person at court.

Case Study 2:

The Columbia (SC) Department of Youth Services Victim Assistance Program for victims of juvenile crime is operated by the Richland County Office of South Carolina's Department of Youth Services (DYS) and serves the six-county area that composes DYS Region IV. Over half of the area's population of 513,400 resides in Richland County, where the program is based.

The program began in January 1987 with support from the Victims of Crime Act (VOCA) and made the transition to local support in October, 1989. Its full-time staff member is now funded entirely from the DYS budget. An additional part-time position was terminated when the VOCA grant expired. Currently the cost of the program is approximately \$26,000 annually, excluding office space.

The program identifies clients by screening all juvenile cases referred to DYS intake in Richland County. Additional clients, especially from the outlying areas, are referred by DYS satellite offices, solicitors, and law enforcement agencies. The program primarily targets victims of 10 violent or serious felonies, but to the extent that resources permit, it also handles lesser offenses that involve physical injury or potential psychological trauma. In addition, it handles all referrals from victims or solicitors.

If a juvenile has been detained, the coordinator contacts the victim by telephone within 24 hours. In other cases, she notifies the victim by mail that the case is under review by the solicitor's office and encloses the program's brochure. She follows up by telephone within about a week. Thereafter, the program notifies victims about each stage in the proceedings - from the decision to file charges to the final disposition. In very serious cases, the program also notifies victims of parole hearings.

Routine services include crisis counseling, assistance with compensation, and orientation to the juvenile justice process. In cases of serious physical injury, the coordinator provides in-depth crisis intervention, assessment, and referral services as needed. The coordinator accompanies all victims to court in Richland County and victims in the outlying counties as time permits. She actively solicits written impact statements and informs victims that they may appear at court hearings and make a statement at disposition.

The juvenile coordinator works closely with a DYS arbitration program aimed at diverting cases from the juvenile justice system. The coordinator's role is to alert a victim that the solicitor has referred the case for arbitration, which will go forward if both the victim and the offender agree to participate. She also ensures that the arbitrator has restitution documents and other information pertinent to the case.

Case Study 3:

The Delaware County (PA) Juvenile Court Victim Services Unit exclusively serves victims of juvenile crime. Located in a suburban Philadelphia county of 556,900 residents, the unit is operated by Juvenile Court Services, the agency responsible for administering the juvenile court, juvenile probation, and the youth detention center.

Pennsylvania statutes afford victims of juvenile crime the same rights as victims of adult crime, including the right to present impact information, to be awarded restitution, and to be informed of the release of the offender from a correctional facility. Standards developed by the Pennsylvania Juvenile Court Judges Commission extend these rights and place responsibility for implementing them in the juvenile system with the juvenile court.

The program began in 1981, staffed by a part-time graduate student intern, who soon was hired to do the job full-time. Since then, the unit has added a part-time victim services aide. The agency's supervisor of community relations and other probation staff provide additional assistance, equivalent to another half-time employee. The total annual cost of the program, excluding office space, is about \$38,000. Except for a \$4,000 grant from state block grant funds, the unit's funding comes from the county Juvenile Court Services budget.

The program serves victims in filed cases. It employs two methods to locate target clients: Victims refer themselves in response to information about the victim assistance unit sent when they are notified that a petition has been filed, and the court receptionist steers all victims who appear to testify to the program's waiting area where they are greeted by a victim assistant.

The program's primary services are appearance support and orientation for victims who are subpoenaed to testify. The program provides a private waiting area for victims, counsels them individually about what to expect in the courtroom, accompanies them to court, and provides supportive services, such as child care, when required. A more general orientation to the juvenile justice system and the court process is provided to all victims in filed cases through a program brochure that is sent along with the official notification that a petition has been filed. For victims who request additional assistance -- crisis counseling, information on case status and outcomes, help with compensation or restitution -- the program tries to provide whatever the victim needs, either directly or by referral. In addition, in selected cases the unit arranges a face-to-face meeting between victim and offender after adjudication.

On the average, the program accompanies 46 victims a month to court, sends 100 orientation brochures, and telephones 135 victims.

Case Study 4:

The Lutheran Social Services Victim Witness Services in Milwaukee County, Wisconsin serves an urban jurisdiction of 930,100 residents, which contains one of the nation's 20 largest cities. In 1975, the county's district attorney was one of the first in the nation to implement a major program to assist victims and witnesses of adult crime, and in 1980, Wisconsin became the first state to pass a victim bill of rights. The state's juvenile code explicitly extends the bill's provisions to the juvenile system.

The victim witness program for the juvenile system was established by the not-for-profit Lutheran Social Services (LSS) in 1980, with support from the local United Way and full encouragement from the district attorney's office, which provides space and equipment at the juvenile court complex. The original staff of one has grown to five. They work exclusively with victims and witnesses in delinquency cases (about 5,000 filings in 1987), but do not handle victims age 60 and older because the district attorney's office directly supports another victim assistant for this special population. The annual budget for the LSS program is about \$157,000, exclusive of in-kind support.

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

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

The bulk of the program's services are delivered by telephone, with a monthly average of 360 contacts. The program contacts an average of 24 victims a month in person, and an average of 86 a month by mail.

Case Study 5:

The Community Service Programs, Inc. (CSP) Victim/Witness Assistance Program in Orange County, California, serves a jurisdiction of 2.3 million people in one of the fastest growing counties in the United States. CSP, an independent not-for-profit organization, has been designated by the county as the provider of victim services to the community. Because of its independent status, CSP initially had to obtain court approval for access to juvenile court proceedings and files.

The program began in 1978 with federal support and was continued by the county when federal funds dried up. The county support comes entirely from a Penalty Assessment Fund composed of fees paid by convicted offenders. The program expanded services into juvenile court in 1981 with two full-time staff and has grown to four full-time staff and as many as six volunteers. The juvenile court component operates on a \$96,360 annual budget, which is about 11 percent of the total program budget. In addition to the county grant, the program is under contract to Orange County to provide witness coordination at the juvenile court.

In 1982 California passed a victim bill of rights that provides for mandatory restitution, notification and participation in sentencing, and notification of parole hearings, and spells out the services to be provided by victim assistance programs. Although the bill makes no explicit mention of victims of juveniles, local officials read it to apply to them.

Probation intake and the district attorney's office provide most of the referrals. Intake sends the program all sexual assaults and other violent crimes that warrant immediate attention before they are sent to the prosecutor. In addition, intake refers all cases that have been diverted. Once a case is filed, the district attorney sends the program a copy of the subpoena. A victim specialist calls the victim to discuss and evaluate needs within two days or one day for violent crimes.

The staff provide a comprehensive range of services for victims including: crisis intervention and follow-up counseling; emergency assistance; help with restitution and compensation claims and impact statements; information on case status and outcome; and court reception and accompaniment. Other services, such as on-the-scene crisis intervention and crime prevention instruction, are provided by the adult component of CSP. In addition, the program coordinates all witnesses in juvenile court for the district attorney. This involves reminder phone calls the day before an appearance is required as well as operating an on-call system and resolving any logistical problems.

Staff make 1,500 victim and witness contacts a month, mostly by telephone. Staff make personal contact with all victims who appear to testify -- about 160 a month -- and with all witnesses who use the program's waiting area.

Case Study 6:

The Philadelphia (PA) District Attorney's Victim Witness Unit serves victims and witnesses of juvenile crime in Philadelphia, the nation's fourth largest city with a population of 1,647,000. As is the case for the Delaware County (PA) program, the victim bill of rights affords victims of juvenile crime the same rights as victims of adults, and court standards designate the juvenile court as the agency responsible for assuring that these rights are honored.

The Family Court Victim Witness Unit began in 1980 when the district attorney's juvenile division received a federal grant for witness coordination and support. The unit consists of a coordinator, a part-time driver and a part-time secretary/receptionist. Since 1983, the district attorney has funded the unit directly at an annual cost of about \$55,000. The juvenile unit is loosely affiliated with the district attorney's adult Victim Witness Services Program that was begun in 1985 and is located several blocks away.

Clients are identified from petitions sent by court intake to the district attorney. A computer generates subpoenas for all victims and civilian witnesses; the program adds an insert explaining the juvenile justice process. Elderly victims, victims and witnesses in cases scheduled for detention hearings, and victims with injuries or financial losses are singled out for special attention.

The unit primarily serves as an information and referral resource for victims and witnesses. The unit is responsible for notifying witnesses of hearing dates, usually through mail subpoenas, but in cases scheduled for detention hearings or involving a change of the hearing date, through telephone calls. The unit notifies victims of the disposition in cases resolved before trial; the district attorneys are responsible for notifying victims in other cases. The unit also mails victim impact forms and information about restitution and compensation to victims with injuries or property losses.

Victims who must testify are offered transportation to court in a van owned by the district attorney. There are specific procedures to protect witnesses from intimidation and harassment, and a separate waiting area is available at court for fearful witnesses, child victims, and victims of sex offenses.

The coordinator refers victims who express a need for additional help to a network of six community-based victim assistance organizations. These agencies are funded partially by the district attorney's office to provide information, support, and court accompaniment.

Because of high caseloads in Philadelphia, the unit relies heavily on mail contacts with victims, averaging 400 a month. In addition, the program talks with about 60 victims a month by telephone, allows an average of 150 to use the waiting area, and arranges transportation for an average of 10.

Case Study 7:

The Washington County (MD) Department of Juvenile Services Victim Services Unit is a small-scale program, serving victims of juvenile crime only. Located in a predominantly rural county of 117,800 residents in western Maryland, it is one of very few juvenile victim assistance programs operating in small jurisdictions.

The program began in 1981 when the Department of Juvenile Services, the state agency responsible for providing and coordinating court services, began victim assistance and restitution programs in each of its ten regions. Many of the rights afforded victims of juveniles by these programs were later incorporated in the state's 1989 victim bill of rights. This legislation guarantees victims the right to know the identity of the accused, to be notified of and attend all hearings, and to provide an oral or written statement of the impact of the crime.

One part-time victim coordinator handles the annual caseload of about 400 victims of juveniles referred for felony offenses. The coordinator shares office space and supervision and materials with other Juvenile Services staff, in offices located several blocks from the court. The annual budget for the unit is \$8,500.

The program identifies victims by checking the docket to find cases scheduled for trial and reviewing court intake's list of cases handled informally (misdemeanors only) to find those involving financial losses. For these target cases, the coordinator calls victims a few weeks before a scheduled hearing to explain the system, encourage their attendance, and provide assistance preparing information for restitution decisions.

Assistance preparing victim impact statements for the court is the primary service. The coordinator telephones victims to alert them to approaching hearings, to explain how to document losses, and to encourage victims to write an impact statement. On the basis of the information provided by the victim, the coordinator prepares an impact report for the court file and is available at all juvenile hearings (held once a week) to clarify the information. When victims request it, the coordinator notifies them of case progress and accompanies them to court. When offenders come before the court for release from probation or aftercare, the coordinator checks the status of their restitution payments and relays that information to the court.

In contrast to many other programs operating in the juvenile system, the program does not use mailings or other written materials to reach and orient target victims. It reaches victims almost entirely through telephone contacts (about 70 a month) and personal contact when a victim arrives to testify (about 40 a month).

Case Study 8:

The Yakima County (WA) Prosecuting Attorney's Victim Witness Assistance Unit serves a countywide jurisdiction of 185,500 persons in south central Washington. The program began in 1978 with federal funds and has been funded by the county through the prosecutor's office since 1981. The program began by providing notification services, court orientation, and administration of restitution.

In 1986, the program added a staff member to administer restitution in the juvenile court. Gradually, she started to emphasize more direct services to victims and witnesses. Since then, programs in both the adult and juvenile systems have turned the responsibility for administering restitution back to the court.

The juvenile victim witness unit continues to operate with one staff member. The annual budget is \$18,000, funded entirely by the prosecutor's office. Office space, supplies, and some clerical support are contributed by the court.

Services provided in the juvenile court are modeled after the services provided in the adult system. Juvenile court proceedings are open to the public and offenders' names are a matter of public record. The primary services are providing information about the court process and case outcome, crisis intervention, and advocacy.

About 520 clients per year are served. They are identified from cases referred for filing to the deputy prosecutor in juvenile court. All victims identified through the referrals are notified through the mail of the filing decision. If the case is filed, victims also receive a request to complete restitution information and a victim impact statement. Staff also screen impact statements and police reports to identify victims who may need crisis intervention or other specialized services. The juvenile court specialist calls these victims and provides information and support.

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

We summarize the characteristics of the eight programs in Table 1. Consult the table to identify those programs that most closely match your circumstances and therefore merit particular attention.

Table 1. Key Features of Eight Juvenile Programs

Program Location	Provider	Size of Jurisdiction, 1988	Number of Delinquency Petitions per Year	Provider Serves Juvenile System Only?	Services in Same Location as Services for Adult System?	Primary Target Group	Point of Intervention
Boulder County, Colorado	Boulder County District Attorney's Office	217,900	530	No	Yes	Victims & witnesses	After petition is filed
Columbia, South Carolina (6 counties)	South Carolina Dept. of Youth Services, Region IV	513,400	2,800	Yes	NA	Victims of serious offenses	After referral to youth services intake
Delaware County, Pennsylvania	Delaware County Juvenile Court Services	556,900	1,200	Yes	NA	Victims	After petition is filed
Milwaukee County, Wisconsin	Lutheran Social Services	930,100	5,000	Yes	NA	Sexual assault victims Other victims & witnesses	After referral to prosecutor for sexual assault victims After petition is filed for others
Orange County, California	Community Services Program, Inc.	2,257,000	8,000	No	No	Victims & witnesses	After referral to intake
Philadelphia Pennsylvania	Philadelphia District Attorney's Office	1,647,000	8,700	No	No	Victims & witnesses	After referral to prosecutor
Washington County, Maryland	Juvenile Services Agency	117,800	400	Yes	NA	Victims	After referral to prosecutor
Yakima County, Washington	Yakima County Prosecuting Attorney's Office	185,500	520	No	No	Victims & witnesses	After referral to prosecutor

NA = Not applicable

Table 1. Key Features of Eight Juvenile Programs (continued)

Program Location	Priority Services	# of Staff	# of Volunteers	Annual Cost
Boulder County, Colorado	<ul style="list-style-type: none"> • Notification of case filing and outcome • Crisis counseling and referral • Assistance with restitution, compensation, & victim impact statements • Witness coordination • Orientation to court process & accompaniment 	1	2	\$29,534 + space, supplies, secretarial support
Columbia, South Carolina	<ul style="list-style-type: none"> • Orientation to court process & accompaniment • Notification of case status & outcomes • Crisis counseling & referral • Assistance with restitution, compensation, & victim impact statements 	1	0*	\$26,000 + space, equipment, supplies
Delaware County, Pennsylvania	<ul style="list-style-type: none"> • Information about juvenile court process • Witness reception, orientation, and accompaniment • Post-adjudication mediation 	2 FTE	0	\$38,000 + space
Milwaukee County, Wisconsin	<ul style="list-style-type: none"> • Crisis counseling & referral • Information about case status & outcome • Assistance with restitution, compensation, & victim impact statements • Witness coordination • Orientation to court process & accompaniment 	5	2	\$157,000 + space, equipment, supplies
Orange County, California	<ul style="list-style-type: none"> • Orientation to court process • Information about case status & outcome • Witness coordination • Witness reception & accompaniment • Crisis counseling, referral, & follow-up 	4	2-6	\$96,360
Philadelphia Pennsylvania	<ul style="list-style-type: none"> • Orientation to court process • Witness coordination • Information about case status & outcome 	1.6 FTE	0	\$55,000
Washington County, Maryland	<ul style="list-style-type: none"> • Orientation to court process • Assistance with restitution & victim impact statements • Court accompaniment 	.5	0	\$8,500
Yakima County, Washington	<ul style="list-style-type: none"> • Notification of case filing & outcome • Crisis counseling & referral • Assistance with restitution & victim impact statements • Witness coordination • Witness reception, orientation, & accompaniment 	1	1	\$18,000 + space, supplies, secretarial support

FTE = full-time equivalents

* Occasional short-term volunteers only

Note that half of the juvenile justice programs began as offshoots of existing adult programs. **If you want to expand an existing program to routinely serve victims in the juvenile justice system, your current program can serve as a model for the juvenile justice component.** In that case, since you have already addressed most of the key questions, you can simply tailor your procedures to fit the juvenile justice environment and your resource limitations. You may want to skip to Chapter 3: The Victim Witness Assistance Program Structure for descriptions of the basic components of successful programs operating in the juvenile justice system.

If your juvenile program will not be an offshoot of an existing program, the questions below will help you address the critical design issues.

What Organization Will Sponsor the Program?

Perhaps the most pivotal question affecting juvenile victim assistance programs is which organization will sponsor the program. Sponsorship is important because the needs of the sponsoring agency affect the program goals, the stage of the criminal justice process when it would be easiest to intervene, access to the target population, the services that will be in most demand, and the resources available. **If you are developing a program for victims of juvenile crime from the beginning, address the sponsorship question before you tackle subsequent decisions.**

While programs for the juvenile justice system are often provided by prosecutor's offices, probation agencies, or courts, other viable sponsors are police agencies and community-based organizations. The program goals and service emphases usually associated with each type of sponsoring agency are shown in Table 2, but there are no hard and fast rules for what programs can do. For example, two of the witness coordination programs described in our examples are not run by prosecutor's offices as one would expect, but by community-based organizations.

Consider the potential advantages and drawbacks of each organizational choice, as summarized in Table 3. A critical advantage of sponsorship by a justice agency such as a prosecutor's office or a probation department, is access to the case files or paperwork needed to identify clients and to update case information. Depending on the confidentiality provisions of your juvenile code and the attitudes of officials who control access to information, this may be a significant consideration. Other advantages of justice agency sponsorship are the credibility gained from association with the system and increased opportunities to influence the treatment of victims by system officials. Sponsorship by a private agency may offer you more independence from pressures to meet the needs of the system, however.

Table 2. Service Emphasis for Each Type of Operating Agency¹

	Services Frequently Provided²	Services Rarely Provided³
Law enforcement programs	<ul style="list-style-type: none"> • Reporting investigation status • Preparation for testimony • Accompaniment to court • Assistance with impact statement • Notification of disposition • Assistance with compensation • Crisis counseling • 24-hour hotline • Referral 	<ul style="list-style-type: none"> • Victim offender mediation
Prosecutor-sponsored programs	<ul style="list-style-type: none"> • Preparation for testimony • Notification of court dates • Notification of disposition • Assistance with compensation • Referral 	<ul style="list-style-type: none"> • Legal counsel (other than prosecutor) • 24-hour hotline • Mediation
Probation-sponsored programs	<ul style="list-style-type: none"> • Assistance with restitution • Crisis counseling 	<ul style="list-style-type: none"> • Transportation to line-ups • Legal counsel • Assistance with security repair • 24-hour hotline • Victim witness protection
Other programs	<ul style="list-style-type: none"> • Crisis counseling • 24-hour hotline • Referral 	<ul style="list-style-type: none"> • Property return • Witness reception • Assistance with witness fees • Victim witness protection • Mediation

¹ This table is based on a 1988 mail survey of a random sample of victim assistance programs. Data reported here come from responses of 166 programs that said at least five percent of their clients were victims or witnesses of juvenile crime.

² Includes services that more than 60 percent of the respondents provide to the majority of their clients in juvenile court.

³ Includes services that more than 60 percent of the respondents never provide to their clients in juvenile cases.

Table 3. Advantages and Drawbacks to Program Sponsors¹

Prosecutor-Sponsored Programs

Potential Advantages

- Provides ready access to case information
- Provides opportunities for staff training in operation of the juvenile justice system
- Provides program with authority and credibility
- Provides area-wide jurisdiction
- Provides opportunity to improve prosecutors' handling of victims
- Facilitates access to judges
- Facilitates inclusion of victim's concerns with sentencing recommendation
- Provides opportunity for court escort and witness reception center
- Provides stable constituency for future funding
- Provides opportunity to obtain prompt official action on intimidation

Potential Drawbacks

- Focuses on victims in terms of their potential as witnesses
- Restricts services to victims whose cases are filed
- Limits early contact with victims
- Restricts staff role as victim advocate
- Reduces acceptance by community-based organizations
- Can create conflicts over confidentiality and disclosure
- Can create conflict between prosecution needs and victim's needs

Probation Corrections-Sponsored Programs

Potential Advantages

- Provides ready access to case information
- Provides access to victims before prosecutor screening
- Provides access to victims in diverted cases
- Provides opportunity for staff training in operation of the juvenile justice system
- Provides program with authority and credibility
- Provides area-wide jurisdiction
- Facilitates access to judges and court hearings
- Provides opportunity for court escort and witness reception center
- Facilitates inclusion of victim's concerns in sentencing recommendations
- Facilitates access to post-sentencing information (restitution performance, parole hearings, release from secure placements)

Potential Drawbacks

- Creates potential conflict between offender orientation and concern for victim
- Limits early contact with victims
- Tendency to focus on restitution exclusively

¹ Table is adapted from Peter Finn and Beverly N. W. Lee, Serving Crime Victims and Witnesses. Washington, D.C.: U.S. Department of Justice, (1987), p. 27.

Table 3 continued

Programs Sponsored by Community-Based Organizations

Potential Advantages

- Facilitates staff advocacy for victims vis-a-vis juvenile justice system
- Relaxes victims distrustful of or intimidated by the system
- Provides access to victims of unreported offenses and few disincentives to helping them
- Enhances access to referral resources
- Easily taps local support services, churches, senior centers, etc.
- Can establish own objectives and priorities, independent of "system" needs

Potential Drawbacks

- Hampers access to cases from criminal justice system
- Limits potential for improving justice system's handling of victims
- Reduces justice system's interest in funding program
- Inhibits credibility with police and prosecutors
- Can restrict court accompaniment
- Can limit the location of reception facilities

Law Enforcement-Sponsored Programs

Potential Advantages

- Provides swift access to clients through arrest reports or calls to appear on the scene
- Facilitates 24-hour services because agency operates around the clock
- Provides opportunity to improve police handling of victims
- Provides opportunity to assist in interrogation of children, rape victims, etc.
- Reduces distinctions between victims of juvenile crime and victims of adult crime

Potential Drawbacks

- Discourages service delivery after investigation and referral to juvenile court
- May arouse distrust among officers who fear interference with practices
- Association with law enforcement alienates some victims
- Invites excessive referrals of non-crime cases
- May create conflicts with service organizations that distrust police

Probation-based programs sometimes encounter resistance from those who feel that advocacy for victims conflicts with the agency's traditional mission of acting in the best interests of the delinquent child. And prosecutor-based programs face potential conflicts between what is in the best interest of the victim and what is in the best interest of the state. Private organizations may also offer more resources to meet the emotional needs of the victim, such as expertise in crisis intervention and well-developed referral networks.

There are other practical considerations: Do some organizations have

- more resources available to assist the program?
- leaders who are especially supportive of victims' rights?
- staff who have skills that are particularly pertinent to your needs?
- office space near the juvenile court?

Justice system agencies offer clear advantages in these respects: They may have more resources than most community-based programs, staff that could be allocated to a victim assistance function, offices near the juvenile court, and a stable constituency for future funding. Community-based organizations can frequently arrange to tap into these same resources, however. In fact, the two programs sponsored by community-based organizations described on previous pages -- Orange County and Milwaukee -- both work closely with the prosecutor's office for witness coordination and have offices at or near the juvenile court.

What Are the Program Goals?

Although decisions about program goals are inextricably linked with program sponsorship, formulating some of your goals is an important first step in designing program services. Having a written statement of your purpose may also be useful in later decisions about adding or deleting components.

Some goals are shared by all of the programs we saw operating in the juvenile justice system. These universal objectives involve helping victims negotiate the juvenile justice process, affording them their legal rights and, in general, making participation in the juvenile justice process less burdensome and offensive.

Programs vary in the degree to which they express purely victim-related goals, such as easing the victim's trauma and stress and returning the victim to his or her pre-crime level of functioning or financial condition. They also vary in how aggressively they promote victim participation in different aspects of the process -- diversion decisions, plea bargains, and

sentencing, in particular. System officials may fear that increased victim participation in some of these areas will be associated with harsher penalties and a more retributive system, although there is no research evidence to support those beliefs (Carrington & Nicholson, 1984).

Programs also vary in the degree to which they emphasize assisting the system. Of course, programs sponsored or funded by juvenile justice agencies tend to emphasize system-related goals more than other programs. To help the system operate more efficiently, programs like those in Milwaukee County and Yakima County take responsibility for witness coordination and support and serve a very broad target population. Many of the seemingly victim-focused goals may serve the system as well: Explaining the court process and accompanying a victim to court not only makes the victim more comfortable, it also increases the likelihood that the victim will appear and the justice process can proceed.

Some programs express offender-oriented goals as well. Holding an offender accountable for his or her behavior and providing dispositions appropriate to the crime are believed to offer therapeutic benefits to delinquents. In Delaware County, Pennsylvania the program uses post-adjudication mediation to help some offenders understand the effects of their behavior. Recognition that the offender has harmed others is considered to be the first step toward rehabilitation.

What Is the Target Population?

At a minimum, most programs target victims of serious violent crime or crimes in which there has been some physical injury to the victim. Families of homicide victims are routinely included as well. Other target groups sometimes include:

- victims of less serious crimes against persons (like simple assaults),
- victims of residential or commercial property crimes,
- victims who have "special needs" -- very young or elderly victims, victims with physical or developmental disabilities, or victims with limited English proficiency,
- witnesses who are not themselves victims,
- police officers who are witnesses or victims.

Whatever your decision about the target population, you may find it helpful to formally rank categories of victims. In Boulder, Colorado, higher priority victims are expected to receive more immediate and personal attention and a wider range of services. Victims assigned the

lowest priority receive an introductory letter and a disposition letter, without further follow-up, unless the victim initiates a contact. Formal priorities also help you determine and defend your resource allocations when funds are cut or your usual client population mushrooms.

How Will You Identify Your Target Population?

Programs that routinely assist victims or witnesses in the juvenile justice system usually obtain the bulk of their clients by screening cases that are filed by the prosecutor's office or, less often, they screen cases that are referred to court intake or the prosecutor before filing. In addition, programs accept self-referrals and referrals from law enforcement agencies and social service organizations.

The records you consult to identify target clients and the point at which you identify them may boil down to a question of access. In the case of programs sponsored by justice agencies, the most accessible files are probably those of the sponsor. For other programs, the choice may be less clear, depending on when you wish to intervene, the confidentiality provisions in your jurisdiction, the orientation of the officials controlling the data, and the ease with which you or agency personnel can extract the information.

Regardless of the screening process you establish, you can develop supplemental, early referral systems for high priority cases. For example, in Milwaukee County, local police routinely bring in victims of sexual assault to meet program staff before the prosecutor charges the case. And in Orange County, probation intake flags serious cases so that the program can intervene before the normal screening of filed cases occurs.

What Services Will You Offer?

Programs operating in the juvenile system offer services similar to those of programs operating in the adult system. While specific services vary and the emphasis differs somewhat according to the operating agency (refer to Table 2, page 17), programs that assist victims of juvenile crime typically: orient victims to the juvenile court process; provide information about case filing and outcomes; assist victims who must testify; provide crisis counseling and refer as needed; and assist with compensation, restitution, and victim impact statements. Witness coordination and assistance for non-victim witnesses are often provided, especially by prosecutor-based programs. Some programs also provide services such as witness reception, preparation for testimony, mediation, and monitoring of restitution payments.

Decisions about your service menu will be made in conjunction with decisions about goals, target population, organizational location, physical location, and resources. Chapter 3 describes in some detail the components of effective programs operating in the juvenile system, and Chapter 4 tells you more about how to plan and design your services.

Where Will You Locate the Program Offices?

All but one of the programs described at the beginning of this chapter are located in the juvenile court complex in space allocated by the prosecutor, the court, or probation.

Below are some guidelines for deciding about location:

- You will need ready access to the records used to identify your clients and to track their cases through the system. Most programs achieve this by locating in or near the prosecutor's office or the juvenile probation department, but the prompt transfer of the necessary records or access to up-to-date, computerized dockets may compensate for a more distant location. Often programs that serve multiple counties or courts, such as the Columbia, South Carolina program, must depend on record transfer from the outlying areas.
- If you intend to provide witness reception services or accompany victims and witnesses who are required to testify, then reasonable proximity to juvenile courtrooms is essential.
- If you currently serve victims of adult crime and have situated your program accordingly, you may need to consider the pros and cons of creating a "satellite" office for the juvenile system. In larger jurisdictions, where juvenile and adult courts can be miles apart, a satellite office is a virtual necessity.

What Resources Will You Need?

Juvenile victim assistance programs do not have to be costly or heavily staffed. The programs described above range from a small-scale effort with one part-time staff person at an annual cost of about \$8,500 (plus space, equipment, and supplies that are provided on an in-kind basis) to a five-person team that costs about \$157,000 annually (plus similar in-kind support).

Decisions about the numbers and type of staff you will need depend on the size of your target population and type of services you have in mind. What kinds of training or experience will your staff need? Most programs emphasize aptitude, interest, and commitment more than college degrees. The typical staff member has some background in the human services or the criminal/juvenile justice systems, however. Can any of your services be provided by volunteers? Keep in mind that volunteers require supervision and training. If your community has a volunteer clearinghouse, check there to see what assistance they might be able to provide.

You also will need office space -- preferably with some provision for private conversations if you expect to be meeting victims or witnesses there. All of the programs described above (including those sponsored by community-based organizations) have been allocated space by either the prosecutor's office, the court, the youth services agency, or the probation department.

Who Will Provide the Resources?

Most programs begin with some direct financial aid to pay for staff. Sources range from the Federal Victims of Crime Act (VOCA), which allocates funds to each state for distribution, to state programs funded by taxes or fees levied on offenders, to local governments and private organizations, such as the United Way.

If support appears to be unavailable, can you begin a modest program with help from volunteers or student interns? This is how the Delaware County program started. Does the sponsoring agency have any current staff who could be reassigned to the program?

The typical program receives some "in-kind" contributions from the sponsoring organization or the agency where the program is located. Often agencies that expect to benefit from the program can be counted on for office space, equipment, or supplies. Sometimes agency staff can handle program correspondence, especially if word processing equipment is available. They might also play a role in case screening. If agency staff routinely review incoming referrals or petitions anyway, would they be willing to flag all cases that approximate your target criteria?

Finally, consider whether you will need to make any agreements with agencies that are providing in-kind support or access to information. Formal written agreements are optional in many situations. However, if your organization does not normally have access to confidential information about juvenile delinquency cases, you will need some official authorization to obtain this information and some statement about the way in which it may be used.

Whether you are expanding an existing program or starting a new one, keep in mind that there is no one "correct" model for victim witness assistance in the juvenile justice system. As Chapter 3 shows, many different approaches have been implemented by programs in the field and appear to be effective. It is up to you to decide which one makes the most sense for your particular situation.

Chapter 3: The Victim Witness Assistance Program Structure

As we saw in Chapter 2, programs serving victims and witnesses of juvenile crime vary in terms of their sponsoring agencies, objectives, target populations, service emphasis, and resource levels. But these programs share a mission -- to treat victims with dignity and respect, to prevent secondary victimization by the system, and thereby, to increase victims' participation in and satisfaction with the juvenile justice process. In order to accomplish this mission, assistance programs implement a surprisingly consistent set of service components.

What Are the Basic Components of a Successful Program?

The important components of a successful program include

- an **initial screening mechanism** to identify target clients,
- **several core service components**, which usually include:
 - orientation to the juvenile court and process,
 - assistance to victims who must testify,
 - crisis intervention,
 - information about case status and outcome,
 - assistance with compensation and restitution,
 - facilitating victim participation in the juvenile justice process,
 - facilitating property return,

- information and referral, and
- education and training.

One of the hallmarks of a fully developed program is that it provides the entire array of service components listed above. However, programs do not necessarily begin with a complete menu of services, and some of the programs we cite as examples are still developing and expanding their capabilities in some areas. Aim to put the full array of basic services in place -- over time, if necessary -- unless a particular service is already adequately provided by another organization or agency.

Below we discuss many different options for developing your basic program, based on the experiences of the programs that we visited. We do not present a singular "model" of juvenile victim witness programs because we observed many successful approaches in the field. What sets exemplary programs apart is their ability to mould the program structure to fit the local juvenile justice environment and to balance the level of services offered against the size of the target population and the resources available.

The Initial Screening Mechanism

Chapter 2 has already described the set of interrelated decisions your program must make about its **target population and how target clients will be identified** (see pages 21-22).

Once you have made these decisions, you will need to set up a procedure for systematically reviewing the characteristics of new cases to determine whether the victims and witnesses involved are eligible for your services. We call this process **initial screening**. (We use the term "initial" to distinguish it from what goes on once the program staff have contact with a victim and attempt to determine what services would best meet the victim's needs; sometimes this process also is referred to as *screening*.)

Assuming that your program, like most, will identify the majority of clients by reviewing some type of case files or referral documents, you need to:

- **Determine whether you need different review procedures for different types of cases.** In order to provide prompt intervention, programs like those in Milwaukee and Philadelphia screen cases involving detainees separately because these cases proceed to an initial hearing much faster than other cases. Although the documents that are available when a case is referred to court or to the prosecutor are usually adequate to identify victim clients, you will probably need different procedures to identify nonvictim witnesses because a complete witness list usually is not available until later.

- **Arrange access and a place and time to review essential files without disrupting the paper flow of the agency.** For some target groups, the need to review files may not arise -- if the prosecutor is responsible for forwarding the witness list to the program, for example.
- **Train the screeners to apply your target criteria.** Many programs rely partly on nonprogram staff to flag appropriate case files and to refer them to program attention. Explain your screening rules to the persons who will actually make the screening decisions and try out a few cases with them. You may find that your procedures are unwieldy and require modification.

Screening is quite straightforward if the program will initially offer all victims the same services in the same way (by means of an introductory brochure and letter, for example). But if the program serves only a subset of victims (only victims of the most serious crimes, as in Columbia, South Carolina) or if the program ranks victims for service in some way (as in Yakima, Washington), initial screening requires more attention. Periodically spot-check to ensure that target cases are not assigned the wrong priorities or allowed to fall through the cracks entirely.

Of course, your screening procedures will be shaped by decisions about the point at which you wish to intervene with victims. You must time your screening sooner if you want to contact victims at the point of filing or before they receive a subpoena to testify, than if you want to contact them just before restitution documentation is needed.

The typical program contacts victims within 10 days of case filing or referral. Higher priority victims (sexual assault victims, violent crime victims, victims in cases where the defendant is detained) usually are contacted sooner, in some programs within 24 hours.

Initial screening generally is not an issue for clients who come to the program by direct referral from law enforcement or other agencies or who come because they have heard about program services through other channels. Many of these referrals are simply "early warnings" that allow the program to start services before the usual paperwork arrives. Other referrals may not fit your standard criteria, but you should be prepared to cope with them anyway, even if you only provide information and referral to a more appropriate agency. These referrals are a sign that your program is establishing credibility in the juvenile justice system and the broader community.

The Core Service Components

Ideally, you will include nine core service components in your program. They are:

- **Orientation to the juvenile court and process**
- **Assistance to victims who must testify**
- **Crisis intervention**
- **Information about case status and income**
- **Assistance with compensation and restitution**
- **Facilitating victim participation in the juvenile justice process**
- **Facilitating property return**
- **Information and referral, and**
- **Education and training.**

Each of these nine components is integral to the central mission of victim assistance programs in the juvenile justice system -- to help victims negotiate the juvenile process, to afford them their legal rights, and to make participation in the system less burdensome and offensive.

Every component need not be an elaborate, time-consuming effort nor does each component need to affect the entire victim or witness population. Low budget programs have managed to provide the full set of core service components.

In this section, we outline each service component, showing:

- the purpose of the service,
- a description of the service,
- options for providing the service,
- tips for developing the service, and
- examples of materials used by victim witness programs operating in the juvenile justice system (shown on blue pages).

Core Service Component 1:

Orientation to the Juvenile Court and to the Rights of Victims

The Purpose of the Service:

- let victims and witnesses know what to expect
- encourage them to participate in the juvenile justice process
- explain their rights

A Description of the Service:

Orientation is an integral part of a program's initial contact with a victim or witness. An effective orientation should:

- **Thank the victim for reporting the case.** If victims are to believe that theirs is an important role in the juvenile justice system, they need some feedback from the system that they did the right thing in reporting the crime and that the system cannot work without their participation. In Delaware County a brochure for victims of juveniles opens with the statement that "cooperation is commendable, and reporting a crime demonstrates community responsibility vital to the operation of our system."
- **Explain how juvenile court is different.** You should alert victims and witnesses to the distinctive role and function of the juvenile court and to the fact that these differences are incorporated in state law. In Milwaukee, language from the Children's Code is used to explain that the juvenile court emphasizes the "best interests of the child" and rehabilitation of juvenile offenders. Information on confidentiality restrictions and the jurisdiction of the juvenile court can be part of this description.
- **Explain what will happen.** Victims and witnesses will need to know some of the proceedings and terminology of the juvenile process, even though you may reserve some explanations for later in the case. To provide effective orientation, the program staff should be prepared to:

- Offer simple definitions of all juvenile court terminology, such as delinquency, adjudicatory hearing, detention hearing, and disposition.
- Describe the process for each eventuality; for instance, when a petition is filed, the case is diverted, or the defendant enters a plea. (A flow chart depicting these events and outcomes can be a useful tool.)
- Outline the possible dispositions; for example, consent decrees, probation, restitution, residential placements.
- **Explain the victim's rights in the process.** You should tell victims of the rights that the state law provides. For example, in Washington State, victims have the right to give an impact statement; in California, victims have the right to a restitution order when feasible and the right to be informed of the offender's release from a residential placement; in Pennsylvania, victims have the right to compensation for injuries suffered from the crime.
- **Tell people how to get more information.** However complete the initial orientation, victims or witnesses may have additional questions. Make sure that the program's telephone number is displayed prominently. In addition, list other sources of information in the community that may be helpful.

Options for Providing Service:

Programs typically rely on written materials, telephone calls, or both to orient clients to the juvenile justice process and their roles and rights in it. In-person contacts are rarely used to provide the initial orientation for victims or witnesses, but can provide an opportunity to expand on earlier information.

Written communication, including letters and brochures, may be less effective than personal contacts, particularly with people who have limited literacy. Once you develop these original materials, however, they provide a relatively low-cost way to reach large numbers of people. Telephone contacts, while more time-consuming overall, allow staff to reach some victims faster and to tailor the orientation content to the needs and knowledge level of the particular victim or witness.

Many programs provide personal orientation to high-priority victims and rely on written materials to reach the vast majority of other victims.

- Following standards set by Pennsylvania's juvenile court judges, the court-based Delaware County program has developed a 5-page brochure for victims in the juvenile system. Staff mail the brochure with the letter stating that charges have

been filed and handle any calls that come in as a result. Waiting room staff repeat the orientation for victims who come to court.

- In Columbia, the program coordinator orients all victims in her caseload by telephone. She makes these calls within 24 hours for detention cases and within a week for other victims. In addition, the program sends victims an initial letter and a program brochure.
- Because of the large case volume in Philadelphia, the coordinator provides telephone orientation only to victims in detention cases. Staff send other victims and witnesses a one-page information sheet along with their subpoenas. The coordinator provides additional orientation to those who request it.

If your jurisdiction has large numbers of people who don't speak English, strongly consider developing written orientation materials for them. Programs like the one in Orange County also find that a multicultural and bilingual staff makes it easier to orient victims and meet their diverse needs. Diversification of staff may not be possible for a small program, but consider it for a longer term objective.

Tips for Developing Service:

Whether or not you develop a brochure or send an orientation letter, give staff a script or checklist of items to cover whenever they provide an oral orientation to the system.

In developing your materials, consult the state juvenile code, the rules governing juvenile procedure, and other state statutes that mention victims, such a comprehensive bill of rights for victims or state compensation laws. Juvenile court judges, prosecutors who handle juvenile cases, and probation staff are also excellent sources of information. Have these officials review any orientation materials you develop.

Once the materials are developed, all staff who participate in orienting victims should become thoroughly familiar with them. Make this part of your staff training program.

Examples that Follow:

1. "Information for Victims" brochure from Delaware County
2. "Victim Witness Information Brochure" from Milwaukee County
3. Sample information letter from Yakima

Example 1.
Information for Victims brochure
from Delaware County

DELAWARE COUNTY
JUVENILE COURT

INFORMATION

FOR

VICTIMS



Prepared by
VICTIM SERVICES UNIT
DELAWARE COUNTY JUVENILE COURT

INTRODUCTION

As a victim of a crime alleged to have been committed by a juvenile offender, you will soon be subpoenaed to appear at the Delaware County Juvenile Court. The subpoena will tell you the time and date of your appearance. The Court's Victim Services Unit is available to help you, and has prepared this brochure to assist you in understanding the Juvenile Court process.

We realize that it is inconvenient to come to Court and uncomfortable to have further contact with the juvenile offender and his or her family. Your cooperation and commitment to effective law enforcement is commendable.

Honorable Francis J. Catania
President Judge, Court of Common Pleas

Honorable Howard F. Reed, Jr.
Administrative Judge, Motion Hearing Division

Honorable Robert A. Wright
Judge, Motion Hearing Division

Paul E. Gesregan, ACSW
Director of Juvenile Court Services

Priscilla J. Schnieper, M.S.W.
Supervisor, Community Relations Unit

Kathleen Fitzpatrick Robbins, M.S.
Victim Counselor

COMING TO JUVENILE COURT

If this is your first contact with Juvenile Court, it is helpful to note the following information. Juvenile Court is not the same as Adult Court. Juvenile proceedings are not open to the public and are generally less formal. Most juvenile hearings are held in the Court Rooms of the Fronsfield Building behind the Delaware County Court House. You will find a map of Media and the Court House area reproduced at the end of this brochure.

Upon arriving, the first thing you should do is to tell the receptionist in the Juvenile Court waiting area that you are present. She will then instruct you to "sign in" and will direct you to a separate Victims Services Waiting Lounge. There will be magazines, newspapers, etc., there for your pleasure. The receptionist will inform the Victim Services Unit and the District Attorney's Office that you have arrived. Representatives from these two departments will speak with you prior to your appearance in Court.

When your case is called you will be shown to the room where the hearing will be held. You will most likely encounter the following people in this room: the Judge or Master responsible for hearing the case; a Court Officer; the Assistant District Attorney; the defense lawyer; the juvenile defendant and his or her parents or guardians; representatives from the Probation Department; any witnesses of the crime or witnesses for the defense; a representative of the Court's Computer Department; and the police. Graduate students or community agency personnel are occasionally present as observers as part of their professional development.

You should sit behind the Assistant District Attorney on the right-hand side of the room.

THE PROCEEDINGS

Prior to your appearance in Court, the juvenile defendant has already been seen by a Probation Officer for an Intake Interview, at which time the juvenile enters a plea to the charges.

If the juvenile defendant has admitted to the offense, the facts are presented to the Judge or Master during the Adjudicatory Hearing held on the day of your presence in Court. The Judge or Master listens to the facts and determines whether the defendant should be adjudicated delinquent beyond a reasonable doubt on the charges.

If the defendant has denied or made no statement to the charges, a full hearing usually takes place with the Assistant District Attorney, prosecuting the case for the Commonwealth. In this case, the hearing will involve testimony from witnesses for the Commonwealth and for the juvenile defendant. The District Attorney and the juvenile's attorney will ask questions of the witnesses and will also cross-examine the witnesses presented by the opposing side. During this testimony, you, as the victim of the offense, may well be asked to testify about the nature of the incident and about any facts concerning your losses or damages. If you are going to be asked to testify at the Adjudicatory Hearing, the District Attorney will talk with you prior to the beginning of that hearing.

The Adjudication Hearing may be combined with the Dispositional Hearing when the Probation Department is ready to recommend a plan for the juvenile. If the Probation Department is not prepared to recommend a disposition, the Dispositional Hearing will be scheduled at a later date. You, as the victim, will be invited to the Dispositional Hearing but are not required to attend — unless you receive a subpoena. At this Dispositional Hearing the Probation Department will

recommend a plan for the juvenile to the Judge or Master. Several things can be recommended in regard to the juvenile:

1. The juvenile and the Court may make a formal agreement called a Consent Decree in which the juvenile is placed under the Court's supervision without a formal finding of delinquency. This agreement is used in cases where the juvenile has no previous record with the Juvenile Court, the offense is of a less serious nature and the juvenile agrees to six months of supervision under the Probation Department. If the juvenile completes this time in a successful manner, keeping the rules expected and not getting into any further trouble, the original charges are dismissed. However, one of the requirements for a juvenile to be eligible for a Consent Decree is that the victim receives money for any out-of-pocket expenses.
2. The juvenile may be placed on Probation. This is a legal means of giving the juvenile a chance to live in the community provided that he or she remains free from arrest and does not violate the conditions of Probation. While on Probation the juvenile and family meet regularly for counseling with a trained Juvenile Probation Officer.
3. Residential Placement occurs when the Judge or Master feels that placement away from home and the community is necessary. The length of placement depends on the type of program offered and how well the juvenile does in that program. Placements range from private foster home or group home care to secure facilities operated by the Commonwealth's Department of Public Welfare.

RESTITUTION

As a victim of juvenile crime, you may be eligible to receive some compensation for your losses. You will receive a letter from the Juvenile Court Intake Department asking that you forward to them any receipts or verification of the losses you have sustained. It is important that you send this information to the Court as soon as possible so that it can be discussed with the juvenile and his family at the Intake Interview. If you do not do this, be sure to bring a list of your losses and some form of verification to Court on the day of your scheduled hearing.

Restitution to victims for injuries or losses is determined according to limits set by law, as well as by

ability of the delinquent youth and family to pay. Often the amount that is ordered to be paid to you is limited to the deductible portion of any appropriate insurance which you might have. The maximum amounts that can be placed on the family are \$300 per incident, per child, and \$1,000 for multiple victims. These limits also apply for families who have more than one child involved in the same delinquent act or acts.

If restitution is ordered, the juvenile defendant or family may be ordered to send in the amount of restitution within a certain period of time to the Central Collections Office of the Court. In this case, you will receive payments from the Central Collections Office as they are accumulated from the juvenile. Rather than this method, the juvenile or family may be ordered to make payments directly to you through what is known as a Direct Payment Order. In this case, if the payments are not forthcoming within the scheduled time-limit, you will then be able to seek payment by filing a claim with the local District Justice Court in your locality, at no cost to you.

In some cases where restitution is not possible, or even when it has been ordered, the juvenile may be required to complete a set number of volunteer hours of service to a local, non-profit institution such as a church, hospital or social agency.

VICTIM COMPENSATION ACT

Normally, victims are not compensated for lost wages due to days of work missed as a result of injuries suffered during the offense committed by a juvenile. Also, victims are not compensated for wages which are lost due to their Court appearances.

However, the Commonwealth of Pennsylvania has passed legislation entitled the "Victim Compensation Act". This allows for the possibility of reimbursing victims of very serious, personal-injury offenses for their out-of-pocket medical expenses, and, sometimes, for wages lost due to work which is missed. Information about this program can be obtained by calling the District Attorney's Victim-Witness Unit at 891-4231. You can also learn more about this program on the day of your appearance in Court.

BASIC BILL OF RIGHTS FOR VICTIMS

On June 30, 1984 Pennsylvania Governor Richard Thornburgh signed into law Act 96. Among other things, this act gave victims the following three rights:

1. The right to have included in any dispositional report, information concerning the effect that

the crime committed by the juvenile has had upon the physical, emotional or financial well-being of the victim. Whenever possible, the victim is encouraged to submit a written "Victim Impact Statement" for review by the Court at the Dispositional Hearing.

2. The right to have restitution ordered as a condition of probation, whenever feasible.
3. The right, upon the request of the victim of a feloniously assaultive crime, to be promptly informed by the Court whenever the juvenile defendant is to be released from residential placement and returned to the community.

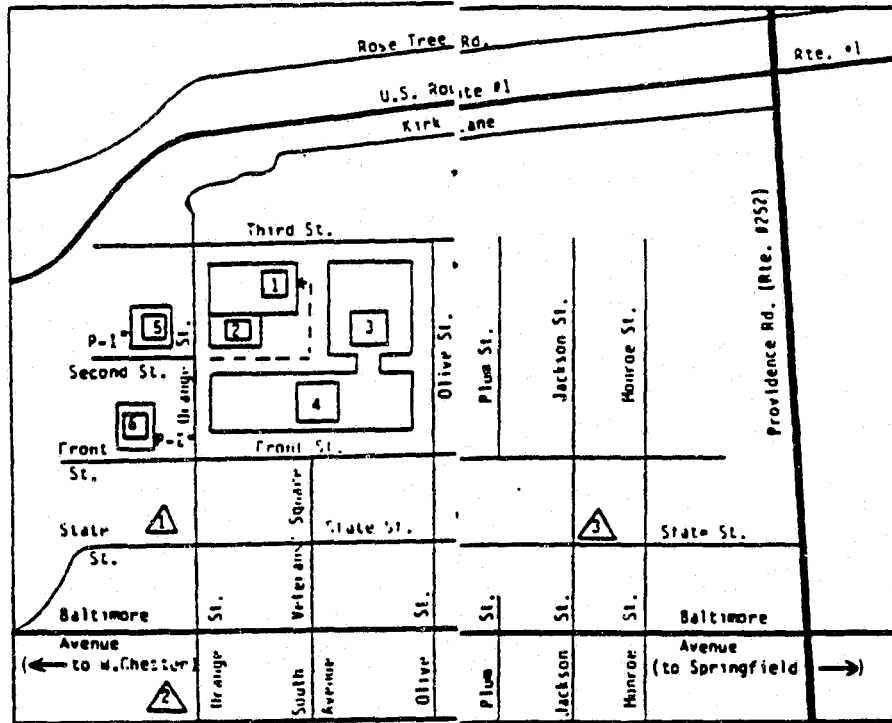
Following the Adjudicatory Hearing, it will be the responsibility of the assigned Juvenile Probation Officer, the Victim Counselor and the Assistant District Attorney to insure that all victims receive services in keeping with these rights.

VICTIM SERVICES UNIT







Our Unit and separate Lounge are located in the Fronefield Building with the rest of the Juvenile Court offices. We are available to provide information about the Juvenile Court and to offer support to you on the day of your Court appearance. Prior to the Adjudication Hearing, the Unit staff cannot discuss the actual details of the offense with you, as this is the role of the Assistant District Attorney. However, following that hearing, we can provide short-term counseling to help you in discussing your feelings about being a victim of a crime. If there is a need for long-term counseling for you or any family member, as a result of the crime committed against you, we will make sure that you are referred to the appropriate counseling program.

Please feel free to call us prior to the day of your Court Hearing at 891-4721.




THE MAP AND INFORMATION SHOWN ON THE NEXT TWO PAGES WAS PRODUCED TO HELP YOU LOCATE THE JUVENILE COURT AND FAMILIARIZE YOURSELF WITH THE MEDIA AREA. FINALLY THE LAST PAGE LISTS SOME HELPFUL THINGS TO REMEMBER.



COUNTY BUILDINGS: 

-  **FRONFIELD BUILDING:** This is the building in which the Juvenile Court is located. From either parking area (P-1* or P-2* on the map), walk to the corner of Second and Orange Streets. Then follow the route shown on the map (----), passing in front of the Curran Building and then going left up the steps to the outdoor patio area and proceeding straight to the entrance to the Fronfield Building on your left. Enter this building and follow the hallway to the Juvenile Court Waiting Room.
-  **CURRAN BUILDING**
-  **COUNTY GOVERNMENT CENTER**
-  **MAIN COURTHOUSE**
-  **TOAL BUILDING**
-  **SWENEY BUILDING**

TRANSPORTATION STOPS: 

-  This is the last stop on the Septa/Red Arrow "Media Trolley" which starts in Upper Darby at the 69th Street Terminal and makes frequent stops along the way to Media.
-  This is the Media Train Station, located off Orange Street, a few blocks below Baltimore Avenue. The "Media Local" begins in Philadelphia at the Suburban Station (15th Street) and stops at 30th Street Station and at various Delaware County locations before it reaches Media.
-  The Septa "Route 70" bus originates in Chester and stops at this location, at the corner of State Street and Jackson Street directly next to the Media Borough Hall

VICTIM/WITNESS INFORMATION BROCHURE

VICTIM/WITNESS SERVICES is available to help victims and witnesses involved in the Milwaukee County Children's Court Process.



This brochure was written to answer some questions you may have about being a victim of, or a witness to a juvenile offense.

VICTIM/WITNESS SERVICES 257-4527

Milwaukee County
District Attorney's Office

E. Michael McCann,
District Attorney

SOME THINGS TO REMEMBER

NOTES

1. Visitors' Parking:

There is free parking in Parking Area #1 (marked as P-1* on the map shown on the previous pages), on Second Street, next to the Toal Building. Turn right or left off of Orange Street, then turn right into the parking garage. Let the attendant on duty know that you have been subpoenaed to Juvenile Court as a victim. If this lot is full, there is also parking available on one of the parking garage levels in Parking Area #2 (marked as P-2* on the map shown on the previous pages), on Front Street next to the Sweeney Building. Turn right or left off of Orange Street, then drive up the ramp and park in any vacant space on one of the levels.

2. Remember to check in with the receptionist upon your arrival in the Fronefield Building. She will let the District Attorney's Office and Victim Services Unit know that you are here for the hearing.
3. RELAX! — WE ARE HERE TO HELP YOU AND TRULY VALUE YOUR COOPERATION IN WHAT WE KNOW IS A VERY DIFFICULT SITUATION FOR YOU.

WHAT IF I AM VICTIM OR WITNESS OF A JUVENILE OFFENSE?

Offenses committed by persons under the age of 18 are handled differently than those committed by adults. Wisconsin law, under the Children's Code, states that the "best interests of the child" must always be considered in the Juvenile Court process and emphasizes rehabilitation rather than punishment for juvenile offenders. Under this law, juveniles' names cannot be given out except by court order.

As a victim of or witness to an offense committed by a juvenile, you may be needed to testify in court, and your cooperation is extremely important to our community and to the juvenile involved.

Victim/Witness Services are available to you at Children's Court to help you with problems you may have as a result of this offense or the court process.

HOW CAN I FIND OUT ABOUT A CASE I AM INVOLVED IN?

Call Victim/Witness Services at Children's Court, 257-4527. If you do not know the name of the juvenile, we will still be able to let you know what is happening with the case, but we cannot give you the juvenile's name or address.

WHERE DO I GO?

Juveniles have a right to a court trial, or a jury trial. Court trials are held at the Milwaukee County Children's Court Center which is located at 10201 West Watertown Plank Road on the grounds of the Milwaukee County Institutions, west of Highway 45 (see map). Your subpoena will tell you where and when you should report. Please bring your subpoena with you.

Jury trials involving juveniles are held in the downtown Courthouse. If you have a subpoena, bring it with you. It tells you the courtroom and building where you are to report. The Courthouse is located on North 9th Street, between Wells Street and State Street, at 901 North 9th Street. (See map).

ARE THERE BUS SERVICES AVAILABLE?

The #71, State Street bus is the only bus route that goes to the Children's Court Center. If you need bus route information, call the Information Service of the Transit Company at 344-6711.

If you have been subpoenaed for a *jury trial*, the Milwaukee County Transit System has many bus routes serving the downtown area which provide convenient transportation to the Courthouse. These include bus routes 10, 12, 20, 23, 30 and 31, which are shown on the map.

If you need further bus information, call the Information Service of the Transit Company at 344-6711.

IS PARKING AVAILABLE?

There is free parking available in the visitor's lot in front of the Milwaukee County Children's Court Center, and in other areas near the Center.

If you have been subpoenaed for a *jury trial*, street parking near the Courthouse is scarce and it is limited to one hour. The two closest parking lots are the MacArthur Square parking lot and the Courthouse parking lot. MacArthur Square parking lot is an underground facility with entrances on 7th and 9th streets between Wells and State Street. Cost is 75 cents for the first hour and approximately 25 cents for each additional hour, with a maximum of \$2.50 per day.

The Courthouse parking lot is located on the north (State Street) side of the Courthouse. Prices are approximately the same as the Mac Arthur Square parking lot. The map shows the location of these two parking lots and their entrances.

Note: Parking prices are not under control of the County and are subject to change.

WHO SHOULD I REPORT TO IN THE COURTHOUSE?

If you are going to a hearing or a court trial at the Children's Court Center, ask for the bailiff in the court listed on your subpoena or go to the Victim/Witness Services office.

If you are going to the Courthouse, for a *jury trial*, ask for the Assistant District Attorney or the police officer in charge of your case when you get to the courtroom.

All juvenile proceedings are closed to the public. The only people allowed in the courtroom are those directly involved in the case.

HOW DO I GET MY PROPERTY RETURNED IF IT HAS BEEN RECOVERED BY THE POLICE?

Recovered property may be needed as evidence if a case goes to trial. You will be notified by the police when your property is no longer needed.

If you have any questions about when your property can be returned to you, call Victim/Witness Services at Children's Court Center, 257-4527, or the police officer who is handling your case.

WHAT IF THE JUVENILE OFFENDER'S ATTORNEY OR INVESTIGATOR ASKS TO TALK TO ME?

As a witness you are expected to be an impartial spokesperson for the facts as you know them. So you are not a witness for one side or the other, but for the truth.

The juvenile's attorney, or the investigator for the attorney, may want to talk to you about the case, and is permitted to do so. Many juveniles have a Public Defender for their attorney, so that request may come from the Public Defender's Office.

You have the right to decide whether you want to discuss the case with the juvenile's attorney or his/her investigator. If you choose to talk to them, you also have the right to have a police officer or assistant district attorney with you during the interview.

WILL I BE PAID FOR MY TIME SPENT AS A WITNESS?

For each day you appear in court, you have the right to receive a \$16 witness fee, plus a transportation allowance (actual testimony on the witness stand is not required). When you arrive in court, give your subpoena to the assistant district attorney or to a victim/witness specialist. They will see that your witness fee is mailed to you.

HOW CAN I BE COMPENSATED FOR LOSSES I HAVE SUFFERED AS A RESULT OF A JUVENILE OFFENSE?

Check with your insurance company. Your insurance policy may provide coverage for personal injury or property loss due to the offense. If you have medical expenses, or have lost wages as a result of the offense and these expenses will not be reimbursed by insurance or public funds, you may be

eligible to have these losses reimbursed under the State of Wisconsin Victim Compensation Act. You can get application forms and more information by calling Victim/Witness Services at 257-4527.

In some cases, the court or the probation officer may require the juvenile to make restitution, that is to pay for some of your damages. This will be handled by the juvenile's probation officer at the Children's Court Center.

The Children's Court makes every effort to consider the victims of offenses and believes that restitution is important for children and the community. However, Wisconsin law places primary responsibility for the collection of losses on the Civil Courts. You may find it helpful to consult with an attorney should you decide to pursue a civil action against the juvenile and/or his parents.

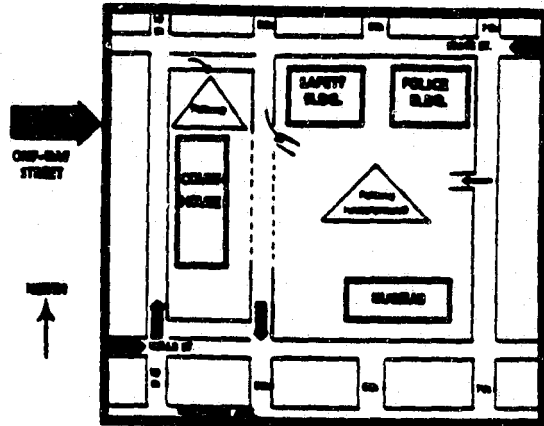
WHERE CAN I GO IF I NEED MORE HELP?

The Victim/Witness Services Staff will be glad to help you. You may have other problems or questions because of being involved in a juvenile offense. Please call 257-4527 or stop in Room 219 at Milwaukee County Children's Court Center.

Victim/Witness Services at Milwaukee County Children's Court is a co-operative program of Lutheran Social Services and the Milwaukee County District Attorney's Office, E. Michael McCann, District Attorney. The program is funded by United Way of Greater Milwaukee.

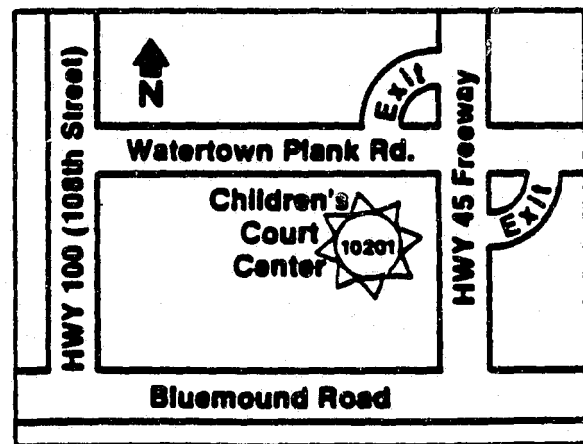
BRING YOUR SUBPOENA WITH YOU. SAVE YOUR SUBPOENA. IT HAS INFORMATION THAT WILL HELP YOU GET YOUR WITNESS FEE.

Jury Trials in juvenile cases are held in the Milwaukee County Courthouse, 901 N. 9th St.



BUS ROUTES:

- Wells Street #10
- Wisconsin Avenue ... #12, #20, #23, #30, #31
and #10 Westbound



BUS ROUTES:

- State Street #71

Example 3.
Yakima Information Letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



DEFENDANT:
DATE OF INCIDENT:
TYPE OF CRIME:

Dear

We regret that you were recently the victim of a crime. Reporting the crime to the authorities demonstrates a sense of community responsibility which is vital to our criminal justice system.


If you feel that you are entitled to restitution in this case we have enclosed a "Victim's Restitution Estimate " form(s) for you to complete and return to this office. This form(s) must be returned within ten (10) days if you wish to pursue the matter of restitution. If no loss was suffered by yourself or your insurance company please indicate and return.

The volume of court cases handled by our court system should allow this case to go to trial in approximately 45 days. Should you change your name or address during the course of the criminal prosecution, please notify this office immediately. Should you, for any reason be unavailable for trial during this approximate period of time, please notify this office in advance.

The Victim/Witness Assistance Unit is located in the, Yakima County Prosecuting Attorney's Office, Room 329, Yakima County Courthouse. You are urged to contact us at 575-4141 if you have any further question or need assistance.

Very truly yours,

JEFFREY C. SULLIVAN
Prosecuting Attorney


ROBYN B. CYR
Victim/Witness Administrator

Core Service Component 2:

Assistance to Victims Who Must Testify

The Purpose of the Service:

- reduce victims' inconvenience and the expense of testifying
- reduce victims' anxiety about testifying
- save prosecutor time in scheduling or interviewing victims

A Description of the Service:

Most victims are apprehensive about testifying in court, whatever the circumstances of their particular case. An effective program serves as the central point for answering victims' questions about testifying and for identifying and resolving other problems that might discourage someone from appearing as scheduled.

To meet the typical needs of victims who are summoned to testify, the program should provide:

Help with logistics. Participation in the court process creates many concrete problems for witnesses -- finding transportation to hearings, arranging for child care, getting the day off from school or work, paying for parking and other incidental costs of attending court, etc. Assistance with these practical problems can be provided directly by the program or by arrangement with other agencies.

- Instructions about where to report. Provide a map showing the location of the juvenile court and directions for access via public transportation or automobile, including parking. In addition, tell the victim where to go inside the building and whom to contact upon arrival.
- Transportation. Most programs provide transportation for only a few victims a year. (Philadelphia, where the prosecutor's office owns a van and employs a driver, is an exception.) Consider arranging for police to transport victims or reimburse victims for taxi fares, parking, or other travel costs, at least where there is an exceptional need.
- Babysitting. Some programs rely on staff or volunteers to watch children during the time that the victim or witness is in the courtroom. Victim waiting rooms equipped

with toys and a television are ideal for this purpose, but if necessary, children can be entertained in a corner of an office or a general reception area. Be sure to inform victims if you need advance warning to have babysitting available on their court date.

- **Employer or school intervention.** If a victim requests it, be prepared to call a school or employer to explain that the victim must attend court. In Delaware County, the program gives victims a signed letter explaining that they appeared on a certain date.
- **Assistance with witness fees.** Many courts provide modest witness fees to help defray the costs of coming to court. You may need to explain procedures for claiming witness fees and to intervene in situations where the payment is delayed.

Court preparation. Victims want to know what will happen in court and what is required of them. It is helpful to describe the process step by step -- who will attend the hearing, where the various participants will sit, the order in which the witnesses will testify, what it means to take an oath of truth, and how to testify effectively. The information can be conveyed by brochures, telephone conversations, or brief meetings immediately before the hearing. With particularly vulnerable or apprehensive victims -- the elderly, sexual assault victims, or young children, for example -- it helps to conduct courtroom tours before the scheduled hearing.

Victim reception. Simply by greeting victims when they arrive at court, showing them where to go, and answering their questions, you impart the message that victims are important. Perhaps you can meet victims in the courthouse or arrange to have a receptionist direct them to a separate waiting area. The separate waiting area protects victims from accidental confrontation with the defendant and provides privacy for the program staff to give tips on effective testimony or to describe the steps in a court hearing.

Court accompaniment. Many victims appreciate having someone beside them during interviews with the prosecutor and court hearings. Most programs lack sufficient staff to accompany everyone to court, so this is an area in which you may need to define priority cases. In some cases, you may choose to escort victims to the courtroom, but not remain during the hearing itself. In cases of sexual assault, counselors from rape crisis programs in your jurisdiction may be able to help.

Intervention in victim intimidation. Some victims are reluctant to testify because they fear harassment or other reprisals from defendants, their families, or their friends. The program can play an important role by reassuring some fearful victims (explaining that retaliation rarely occurs in their particular situation, for example) and by telling victims what steps to take if threats are made. If victims report intimidation, consult the prosecutor. Depending on the circumstances, you also may consider: notifying the public defender and

Dear Citizen:

If you are either a victim of or a witness to a crime, your help is vital to the administration of justice. The following information helps you to understand your rights as a victim or witness, describes what happens in bringing your case to trial, and outlines the services that are available to assist you.

SUBPOENA - A subpoena is a court order requiring you to be present at the time and place stated. You may not ignore such an order. Please bring your subpoena with you to court. Ignoring a subpoena may result in your arrest. Trials involving a defendant who is under the age of 18 are held at the Family Court Building at 1801 Vine Street.

YOUR TESTIMONY - The Assistant District Attorney (A.D.A.) represents the Commonwealth of Pennsylvania in the trial of a criminal case. As such, he/she also represents your interests as the crime victim or witness. When you come to court, you will be asked to swear to tell the truth. The A.D.A. will then ask you to testify to the facts as you know them. Afterwards, the defense attorney (who represents the person arrested) will also ask you questions. Answer every question to the best of your ability. If you imagine that you are talking to a small group of friends, you can remain more relaxed. REMEMBER, IT IS THE DEFENDANT'S GUILT OR INNOCENCE WHICH IS AT ISSUE, NOT YOURS.

If you should be contacted by the defense attorney or investigator before your appearance in court, you are not obligated to speak to him/her. The decision to do so is completely up to you. Keep in mind that he/she does not represent your interests but those of the person arrested.

IT IS IMPERATIVE THAT YOU INFORM THE DISTRICT ATTORNEY'S OFFICE IF YOU MOVE OR CHANGE YOUR PHONE NUMBER SO THAT WE CAN NOTIFY YOU OF ALL CASE LISTINGS.

CRIME VICTIM'S COMPENSATION FUND - The commonwealth of Pennsylvania maintains a Crime Victim's Compensation Fund for victims who have sustained certain types of loss. If as a result of the crime you suffered any injury which resulted in uninsured medical expenses of at least \$100.00, you may be eligible. If you are age 60 or older, this \$100.00 minimum is waived.

If as a result of this injury you were absent from work for two or more consecutive weeks, or if your loss was a social security check constituting your

primary source of income, you may also be eligible for compensation from the Fund. No other property loss is covered by this Fund. Psychological counselling is compensable if because of the crime you seek the aid of a licensed practitioner. Claim forms are available at Police Detective Divisions and at the District Attorney's Office.

RESTITUTION - Apart from the Crime Victim's Compensation Fund, it is the right of every crime victim to ask the court to order the defendant to compensate him or her for any loss sustained as a result of the crime. Be prepared to furnish proof of loss upon request. In the event that the defendant is found guilty, your A.D.A. will request that the presiding judge order restitution as part of the verdict.

WITNESS FEES - As a victim/witness, you are entitled to a \$5.00 witness fee for each time you come to court, whether you testify or not. Ask your A.D.A. to arrange for this at the conclusion of your case.

EVIDENCE - If your property is being held as evidence, it can be returned to you at the conclusion of court proceedings. Ask your A.D.A. to help arrange for its return.

TRANSPORTATION - The Victim/Witness Unit provides transportation to and from court for those 60 years of age or older. If you are handicapped and unable to take public transportation, you may also take advantage of this service. Call MU6-4095 to make the necessary arrangements.

INTIMIDATION/HARASSMENT - It is unusual for a defendant to harass or intimidate a victim or witness after arrest, and it is a crime to do so. If this occurs, the District Attorney's Office can bring additional charges against the defendant. If you are threatened, please inform the A.D.A. handling your case or call the Juvenile Court Victim/Witness Unit at MU6-4094.

WHERE TO CALL FOR INFORMATION - If you have any questions or problems, feel free to call the Juvenile Court Victim/Witness Assistance Unit at MU6-4094. It is easier for us to answer your questions if you provide us with the defendant's name and petition number. Please keep your subpoena, which has the information on it.

District Attorney's Victim/Witness
Assistance Unit (Juvenile Court)

the defendant's probation officer, alerting the investigating officer, asking the prosecutor to file a complaint, and contacting school officials. The Philadelphia program now refers all intimidation reports to the detective bureau for investigation; based on the results, the prosecutor then determines whether criminal charges should be filed. In Milwaukee, the program refers intimidation complaints to the Sheriff's Witness Protection Unit, which can take a range of actions, including relocating victims.

Options for Providing Service:

The program's decisions about how to inform victims of the assistance available and how aggressively to identify their needs can make a dramatic difference in the program's caseload. Does the program rely on victims to call in response to mailed information or do staff routinely call all victims to identify those who need assistance? Does the program offer transportation to all victims, to special groups of victims (e.g., elderly or handicapped victims), or only to occasional victims who have no other options? Does the program accompany all victims to court, concentrate on certain types of crimes, or concentrate on those who appear particularly distraught?

- In Philadelphia, program staff use the mail to inform victims of the services available and provide tips for testifying. Staff arrange transportation for victims who request it, and refer victims to community-based victim assistance organizations for accompaniment, but have no face-to-face contact with most victims. The program maintains a private waiting room for victims of sexual assault, child victims, and those who express fear of intimidation.
- The Columbia program coordinator contacts all target victims by telephone and asks them to come to the program office on their court date. Victims wait in a private area of the courthouse. The coordinator then escorts victims to the courtroom and remains throughout the hearing.
- In Delaware County, all victims who appear are shown to the waiting room where staff describe the process and answer any questions. All victims are accompanied to court unless they specifically request that the program not do so.

Tips for Developing Service:

Check your state statutes to determine who is allowed to accompany victims and at what stages of juvenile court proceedings. If the statutes are silent on the issue, it is usually a good idea to seek the permission of the presiding juvenile court judge to accompany victims to court.

Make arrangements with court and prosecutor personnel to ensure that victim assistance procedures do not interfere with the smooth operation of the court. Establish procedures with the court clerk or bailiff so that victims can be available when the case is called.

Together with the prosecutor's office, determine the limits of the advice that victim assistants give to those who must testify. Otherwise, victim assistants and prosecutors may give conflicting signals or staff may be accused of coaching victims about the facts of the case.

You may need to be creative in carving out waiting areas from limited space. Orange County has a trailer attached to the court which has a small reception area. Milwaukee and Boulder use their office areas as waiting rooms. Columbia takes advantage of empty courtrooms. If your sponsoring agency does not have suitable space available, check for underused areas in the courthouse that the court might be willing to donate for your regular use.

Examples that Follow:

1. Orientation letter from Philadelphia with information about testifying
2. "Tips for Witnesses" brochure from Yakima
3. Sample letter from Delaware County to explain a victim's or witness's absence from school or work

**TIPS
FOR
WITNESSES**



**JEFFREY SULLIVAN
Prosecuting Attorney
Yakima County
Room 329, Courthouse
Yakima, Washington 98901**

This leaflet is designed for those persons who may be called as witnesses in a criminal proceeding. Its purpose is to answer the questions that most commonly arise about the courtroom process and to explain the criminal justice system as it affects individuals called to testify.

Who can be a witness?

According to Washington statutes, anyone with "organs of sense to perceive and who can communicate those perceptions" can be a witness. This means virtually anyone with direct or personal knowledge or a particular situation may testify regarding that situation.

Children may also be witnesses, but those under the age of ten are presumed, by law, to be not competent to testify. Therefore, a child under ten years cannot testify unless the child can satisfy the judge of his or her ability to perceive and relate facts in a truthful manner.

The oath

Upon taking the witness stand, you will be asked to raise your right hand and an oath of truth will be administered. You will have the choice of either swearing or affirming to this oath.

From a witness' standpoint, telling the truth goes beyond not deliberately lying: it means telling quite accurately what you know. If you confine your statements absolutely to those you know to be true, you need have no fear of being embarrassed on cross examination. Telling a deliberate untruth under oath is a punishable offense.

Questions involving distance and time are among the most difficult you will be asked. These are often difficult to estimate. If you do make an estimate, be sure everyone knows you are estimating.

Listen to and answer the question

Listen carefully to the question being asked. If you don't understand the question, ask the attorney who asked it either to repeat it or to clarify it for you. Answer only the question asked and do not embellish or wander in your answer.

If either attorney objects to the question, do not answer until the judge has resolved the problem.

Speak to the jury

Your testimony is worthless if it cannot be heard. If there is a jury, address your testimony to the jurors, rather than to the attorney asking the question. Many witnesses have been jurors in the past and are thus aware of the need to hear what the witness is saying. But, if you have not been part of a courtroom proceeding before, you will note that the witness stand is near the jury. It is there so that the jury may observe your demeanor and hear you more clearly.

How are witnesses called?

Witnesses are notified by subpoena when and where to appear and what, if anything, to bring to court with them. Witnesses for the state usually receive their subpoenas in the mail approximately two weeks in advance of the date set for a jury trial. Shorter notice is not uncommon, especially in the case of hearings which may occur before the actual trial. The law provides a penalty for disobedience to a subpoena.

Does the state pay witnesses?

Yes.

Witnesses are compensated for mileage and receive a fixed witness fee. The fee is set by law. While designed to lessen the inconvenience and expense of testifying, it is a minimal amount and is generally not enough to compensate a person for the full financial costs of his appearance. A witness often will have to make some sacrifice in time and expense, but the criminal justice system could not operate without the cooperation of those who are called to testify.

How does a witness testify?

When your name is called by the clerk of the court, you will be asked to step forward, take an oath of truth, and be seated on the witness stand.

If you have been called by the state, the deputy prosecuting attorney will first ask you questions concerning any relevant knowledge you possess about the case.

Following the prosecutor's questions, called direct examination, the defense attorney will conduct his cross examination. You should remain seated until excused from the stand by the judge, since further questions may follow direct and cross examination. If you wish to leave the area, after you have testified, you must obtain permission from the judge.

May witnesses be in the courtroom before and after testifying?

Witnesses may watch the proceeding unless excluded by the judge. In any event, witnesses should not discuss their testimony among themselves.

Must a witness answer all questions?

A witness must answer all legal and pertinent questions except those which would have direct tendency to subject the witness to punishment for a felony and those which would degrade his character if his character is not, in fact, an issue.

A witness must, if asked, answer as to the fact of his previous criminal convictions, if any.

GUIDELINES FOR WITNESSES

Availability

The state cannot prove its case without the help and testimony of witnesses.

Witnesses should make themselves available at all stages of the criminal process from initial investigation until conclusion of the trial. Remember, any inconvenience this causes must be measured against the "inconvenience" caused the victim of the crime.

Be on time

Upon receipt of the subpoena, you should call the prosecuting attorney at 575-4141. You will be advised what time and to what courtroom you should go. Cases are sometimes set over, and this information can also be given when you call.

Arrive at the place specified in your subpoena at the time requested. If for any reason you cannot appear, notify the Prosecuting Attorney's Office prior to the trial date. If you arrive late, make your presence known to the prosecuting attorney in the courtroom immediately.

Cross examination

Relax. There's nothing to worry about. Answer the questions asked as accurately and courteously as possible. Remember, the purpose of cross examination is to test your perception, recollection and credibility. It's the defense attorney's job to discover what you know, how well you remember it, and if you are telling the truth. Don't let yourself get upset with an attorney who is performing this valuable function of the adversary system.

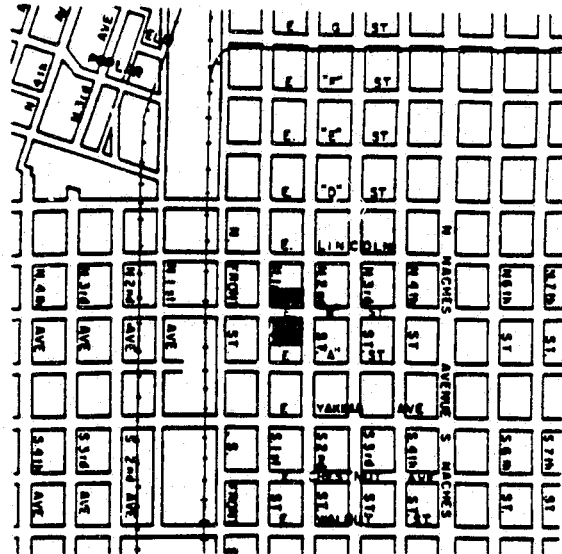
CONCLUSION

Those of you who have been victims of a crime and have gone to court know how important it is to have witnesses take their time and make the effort to testify in your behalf.

The criminal justice system is far from perfect. It works best, however, when witnesses on both sides of the case are willing and prepared to testify to the facts surrounding the incident at issue.

If you have specific questions about the witness process not answered in this leaflet, please write or call the Prosecuting Attorney's Office.

Our Victims Assistance Unit is available to help with any problems related to your case.



COURTHOUSE

Parking

Jeffrey Sullivan
Prosecuting Attorney
Yakima County
Room 329, Courthouse
Yakima, Washington 98901
575-4141

Example 3.
Sample letter from
Delaware County.

DELAWARE COUNTY JUVENILE COURT
FRONFIELD BUILDING - COURT HOUSE PLAZA
214 NORTH AVENUE • MEDIA, PA. 19063

JUVENILE PROBATION SERVICES
MEDIA, PA. 19063

BRANCH OFFICES:

112 E. 5th Street
Chester, Pa. 19013
215-374-5351

201 Chester Pike
Norwood, Pa. 19074
215-583-7377

6932 Market Street
Upper Darby, Pa. 19082
215-352-9500

AREA CODE 215-391-4721

JUVENILE DETENTION CENT
370 MIDDLETOWN ROAD
LIMA, (MEDIA, P. O.) 19063
AREA CODE 215-391-5920

DATE: _____

TO WHOM IT MAY CONCERN:

_____ had to appear as a victim
in Juvenile Court on the above date.

Sincerely,

Paul E. Gesregan

Paul E. Gesregan
Director of Juvenile Court Services

Kathleen F. Robbins

Kathleen F. Robbins
Victim Services Counselor

PEG/KR/md

Core Service Component 3:

Crisis Intervention and Referral

The Purpose of the Service:

- assess the emotional state of the victim
- provide psychological first aid
- refer for longer term counseling, if needed

A Description of the Service:

Crisis intervention and victim assistance are frequently mentioned in tandem. In fact, much of crisis theory was built on the experience of victims of violent crime. Unlike many other victim witness assistance services, crisis intervention cannot be delivered by mail. It requires telephone or face-to-face contact.

Programs define crisis intervention differently. Some programs consider crisis intervention to be offering a sympathetic ear to victims on the telephone and attempting to allay their fears about participating in the criminal justice process. Other programs, particularly those that target victims of violent crime, try to assist victims in moving through several identified stages of crisis during the course of short-term counseling. At a minimum, a crisis intervention component in the juvenile justice system should:

- Train staff in crisis counseling and listening skills. There are generally accepted guidelines for interviewing a person who may be in crisis. All staff who have regular contact with victims should be familiar with these guidelines so that they avoid exacerbating the problem with well-meaning, but potentially harmful statements (for example, "You were so lucky that you weren't killed." or "At least you didn't have a lot of money in your purse."). Victims need to know that victim advocates are sorry that the crime happened, that they will recover from it in time, and that it was not their fault.
- Identify victims who may need more intensive counseling. While many victims cope reasonably well with the trauma of victimization, some do not. The victim assistance program should flag those victims who need more help than the program

can give and make appropriate referrals. Some programs use checklists to help make this determination.

- **Establish a referral mechanism.** There are three steps involved: identifying the community resources for referral, developing relationships with the community providers to accept referrals, and regularly following up on referrals. (See Core Service Component 8 for more about information and referral.)

Options for Providing Service:

Most programs integrate crisis intervention into their routine contacts with victims. Upon the first personal contact and in each subsequent contact, victim assistance staff provide a friendly ear, assist in solving the immediate problems that preoccupy victims, and assess whether further counseling intervention may be warranted. Referrals to counseling may be made at any point in the process.

Recognizing that some victims may be at particular risk of traumatic reactions (victims of sexual assault, children, or elderly people, for example), programs often classify them as high-priority clients, so that the initial contact occurs relatively early in the juvenile justice process and crisis intervention can start promptly.

Most crisis intervention occurs by telephone, since this is the most common form of personal contact with victims. Face-to-face contacts usually occur when victims are called to testify or meet with prosecutors or investigators. Most programs have made home visits in exceptional cases.

Programs in the juvenile justice system rarely provide crisis intervention at the crime scene. (In some cases, law enforcement agencies or other community agencies provide on-scene intervention to victims of serious crime, regardless of whether perpetrators are juveniles or adults. This is true in Boulder and in Orange County, for example. In fact, in Orange County, the same agency provides both juvenile victim witness assistance and on-scene intervention, but the programs are separate.)

Typically programs do not provide continuing counseling because they do not have the staff resources and training to do so. In addition, most communities have suitable counseling resources for victims elsewhere. In practice, programs make occasional exceptions -- for victims who resist referral to longer term counseling or who have established a special rapport with a staff member over the course of their court involvement.

The Orange County program is an exception in that it systematically follows up with clients to see how they are doing and provides short-term counseling, if needed. Staff routinely call victims within one to seven days after the initial contact with the program and at least monthly thereafter if victims appear to need support.

The Orange County program gives to staff and volunteers 30 hours of training in crisis intervention techniques. Staff may also take an intensive training course in sexual assault/rape crisis assistance offered by the parent agency. Most other programs rely primarily on training offered by national victim organizations or statewide networks, or they hire staff who already have the requisite training.

Tips for Developing Service:

The type of crisis intervention service you provide has major repercussions for your staffing pattern, staff training, and costs. Unless your program is already providing continuing counseling or on-scene services, a more cost-effective approach is to train staff to assess needs and refer to agencies with the appropriate capabilities.

Examples that Follow:

1. Paper on "Understanding Victimization" from the Milwaukee victim advocate handbook.

UNDERSTANDING VICTIMIZATION

I. Policy

To ensure that the needs, rights and feelings of victims, witnesses, and families of homicide victims are recognized and protected by all program staff.

II. Procedure

- A. Victim/Witness Services staff will be familiar with the stages of victimization, with the understanding that individual responses may vary and that duration and intensity of response will be unique for each victim.
1. Every crime against a person is an act of violation. The injury intensifies as the crime becomes more serious. The crime destroys two essential beliefs: The victim's sense of trust and the victim's sense of control over his life. For some moment in time -- however brief -- the victim was powerless. All crime, from an apparently "minor" burglary to homicide, touches the victim and causes some level of disruption in his life and the life of his family.
 2. Victims tend to go through several stages following a crime. Research has identified common patterns and different authorities have used different configurations and terminologies.
 - a. **IMPACT** (also called Acute, Shock, Immediate): The victim is experiencing shock, disbelief, denial and a sense of "this can't be happening to me." Occasionally s/he is numb, physically immobilized, paralyzed and unable to take any action. The victim tends to feel vulnerable and helpless. S/he may be unable to make even the simplest decisions and may ask for advice and reassurance. The victim may also appear confused and disorganized, having difficulty recalling details. Some experience a profound and overwhelming loneliness and loss of trust. Many victims appear calm and detached during this stage which may be misleading and confusing to the police other helpers who expect tears and hysteria. The Impact Stage can last hours or even days.
 - b. **RECOIL** (Turmoil, Traumatic Depression): This is the most distressing of stages because of the victim's great shifts in mood. The victim tends to experience circular bouts of apathy, anger, resignation, resentment, rage, sadness, denial. There are often problems with insomnia or night disturbances.

II. A. 2. b. There may be heightened startle reaction. The victim may replay the trauma in fantasies, dreams or nightmares. Intrusive thoughts may be a problem. Fears of reoccurrence may haunt the victim. Conflicts from the past may also resurface in the victim's vulnerable state of mind. There may be a continual replay of "why" which is aggravated by a tendency to add "I could have done. . ." and "I should have done. . ." The victim feels angry at being victimized and wants to blame someone. She/he often withdraws or turns this anger inside to blame himself. Anger may be almost global -- toward self, criminal, system, even helpers. Most victims experience lowered self esteem. Relapses are common in this stage.

c. RESOLUTION (Reorganization):

The victim begins to resolve the experience and integrate it into his life. Fear and rage diminish in intensity. The level of activity is more even and balanced. The victim begins to have emotional energy left over to invest in other experiences. S/he may think less about the crime and be less interested in talking about it. When the subject comes up, the conversation tends to be not as emotional or upsetting. The victim is gradually able to put the experience into perspective. There is no set time frame for reaching the Resolution Stage. The more serious the violation, the longer for recovery. Progress through the three stages is almost always longer than people expect. The victim never entirely forgets. His view of himself and the world has been permanently altered in some way.

3. If the victim does not deal with the crisis and resulting feelings of helplessness, powerlessness and loss of control, there are possible long term effects. These consequences can include loss of motivation, lack of concentration, and a sense of purpose, fear of intimate contact and permanent feelings of insecurity.

B. Victim/Witness Services staff will be familiar with the concept of the Second Injury to victims as described by Martin Symonds:

1. The Second Injury is essentially the victim's perceived rejection by lack of expected support from the community, agencies and society in general, as well as family or friends. It is the trauma added to the victim by having to deal with the ordeal following the crime.
2. The Second Injury occurs when the victim experiences feelings of helplessness, fear and vulnerability, and past feelings of security and self-sufficiency are shattered. This causes feelings of injured pride, humiliation and rage. The victim's sensitivity is heightened and may cause him to perceive the ordinary professional conduct of police, hospital personnel, etc., as indifferent, impersonal, and unfeeling. The victim may exhibit clinging dependent behavior towards the police and helpers.

- II. B. 3. The victim's misperception of the behavior and attitudes of police and other emergency personnel is often heightened by the emotional insulation that such professionals may develop in order to function without distress in crisis work.
4. An even more significant factor contributing to and producing the Second Injury is victim's reaction to feelings of powerlessness brought about by the criminal. Sometimes, as part of their patterns of retroflexive rage, victims avoid friends and family and become socially reclusive, even abrasive and unpleasant. They seem to act as if someone has to pay for their victimization and injured pride. These feelings of betrayal may then be expressed by using any representative of society, such as police, attorneys, judges and Victim Assistance workers, as the target for their emotions.

Since Victim/Witness Specialists often encounter victims in the second stage of victimization and generally get the brunt of a victim's retroflexive rage, specialists should be receptive and not defensive, should encourage victims to express resentment and rage, assist victims in developing measures to restore their self-respect and to reduce the unpleasant, anxiety-provoking feelings that victims experience.

Core Service Component 4:

Information About Case Status and Outcome

The Purpose of the Service:

- provide timely information to victims about the status of their cases
- provide timely notification of case outcomes
- comply with legislative or administrative mandates for notifying victims

A Description of the Service:

Victims are frequently frustrated by the juvenile justice system's failure to provide information about the status and outcome of their cases. As legislators in some states have recognized, victims who are uninformed receive the message that they are irrelevant to the process and that their participation is unnecessary.

At a minimum a program should notify all victims that a juvenile case has been filed and ask them to indicate whether they are interested in receiving further updates about case status and outcomes. For those victims who indicate further interest in the case, the program should ensure that they are informed of

- the date of the adjudicatory hearing and any changes in that date;
- the disposition or sentencing date;
- the outcome of the case, including any decision to drop the case, divert it, or transfer it to the adult criminal court; and
- the sentence, insofar as the court permits it to be divulged.

If resources permit or state legislation requires it, provide this same information to all victims, whether they have expressly requested it or not.

Program staff need not take direct responsibility for all these notifications if other agencies -- the court, the prosecutor's office, or the probation department -- are satisfactorily

handling them already. Concentrate on filling any gaps in the notification system, and coordinate with the agencies to ensure that victims know where to call with questions about the notifications they receive.

Programs may notify victims of other events as well, including the decision to reject a case for prosecution or divert the offender, a detention or preliminary hearing date, a parole hearing date, the outcome of a detention decision, a plea bargain, and a parole decision.

Options for Providing Service:

The scope of your notification system will depend on the number of events already routinely covered by juvenile justice agencies, the extent to which information systems and notification procedures are computerized, and how aggressively you plan to elicit victim participation. (See Core Service Component #6 for more information on facilitating victim participation, pages 49-53.)

Most programs depend heavily on form letters to notify victims of upcoming events and final outcomes, supplementing mail contacts with telephone calls under some circumstances. But there are a wide range of approaches.

- An extensive notification system is the cornerstone of the Yakima program. By tapping into the prosecutor's computerized information system and using it to generate letters, the program notifies all victims of juvenile crime of filing decisions, case outcomes, and sentences, and dates for trials, restitution hearings, disposition, and appellate proceedings. In addition, the program calls all victims about pre-trial hearing dates, court continuances, and plea hearings. In non-property crimes, victims are notified of the defendant's detention status and plea negotiations as well.
- In Milwaukee, program staff call victims to explain that a juvenile has been charged and to give the date of the next court event (usually a detention or initial hearing). The victim is told to call the day after that hearing for an update and information about the next scheduled court event. The same procedure is followed for each succeeding event until the case is closed. Ordinarily, staff do not follow up with victims who don't call for updates, unless their appearance will be required in court.
- The Philadelphia program notifies all witnesses of case filing and adjudicatory hearing dates by mail. Because cases in which defendants are detained move so quickly, the program also notifies those victims and witnesses by telephone. The program is responsible for sending disposition letters in cases that are resolved before trial; the district attorney sends disposition letters in cases that go to trial.
- The Columbia program uses form letters to notify the victim of: the referral of a

petition to intake, the filing decision, the adjudicatory hearing date, the disposition hearing date, continuances, the case outcome and sentence, and the transfer of a case to adult court. The initial letter is almost always supplemented by a phone call; other notifications are done by phone at the coordinator's discretion. In selected cases, the program also notifies victims of detention and parole hearings.

- The Hagerstown program relies almost entirely on telephone communication with victims. Staff call victims to notify them that a summons is coming, to alert them to changes in the court schedule, and to explain the outcome of the case.

Tips for Developing Service:

You will need procedures to ensure that you have timely information from court or prosecution records for each event and outcome that is included in your notification system. In establishing the system, make sure you understand the ground rules for handling confidential juvenile information.

Check the juvenile code and victim rights legislation for any notifications that are mandated or encouraged. Also, consider whether you want to absorb notification responsibilities previously handled by others. Agencies may be quite happy to relieve themselves of any paperwork burden if their replacement is competent.

Clear and complete letters are essential for programs that rely on mail communication. Based on the experience of the programs we visited, we suggest that you:

- Develop English and Spanish versions of letters. In jurisdictions with large numbers of Spanish-speaking people, every letter should be in both languages, one on the front and one on the back. Take the same approach if you have any other significant linguistic minorities in your area.
- Keep the language as simple as possible and limit the amount of criminal justice jargon. When you must use jargon, explain it. For instance, when you notify victims that the offender has been placed on probation, you might explain that "This means that a probation officer is assigned to monitor the offender's behavior to ensure that he stays out of trouble."
- Always include a number to call for more information.
- When notifying victims of decisions, make it clear who made the decision, otherwise victims may assume that you made it.

Examples that Follow:

1. Set of notification letters from Yakima.
2. Letter from Columbia informing victims that their case has been referred to court intake.
3. Disposition letter from Philadelphia.

Notification letter from Yakima.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1738 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4838

Date: _____
RE: State vs: _____
Legal No.: _____
Juvis No.: _____

Dear

We wanted you to know that on _____, it was determined that no charges will be initiated in this case. Charges were not initiated for the following reason(s) : _____

If you have any questions concerning the disposition of this case, please do not hesitate to contact us.

Very truly yours,

ROBERT R. NORTHCOTT,
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim/Witness Assistant

JUVENILE DIVISION
1728 Jerome Avenue
Yakima, Washington 98902
(509) 575-4030

Example 1. Third letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



DATE: _____
RE: Alleged Offense(s): _____
Date of Offense: _____
Arresting Agency: _____
Arresting Agency #: _____
JUV # _____ SEQ # _____

Dear

Recently, a case was referred to this department naming you as the victim of the above case. _____ juvenile(s) was/were referred to this office in that case.

Reporting the offense to the authorities demonstrates a sense of community responsibility which is vital to our criminal justice system.

An Information was filed on one juvenile in this matter. However, the matter has now been dismissed by the court. (There may be further action in the cases of other juveniles also referred.)

If you wish to pursue your civil alternatives, you may request, in writing, the names of the juvenile(s) referred to this Juvenile Court, using the case number given above.

We do want to thank you for your cooperation and for being a responsible citizen.

Very truly yours,

Michael Lynn Yates
Victim/Witness Assistant

cc: Social File/Correspondence File

PROSECUTOR'S VICTIM LETTER/CASE DISMISSED

2/81
Rev. 4/82
F2/W/9

Example 1.
Second letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4806

STATE vs:
CASE NO:
CHARGE:
VICTIM:

Dear

We wanted you to know that on _____, the above stated charge against the defendant was not filed.

The case was not filed for the following reason(s) _____

If you have any questions concerning the disposition in this case, please feel free to contact us.

Very truly yours,

Robert R. Northcott
Deputy Prosecuting Attorney

MICHAEL L. YATES,
Victim/Witness Assistant

Example 1. Fourth letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORN.
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98903
TELEPHONE 575-4030

Date: _____
RE: State vs. _____
Legal No.: _____
Juvis No.: _____ R _____

Dear

We wanted you to know that the charge(s) filed against the alleged defendant(s) _____; have been dismissed by the Court for the following reason(s):

It is understandable that this action may be confusing to you. If you have any questions, please do not hesitate to contact us. Our phone number is 575-4030, or Toll Free 1-800-572-7354.

Thank you for your cooperation and assistance.

Very truly yours,

ROBERT R. NORTHCOTT,
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim/Witness Assistant

Example 1. Fifth letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORN.
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4636

Date: _____
RE: State vs. _____
Legal No.: _____
Juvis No.: _____ R

Dear

We wanted you to know that the defendant(s), _____, was found not guilty in the above-referenced matter. This means the Court found there was a reasonable doubt that the defendant(s) had committed the crime(s) as charged.

The burden of proving a criminal case "beyond a reasonable doubt" is not an easy one. It is intentionally made that way to reduce the possibility of innocent persons being convicted. The important thing is that with your help, we vigorously prosecuted this case within the framework of our criminal justice system.

In being a witness you have fulfilled a most vital and necessary function within our system. You have been invaluable to us during the process of this case. We truly thank you for all of your assistance and cooperation. It is understandable that the verdict may seem unsettling to you. If you have any questions, please do not hesitate to contact us.

Again, thank you for your cooperation and assistance.

Very truly yours,

ROBERT R. NORTHCOTT
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim/Witness Assistant

FOUND NOT GUILTY

F8/D/7

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98903
TELEPHONE 575-4030

Dear

This is to advise you that, the defendant has pled guilty and been sentenced. Consequently, there will be no trial in this case. Please refer to the attached Judgement & Sentence for disposition of this case.

We could not have secured this conviction without your assistance and cooperation. Even though this matter did not reach trial, your role was an important one because the availability of witnesses strengthens the prosecuting attorney's case.

We hope that you have not been inconvenienced too much in fulfilling your responsibility as one of the witnesses. If you still have questions regarding the outcome of the proceedings, please do not hesitate to call upon us.

Again, thank you for your continued support and cooperation.

Very truly yours,

Robert R. Northcott
Deputy Prosecuting Attorney

MICHAEL LYNN YATES
Victim/Witness Assistant

Example 1. Seventh letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4889

Date: _____
RE: State vs. _____
Cause # _____
Juvis # _____

Dear

The defendant, _____, was found guilty
on _____.

He was sentenced at that time and has received the following sentence:

- _____ Restitution
- _____ Community Supervision
- _____ Court Costs, Attorney Fees
- _____ Weeks commitment to the Department of Juvenile Rehabilitation
- _____ Months commitment to the Department of Juvenile Rehabilitation
- _____ Days to be served at Yakima County Juvenile Detention Facility
- _____ Hours of community service

The assigned Juvenile Probation Counselor is: _____.

If you have any questions regarding the disposition of this case, please
feel free to contact us at 575-4030.

Very truly yours,

Deputy Prosecuting Attorney

Michael Lynn Yates
Victim/Witness Assistant

Example 2.
Letter from Columbia.



Harry W. Davis, Jr.
Commissioner

Youth Services

Victim Assistance Program
Richland County Judicial Center
P. O. Box 192, 1701 Main Street
Columbia, S.C. 29202
Telephone (803) 765-1171

Offense:

Date of Offense:

Dear

This letter is to inform you that your case has been reviewed and processed by the Department of Youth Services Intake Unit. Once this step is completed, the case is referred to the Solicitor's Office.

The Solicitor's Office determines whether or not your case will be handled unofficially or if it will be processed for court.

After a determination is made by the Solicitor's Office and the information is made available to this office, you will again be contacted and notified of your case status.

Please call me at 765-1171 if you have questions or if other case related assistance is desired.

Sincerely,

Linda J. Price
Victim Assistance Coordinator



DISTRICT ATTORNEY'S OFFICE
1801 VINE STREET, RM. 153-M
PHILADELPHIA, PENNSYLVANIA 19103

RONALD D. CASTILLE
DISTRICT ATTORNEY

COMMONWEALTH VS

Dear

We are writing to inform you of the action that the court has taken concerning the above-named defendant who recently was charged with victimizing you. In Pennsylvania, the Juvenile Court Act requires that the Juvenile Court try to work with young offenders and their families before the juvenile's behavior becomes repeated or increases in severity. Therefore, outright punishment in the form of secure imprisonment is not available except as a last resort. The court is mandated under current law to take the least restrictive alternative, consistent with community protection, in attempting to reverse the juvenile's criminal activities and redirect it towards school or vocational training.

Most juvenile cases start with a pretrial conference. The court does not subpoena victims and witnesses to this proceeding in an effort to reduce the inconvenience to them arising from court appearances, and to provide for faster court action against those juveniles who have not yet established a long court record. The pretrial conference in your case was held on _____. At the pretrial conference the judge met with the District Attorney, the defendant, and the defendant's attorney. The charges were reviewed along with your statement to the police and those of any witnesses. The judge also had the defendant's court file and school records to consult in making his decision.

Cases, such as yours, not involving serious bodily injury, which involve a first time offender, are often resolved by a consent decree. The defendant was placed on a consent decree in this case. This means that the juvenile is placed on probation for atleast six months without having a trial. If the offender does not get into further trouble and does well in school, the case is not further pursued, but if the offender does not do well, the case can be reopened and tried. If the defendant in this case harasses you in any way, notify the probation officer at once to request that the case be brought back before the judge. The juvenile's probation officer is _____ who can be reached at 686 - _____. As part of the probation restitution of \$ _____ was ordered to be paid through the Court's Enforcement Unit and monitored by the Probation Department. The Court will forward the money to you. It is to be paid within _____.

If you have any problems or questions, please call the D.A.'s Office at 686 - 4094 or 4095. Thank you.

Core Service Component 5:

Assistance Obtaining Compensation and Restitution

The Purpose of the Service:

- let eligible victims know how to file compensation claims or document losses for restitution
- ameliorate the victim's financial losses
- hold juvenile offenders more accountable for their actions

A Description of the Service:

Compensation and restitution mechanisms vary from community to community and state to state. As a general rule, victim witness assistance programs in the juvenile justice system do not administer victim compensation or restitution payments, but they do inform victims that restitution and compensation are available, and assist them when problems arise with documentation or payment of claims. Many programs take the further step of assisting victims in applying for compensation or restitution.

Inform victims. The first time you have contact with a victim, you should tell him or her about restitution and compensation. Some programs screen cases and send information only to those victims who might fit local eligibility criteria. Keep in mind, however, that police reports and other records may not reflect the full extent of financial loss or injury that victims have suffered.

When you tell victims about **restitution**, tell them:

- what restitution is;
- what types of losses they can recover (i.e., property loss, medical expenses, counseling expenses, insurance deductibles, etc.);
- limits to restitution (dollar ceilings, the juvenile's ability to pay, etc.);

- the restitution policy of the jurisdiction or the office. (For instance, in Boulder, letters to victims state, "Our Juvenile Division [Office of the District Attorney] will request that the court order the juvenile to repay you for any compensable loss. . .");
- how to document losses;
- the deadline and its importance (If the restitution information is to be used for diversion or consent decree cases, the deadline will be quite short.); and
- whom to contact for assistance.

Information about **compensation** may be provided in a separate letter because fewer victims are eligible. You should:

- distribute a brochure or other information from the compensation program detailing eligibility criteria and application procedures. Relying on victims to pick up brochures when they appear at court is inadequate, since the vast majority of victims are not required to attend court.
- tell victims that compensation differs from restitution (and does not cover property loss), that it is operated through another office, and that you can help with the application or refer them to someone who can help.

You also should tell victims of other potential avenues to recoup losses in your jurisdiction, such as **civil suits** against offenders and their families.

Assist victims in documenting losses. If you help victims document their claims, develop a simple form for recording restitution losses. (Some programs integrate restitution information into their victim impact form. See Core Service Component 6, Facilitating Victim Participation.) If victims must complete the form themselves, provide clear instructions and explain what bills and receipts are required as documentation. (Compensation programs usually have their own standard forms and instructions.)

Remind victims of the deadlines for sending information. Some programs routinely send out reminders, others call victims a few days before the disposition hearing if the forms have not been received.

Because filing for compensation is complicated in many states, you must tailor your involvement to your particular local circumstances. Larger programs (or those attached to an adult victim witness program) may have a designated compensation expert who can help victims negotiate the process.

Respond to victim requests. Whatever the program's earlier involvement in restitution or compensation, staff are likely to receive questions when payments are delinquent or when other problems arise. Staff should check with the appropriate agencies about the status of the claims or payments, relay that information to victims, and where appropriate, bring instances of nonpayment of restitution to the attention of the prosecutor or the court. Alternatively, the program may refer victims directly to the appropriate official (e.g., the offender's probation officer), but encourage victims to call the program if the official's response is unsatisfactory or confusing.

Options for Providing Service:

Restitution. In deciding how to shape your restitution services, consider several questions: At what stage of the process will the information be used? Which agency will present the information to the court? How aggressively will the program elicit the information?

- In Milwaukee, the program obtains restitution information from victims by phone. This information and any later amendments are forwarded to the probation officer for use in preparing the pre-sentence report.
- In Boulder, the program sends victims a letter and a form to fill out. If the program does not receive the materials ten days before the expected disposition, staff contact victims by telephone.
- In Hagerstown, the program originally obtained restitution information by phone and relayed it to the prosecutor. Victims are now asked to provide information in writing, along with receipts. Staff use this documentation to prepare a written statement for the case file, which is reviewed by the judge before sentencing.
- In Delaware County, the program sends victims the restitution forms, but victims return the documentation to the probation department. The program provides other assistance only as the victims request it.

Compensation. After notifying victims that a compensation program exists, programs provide varying levels of assistance:

- The Orange County program assists victims in filling out the forms, acts as a liaison between the compensation board and the victims, and attends compensation hearings.
- In Philadelphia, the program refers victims to community-based victim assistance programs partially funded by the district attorney. These programs provide direct services such as assistance with compensation claims.

- The Columbia program sends victims a letter and brochure describing compensation and refers victims directly to the compensation office for further information. Staff assist victims with the forms and documentation upon request and answer questions from the compensation office.
- Both the Boulder and Delaware County programs inform victims about compensation and refer them to a specialist in the district attorney's office.¹

Tips for Developing Service:

Check the statutes that govern restitution and compensation in your jurisdiction. They may spell out some of the eligibility criteria and procedures. Also, consult with the agencies and personnel who currently administer these programs to clarify how the statutes are interpreted in practice and the local ground rules that apply.

Find out what victims can realistically expect from the current compensation and restitution systems. Victims are frequently disappointed with the handling of restitution and compensation, and this may be a source of broader dissatisfaction with the juvenile justice system. Try to determine how often restitution and compensation are awarded and what proportion of the losses are typically covered. How long does it take to obtain compensation and restitution? In the case of restitution, how often do youth default on their payments and what action is taken? You may want to improve some aspects of the current systems, but in the interim, do not give victims an unduly optimistic picture of their potential.

This is one area where you may be able to reduce the workload of other agencies or staff. No agency likes to hound victims to provide timely documentation of losses. By taking responsibility for some of the restitution functions, you may relieve the burden on other juvenile justice personnel and buy goodwill for the program.

Examples that Follow:

1. Letters and court order from Yakima.
2. Restitution form from Philadelphia.
3. Letter from Columbia.
4. Restitution form from Boulder.

¹The Boulder program is unusual in having the state compensation administrator on the District Attorney's staff. This is a function of Colorado's unique compensation system, which is administered at the local level.

Example 1.
Letter from Yakima.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4030

Date: _____

RE: JUVIS # _____ SEQ.R _____

CAUSE NO: _____

Dear _____:

I am writing to inform you that restitution in the above case, in which you were named as a victim, has been determined uncollectable and the case was closed on _____.

You still have legal recourse through a civil lawsuit and may wish to contact an attorney regarding how to proceed with that action. If you need names and addresses of the juvenile's parents, I can provide that information.

If you have any questions please call me at 575-4030. Thank you for your time and patience.

Sincerely,

MICHAEL LYNN YATES
Victim/Witness Assistant
Juvenile Court Division.

MLY:sc

Example 1. Second letter from Yakima
Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98903
TELEPHONE 575-4630

Date: _____
Alleged Offense(s): _____
Date of Offense: _____
JUV # _____ SEQ # _____
_____ # _____
_____ # _____

Dear

We regret you were recently the victim of a crime.

It is a goal of the Juvenile Court to have the juvenile, where possible, reimburse the victim for actual loss. To assist us, we are asking you to send us a list of your actual losses. Please use the enclosed form (VICTIM RESTITUTION ESTIMATE) for your convenience.

As a victim, you are entitled to the names of the alleged or proven offender(s) as well as the name and address of the parent(s). If you want this information please mark the appropriate box on the enclosed VICTIM RESTITUTION ESTIMATE FORM or send a written request. We cannot give the names out over the phone.

We are also sending a VICTIM IMPACT STATEMENT. This statement is given directly to the Judge to help him better understand what has happened to you and your feelings about how the crime has impacted you.

PLEASE RETURN BOTH FORMS even if you suffered no loss. Please keep us informed about address changes should it be necessary for us to contact you.

We are not always able to get restitution from juveniles, however, you may have other options against the parents of the minor in a civil action through the Victim Compensation Law.

IF WE HAVE NOT HEARD FROM YOU BY _____, WE WILL ASSUME NO RESTITUTION IS BEING SOUGHT.

Thanking you in advance for your assistance.

Very truly yours,

ROBERT R. NORTHCOTT,
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim Witness Assistant

Enclosures: Victim Restitution Estimate
Victim Impact Statement

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4030

DATE: _____

Alleged Offense(s): _____

Date of Offense(s): _____

JUV #	_____	SIQ #	_____
	_____		_____
	_____		_____

Dear

We need to speak with you regarding restitution in the above-entitled case.

Please call at 575-4030 or stop by the office at 1728 Jerome Avenue, Yakima, Washington.

We would appreciate your bringing any restitution estimates and receipts for any losses involved.

Thank you for your cooperation.

Very truly yours,

JEFFREY C. SULLIVAN
Yakima County Prosecuting Attorney

MICHAEL LYNN YATES
Victim Witness Assistant

Enclosures: Victim Restitution Estimate
Victim Impact Statement



SUPERIOR COURT OF WASHINGTON
 COUNTY OF YAKIMA
 JUVENILE COURT

State of Washington v.

Example 1.
 Court Order from Yakima.

NO.

EX PARTE ORDER ESTABLISHING
 RESTITUTION

I. BASIS

1.1 On _____ the court ordered the above juvenile to pay restitution in this matter in an amount to be determined.

II. FINDINGS

2.1 The Prosecuting Attorney's Office has determined the amount of restitution to be as claimed by the victim(s) as supported by the attached:

2.2 [] Following are named the co-defendants in this matter: _____

III. ORDER

3.1 IT IS HEREBY ORDERED that the juvenile shall pay the following restitution to the victim(s) as listed below:

<u>Victim's Claim:</u>	<u>Name of Victim(s)</u>	<u>Amount To Be Paid:</u>	<u>Date To Be Paid By:</u>
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____
\$ _____	_____	_____	_____

3.2 Restitution will be paid to the Clerk of the Court at 1728 Jerome Avenue, Yakima, Washington, for disbursement to the victim(s).

DATED: _____

 JUDGE/COURT COMMISSIONER

Presented by:

 DEPUTY PROSECUTING ATTORNEY

EX PARTE ORDER ESTABLISHING RESTITUTION

Example 2.
Restitution form
from Philadelphia.

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

1. PROPERTY LOSSES

Please list all items which were taken in the crime committed against you. If the item was returned please put an "R" in the space which asks for the replacement cost of the item. If an item has no separate value (like a credit card) just list the item and leave the cost space blank. Do not forget cash, food stamps, the cost of replacing damaged items (like doors, windows, car steering columns or pocketbooks).

<u>ITEMS STOLEN</u>	<u>WHAT IT WILL COST TO REPLACE THIS ITEM</u>
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____
6. _____	\$ _____
7. _____	\$ _____
8. _____	\$ _____
9. _____	\$ _____
10. _____	\$ _____

Will Insurance cover any of these losses? YES NO (CIRCLE ONE)

If you have Insurance, how much is the deductible you will have to pay? \$ _____

If you are not sure of the exact replacement cost, either estimate the cost to your best information, or list the amount that the item originally cost.

THE FACTS SET FORTH IN THE FOREGOING ARE TRUE AND CORRECT TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE, INFORMATION AND BELIEF AND ARE VERIFIED SUBJECT TO THE PENALTIES FOR UNSWORN FALSIFICATION TO AUTHORITIES UNDER PENNSYLVANIA CRIMES CODE § 4904 (18 pa. c.s. § 4904).

SIGNED: _____
(YOUR NAME)

DATE: _____

2. MEDICAL EXPENSES

Please list all medical treatment you received because of the crime committed against you. Also give a short description of what was done for you (for example: X-Rays, Stitches, etc.)

<u>DATE</u>	<u>NAME OF DOCTOR OR EMERGENCY ROOM</u>	<u>COST OF UNINSURED SERVICES</u>	<u>TYPE OF TREATMENT</u>
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____

Please list all other medical costs such as medicines, crutches, elastic bandages, etc.

<u>ITEM</u>	<u>UNINSURED COST</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

THE FACTS SET FORTH IN THE FOREGOING ARE TRUE AND CORRECT TO THE BEST OF THE UNDERSIGNED'S KNOWLEDGE, INFORMATION AND BELIEF AND ARE VERIFIED SUBJECT TO THE PENALTIES FOR UNSWORN FALSIFICATION TO AUTHORITIES UNDER PENNSYLVANIA CRIMES CODE § 4904 (18 pa. c.s. § 4904).

SIGNED: _____
(YOUR NAME)

DATE: _____

Example 3.
Letter from Columbia.



Harry W. Davis, Jr.
Commissioner

Youth Services

Victim Assistance Program
Richland County Judicial Center
P.O. Box 192, 1701 Main Street
Columbia, S.C. 29201
Telephone (803) 765-117

Dear

A brochure about the South Carolina Crime Victim's Compensation Fund has been sent for you to review. Although this Fund is controlled and operated through another office, we are providing information about the Fund in an effort to be certain that you are made aware of this service availability.

The South Carolina Crime Victim's Compensation Fund primarily helps pay for expenses incurred as a result of physical injury, lost wages for extended time away from work as a result of injury, funeral expenditures, and counseling fees which result after incidents of certain types of crime. The Fund is not able to help with property losses.

After you have read the enclosed brochure, contact the South Carolina Crime Victim's Compensation Fund Office, if you think you may be eligible for compensation. Call me at (803) 765-1171 for assistance in completing your application or to discuss your eligibility.

Sincerely,

Linda J. Price
Victim Assistance Program Developer

Enclosure

RESTITUTION FORM

Example 4.
Restitution Form from Boulder.

Date:

Re: Juvenile Action Number
People in the interest of

Please fill out this form and return it with all receipts within 10 days so that we may accurately advise the court of your losses, should the court order restitution.

MEDICAL EXPENSES AND INFORMATION

Total Medical Expenses: \$ _____
Amount Paid by Insurance: \$ _____
Insurance Deductible: \$ _____

Medical Insurance Company Name: _____
Policy Number: _____
Agent's Name and Address: _____

Agent's Telephone Number: _____

PROPERTY EXPENSES AND INFORMATION

Amount of Property Damage/Theft: \$ _____
Amount Paid by Insurance: \$ _____
Insurance Deductible: \$ _____

Property Insurance Company Name: _____
Policy Number: _____
Agent's Name and Address: _____

Agent's Telephone Number: _____

TOTAL OF ANY OTHER ACTUAL LOSS: \$ _____
(Do not include time, wages, fees, etc.)

Have you received any compensation directly from the Defendant or the Defendant's insurance company? _____ Yes _____ No

Are there any losses listed above that are not documented by enclosed receipts? _____ Yes _____ No

If yes, provide explanation: _____

I (We) hereby swear that the above information is true and correct to the best of (our) knowledge. I (We) authorize release of any information by the above-named insurance companies or agents to the Boulder County District Attorney's Office for purposes of determining restitution figures.

Dated: _____ Signature(s): _____

Core Service Component 6:

Facilitating Victim Participation in the Juvenile Justice Process

The Purpose of the Service:

- inform victims of their rights to participate
- give victims an opportunity to be heard
- assist juvenile justice personnel in meeting their statutory obligations to present victim impact information
- educate offenders about the emotional, financial, and medical consequences of victimization
- increase the probability that offenders will be held accountable

A Description of the Service:

State statutes and local policies generally permit, encourage, or mandate some victim participation in the juvenile justice process. The most common avenues of participation include: providing a written statement about the effects of the crime -- called an "impact statement" -- for presentation at the disposition hearing; attending the adjudicatory and disposition hearings; and presenting an oral impact statement at the disposition hearing. Other forms of participation may include consulting about plea agreements and attending other court proceedings.

At a minimum, the victim witness assistance program should provide the following services:

Inform victims about their opportunities to participate in the process. This information can be incorporated into other communications with victims -- in the initial orientation materials and in letters or telephone calls that notify victims of upcoming court hearings.

Assist victims in attending court hearings. If victims are interested in exercising their rights to attend court hearings, offer them the same supportive services that you would

give victims who are summoned to testify (see Core Service Component 2, Assistance to Victims Who Must Testify). However, make sure you tell victims about the usual content of each hearing and the amount of waiting and in-court time that may be involved, so that they can make an informed decision about whether to attend.

Assist victims in providing an impact statement. At a minimum, a victim impact statement should include:

- information about the "physical, emotional, or financial effects of the crime on the victim and the victim's family";
- facts about the victim that rendered him or her "particularly vulnerable to the crime" (handicap, age, etc.); and
- "circumstances surrounding the crime and the manner in which it was perpetrated, such as particular cruelty".²

In addition, in some jurisdictions the statement may include a subjective statement of opinion about the crime and the criminal and a sentencing recommendation.

Written statements. Many programs send victims a form outlining the types of information that may be presented to the court. (Often this form incorporates restitution information, as well. See Core Service Component 5, Assistance With Compensation and Restitution.) The accompanying letter should explain

- the purpose of the impact statement,
- where to send it,
- what will be done with it, and
- what types of information it should contain.

As an alternative, the program staff may use the form as a guide to recording impact information obtained from the victim by telephone.

Along with other approaches, some programs also encourage victims to write a letter to the judge stating their feelings about the crime in their own words. This should not be

²Susan Hillenbrand, "Victim Impact Statements: Elements of a Model Statement," in Crime Victims Report, February 1987, p.11.

your sole approach, however, because only the most literate and involved victims are likely to respond.

Oral statements. Many advocates believe that judges are more likely to consider victim impact data if victims appear at disposition, especially if victims deliver an oral impact statement. At a minimum, make sure that victims know of their right to appear and speak, and assist them in preparing oral statements when they request help.

In practice, most victims do not choose to make oral impact statements, even when they attend the disposition hearing. Program staff may routinely attend disposition hearings and present impact information anyway. If this is not your usual practice, you should be prepared to speak on the victim's behalf if the victim, the prosecutor, or the judge requests you to do so.

Options for Providing Service:

The ways in which a program informs victims of their rights to participate in the system are in part a function of how the program chooses to orient victims to the juvenile court process (see Core Service Component 1, Orientation to the Juvenile Court and the Rights of Victims) and how it notifies them of significant court events (see Core Service Component 4, Provide Information About Case Status and Outcome).

Several questions arise in connection with victim impact statements, however:

1. At what stage of the proceedings will the impact information be used? If the information is to be used in detention, diversion, or plea deliberations, as well as in sentencing, you must consult victims early in the process and pass the information on to those involved in the decisions. Eliciting information by letter probably will prove to be too slow.

- The quickest procedure is the one used in Milwaukee, where staff contact victims by telephone within a few days of the referral and on that basis, prepare a short impact statement for transmittal to probation and the prosecutor. Staff also inform victims that they can write a letter and appear at sentencing.

2. Who will provide the information to the court?

- In Philadelphia, staff place impact statements in the district attorney's file for review before sentencing. The prosecuting attorney may choose to present the information or not.

- In Delaware County, the impact statements are appended to the pre-sentence reports prepared by probation. In addition, the program forwards a "victim services report" to the probation officer.
- In Boulder, copies of impact statements are placed in the district attorney's and the probation department's files.
- In Hagerstown and Columbia, staff routinely attend the disposition hearings and answer questions about victim impact. In Columbia, staff also provide victim impact forms to the prosecutor and the judge.

3. How aggressively will the program elicit victim impact statements? Given that initial return rates for victim impact statements can be low and most victims do not choose to appear at sentencing, some programs attempt to encourage greater participation.

- In Boulder and Columbia, the program calls all victims who have not sent impact forms by the week before disposition.
- In Milwaukee, staff take the primary initiative by preparing impact information on the basis of telephone conversations with victims.

Tips for Developing Service:

Check statutory provisions governing victim impact statements and participation at disposition and other points of the process. Where the legislation does not specify victim rights in these areas, consult with the juvenile court judge and prosecutors.

If yours is one of the small number of jurisdictions that does not allow victims to submit a written impact statement or to appear at sentencing, be creative. You may be able to arrange to have the prosecutor or the probation department review impact information and incorporate it in their own statements to the court. Agencies often welcome victim input when it does not require any of their time to collect.

Some judges may resist having victims at the disposition hearing because they may hear confidential information about the offender's record, background, and family situation. Explore whether victims can make statements and then be excused during the period when confidential information is discussed.

Make it easy for victims -- give timely notifications of deadlines and hearings, clear instructions as to what is needed and how it will be used, extra assistance when necessary, and follow-up notices. As in other areas, clear letters and forms are important.

Examples that Follow:

1. Philadelphia's form letter eliciting victim impact information.
2. Yakima County letters and victim impact form.
3. Delaware County letter notifying victim of the right to make an impact statement.
4. Victim impact form prepared by the Boulder County victim witness staff.
5. Department of Youth Services' (Columbia) victim impact form.



DISTRICT ATTORNEY'S OFFICE
1801 VINE STREET
PHILADELPHIA, PENNSYLVANIA 19103
686 - 4032

Example 1.
Philadelphia's letter
eliciting impact
information.

RONALD D. CASTILLE
DISTRICT ATTORNEY

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Dear _____:

Under the Victim's Bill of Rights passed in 1984 by the State Legislature, you as the victim of a crime have the right to have your own statement as to how the crime has affected you, included in any sentencing report prepared for the judge. This statement can cover any aspect of a psychological injury you suffered during or after the crime. Psychological injuries include fears, nightmares nervousness, or orther such problems. The statement should also include any physical injuries you received, with particular reference to any lasting symptoms you may have suffered. Lastly, monetary losses and their effect on you should be included both as to stolen items and medical expenses. (If a financial loss form accompanies this letter, you need not repeat that information here).

If the victim is a child, the statement can be prepared by a parent or guardian.

Please PRINT or TYPE your statement on the back of this form and return it to either the Assistant District Attorney in Court or mail it to:

Philadelphia District Attorney's Office
1801 Vine Street - ROOM 153M
Philadelphia, PA 19103

Thank you for your assistance.

JUVENILE COURT VICTIM/WITNESS ASSISTANCE UNIT

Example 2.
Yakima's letter eliciting
impact statements.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98903
TELEPHONE 575-4870

Date: _____
Alleged Offense(s): _____

Date of Offense: _____
JUV # _____ SEQ # _____
_____ # _____
_____ # _____

Dear

We regret you were recently the victim of a crime.

It is a goal of the Juvenile Court to have the juvenile, where possible, reimburse the victim for actual loss. To assist us, we are asking you to send us a list of your actual losses. Please use the enclosed form (VICTIM RESTITUTION ESTIMATE) for your convenience.

As a victim, you are entitled to the names of the alleged or proven offender(s) as well as the name and address of the parent(s). If you want this information please mark the appropriate box on the enclosed VICTIM RESTITUTION ESTIMATE FORM or send a written request. We cannot give the names out over the phone.

We are also sending a VICTIM IMPACT STATEMENT. This statement is given directly to the Judge to help him better understand what has happened to you and your feelings about how the crime has impacted you.

PLEASE RETURN BOTH FORMS even if you suffered no loss. Please keep us informed about address changes should it be necessary for us to contact you.

We are not always able to get restitution from juveniles, however, you may have other options against the parents of the minor in a civil action through the Victim Compensation Law.

IF WE HAVE NOT HEARD FROM YOU BY _____, WE WILL ASSUME NO RESTITUTION IS BEING SOUGHT.

Thanking you in advance for your assistance.

Very truly yours,

ROBERT R. NORTHCOTT,
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim Witness Assistant

Enclosures: Victim Restitution Estimate
Victim Impact Statement

Example 2.
Second letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1728 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4018

Date: _____
RE: State vs. _____
Cause #: _____
Juvis #: _____ R

Dear

We wanted to advise you that we have received your VICTIM IMPACT STATEMENT. We greatly appreciate your taking the time to complete the form and returning it promptly to us.

The VICTIM IMPACT STATEMENT will be referred to the Probation Counselor at the time of the diversion referral. Should you want to make a personal statement to the Probation Counselor, we request that you contact this office so that we may make the appropriate arrangements.

Being the victim of a crime is frequently a difficult and unsettling experience. As such, we recognize your sense of cooperation and look forward to assisting you in any way possible during your involvement with the criminal justice system.

Should you have any questions or need further assistance please do not hesitate to contact us. We look forward to working with you.

Very truly yours,

MICHAEL LYNN YATES
Victim/Witness Assistant

Example 2.
Third letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901

(509) 575-4141



JUVENILE DIVISION
1718 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4030

Date

To:

Re: State vs. _____

Dear

We wanted to advise you that we have received your victim's impact statement. We greatly appreciate your taking the time to complete the form and returning it promptly to us.

The victim impact statement will be presented to the judge at the time of the defendant's sentencing. Should you want to be present at that time or make a personal statement to the court, we request that you contact this office so that we may make the appropriate arrangements.

Being the victim of a crime is frequently a difficult and unsettling experience. As such, we recognize your sense of cooperation and look forward to assisting you in any way possible during your involvement with the criminal justice system.

Should you have any questions or need further assistance please do not hesitate to contact us. We look forward to working with you.

Very truly yours,

Deputy Prosecuting Attorney

By: MICHAEL LYNN YATES
Victim/Witness Assistant

Cause # _____

Example 3.
Delaware letter.

DELAWARE COUNTY JUVENILE COURT
FRONFIELD BUILDING - COURT HOUSE PLAZA
214 NORTH AVENUE • MEDIA, PA 19063

JUVENILE PROBATION SERVICES
MEDIA, PA 19063

AREA CODE 215-891-4721

JUVENILE DETENTION
370 MIDDLETOWN ROAD
LIMA, PA 19037
AREA CODE 215-565-96

BRANCH OFFICES:

112 E. 5th Street
Chester, PA 19013
215-874-5351

539 Chester Pike
Prospect Park, PA 19078
215-583-7377

6932 Market Street
Upper Darby, PA 19082
215-352-9500

Dear

As a victim of an alleged juvenile crime, the Victim Services Unit of the Delaware County Juvenile Court is available to help assist you through the court process. Enclosed you will find the brochure, Information for Victims, which should enable you to better understand the Juvenile Court and your role and rights as a victim.

_____ has been referred to the Juvenile Court resulting from an offense which occurred against you on _____. It is necessary for us to know the amount of any restitution owed to you before _____. Copies of bills, receipts, estimates, etc. will be needed. Also, we will need to know if any losses or expenses are covered by insurance. To help in gathering this information, we ask that you complete the enclosed "Restitution Information" form and return it (with bills, etc.) to our Court's Intake Department in the enclosed, addressed envelope provided for your convenience. If you have any questions about restitution, please call _____ at 891-4721.

You have the right, as a victim of crime, to complete a "Victim Impact Statement" concerning the effect that the crime committed against you has had upon your physical, emotional or financial well-being. A form has been included for this purpose. If you choose to complete this form, it can be included in the envelope you are sending with your restitution information -- or, you can bring it with you on the day of your Court hearing. Either way, we would very much appreciate your input in this manner.

If you have any questions that are not covered by the enclosed materials, please do not hesitate to contact the Victim Services Unit. We will also be here to assist you on the day of your court hearing.

Sincerely,

Kathleen Fitzpatrick-Robbins, M.S.
Victim Services Unit

VICTIM IMPACT STATEMENT

CASE DATA : Defendant: Court #:
: Charges:
: Victim:

ECONOMIC LOSS : MEDICAL:

: PROPERTY:

: INSURANCE:
: DEDUCTIBLE:

INJURIES : PHYSICAL - indicate seriousness or permanence:

: EMOTIONAL -indicate changes in personal welfare or family relationships (if any):

: Have emotional changes required any professional assistance?

Do you wish "No Contact" with the Defendant as part of the sentence condions? YES or NO

COMMENTS : Concerning treatment, punishment, disposition, etc.

Date

Signature of victim

Date

Juvenile Victim/Witness Staff Assistant

cc: Sentencing Judge/ Probation Department
District Attorney file

DEPARTMENT OF YOUTH SERVICES VICTIM IMPACT STATEMENT

CASE # _____ OFFENSE _____

NAME OF VICTIM (or next of kin) _____

AGE OF VICTIM _____

ADDRESS HOME _____ WORK _____

PHONE _____

IT IS YOUR RESPONSIBILITY TO INFORM THE SOLICITOR'S OFFICE AND THE DEPARTMENT OF YOUTH SERVICES OF ANY CHANGE IN THE ABOVE.

I do _____ wish to be present or I do not _____ wish to appear in court unless needed.

1. If you have suffered any property damage or other economic loss, please explain. _____

2. If you have suffered any physical injury, please explain. _____

3. If you have suffered any psychological or emotional injury and/or if you or your family have received any counseling, please explain. _____

4. If your personal welfare or family relationship has changed as a result of the crime, please explain. _____

IF NECESSARY, USE THE BACK OF THIS SHEET FOR YOUR ANSWERS. ADDITIONAL SHEETS MAY BE USED, IF DESIRED.

SUMMARY OF FINANCIAL COSTS

	COSTS TO DATE	FUTURE COSTS EXPECTED
Property/Economic Loss	\$ _____	\$ _____
Medical Expenses	_____	_____
Counseling Expenses	_____	_____
Income Lost from Work	_____	_____
Other Expenses (Explain)	_____	_____
Total	\$ _____	\$ _____
Subtract Insurance Recovery	_____	_____
Net Loss to Victim	\$ _____	\$ _____

IT WOULD BE HELPFUL IF COPIES OF RECEIPTS OR CANCELLED CHECKS ARE ATTACHED.

Signature of Victim (or next of kin)

Date

Core Service Component 7:

Facilitating the Return of Property

The Purpose of the Service:

- expedite the return of property to victims

Description of the Service:

Jurisdictions vary in their procedures for handling property recovered by the police. Some routinely retain it until a case has been closed, others photograph most property and return it to the victims much earlier.

Whatever the local system, at a minimum, programs should assist victims when there has been some unusual delay in property return or when victims need the property before the case has been disposed of, as might occur with prescription eyeglasses or car keys.

Options for Providing Service:

There are two primary approaches to providing this service: arranging for property return for all victims or intervening only when there is a snag in the return of property. Most programs choose the latter approach, but there are exceptions.

- When a victim has problems obtaining property in Philadelphia, the program writes a return of property order, hand-carries it to the judge to sign, and then sends it to the victim along with a letter explaining where to pick up the property.
- When property is not returned in Orange County, the program calls a contact in the police records department who will meet and guide victims through the property return process.
- Upon case disposition in Boulder, the program routinely obtains the prosecutor's signature on the property release form and forwards it to the police. The program also arranges to have property returned before disposition in hardship cases.

Tips for Developing Service:

Obviously, it is more convenient for victims to get their property back before disposition. It also can cut down on a program's need to intervene in the process. If your jurisdiction does not provide for early property return, explore alternatives with prosecutors and police. Police may be especially receptive to an early release policy if there is a shortage of storage space.

Examples that Follow:

1. Request for property release from Boulder.
2. Letter explaining what to do with the property return certificate from Philadelphia.

Example 1.
Request for property release
from Boulder.

ASSISTANT DISTRICT ATTORNEY

William C. Stone

CHIEF TRIAL DEPUTY

Robert A. Morrison

CHIEF DEPUTIES

Deanna M. Wagner

Laura M. F. Lane

CHIEF INVESTIGATOR

James A. ...

THE STATE OF COLORADO
TWENTIETH JUDICIAL DISTRICT
ALEXANDER M. HUNTER
DISTRICT ATTORNEY

DEPUTY DISTRICT ATT.

Robert A. Morrison
Deanna M. Wagner
Laura M. F. Lane
James A. ...
William C. Stone

REQUEST FOR PROPERTY RELEASE

POLICE AGENCY

POLICE CASE NUMBER

TRIAL COURT NUMBER

NATURE OF THE ACTION

Evidence Technician:

Please be advised that the below described items seized
as evidence in the above referenced case may now be
released to the control of:

upon a showing of proper identification.

Description:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Thankyou for your assistance, if you have any questions
or need confirmation please call 441-3700.

/s/ _____
Deputy District Attorney

DATE



RONALD D. CASTILLE
DISTRICT ATTORNEY

Example 2.
Letter from Philadelphia.
DISTRICT ATTORNEY'S OFFICE
1801 VINE STREET, RM. 153-M
PHILADELPHIA, PENNSYLVANIA 19103

Dear

Enclosed you will find a return of property certificate. Please take this certificate to Room 715 City Hall. Be sure to bring some form of identification with you. When you present these items to the evidence custodian, she will have you sign an acknowledgement of release form and return your property to you.

If you have any further questions call the District Attorney's Office.

Victim/Witness Unit
Room 127
1801 Vine Street
Philadelphia, Pa. 19103
or
MU6-4094 or 4095

Core Service Component 8:

Information and Referral

The Purpose of the Service:

- ensure that victims and witnesses receive the help they need
- make effective use of community resources for victims and witnesses and avoid unnecessary duplication of services

A Description of the Service:

When a victim's needs are beyond the program's service capability, the program will make a referral to other resources in the community. Most programs rely on outside programs to assist victims who need:

- Long-term psychological treatment. Most communities have non-profit organizations that provide treatment on a sliding fee basis, and many have private therapists who specialize in treating victims as well. Counseling is frequently available to sexual assault victims through rape crisis programs. Some jurisdictions may have special counseling programs for other types of victims as well.
- Legal information and services. Programs usually refer victims to legal aid, to the local bar association, or to attorneys who have worked with similar cases in the past.
- Emergency assistance (e.g. money, shelter, locksmiths). Public agencies, such as the Department of Social Services, may be able to help some victims. Most programs also have located community non-profit organizations that provide some emergency assistance. For example, some programs arrange for emergency shelter in domestic violence "safe houses". A number of programs have found churches to be good resources for emergency funds.
- Support from other victims. Programs commonly refer victims to support groups, such as Mothers Against Drunk Driving, Parents of Murdered Children, and Women Against Rape.

Options for Providing Service:

Programs differ in the numbers of victims they refer, how closely they monitor referrals, and the types of agencies to which they refer, but all programs should build a referral network.

The Philadelphia District Attorney's program has established a unique referral system, which may be of particular interest to larger communities.

- The district attorney's office, which receives a state allocation from the federal Victims of Crime Act (VOCA), helps fund six community-based victim services programs -- one in each of the city districts where adult preliminary hearings are held. These programs provide information and support to all victims at the preliminary hearing stage and accompany victims to court. The Philadelphia program frequently refers victims in the juvenile justice system to these community-based providers. Observers believe they are more alert to cultural and language issues among victims in their particular areas and can make more appropriate referrals to neighborhood-based organizations.

Tips for Developing Service:

Review the materials on building a referral network (pages 80-81, 83-84) for suggestions such as:

- using existing resource manuals developed by the governor's office, the city or county government, or other social service agencies in the community;
- tapping referral networks developed by other local victim assistance programs;
- conducting a telephone survey of agencies to determine what services they would provide to victims; and
- conducting follow-up interviews with victims for feedback on the appropriateness of referrals.

As part of your recordkeeping, keep track of the number and type of referrals you have made. Include them in any summary statistics you prepare.

To help in future planning for your own program and the broader community, consider keeping notes on "difficult" referrals -- instances where the program was unable to find an appropriate resource.

Encourage victims to let you know how the referrals worked out. If possible, consider following up more systematically with both victims and referral agencies -- by telephoning a sample of victims and/or agencies, for example.

Core Service Component 9:

Education and Training

The Purpose of the Service:

- educate the public, juvenile justice personnel, and other local service providers about the problems, needs, and rights of victims
- encourage appropriate referrals to the victim witness assistance program
- educate the public about the juvenile justice process
- obtain community support for the program

A Description of the Service:

A program working with victims of juveniles should educate juvenile justice officials and law enforcement officers as well as the general public.

Public education efforts generally consist of presentations to community organizations. Commonly, audiences include senior citizens groups, Kiwanis and other service groups, neighborhood organizations, crime prevention organizations, hospitals, and schools.

Programs also can use their regular contacts with juvenile justice personnel and human service providers to provide informal education about victim needs and services. Some programs conduct more formal training of justice personnel -- most commonly law enforcement officers or prosecutors. Others participate in "cross-training" with other agencies in the community.

Options for Providing Service:

The content and goals of education and training programs for professional audiences can vary considerably. Some programs attempt to build the skills of personnel in recognizing and responding to victim trauma. Others use training opportunities primarily to elicit referrals from agency personnel.

Below are some examples of how programs approach professional education and training:

- In Philadelphia, one day of the in-service training workshop conducted for all new prosecutors is set aside for victim witness assistance, including assistance in juvenile court.
- In Columbia, South Carolina, the program sent initial information packets on victim assistance services to all local law enforcement and criminal justice agencies.
- In Orange County, the program conducts crisis intervention training for police officers, probation officers, and California Youth Authority officials.
- In Milwaukee, the program director worked together with the adult victim witness assistance program to develop a training film for police.

Tips for Developing Service:

Even if time and staff are limited, actively seek out speaking opportunities when the program is new or if the program routinely uses volunteers. Once the program is known in the community, active outreach often becomes less necessary.

What Optional Components Do Victim Assistance Programs Operate?

In addition to the core structure, programs may offer other services. These services may be designed to enhance some of the core service components, or may be designed to meet new objectives. We describe two clusters of such services here:

- witness coordination and support, which extends the services typically provided to victims who must testify to non-victim witnesses as well.
- post-disposition services, including such services as notification of parole release, participation in parole hearings, and tracking restitution compliance.

We call these elements **optional service components** because we observed highly successful, comprehensive victim assistance programs without these services. However, one or both optional components may be of great interest to your parent agency or your jurisdiction.

Optional Service Component 1:

Witness Coordination and Support

The Purpose of the Service:

- reduce the inconvenience and expense of being a witness
- reduce witnesses' anxiety about testifying
- save prosecutor time in scheduling or preparing witnesses
- reduce the number of cases that are postponed or dismissed because witnesses fail to appear

A Description of the Service:

This service includes two major categories of activities: providing supportive assistance to witnesses and coordinating their appearances. Often, these services are provided by programs that are supported or operated by prosecutors' offices.

Supportive assistance to witnesses. Assisting victims who must testify is one of the core services of programs in the juvenile justice system. But many programs extend the same support to others who are called as prosecution witnesses. These services include:

- help with logistics, such as transportation, babysitting, and employer or school intervention;
- court preparation;
- reception at the courthouse;
- accompaniment to court; and
- intervention in witness intimidation.

(These services are described in more detail under Core Service Component 2, Assistance to Victims Who Must Testify.)

Many programs do not have the resources to call every witness and find out whether help is needed. At a minimum, however, a program should see that information about witness assistance (and where to ask for it) accompanies the subpoenas. Programs should

make sure that prosecution and court staff also know about the services, so that they can refer any witnesses in need who come to their attention.

Witness coordination. Witness-serving programs typically try to do more than reduce witness discomfort and remove practical obstacles to participation. They also assume broader responsibility for notifying prosecution witnesses of case status and schedule and for ensuring that witnesses will appear when needed. Although these services directly benefit witnesses in some ways, they also make the prosecutor's job easier.

Programs that handle witness coordination often:

- Prepare subpoenas. In Philadelphia, Milwaukee, and Yakima, program staff prepare subpoenas, based on witness lists compiled by prosecutors.
- Follow up on subpoenas that have not been acknowledged. The typical jurisdiction mails most of its subpoenas, asking recipients to acknowledge by calling in or returning a card or form. Witness-serving programs typically take responsibility for checking on subpoenas that have not been acknowledged. In Boulder and Milwaukee, for example, program staff call non-respondents to make sure they plan to appear. Milwaukee also assists the prosecutor in tracking down essential witnesses who cannot be reached by phone or who appear to have moved.
- Provide advance notification of subpoenas and appearance reminders. In Milwaukee, the program routinely calls witnesses to warn that a subpoena is coming. In Orange County, program staff remind all witnesses the day before their scheduled appearance. In Philadelphia, the program calls witnesses only in cases where the defendant has been detained (because the prosecutor is obligated to handle these cases more quickly). These contacts provide staff with an opportunity to answer questions about the status of the case, describe what to expect, and flag potential problems or concerns.
- Manage on-call witnesses. All witness-serving programs put some witnesses "on call," generally those who can easily be contacted by telephone and can reach the courthouse on relatively short notice. This reduces some of the waiting time associated with court appearances, and if the case is postponed or resolved at the last minute, it may save the witness a trip to court. The practice is used selectively, at the discretion of the program staff. In Pennsylvania, placing a witness on call requires agreement from the prosecutor and the judge.
- Notify witnesses of changes in case schedules. All witness-serving programs assist the prosecutor's office by calling witnesses about schedule changes, even if the program is not directly responsible for subpoenas. This is important because often there is not enough time to give adequate notice by mail.

- Notify witnesses of case outcomes. The Philadelphia and Yakima programs notify witnesses by mail of the outcome of the case, thank witnesses for their participation, and answer questions. Boulder does the same for significant witnesses.

Options for Providing Service:

If your program will support non-victim witnesses who must testify, you face some of the same decisions as programs that target victims only (see Core Service Component 2, Assistance to Victims Who Must Testify). In particular, how aggressively will you reach out to witnesses and identify potential problems? Will you rely primarily on self-referrals or referrals from prosecutors? Or will you call certain types of witnesses or all witnesses to check on their status? The examples above illustrate the range of options.

Telephone calls to witnesses, while time-consuming, not only help identify needs for supportive services, but also provide an opportunity to give witnesses more information about what to expect from the court process. Equally important, personal contact sometimes reveals that witnesses are reluctant to testify for reasons that your services cannot ameliorate. This information may prove critical to the prosecutor handling the case.

Decide whether your program will take over all of the previous witness management functions of the prosecutor (or, in some cases, the court clerk) or whether you will merely supplement them. For example, will you send subpoenas and check on whether they have been acknowledged? Or will you work only with "problem" cases specifically referred to your attention by the prosecutor? Will you work mainly with cases that involve tight deadlines or last-minute schedule changes? If the prosecutor's current procedures for serving subpoenas are long-established and appear to be running smoothly, you may choose simply to add your program brochure to the mailing and concentrate on other services. Or perhaps you can make more efficient, effective use of staff time by combining all witness coordination in one operation. The Boulder program has adopted the former option, and the Milwaukee program the latter.

Finally, decide whether your program should take responsibility for notifying police witnesses of scheduled appearances. Police departments in larger jurisdictions often assign police liaison officers to the courts to help manage this process. You may find that you can coordinate with these officers, and need not communicate with individual police witnesses.

Tips for Developing Service:

If you take responsibility for subpoenas, be careful about how they are worded. Some people assume that they are being accused of wrongdoing when they receive a summons to court.

Witness coordination is one of the clearest ways to demonstrate the benefits of your program to system personnel. However, this service places your credibility on the line -- prosecutors will expect you to make the appropriate notifications and forewarn them of problems. Make sure you set up records and procedures that minimize the chance of any witnesses falling through the cracks.

If you place witnesses on call, consult with prosecutors and judges as you establish criteria for selecting witnesses who qualify. You may also need to consult court clerks or bailiffs to determine how best to monitor court schedules throughout the day and see that witnesses are given adequate notice to appear.

Police time is costly in both dollars and effort diverted from other enforcement activities. If you can reduce the time police spend in court, the savings may help justify your services in the future. Keep in mind, however, that police officers may resist efforts to reduce their time in court if it is a source of overtime pay. In that case, you need to ensure that senior personnel in the police department and the prosecutor's office are willing to support whatever changes you plan to make.

Examples that Follow:

1. Milwaukee protocol for locating missing witnesses.
2. Milwaukee protocols for contacting citizen witnesses and placing witnesses on call.
3. Milwaukee letters concerning case status.
4. Yakima disposition notification letters.

Additional tips and examples appear under Core Service Component 2, Assistance to Victims who Must Testify.

LOCATE UNFOUND PERSON

I. Policy

To provide prompt and timely notice to all citizen witnesses of the need for their appearance in court; to prevent adjournment or dismissal of cases because of an unfound witness, thereby saving an unnecessary appearance for all other witnesses in the case.

II. Procedure, Victim/Witness Specialists

- A. Reviews all information entered by Sheriff Process Server on returned subpoena.
- B. Places priority on locating witnesses according to upcoming court date for which witness was subpoenaed.
- C. Checks with ADA to be sure witness' appearance is essential to case going on.
- D. Resources
 - 1. Police reports in DA case file
 - a. May have additional information, such as witness' place of employment.
 - b. May indicate that witness is related to, or friends of, another witness who may know their whereabouts.
 - c. May indicate witness is related to, or friends of, the defendant.
 - 2. Telephone Company
 - a. Call all phone numbers listed for witness to see if number has been changed and a new one given.
 - b. Call Directory Assistance, 1-411; ask operator to check for number (this will give you numbers that are unlisted); ask operator to also check new listings.
 - c. If you learn person has a non-published number, call Milwaukee Telephone Security Department, 678-3408; they cannot give out the phone number but will have a correct address. They will need witness' name and old phone number.
 - d. If witness has a relatively uncommon name, review telephone directory listings. When there are not many listings for a name, contact those numbers in an attempt to find a relative of your witness who may know his/her whereabouts.

Example 1.
**Milwaukee protocol for
locating missing witnesses.**

3. Electric Company

- a. Call Electric Company Accounting Department, 277-3412.
- b. Identify yourself.
- c. Give address you have listed for witness.
- d. Electric Company may be able to:
 - 1) Give you a new address.
 - 2) Verify address you have is same as their billing address and, therefore, possibly correct.
- e. No Electric Company record of service at the address you give for person you are looking for does not necessarily mean they don't live there.
 - 1) Witness may live with someone else who is responsible for the electric bills.
 - 2) If the account is commercial, electricity is furnished by owner or landlord, who may be able to verify address or give new address.

4. Gas Company

- a. Call 273-8500.
- b. Follow same procedure as above for Electric Company.

5. Probation Department

- a. Call Probation Department's record room, 224-4546 - adults; 257-7710 - juveniles.
- b. Give name of witness and date of birth if available.
- c. If witness is on probation, the record clerk will be able to give you his/her probation agent's name and phone no.; agent may know witness' whereabouts.

6. Wisconsin Wright's City Directory or Milwaukee Address Telephone Directory

- a. Locate address listed for witness in the directory and try and contact neighbors who may know witness' whereabouts.

7. County General Hospital

- a. Call the appropriate patient record number to see if witness is or has been treated there; hospital may have current address.

**Example 1.
Milwaukee protocol for
locating missing witnesses.**

7.	b.	A - Cobbs	257-5847
		Cobs - Gickler	7-5848
		Gid - Jenkins	7-5849
		Jen - Macus	7-5850
		Mad - Robey	7-5872
		Robi - Tappy	7-5851
		Tar - Z	7-5852

8. **Welfare Department**

- a. **The Welfare Department can release information over the phone only on their clients who receive general assistance or ADC where there are no children involved who were born out of wedlock.**
- b. **Call record control, 6211, and give witness' name and date of birth, if available.**

9. **Tax Commissioner's Office**

- a. **Call 278-3651.**
- b. **This office can give you the name of all building owners. The owner may know witness' new address, place of employment, relatives or friends.**

10. **Medical Records**

- a. **In cases involving personal injury, the victim's medical records will probably list the name of someone to contact in case of emergency.**

E. If you have located witness

1. **Call witness, if possible, and inform them of court date.**
2. **Cross out wrong information on status sheet and enter new address.**
3. **Attach returned subpoena and any victim/witness forms to victim/witness status sheets.**

F. If you have not been able to locate witness

1. **Cross out any information on the status sheet which you know to be incorrect and enter "not-found", with your name and initials.**
2. **Attach returned subpoena and any victim/witness service forms to D.A.'s file.**

Telephone Contact, Citizen Witnesses General Guidelines

1. Always identify yourself; e.g., "This is Mary Smith from Victim/Witness Services in the District Attorney's office."
2. Always be polite and pleasant.
3. As soon as you know the persons's name, use it when responding to them. For example: "We will get back to you with that information as soon as possible, Mr. Smith." "Thank you for calling, Mr. Smith."
4. Always verify witness' address and phone number(s) before ending a phone call or in person contact, and tell the witness to notify us if they move.
5. Never Guess. If a person asks you a question that you cannot answer, always ask someone for help. Tell the witness that you don't know the answer and that you will be sure they get the correct information, so you will check with someone and call them back.
6. Never argue with a witness. If a person is angry or upset, it is best to let them express their anger or frustration, then briefly restate the problem(s) they have raised and express your concern that they get the information or consideration they need.
7. If a person flatly states that they will not appear as ordered, tell them that they are bound by law to respond to a subpoena, but we will do whatever we can to help them. Try and determine the main reason(s) for their refusal to cooperate. Always let the AD handling the case know when a witness is angry/uncooperative.
8. Whenever you take call-back information, repeat names and spelling and phone numbers to be sure you heard correctly.
9. Always end an outgoing call by telling the person to feel free to call if they have any further questions; give them your name and phone number, and thank them for their cooperation. It is best to ask the witness if they have a pen before giving your name and number.
10. End an incoming call with "thank you for calling," and a reassurance that we will get back to them as soon as possible if you must get information and call back. It is always best if you can tell the witness when you will call back; e.g., "I'll get back to you tomorrow afternoon."
11. Never give legal advice. If the person has legal questions about a civil matter, tell them that their private attorney would be best able to advise them.

1.

CASE STATUS CALL

1. Orient all victims and witnesses about their case, identify any problems a witness may have, as a result of the crime or the prosecution of their case, and try to resolve or alleviate those problems in a timely and effective manner. Refer victims and witnesses to outside agencies as needed.

11. Procedure Victim/Witness Specialists.
 1. Contact immediately after delinquency petition is filed.
 2. State your name and the fact that you are with the Victim/Witness Service, District Attorney's Office.
 3. Inform witness of scheduled court date and time and explain scheduled proceeding, (e.g., initial appearance, pre-trial).
 - a. Explain that since all hearings involving juvenile offenders are closed to the public, you will be able to keep them informed as to the progress of the case.
 4. Explain to the witness that they may be needed to testify if the case goes to trial, and that you will keep them informed as to that possibility.
 - a. Verify address and phone numbers.
 - b. Determine best phone number and time to reach them or leave a message.
 5. Determine if witness is employed.
 - a. Get address, phone number, and shift at work; enter the information on the D.A. file.
 6. Determine if victim suffered property loss.
 - a. If property was stolen, recovered by police, but not yet returned to the victim, initiate property return procedure. (See Property Return Procedures, this manual.)
 - 1) Tell victim that they will receive a letter or a card from the police department in approximately a week telling them when and where to pick up their property.
 - 2) If they do not hear from the police in a week, tell them to call you back, and give your name and phone number.
 - 3) Tell them you will call them back if the property must be kept in custody as evidence till the case is closed.

2.

7. If victim lost property which was not recovered, or incurred or will incur expenses to repair damaged property,
 - a. Interpret to victim the possibility of probation and restitution as case disposition.
 - b. Complete restitution form (see exhibit 2) and tape it to inside front cover of D.A. case file folder.
 - c. Advise victim to keep all bills or any proof of expenses incurred. Explain that probation officer usually determines restitution amount and will need verification of losses.
8. If victim has incurred or will incur medical expenses or lost wages as a result of a crime.
 - a. Orient victim to Victim Compensation Act and determine probable eligibility; send application form if victim is probably eligible and tell victim to call you if they need help filling it out.
 - b. Interpret to victim possibility of probation with restitution as case disposition.
 - c. Complete restitution form and tape it to inside front cover of D.A. case file folder. (See #2 above.) If victim compensation application sent, include that information on restitution form.
 - d. Advise victim to keep all bills or any proof of expenses incurred.
9. If victim or witness indicates being threatened or harassed as a result of the cooperation with the police or the District Attorney,
 - a. Orient witness to the Sheriff's Department Witness Protection Unit.
 - b. Call Witness Protection Unit, Ext. 5300 immediately after completing case status call.
10. Ask witness if they have any questions.
11. Inform the victim or witness that the juvenile has an attorney. Sometimes the defense attorney or an investigator from the defense attorney's office may contact the victim or witness and want to interview them. Explain that the victim or witness has the right to decide whether or not to discuss the case with the juvenile's attorney or the juvenile's investigator. If the victim or witness chooses to talk to them they have the right to request that a police officer or an Assistant District Attorney be with them during the interview. Explain that it is always a good idea to know whom you are talking to when you discuss the case. They should always ask for identification.

**Example 2.
Milwaukee protocols for
contacting citizen witnesses**

3.

12. Give witness your name and phone number (ask first if they have a pen and paper), in case problems or questions arise.
13. Thank witness for his or her cooperation.
 - a. If there is no phone number listed for a witness, or the number listed is not correct, send letter requesting the victim contact the Victim/Witness office at their convenience.
 - b. Record case status contact.
 - 1) Complete both witness status sheets (see exhibit #1 and #2).
 - 2) Enter any new or corrected address, phone number, or unavailable information on witness status form.

SUBPOENAS POLICY

Contact the victim or witness to inform them that a subpoena is being sent to them. Tell them where the trial or hearing will take place (e.g., jury trial downtown, court trial at Children's Court Center).

Identify any appearance problems at that time. If the victim or witness has transportation problems, then explain that we will try to obtain transportation to and from court by one of our investigators, (see exhibit #2).

Explain to the victim or witness that for each day that they appear in court they will receive \$16.00. (Actual testimony on the witness stand is not required.) The victim or witness must bring the subpoena to court with them and it is to be given to the Assistant District Attorney that is present. If they lose or have forgotten their subpoena they should notify the Victim/Witness office and then we will notify the Clerk of Courts office.

If you are unable to contact the victim or witness by phone, send a subpoena notification letter to them, (see exhibit #4).

It is of utmost importance to document all subpoena contacts that are made, (either by phone or letter) on subpoena sheet that is attached to the inside front cover of the juvenile's file. (See exhibit #5.)

CHILDREN'S COURT CENTER
VICTIM/WITNESS SERVICES
SEPTEMBER - 1983
ON-CALL PROCEDURE

1. POLICY

- A. In order to save unnecessary appearances and/or waiting time for witnesses, those who meet the following criteria can be told to appear in court on the date indicated on their subpoena only if they are called and told they are needed. Witnesses may be placed on-call:
1. If they are cooperative and willing to appear when needed.
 2. If they can be reached during the day by phone.
 3. If they can be in court within an hour of a phone call.
- B. Witnesses who meet the above criteria should be placed on-call in the following situations:
1. If there is any doubt that the case will go on as scheduled.
 2. Witnesses who are subpoenaed to testify in a jury trial that will proceed but the date and/or time of day they will actually be needed is not yet known.

11. PROCEDURE, VICTIM/WITNESS SPECIALIST

- A. In all situations where on-call status should be possible, determine if witness meets the above criteria.
1. Explain that the State must be prepared in all scheduled cases, so witness must appear if case goes on (or must appear when needed during the course of a jury trial); explain that they will be on-call as long as the jury trial lasts.
 2. Explain on-call status. If witness is cooperative, can be reached by phone on scheduled date and can be in court within an hour of a phone call:
 - a. Verify phone number(s).
 - b. Tell witness they do not have to come to court unless they are called.
 - c. Tell witness if their phone number or availability changes to call the Specialist immediately.
 - d. Give her/his name and phone number.
 3. Record on-call status of witness on ON-CALL card (see exhibit #7) and tape card to inside of A.D.A. case file.

VICTIM WITNESS PROCEDURE
SEPTEMBER 1983

CITIZEN WITNESS RECALL

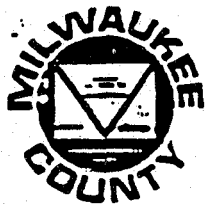
1. POLICY

To prevent witnesses who have been subpoenaed to court from making an unnecessary appearance whenever a case will not go on as scheduled, or the witness will not actually be needed for a scheduled court proceeding.

11. Procedure

A. Victim/Witness Specialist:

1. Call witness as soon as it is known they will not have to appear.
 - a. Identify yourself, e.g., "This is Mary Smith, from Victim/Witness Services in the District Attorneys Office."
 - b. Explain to witness they will not be needed, and why; e.g. "the case will be adjourned because"; "the defendant will plead guilty."
 - c. If the case is to be adjourned, tell the witness they will be notified of future dates if their testimony will be needed.
 - d. If the defendant will plead guilty, tell the witness they may call you (give your number) to find out what happened.
 - e. Verify witness address and phone number.
 - f. Ask witness if phone number called is the best one to reach them during the day, ask if there are any other numbers.
 - g. Tell witness to be sure to call if their address and phone number changes or they have any questions or problems.
2. If witness can not be reached by phone, send re-call letter immediately. (See exhibit.)



OFFICE OF DISTRICT ATTORNEY
CHILDREN'S COURT CENTER

Milwaukee County

E. MICHAEL McCANN • District Attorney

Re:

Dear :

Please be informed that a jury trial has been scheduled in the interest of , Court No. , for at before the Honorable .

You will be receiving a subpoena in regards to this matter. Please contact the Victim/Witness Office upon receipt of the subpoena so that we may verify your presence in court that day. Please call 257-4527 between the hours of 8:30 a.m. and 4:30 p.m.

Sincerely,

Victim/Witness Services

bf



OFFICE OF DISTRICT ATTORNEY
CHILDREN'S COURT CENTER

Example 3.
Milwaukee Case Status letter:

Milwaukee County

E. MICHAEL McCANN • District Attorney

Dear :

A juvenile has been referred to the District Attorney's Office at the Children's Court Center as a result of which occurred on .

A subpoena was sent to you on in regards to this matter. You will be placed on call for that day. Please contact me as soon as possible for further explanation. You can reach me at (414) 257-4527 between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday.

Sincerely,

Victim/Witness Services

bf



OFFICE OF DISTRICT ATTORNEY
CHILDREN'S COURT CENTER

Example 3.
Milwaukee Case Status letter

Milwaukee County

E. MICHAEL McCANN • District Attorney

Re:

Dear :

Please be informed that the case scheduled for trial on , at
before the Honorable
in the interest of , has been adjourned.

You may therefore disregard your subpoena and need not appear on
.

A new date has been scheduled for . You will be receiving
another subpoena for that date. Please contact the
Victim/Witness office upon receipt of this subpoena so that we
may verify your presence in court that day. Please call 257-4527
between the hours of 8:30 a.m. and 4:30 p.m., Monday through
Friday.

Sincerely,

Victim/Witness Services

b5

Example 4.
Yakima Disposition Notification
letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WA 98901
(509) 575-4141



JUVENILE DIVISION
1724 JEROME AVENUE
YAKIMA, WASHINGTON 98902
TELEPHONE 575-4630

Date: _____
RE: State vs. _____
Legal No.: _____
Juvis No.: _____ R

Dear

We wanted you to know that the defendant(s), _____, was found not guilty in the above-referenced matter. This means the Court found there was a reasonable doubt that the defendant(s) had committed the crime(s) as charged.

The burden of proving a criminal case "beyond a reasonable doubt" is not an easy one. It is intentionally made that way to reduce the possibility of innocent persons being convicted. The important thing is that with your help, we vigorously prosecuted this case within the framework of our criminal justice system.

In being a witness you have fulfilled a most vital and necessary function within our system. You have been invaluable to us during the process of this case. We truly thank you for all of your assistance and cooperation. It is understandable that the verdict may seem unsettling to you. If you have any questions, please do not hesitate to contact us.

Again, thank you for your cooperation and assistance.

Very truly yours,

ROBERT R. NORTHOFT
Deputy Prosecuting Attorney

MICHAEL LYNN YATES,
Victim/Witness Assistant

Example 4.
Yakima Disposition Notification
letter.

Jeffrey C. Sullivan

YAKIMA COUNTY PROSECUTING ATTORNEY
329 COUNTY COURTHOUSE · YAKIMA, WASH. 98901
(509) 575-4141



JUVENILE DIVISION
1718 JEROME AVENUE
YAKIMA, WASHINGTON 98903
TELEPHONE 575-4030

Dear

This is to advise you that, the defendant has pled guilty and been sentenced. Consequently, there will be no trial in this case. Please refer to the attached Judgement & Sentence for disposition of this case.

We could not have secured this conviction without your assistance and cooperation. Even though this matter did not reach trial, your role was an important one because the availability of witnesses strengthens the prosecuting attorney's case.

We hope that you have not been inconvenienced too much in fulfilling your responsibility as one of the witnesses. If you still have questions regarding the outcome of the proceedings, please do not hesitate to call upon us.

Again, thank you for your continued support and cooperation.

Very truly yours,

Robert R. Northcott
Deputy Prosecuting Attorney

MICHAEL LYNN YATES
Victim/Witness Assistant

Optional Service Component 2:

Post-Disposition Services

The Purpose of the Service:

- increase victim awareness of and involvement in parole and probation release decisions
- inform victims of the purpose and process of the correctional system
- increase offender compliance with restitution orders
- facilitate victim recovery and offender rehabilitation by providing a forum where victims and offenders can discuss the crime and its impact

A Description of the Service:

The criminal justice process does not end with the disposition; victims have a stake in the progress of the offender in the correctional system, particularly when restitution is involved. While most programs have little involvement with victims post-disposition, some programs will:

- notify victims or their survivors of hearings for parole or probation release. Usually programs notify only victims of the most violent crimes, families of homicide victims, or others who specifically request notification.
- accompany victims to release hearings.
- monitor restitution payments and present data on compliance at release hearings.
- mediate a structured meeting between offenders and their victims. These occasions allow the victim to question the offender about troubling circumstances surrounding the crime and also may reduce the victim's fears about re-victimization. The meeting also is an opportunity to personalize the crime and its effects for the offender, which some observers believe to be the first step in the rehabilitation process.

Options for Providing Service:

Among the programs that we visited, only a few routinely provide post-disposition services:

- In Hagerstown, before every release hearing, program staff check with the court clerk to determine the amount of restitution ordered and paid, and then present the information to the judge. Since the judge rarely terminates supervision of a juvenile who has not paid restitution, the probation officers have begun tracking the status of restitution orders more carefully.
- In Milwaukee, the program notifies victims of sexual assault when the offender is released from a correctional facility.
- In murders and other very serious cases, the Columbia, South Carolina program notifies victims of parole hearings and if requested, provides accompaniment. The parole board cooperates by notifying the program of scheduled release hearings.
- The Delaware County program occasionally holds "mediations" between adjudicated juveniles and victims when the program, the probation officer, and the involved parties all agree that such a meeting is in the best interest of both offender and victim. Such confrontations are perceived to be therapeutic for offenders, by helping them to understand the effects of their behavior and to develop some empathy for victims.

Although post-disposition services have not been widely adopted yet, there are indications that some jurisdictions are taking them more seriously. In some cases, these services may be implemented independently of other victim services of the juvenile justice system. For example, the California Youth Authority (CYA) operates more comprehensive post-disposition services than any of the programs we visited.

- CYA is the state agency responsible for collecting restitution payments and monitoring the status of restitution orders. CYA can make payment of restitution a condition of parole and can withhold an honorable discharge from offenders who do not pay it. Without an honorable discharge, offenders cannot have their juvenile records sealed. CYA can also deduct up to 20 percent of what a juvenile earns while in residential placements for restitution. CYA operates a campaign to inform victims of their rights in the system and of the purposes and processes of the youth corrections program. CYA staff encourage victims to attend parole board hearings and notify them when offenders are released from supervision.

Tips for Developing Service:

Check the statutes to determine what victim participation is allowed or required in post-disposition processes. Most states do not require notification when the offender is released from a correctional facility or when a parole hearing is scheduled, but your state may be one of the exceptions. You also may encounter statutory barriers: in Washington, for example, the victim cannot be notified of an offender's release from a correctional institution without a court order.

Mediation between offenders and victims is a specialized service that should not be undertaken without careful consideration of the resources required and the range of approaches available. Experts strongly recommend that mediators get special training for this role. Consult the references in Chapter 5: Where To Go For Further Information for further resources on mediation.

Chapter 4: Developing and Operating an Effective Program for the Juvenile Justice System

Planning Your Program

Whether you are expanding an existing program to serve victims and witnesses of juvenile crime or starting a new one, your planning needs to address the following questions:

- How large is the target population?
- What services do victims and witnesses of juvenile crime need?
- What potential obstacles to the program exist and what strategies will overcome them?
- What records do you need to access?
- How can you develop support for the program?

How Large is the Target Population?

The first step in planning your program is to determine how many victims and witnesses currently participate in the juvenile justice system and the types of cases that involve them.

Most juvenile courts and prosecutors' offices maintain statistics on the types of cases that are handled in a given year. Use whatever statistics are available to estimate your potential target population. In evaluating what the numbers mean, however, remember that:

- Numbers of cases do not translate neatly into numbers of victims and witnesses. Some types of cases (for example, robberies) may involve more than one victim and others (especially drug cases) will involve no identifiable victim at all. Most cases involve multiple witnesses, although police and expert witnesses may outnumber civilian witnesses.
- Case statistics tell you little or nothing about the personal characteristics of victims -- how old the victims are, how many have language barriers, and so forth. (Statistics on sexual assault may be an exception if certain categories of assault imply child victims.)
- Crime type is not a perfect guide to degree of victim injury. Aggravated assaults and other violent felonies are not the only cases that involve injury to victims.
- The case statistics available may not match your point of intervention with victims. For example, if you plan to target only cases accepted for prosecution, statistics on referrals to court intake will overstate the numbers of cases of interest to you. National data indicate that more than half of all juvenile cases are handled informally by court intake or dismissed without formal charges being filed.

Given the probable limitations of the statistics available, you also should:

- consult with prosecutors, probation officers, and others who are familiar with juvenile court cases, and
- review a sample of actual case files. In most places, juvenile cases fluctuate seasonally, so be careful to sample from a broad enough time period.

What Services Do Victims and Witnesses Need?

Determine what services are currently available for victims and witnesses in the juvenile justice system and who provides them. Most agencies in the juvenile justice system provide some services to victims and witnesses of juvenile crime in the normal course of doing business. For example, prosecutors or courts send subpoenas and answer questions about court dates. Probations departments often assist with restitution claims.

Similarly, other victim witness assistance programs in the community may have some involvement with victims of juvenile crime. Rape crisis programs usually encounter some clients who are victims of juveniles and may follow these victims and their cases through the court process if the occasion arises. The child protective services agency may work with some children victimized by other juveniles.

Using a list of services like the one provided in Table 4, for each service try to determine:

- Does anyone currently perform this service for victims and witnesses of juvenile crime? If so, who?
- Does this agency seek out clients who qualify for the service and provide it routinely if it is needed? Or is this service provided only for a victim or witness who complains? Only in exceptional cases?
- Is this service is routinely available only to a particular target population? How and when are these target clients identified?
- Are there indications that the current level of service is inadequate? Have there been complaints from system personnel or from victims or witnesses? Do agency staff themselves complain that the service is inadequate or takes up too much of their time?

Most program planners consult with personnel who work in the juvenile justice system and other victim witness agencies to answer these questions. Victim witness programs are excellent sources of information about the system and about local referral resources even if they do not serve victims of juveniles.

You also might consider interviewing a sample of victims and witnesses of juvenile crime about their service needs and their problems, but keep in mind that systematic surveys take time to design and carry out correctly. Telephone and in-person surveys are particularly time consuming and therefore costly. Mail surveys are less labor intensive, but often get a poor response. If you want to further explore the idea of a survey, seek advice from someone in your area who knows about survey techniques. You should also consult the section on "Needs Assessment" in Serving Crime Victims and Witnesses (Finn & Lee, 1987, pages 8-12).

Table 4. List of Victim Witness Assistance Services

Police-Related Service	Reporting investigation status Property return Transportation to line-ups, interviews
Fees and Claims	Assistance with insurance claims Assistance with victim compensation Assistance with witness fees Assistance with restitution claims
Court-Related Services	Orientation to juvenile court Preparation for testimony Notification of court dates Transportation to court Legal counsel other than prosecutor Witness reception Accompanying victim to court Child care during court process Employer intervention Assistance with victim impact statement Notification of disposition
Emergency & Counseling Services	Assistance with emergency shelter Assistance with emergency security repair Assistance with emergency financial aid Crisis intervention/counseling 24-hour telephone access/hotline
Other	Referral to other agencies Victim or witness protection Victim/offender mediation Other: _____

What Potential Obstacles to the Program Exist?

Before designing a menu of services, you need to identify any statutory impediments to victim participation in the juvenile system. Examine both your state's juvenile code and any other state statutes that pertain to victim witness assistance or victims' rights.

In the juvenile code, look for:

- explicit references to victims or witnesses. Most juvenile codes do not refer to victims or witnesses directly, but yours may be one of the exceptions.
- provisions governing access to information about accused or convicted juveniles, or access to juvenile proceedings. All but a handful of states impose some restrictions on information-sharing, in order to protect the confidentiality of juveniles and occasionally, victims. Are these restrictions removed or relaxed under any circumstances?
- the kinds of dispositions (sentences) that are permitted in the juvenile justice system. You will probably find some reference to restitution, and the conditions under which it can be used to reimburse victims for their losses.

In other state statutes, look for:

- an indication that the statute is intended to encompass (or exclude) victims or witnesses of juvenile offenses. For example, Missouri's victim rights bill refers to victims of crime and defines crime to include "any act which may result in an adjudication of delinquency."
- statements about victim entitlements to be notified or participate in the court process. Even if your statutes do not explicitly state that these entitlements apply to victims of juvenile crime, judges and prosecutors may assume that they do and act accordingly.

If other programs in your state serve victims and witnesses in the juvenile justice system, consult them to see how they have adapted to the legislative environment. But be aware that judges in your locality may interpret the statutes differently.

After making this review, discuss your program ideas with prosecutors and the presiding juvenile judge. Use this opportunity to clarify your understanding of the statutes and identify any potential legal problems with your procedures.

Throughout this process, it may be reassuring to recall some of our research findings.

- While most juvenile codes do not explicitly recognize the rights of victims, they also do not limit victim participation to any great extent.
- Judges and prosecutors believe that current statutes allow most types of victim participation in the juvenile justice process.
- Statutes that protect the confidentiality of accused or convicted juveniles are not serious obstacles to victim witness assistance in the juvenile justice system. Programs have developed procedures for serving victims that do not breach confidentiality restrictions.

How Are Juvenile Cases Processed?

Even if you are thoroughly familiar with how cases are processed in the adult courts, you are likely to discover some significant differences between the two systems.

- In most jurisdictions, juvenile cases move through the system much faster than adult cases. If you plan to rely heavily on letters to communicate with victims and witnesses, make sure that this is practical under the time constraints you face.
- In most jurisdictions the terminology in juvenile court differs from that in adult court. For example: a juvenile's culpability is determined at an "adjudicatory hearing" -- sometimes further specified as a "plea hearing" (where a plea is entered) or a "contested hearing" (trial). Sentence is imposed at a "disposition hearing." Your clients are unlikely to be familiar with these terms, so develop materials with this in mind.
- Juvenile processing begins with an intake unit, usually operated by the court or the juvenile probation agency. Intake usually has authority to make some decisions before a juvenile case ever reaches a prosecutor or a judge -- including the authority to handle a case informally or close it before the prosecutor ever sees it. You need to decide if and how you will assist victims at this early stage of case processing.
- In most states, it is possible for certain cases (usually ones involving very serious crimes or serious offenders) to begin in juvenile court and be "waived" or "transferred" to adult court. If transfers are common in your jurisdiction, you need to think about how you will handle clients when this occurs. Check to see how the prosecutor handles such cases.

- Witnesses may not be needed as often as they are in adult cases. In many jurisdictions, juvenile cases rarely go to trial. Witness testimony may not be routinely required at preliminary hearings either. These local practices will affect your resource needs.

What Records Do You Need to Access?

First, become familiar with the paper flow in the juvenile justice system. The typical program in the juvenile justice system uses case records to

- identify most of its clients,
- track hearing schedules, and
- learn what happened at key hearings, including the disposition.

Find out where the necessary records are kept, how frequently they are updated, and how you can obtain access while minimizing disruption to current operations. Some pieces of information will be available from more than one source -- for example, hearing dates will appear in prosecutor's files, as well as on court dockets. One source may be more suitable than another for your purposes.

If the juvenile court or prosecutor's office has computerized its information on case schedules and outcomes, the computer records may be helpful to you. But investigate how frequently new information is fed into the system, because records that are infrequently updated may not suit your needs.

Other things being equal, it usually makes sense to rely as much as possible on the records of the agency that will sponsor or house the program.

How Can You Develop Support for the Program?

Nearly all of the data-gathering steps outlined above require that you consult with juvenile justice officials or their staff. This provides a convenient opportunity to size up the attitudes of key officials towards your proposed program and to do some public relations.

Because access to juvenile case records is essential for your program, you will need initial backing from a key official in an agency that can accord you that access. That might be the prosecutor, the presiding judge, or the chief of juvenile probation.

Once you have an initial backer, you need to determine the stance of officials in any other agencies that will need to change their own procedures in response to the program and that are expected to be a significant source of referrals to the program or funds. You can safely assume that most officials will have reservations about changes in the normal way of doing things, even if they are sympathetic to the plight of victims and witnesses. Key officials usually are less resistant to change if:

- they are consulted during the developmental stages of the program
- the program incorporates features that will benefit them
- you avoid significant duplication of effort with other programs
- you describe the early months of the program as a "test run."

Programs for the juvenile justice system often encounter a special form of resistance, however. If your juvenile justice process heavily emphasizes the best interests of juvenile offenders and their rehabilitative needs, judges and probation officers may be quite uncomfortable with victim-oriented programs. In this situation, other programs have found it helpful to:

- Emphasize that they want to develop procedures that respect the mandates of the juvenile code. For example, if mentioning the defendant's name in correspondence appears inconsistent with the code, then the program's letters will exclude names.
- Emphasize that fair treatment of victims does not mean that offenders' rights will be undermined.
- Reference any state legislation that mandates or encourages your victim witness assistance activities. Do not assume that officials will be familiar with the pertinent provisions.
- Note that programs have some benefits for offenders. They expose youth to information about the impact of their actions on the victim and may help to hold them more accountable for their actions. Programs also uncover some situations where victims are amenable to "alternative" dispositions for offenders.

Coming Up with a Final Plan

Once you have completed the planning steps described above, you should be able to reassess your program ideas and modify them to fit the unique opportunities and constraints of your environment.

The ideal program may appear unattainable, but do not be discouraged. Several important lessons can be learned from programs that are already in operation:

- **Historically, programs for the juvenile justice system have started small.** Even the most comprehensive programs usually began with only a part-time or a single full-time staff member.
- **Many services can be provided by mail or telephone.** Given ample resources, most programs would prefer to offer face-to-face, personal service to everyone. But programs can meet the needs of many victims by providing information or explanations over the phone or by letter. One of the most popular services both with victims and the court -- documenting losses for restitution -- is almost always handled by mail or telephone.
- **Many services are needed by only a minority of victims.** For example, the vast majority of victims and potential witnesses may never need court accompaniment because the cases will not go to trial.
- **A program's credibility is enhanced by doing its job well, even if its initial aspirations are modest.** Doing well in the early stages can help generate the good will and the financial resources necessary to support more ambitious efforts.

Put your final plan in writing.

This will be necessary if you are applying for outside funding. But even if it is not required, a written plan will clarify your objectives and services for the key people within your own organization (the agency head, your supervisor, the board of directors) and within other agencies that you hope to work with.

The plan need not be lengthy, but it should describe

- the goals and objectives for the program,

- the target population for the program and the services that will be provided, as well as any particular priorities that will guide client selection and service delivery,
- the location and sponsorship of the program,
- the person (agency) responsible for program implementation,
- the timetable for implementation, and
- the way that progress toward goals and objectives will be measured. (See below.)

Implementing the Program

Once you have enough resources to start implementing your plan, your initial tasks will include

- finding staff,
- establishing procedures for processing cases, and
- establishing a referral network.

These tasks are not intrinsically different from those involved in setting up a program for the adult criminal justice system. Therefore, if you are expanding an existing program, you will already know what to do. If you are starting a juvenile program from scratch, many of the materials developed to guide victim witness assistance programs in general will be equally helpful to you. (Some of these materials are identified in Chapter 5: Where To Go for More Information.) Below, we provide a few suggestions that are particularly pertinent to the juvenile justice system.

Recruit and select staff.

Programs for the juvenile justice system, like those for the criminal justice system, usually recruit staff with some background in the human services or criminal justice. People who have previously served as victim service volunteers are a particularly promising pool of applicants.

Most juvenile programs do not emphasize formal credentials and training as much as good "people skills." Because victim witness programs require orderly record-keeping and systematic tracking of cases, good organizational skills and attention to detail are also required. Pre-service, on-the-job, and in-service training are routinely used to enhance the qualifications that people bring with them.

There are special staffing considerations if the coordinator will be responsible for building the program from scratch or if he or she is working alone or somewhat independently of a larger victim witness program. Under these conditions, promising programs in the field have profited from selecting staff with:

- previous experience in the juvenile justice system or in victim witness assistance,
- previous experience dealing with agency heads and elected officials,
- a talent for looking beyond the immediate day-to-day tasks to the longer term future of the program, and
- good oral and written communication skills and some facility for numbers (enough to generate simple statistical reports on progress).

In Delaware County, for example, the program hired a former probation officer with an M.S. in Counseling, who already knew the local juvenile justice system and was trusted by local officials. In Milwaukee County, the program coordinator had been a victim witness assistant in a neighboring county. In Philadelphia, the victim witness advocate for juvenile court is an attorney who already knew the system. The Columbia program hired a coordinator who had worked as a juvenile intake counselor in a neighboring state and also had previous social work experience in other settings.

Develop position descriptions before you begin recruitment. This will assist you in preparing job announcements and in defining your expectations when you talk with applicants and with new hires.

Establish case processing procedures.

Before you can start providing services, you also need to:

- prepare guidelines and assemble other materials for orienting clients to the juvenile justice system. Some of these same materials may form part of your

training package for new staff. Review Chapter 3, Core Service Component 1 -- Orientation to the Juvenile Court and to the Rights of Victims -- for the kinds of materials that may be useful for this purpose.

- develop letters, brochures, and other materials to send out to clients. Chapter 3: The Victim Witness Assistance Program Structure contains numerous examples to help get you started. In developing these materials, assume that some of your readers will have limited literacy and most will not know much about the juvenile justice system. Try to use language that will be understood by all members of your client group.
- make final arrangements for screening the case files that will identify your clients. Assuming you already have permission to examine the files, you will still need to work out the mechanics. Can the files be routed to you or must you examine them in place? Can you have copies of key documents (such as the police reports) for your own files? If others will pre-screen the files for you, train them in the target criteria and do a couple of trial runs.
- make final arrangements for monitoring changes in case status, hearing schedules, and case outcomes. Here again, the mechanics need to be worked out. Where and when can you find the information on which to base your notifications? If witnesses must be summoned to court or victims permitted to appear at disposition, time is of the essence. Make sure that you have prompt access to information, and that relevant parties (prosecutors or court clerks) have been alerted to let you know when there are last-minute changes.

Begin to develop a referral network.

As a result of the planning process, you should already have a good start on a referral network. No doubt you have identified a number of other agencies that assist crime victims. Now you need to determine more specifically what types of referrals each agency can accept from you and the referral procedures. Core Service Component 8 -- Information and Referral -- describes how other programs have set up their referral networks and provides tips for developing yours.

Assume that there will be a certain amount of trial and error involved in identifying suitable resources, and that your knowledge will increase over time.

As for the referrals that your program receives, expect that some referrals will be inappropriate. Plan to handle them in a way that enhances your credibility and demonstrates the benefits of the program to the juvenile justice and social service systems. The programs

that we visited attempt to assist anyone who is referred for service, at least by providing information and referral.

Operating and Evaluating the Program

Once you begin operating the program, the job of program development is not over. Effective programs are continually assessing and reassessing their activities, improving their skills, and monitoring the environment in which they operate.

To maintain an effective program, several tasks are crucial:

- training and managing staff;
- developing and maintaining linkages with other agencies in the juvenile, criminal justice, and social service systems;
- developing support for the program through public education; and
- monitoring the success of the program.

Like the start-up tasks, these are not unique to victim witness assistance in the juvenile justice system. If you have already developed victim services for the criminal justice system, this experience will stand you in good stead now. If not, make sure to consult the references in Chapter 5: Where To Go for More Information for general materials on victim witness programming.

Below we review some of the lessons learned from examining programs in the field.

Train and manage staff and volunteers.

Whether a program offers formal pre-service training or not, program staff and volunteers cannot do their jobs well until they become familiar with

- the terminology and procedures of the juvenile justice system,
- the specific procedures used to identify and track client cases through that system, and
- what information must be kept confidential and from whom.

Formal pre-service training for staff is an exception among the programs we described in this report because there is little need for it. Most staff already have some relevant experience when hired, and staff turnover is low. The majority of programs that use volunteers do conduct pre-service training for volunteers, however.

Whether or not pre-service training is provided, on-the-job and in-service training are extremely important to every program. The experiences of promising programs suggest that it is important to:

- Make sure that staff who will have contact with key officials at your own or outside agencies are properly introduced to these officials. In Columbia, where the Department of Youth Services sponsors the program, the county director personally made the rounds with the new program coordinator and introduced her to judges, directors in outlying counties, and law enforcement personnel.
- Budget for participation in state or national conferences and training sessions. Most programs allocate some resources for staff participation in training outside the community. This participation not only upgrades staff skills, but is a perk that helps compensate for the very modest salaries earned by many victim witness staff.
- Take advantage of cross-training opportunities in the community. In Boulder, the program participates in cross-training within an active local network of agencies that provide law enforcement, victim assistance, and other human services. In Orange County, juvenile program staff participate in the training that their adult victim witness division provides for court personnel.
- Schedule time for staff to share what they have learned from conferences, training sessions, or meetings of local task forces and committees. In Boulder, victim witness staff, including the juvenile court advocate, try to do this monthly over lunch outside the office.

Victim witness assistance for the juvenile justice system can involve a few distinctive management challenges.

- If the juvenile program is a satellite of a larger victim witness assistance program but is physically separate from it, ensure that the juvenile advocates have adequate supervision and feel part of the larger program. In Philadelphia, the juvenile advocate is under the day-to-day supervision of the chief juvenile prosecutor, but gets broader policy guidance from the director of the adult victim witness services. He also attends the weekly staff meetings of the full program. In Yakima, staff of the juvenile program participate with other staff in monthly

90-minute training sessions.

- If the juvenile program is very small, staff absences due to illness or vacation will be problems. Try to minimize problems by careful scheduling, but consider some other steps. If yours is a stand-alone program, ask others in the host agency to help out in a crunch. In Columbia, regular Youth Services staff will greet and escort victims to court when the coordinator is unavailable. An agency secretary is able to field some inquiries. Programs that are satellites of adult victim services have more options. In Yakima, the program director now rotates the juvenile court assignment among the advocates every four months. In Boulder, all advocates in the full program are expected to learn enough about each other's jobs to fill in temporarily.
- If your juvenile program is not part of a broader victim assistance service, the program coordinator probably will be supervised by someone who is not an expert in victim witness services -- a prosecutor or a chief probation officer, for example. This means that the coordinator needs to orient the supervisor to the program activities and goals initially, and provide continuing education on the program's progress and problems. Learn to anticipate your supervisor's needs and preferences for information, and demonstrate how the program benefits the agency.

Develop and maintain linkages with other agencies.

The inter-agency contacts that begin during the process of planning and putting your program into place should not stop once you begin offering services. By continuing to nurture relationships with other agencies, a program can:

- increase its knowledge of community resources;
- better identify unmet needs;
- keep abreast of changes in the law enforcement, juvenile justice, and human services environments;
- strengthen its own constituency; and
- identify partners for new legislative or program efforts.

Victim witness programs for the juvenile justice system use a number of techniques to maintain and enhance their linkages to other agencies over time. These include:

- participating in local committees and task forces around issues of common interest;
- offering training in crisis intervention and other victim-related topics for other agencies;
- soliciting feedback from agencies where they have referred victims;
- providing feedback to the agencies that have made referrals to the victim witness programs; and
- informing and consulting key officials when significant changes or enhancements in programs are being considered.

Monitor the success of your program.

You must assess your accomplishments in order to

- document that your activities are worthwhile,
- identify problems or weaknesses, and
- reassess priorities and identify new directions.

You can use several strategies to assess your accomplishments.

Routinely collect data on clients served and services provided. Most programs maintain individual manual files on the clients or cases for which they provide services. Each file typically includes identifying information about the client and the case, a record of each client contact, a record of services provided or service referrals made, and any forms, letters, or other documents submitted by the client.

In addition, programs use "tally sheets" to summarize the types of clients they have served and the specific services they have delivered. Tallies can be compiled by marking the tally sheet as things happen -- when a new file is opened or when a service is delivered -- and counting up the marks at the end of the reporting period. Another alternative is to make the counts by periodically reviewing individual case files.

Most programs tally their figures monthly, even though they may only report their statistics quarterly or annually. In Orange County, the program uses a commercial software package to input data on individual cases and tally program statistics.

Programs also typically keep track of activities that do not involve service to a particular client, such as training delivered by program staff, volunteer recruitment, public speaking engagements, and participation in community committees or task forces.

Table 5 illustrates the kinds of data that programs typically collect and report. Examples of record-keeping forms and tally sheets follow this section.

Table 5. Examples of Monitoring Data Collected by Victim Witness Assistance Programs in the Juvenile Justice System

Case Flow	<ul style="list-style-type: none"> Number of new cases opened Number of cases closed Number and source of referrals
Client/Offender Characteristics	<ul style="list-style-type: none"> Number of clients served by age, sex, ethnicity, and special characteristics such as physical disabilities or language barriers Number of clients served by crime type, degree of injury Number and type of defendants involved in program cases
Direct Services	<ul style="list-style-type: none"> Number and type of victim or witness contacts (mail, phone, in-person) Number of times each direct service is provided Number of different victims or witnesses receiving each direct service Number and type of direct services provided
Referrals	<ul style="list-style-type: none"> Number and type of service referrals made Number and type of contacts with other agencies
Other Activities	<ul style="list-style-type: none"> Number of public speaking engagements Number and type of training sessions delivered Number of trainees Number of meetings attended

Follow up with clients. All programs receive some informal feedback from their clients, in the form of letters of commendation or complaint, telephone calls, and the like. But most

programs survey their clients more systematically at one time or another to find out how they feel about the program's services.

- Columbia, Orange County, and Philadelphia each conducted a single mail survey of a random sample of clients.
- In Boulder, Media, and Milwaukee, counselors are expected to send out "client evaluation forms" routinely to a random sample of victims.

One disadvantage of mail surveys is that many people do not respond and it is hard to be sure whether those who do respond are representative. To maximize your response rate, make the survey form as clear and simple to answer as possible.

If the people that you serve move around a great deal, you also may find that a lot of addresses are out-of-date. Plan to sample from your more recent clients or send enough surveys to compensate for those returned by the post office.

Follow up with agencies in the referral network. Most programs get informal feedback from their referral networks in the normal course of doing business. The Boulder program has taken it one step further. Just as the program routinely surveys clients, it also surveys the outside agencies with which the program has contact.

In Columbia, the program coordinator also actively solicits clients' perspectives on referral agencies. She began encouraging victims to report back on their experiences with referral agencies in the early days of the program, and has found the feedback extremely useful in fine-tuning her information and referral activities.

Other low-cost techniques for assessing your program. Do not neglect some other inexpensive but effective approaches to monitoring your progress. For example:

- Meet periodically with key officials in the juvenile justice system to see how the program is affecting them. Discuss any problems that have arisen and try to work out mutually agreeable solutions. Solicit suggestions for improvements in the program, for purposes of long-range planning as well as immediate action.
- Carefully analyze the cases that have provoked complaints from victims or the agencies that you deal with. What, if anything, could the program have done differently in each case? If the problem lies outside the program itself, does the program have any leverage to change conditions so that the same situation does not recur? Even if a particular complaint does not warrant any immediate action, it may raise an issue that you want to monitor or research in the future. New program activities sometimes develop from just this kind of stimulus.

- Once in a while, do the same kind of analysis for your "success stories" -- the cases that win you commendations all around. What was so valuable about your intervention in those cases? Are there any implications for your current service priorities or your long-range plans?

Impact evaluation. Evaluations designed to determine how well you are meeting longer term objectives -- like saving time for other juvenile justice personnel, reducing psychological trauma for crime victims, or speeding up the court process -- are usually called "impact" or "outcome" evaluations. They can be extremely informative. However, programs for the juvenile justice system generally have not attempted this level of evaluation, because it tends to be complicated and costly. We recommend considering this type of evaluation only if your resources permit and you have the assistance of trained researchers to help design and implement the evaluation.

Examples that follow:

1. Sample tally sheet
2. Sample record-keeping form
3. Sample record-keeping form
4. Sample tally sheet
5. Sample tally sheet
6. Sample record-keeping form
7. Sample follow-up forms

VICTIM WITNESS UNIT STATISTICS FOR PERIOD: 1988

PREPARED BY: Juvenile Court Unit

1. Source & Number of Referrals:

Example 1.
Sample tally sheet.

Churches	_____	Law Enforcement	<u>8</u>
Court	<u>17</u>	V/W Questionnaire	<u>14</u>
C.V.C.B.	_____	MH/MR	_____
D.A. (In-House)	<u>382</u>	Probation Department	<u>14</u>
D.A. Child Abuse Unit	_____	Return Mailer Subpoenas	<u>209</u>
D.A. Domestic Violence Unit	_____	Victim Advocacy Groups	<u>17</u>
D.A. Homicide Unit	_____	Previous Contact	_____
D.A. Rape Prosecution Unit	_____	Mayor's Office	<u>1</u>
Hospitals	_____		_____
		TOTAL	<u>662</u>

2. Number of Victims Served by Type of Crime:

Child Abuse	<u>17</u>	Indecent Exposure	<u>2</u>
Domestic Violence	_____	Property Crimes	<u>339</u>
Drunk Driving	_____	Sexual Assault	<u>26</u>
Homicide	<u>3</u>	Threats/Intim./Harassmt.	<u>3</u>
Indecent Assault	<u>13</u>	Violent Crimes	<u>259</u>
		TOTAL	<u>662</u>

3. Number of Victims Served by Type of Victim:

AGE: Under 18	<u>187</u>	36 to 59	<u>166</u>
18 to 35	<u>209</u>	60 & Over	<u>100</u>
SEX: Male	<u>329</u>	Female	<u>333</u>
RACE: Black	<u>275</u>	Korean	_____
Cambodian	_____	Vietnamese	_____
Chinese	<u>3</u>	White	<u>354</u>
Hispanic	<u>23</u>	Other	<u>7</u>
Indian	_____		
		TOTAL	<u>662</u>
ARREST	<u>662</u>	NO ARREST	<u>0</u>

4. Number of Referrals to Other Agencies:

Court	<u>3</u>	Law Enforcement	<u>82</u>
C.V.C.B.	<u> </u>	Public Defender	<u> </u>
D.A. (In-House)	<u>152</u>	MH/MR	<u>1</u>
D.A. Child Abuse Unit	<u> </u>	Probation Department	<u>32</u>
D.A. Juvenile Court	<u> </u>	Town Watch & Comm. Org.	<u> </u>
D.A. Domestic Violence Unit	<u> </u>	Victim Advocacy Groups	<u>9</u>
D.A. Homicide Unit	<u> </u>	Lawyer Referral Service	<u> </u>
D.A. Rape Prosecution Unit	<u> </u>	Small Claims Court	<u>3</u>
D.A. Prvt. Crim.Compl. Unit	<u> </u>	<u> </u>	<u> </u>
DHS(Children & Youth Agency)	<u> </u>	<u> </u>	<u> </u>
		TOTAL	<u>202</u>

5. Direct Victim Services Provided by Coordinators:

Assistance w/Parole Board	<u> </u>	Restitution	<u>145</u>
Bedside Testimony Arranged	<u> </u>	Return of Property	<u>6</u>
Case Management & Status Info (i.e., change of address, illness, next court date)	<u>322</u>	Reluctant Witness	<u> </u>
Court Accompaniment Arranged	<u> </u>	Transportation Arrgmts.	<u>120</u>
Crime Victims Compensation: Info & Assistance	<u>21</u>	Travel Expense Reimbursed	<u> </u>
Claims Filed	<u> </u>	Employer Intervention	<u>1</u>
Assistance/Referrals	<u>1</u>	Creditor Intervention	<u>1</u>
Threats/Intim./Harassment	<u>9</u>	Emergency Services (Shelter, Food, etc.)	<u> </u>
Translator Services Arrnged.	<u>2</u>	Witness Fees Processed	<u>15</u>
Counseling Referrals	<u>1</u>	Housing	<u> </u>
Medical Referrals	<u> </u>	Release Info	<u>1</u>
Witnesses Placed "On Call"	<u>25</u>	T.L.C.	<u>1</u>
		<u> </u>	<u> </u>
		<u> </u>	<u> </u>
		TOTAL	<u>671</u>

6. Compensation/Information Letters Sent:

Homicide Unit	_____	Domestic Violence Unit	_____
Homicide (No Arrest)	_____		
		TOTAL	_____

7. Victim Witness Questionnaires:

Total Sent	_____	Total Returned	_____
------------	-------	----------------	-------

8. Direct Assistance to Other Agencies:

C.V.C.B.	<u>10</u>	Probation Department	<u>68</u>
Court	<u>1</u>	Victim Advocacy Groups*	<u>20</u>
Hospitals	_____	Parole Board	_____
Insurance Company	<u>21</u>	Law Enforcement	<u>2</u>
Town Watch/Community Org.	<u>2</u>	Private Attorney	<u>3</u>
Human Relations Commission	<u>1</u>	DHS	<u>1</u>
		TOTAL	<u>129</u>

* Action Alliance _____

Episcopal Comm. Services 2

Families of Murder Victims _____

Walnut Hill CDC _____

Northwest Victim Services 12

W.O.A.R. 4

W.A.A. _____

Support Ctr. for Child Advocates _____

Senior Victim Services 2

Example 2.
Sample record-keeping form.

CLIENT CONTACT FORM

CLIENT'S NAME

CLIENT'S NUMBER

SERVICE DATE	SERVICE STAGE	SERVICES PROVIDED	SERVICE AND CONTACT NOTES:

VICTIM ASSISTANCE PROGRAM
CLIENT CONTACT FORM

Client ID
Number _____

Client Information

Last Name _____ First Name _____ Initial _____ Suffix _____

Sex _____ Race _____ Age _____ Age Group _____ Handicap _____

Street Address _____ City _____ State _____ Zip _____ Count _____

Home Phone () _____ Work Phone () _____ Victim's Representative Relationship _____ Phone _____

Referral Source _____ Prior Victim _____ Case Status _____ First Offense _____ Second Offense _____ Third Offense _____

Date of Incident _____ Referral Date _____ Contact Date _____ Closure Date _____

Defendants: _____

Charge: _____

Notes: _____

Statistical Report

County of Milwaukee
Children's Court Center

Month _____ Year _____

Month of _____ Year to Date _____ Prior to _____

No. of Contacts: Witnesses (phone) _____
(written) _____
(in person) _____

Victims (phone) _____
(written) _____
(in person) _____

PRE-ARREST VICTIM ASSISTANCE

Crisis Intervention _____
Shelter, Safe Home _____
Emotional Support _____
Criminal Justice Support _____
Assistance w/filing Victim Comp. Claim _____
Crime Prevention Referral _____
Property Release _____

SERVICES PRIOR TO SENTENCING

Witnesses: Recall _____
Oncall _____
Information _____
Support _____
Criminal Justice Support _____
Victims: Recall _____
Oncall _____
Information _____
Support _____
Criminal Justice Support _____
Witnesses: Served in Waiting Room _____
Victims: Served in Waiting Room _____

POST-SENTENCE SERVICES

Witnesses: Criminal Justice Support _____
Support _____
Counseling, Community Referrals _____
Victims Referred to:
Social Services _____
Legal Services _____
Mental Health _____
Witness Protection _____
Medical _____
Victim Comp. _____
Other (Specify) _____

VICTIM DEMOGRAPHIC INFORMATION 4141

Name _____ Month/year _____

Victims _____

Male _____ Female _____

Handicap (specify) _____

Age: 0-12 _____ 13-17 _____ 18-29 _____

30-44 _____ 45-64 _____ 65+ _____

Race: White _____ Black _____

Hispanic _____ Asian/Pacific Islander _____

American Indian _____

Crime: Homicide _____

Spouse abuse _____

Crime against person _____

Property crime _____

Other (specify) _____

Victim referred to: Social services _____

Legal Services _____ Mental Health _____

Witness Protection _____ Medical _____

Victim Comp. _____ Other (specify) _____

Example 5.
Sample tally sheet.

VICTIM/WITNESS
VICTIM DEMOGRAPHIC INFORMATION
STATISTICAL REPORT

Month _____ Year _____

Month of _____ Year to Date _____ Prior to _____

Victims: Male _____

Female _____

Handicap _____

Age: 0-12 _____

13-17 _____

18-29 _____

30-44 _____

45-64 _____

65+ _____

Race: White _____

Black _____

Hispanic _____

Asian/Pacific Islander _____

American Indian _____

Other _____

Crime: Homicide _____

Sexual Assault _____

Crime Against Person _____

Property Crime _____

Other (specify) _____

CLIENT EVALUATION OF JUVENILE VICTIM WITNESS PROGRAM

We are very interested in your candid opinions about this program. None of your responses will be associated with your name. Please consider both positive and negative aspects of your experience with the Juvenile Victim Witness Program as you answer these questions.

	(Most negative)		(Most positive)		
1. Overall, how satisfied were you with the services you received?	1	2	3	4	5

Why? _____

2. How courteous were the staff members you talked to?	1	2	3	4	5
--	---	---	---	---	---

Why? _____

3. How well was the staff able to answer your questions?	1	2	3	4	5
--	---	---	---	---	---

Please explain: _____

4. Was the staff responsive to your specific needs?	1	2	3	4	5
---	---	---	---	---	---

Please explain? _____

5. Compared to other service programs you may have had contact with, how would you rate this program?	1	2	3	4	5
---	---	---	---	---	---

Please explain: _____

Date: _____

Signature: _____

VICTIM SERVICE UNIT SURVEY

In September of 1981, the Delaware County Juvenile Court began a pilot program to try to offer information, support and counseling services to victims of juvenile crime. This program was designed so that a Victim Service Unit worker would meet with the victim on the day of the first court hearing. According to our records, you, as a victim, received the services of this Unit. We are now trying to determine the effectiveness of this program as we consider whether to continue and/or expand it. Your comments and feedback are important to this study. Would you, therefore, take a few minutes to answer the questions listed below and return the survey to us in the enclosed, stamped envelope? Thank you for your help.

1. Do you remember being spoken to by one of the Victim Service Unit workers? (Kathy Robbins, Cheryl Moser, or Larry DeMooy - if you remember which worker, please underline.)

Yes _____ No _____

2. Please check the areas on the following list which were covered in your contact with the Victim Services Unit. Also, please circle the check next to the service you found most helpful.

_____ Supplied information about the Juvenile Court.
_____ Gave me an understanding of what would happen in court that day.
_____ Covered concerns about restitution (money) owed to me because of the offense.
_____ Discussed the actual offense and my feelings about it.
_____ Offered counseling to me about the offense or other issues in my life.
_____ Stayed with me during Court hearing.
_____ Other (please comment) _____

3. Please check the statement which best describes your reaction to the contacts you had with the Victim Services Unit; and comment as you see fit:

_____ Very helpful; appreciated the information and concern.
_____ Somewhat helpful.
_____ Didn't make any difference one way or the other.
_____ Not helpful - unnecessary; a waste of time and taxpayers money.

Comments: _____

4. Would you be in favor of having this service continued for other victims?

Yes _____ No _____

5. What was the most difficult part of your day in Court? (Please be as specific as possible.)

6. If restitution (money) was ordered to be paid to you:

a. Have you received all of the amount due? Yes _____ No _____

b. Have you received part of the money due? Yes _____ No _____

c. Have you been contacted by the juvenile's
Probation Officer about the offense or about
the money ordered to be paid to you? Yes _____ No _____

7. What recommendations do you have to improve the Victim Services Unit or to change how the Juvenile Court treats victims?

THANK YOU FOR YOUR TIME IN HELPING US ON THIS IMPORTANT SURVEY. IF YOU NEED ANY FURTHER INFORMATION OR HELP, PLEASE CALL KATHY ROBBINS AT 891-4752 OR LARRY DEMOOY AT 891-4737.

Optional:

Your Name: _____

Address: _____

Telephone #: _____

Chapter 5: Where to Go for More Information

NCJRS

A comprehensive and easy-to-access source of additional information is the National Criminal Justice Reference Service (NCJRS). NCJRS maintains a library of almost 100,000 criminal justice books, reports, and articles available on loan, for purchase, or in some cases, free of charge.

Two of its components are likely to be of particular use for information about victims and witnesses in the juvenile justice system -- the National Victims Resource Center (NVRC), operated by the Office for Victims of Crime, and the Juvenile Justice Clearinghouse (JJC), operated by the Office of Juvenile Justice and Delinquency Prevention.

- NVRC collects, maintains, and disseminates information about national, state and local victim-related organizations and about state programs that receive funds authorized by the Victims of Crime Act (VOCA).
- JJC collects and disseminates OJJDP-supported publications, research findings and program evaluations. It operates a special section to disseminate training materials developed through the Restitution Education, Specialized Training and Technical Assistance Program (RESTTA).

NCJRS will conduct custom searches of its data base on relevant topics for a small fee. In addition, it will provide prepackaged topical searches and bibliographies for a number of commonly requested topics.

For further information, contact:

Juvenile Justice Clearinghouse

800-638-8736
JJC/NCJRS
Box 6000
Rockville, Maryland 20850

Janet Rosenbaum, Manager

Shari Jennings, Team Leader

Jim Burch, Information Specialist

Sheila Lancaster, Reference Assistant

National Victims Resource Center

800-627-NVRC (6872)
National Victims Resource Center/NCJRS
Box 6000
Rockville, Maryland 20850

Resources Specific to Victim Assistance in the Juvenile Justice System

Bourque, Blair B., Cronin, Roberta C., & Mell, Jane M. Victims and Witnesses in the Juvenile Justice System: Assessment Report. (1989). 149 pages. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. Available from NCJRS.

Presents the results of the first phase of OJJDP's Victims and Witnesses in the Juvenile Justice System Development Program. Summarizes what is known about victims and witnesses of juvenile crime and the programs developed to serve them nationwide. Also reports on the status of victim witness legislation for the juvenile justice system, as of mid-1988. Appendix contains case studies

of programs that are active in serving victims and witnesses in the juvenile justice system.

Schneider, Anne L. (Ed.). 1985. Guide to Juvenile Restitution. U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention. 168 pages. Available from NCJRS.

A compendium of information about juvenile restitution programs nationwide. Describes a wide range of models, including approaches that emphasize offender accountability through community service and financial restitution, approaches that emphasize victim-offender mediation, and approaches that focus mainly on obtaining restitution for victims. Incorporates numerous examples of letters, forms, and procedures used by actual programs.

Other Materials on Victim Witness Assistance

American Bar Association. Guidelines for Fair Treatment of Victims and Witnesses in the Criminal Justice System. (1983). Available from: American Bar Association, Criminal Justice Section, 1800 M Street, N.W., Washington, D.C. 20036.

Provides 13 guidelines for fair treatment of victims and witnesses in the criminal justice system, covering issues such as notification, victim impact statements, and witness intimidation.

American Correctional Association. (1988). Task Force on Victims of Crime: Final Report. Available from: National Victim Center, 307 West 7th Street, Suite 1001, Fort Worth, Texas. 33 pages.

Presents 15 recommendations on services to victims, offender accountability and correctional staff who are victimized. Advocates victim participation in parole release hearings and notification of victims upon the release, escape or work furlough of offenders.

Finn, Peter & Lee, Beverly N.W. (1987). Serving Crime Victims and Witnesses. U.S. Department of Justice, National Institute of Justice. 213 pages. Available free from NCJRS, #NCJ097673.

Provides a review of the practice of victim witness assistance nationwide and in-depth advice about how to establish and maintain an effective program. Particularly detailed discussion of issues related to working with law enforcement, prosecutors, judges, and social service organizations; and staff training, recruitment, and supervision. Appendices contain sample record-keeping forms, training outlines, budgets, and victim impact forms.

National District Attorneys Association. (1986). A Prosecutor's Guide to Victim Witness Assistance -- How to Set Up a Program in Your Office. 45 pages. Available from: National District Attorneys Association, 1033 N. Fairfax Street, Suite 200, Alexandria, VA 22314.

Reviews the benefits of victim witness assistance for prosecutors and provides tips on developing and operating a prosecutor-based program. Appendices include sample letters and job descriptions for victim witness assistants.

National Organization for Victim Assistance. (1988) Victim Rights and Services: A Legislative Directory 1987. U.S. Department of Justice, Office for Victims of Crime. 238 pages. Available for \$10.00 from National Organization for Victim Assistance, P.O. Box 11000, Washington, D.C. 20008.

A summary of legislation related to victims in all 50 states and the District of Columbia. Describes victim legislation in 29 topic areas and provides charts depicting which states have legislation in each of the areas. Also provides legislative summaries by state and sample statutes.

President's Task Force on Victims of Crime: Final Report. (1982). 144 pages. Available free from NCJRS, #NCJ087299.

Presents the conclusions of a federal task force that looked into victim witness issues. Includes 68 recommendations for action by federal, state, and local government, criminal justice agencies, and other organizations and groups in the community. Four Years Later, a follow-up report published in May, 1986, explains what action occurred subsequent to release of the original task force report.

Young, Marlene. (1983). The Victim Service System: A Guide to Action. Washington, D.C.: The National Organization for Victim Assistance. 148 pages. Available from NOVA for reproduction costs, P.O. Box 11000, Washington, D.C. 20008.

Provides a comprehensive description of victim services. Introduces crisis theory and effective approaches to helping victims in crisis as well as techniques for assisting victims or witnesses as they interact with the criminal justice system. Includes samples of program materials.

Organizations That May Be Able to Help

American Bar Association

Criminal Justice Section

1800 M St., N.W.

2nd Floor, South

Washington, D.C. 20036-5886

(202) 331-2260

The Criminal Justice Section of the American Bar Association sponsors research programs in a variety of areas, including victim assistance. It recently completed an analysis of state victim rights legislation and a mail survey to determine how legislative changes had affected local practices towards victims.

National Council of Juvenile and Family Court Judges

University of Nevada, Reno

P.O. Box 8970

Reno, Nevada 89507

(702) 784-4836

Membership organization that provides training for juvenile court judges. Has a standing Victim Assistance Committee. Its research division, the National Center for Juvenile Justice, operates an automated juvenile law archive accessible to the public for a fee.

National District Attorneys Association
1033 N. Fairfax Street, Suite 200
Alexandria, Virginia 22314
(703) 549-9222

Provides training and technical assistance for prosecutors in defining their role in juvenile justice. Publishes a quarterly newsletter on juvenile issues entitled Juvenile Justice Report.

National Organization for Victim Assistance (NOVA)
717 D Street, N.W.
Washington, D.C. 20004
(202) 393-6682

A membership organization of over 3,000 individuals and organizations interested in victim issues that provides regular training. Members receive a monthly newsletter and have access to a clearinghouse and resource library. Also provides direct and referral services to victims and has Crisis Response Teams available to respond to disasters.

National Victim Center
307 W. Seventh Street, Suite 1001
Fort Worth, TX 76102
(817) 877-3355

Provides advocacy and direct services for victims of violent crime, offers training to victim advocates and law enforcement and criminal justice personnel, and maintains an information clearinghouse and resource center. Membership organization; members receive newsletter.

Programs Described in This Report

Ms. Barbara Phillips, Director
Community Service Program, Inc.
Victim Witness Assistance Program
Superior Court, County of Orange
700 Civic Center Drive, West
Santa Ana, CA 92702
(714) 756-0677

Ms. Barbara Kendall
Director and Coordinator
Victim/Witness Assistance Unit
Boulder County District Attorney's Office
P.O. Box 471
Boulder, CO 80306
(303) 441-3730

Mr. Robert Weaver
Supervisor, Department of Juvenile Services
Area 3 (Washington County) Victim Witness Program
5 Public Square, 5th Floor
Hagerstown, MD 21740
(301) 791-3104

Mr. Paul E. Gesregan
Director of Juvenile Court Services
Delaware County Juvenile Court- Victim Services Unit
Fronfield Building
Courthouse Plaza
Media, PA 19063
(215) 891-4759

Mr. Jeff Rosoff
Coordinator of Victim Witness Services, Family Court
Philadelphia District Attorney's Victim Witness Unit
Room 127 Family Court of Philadelphia
1801 Vine St.
Philadelphia, PA 19103
(215) 686-4094

Ms. Linda Price
Victim Assistance Coordinator
South Carolina Department of Youth Services
Victim Assistance Program
P. O. Box 192
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(803) 253-4050

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

Ms. Bobbi Sculley Moebius
Victim/Witness Services
Children's Court Center
10201 Watertown Plank Road
Wauwatosa, WI 53226
(414) 257-4527

Victims of Crime Act (VOCA)

Under the Victims of Crime Act (VOCA), federal funds are available for victim assistance grants. Funds are allocated to the states, which in turn distribute dollars to eligible crime victim service programs. The state has sole discretion as to funding decisions within the eligibility requirements set forth in the Act. For FY 90 each state must allocate 10 percent of its funds for child abuse grants, 10 percent for sexual assault grants, 10 percent for domestic violence grants, and 10 percent for underserved populations. The state sets priorities for the balance of the funds.

To seek funds through this Act

- contact your State VOCA coordinator,
- determine the application process and deadlines,
- determine priority areas for your state, and
- request an application form.

The VOCA coordinators are listed below.

Alabama

David P. Rumbarger, Director
Alabama Department of Economic
and Community Affairs
Law Enforcement Planning Division
3465 Norman Bridge Road
P.O. Box 2939
Montgomery, Alabama 36105-0939
(205) 261-5891
cc: Gilbert D. Miller, Section Chief

Alaska

Arthur English, Commissioner
Department of Public Safety
Council on Domestic Violence and
Sexual Assault
P.O. Box N
Juneau, Alaska 99811
(907) 465-4356
cc: Barbara Miklos, Executive Director

American Samoa

Mrs. Joan Petelo, Grants Administrator
Department of Human Resources
American Samoa Government
Pago Pago, American Samoa 96799
(011)-(684) 633-4485
cc: Scott Whitney, (684) 633-4485
FAX No.: 011-(684) 633-1139

Arizona

Colonel F.J. "Rick" Ayars, Director
Arizona Department of Public Safety
P.O. Box 6638
Phoenix, Arizona 85005
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cc: Ms. Sheila Johns, Fiscal Management
& Support (602) 223-2491/2650
FAX No.: (602) 223-2347

Arkansas

Ms. Caran Curry, Prosecutor Coordinator
Prosecutor Coordinator's Office
Tower Building 750, 4th & Center Street
Little Rock, Arkansas 72201
(501) 682-3671
cc: Randy Dennis, V/W Coordinator
(501)-682-5045
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California

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(916) 324-9140
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Colorado

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Department of Public Safety
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Connecticut

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Office of Policy and Management
Justice Planning Division
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(203) 566-3020
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Delaware

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Criminal Justice Council
Carvel State Office Building
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District of Columbia

Ms. Josephine Simmons, Acting Chief
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Florida

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Bureau of Crimes Compensation and
Victim/Witness Services
Dept. of Labor & Employment Security
The Forrest Building, Suite 122
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Tallahassee, Florida 32399-0650
(904) 488-0848
cc: Dania Carrillo, Division Director
(904) 488-2514

Georgia

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Criminal Justice Coordinating Council
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Atlanta, Georgia 30334
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(404) 370-5080

Guam

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(317) 232-1233

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Iowa Department of Justice
Crime Victim Assistance Program
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Des Moines, Iowa 50319
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Kansas

Winston Barton, Secretary
Department of Social and
Rehabilitation Services
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Missouri

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New Mexico

Vacant
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(505) 841-9432
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cc: Richard Shapiro (212) 587-5150
Crime Victims Board, Room 200
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Governor's Crime Commission
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Planner

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Workers Compensation Bureau
Crime Victims Reparations Program
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cc: Roger Bauer

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cc: David Migliore, Executive Director

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Ted Ritter, Exec. Coordinator
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(405) 521-2349
cc: Susan Damron, Grants Administrator

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Special Compensation Program
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Salem, Oregon 97310
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South Carolina

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Commissioner Nancy-Ann E. Min
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Texas

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Vermont

Miss Gretchen B. Morse, Secretary
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Waterbury, Vermont 05676
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cc: David Baker, Planner

Virginia

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Department of Criminal Justice Services
805 East Broad Street, 10th Floor
Richmond, Virginia 23219
(804) 786-4000
cc: Mandie Patterson, Program Manager

Virgin Islands

Eugene Welsh, Acting Administrator
Law Enforcement Planning Commission
116-164 Submarine Base
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St. Thomas, Virgin Islands 00802
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(206) 586-8254

West Virginia

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Governor's Office of Community and
Industrial Development
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Charleston, West Virginia 25304
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Wisconsin

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222 State Street
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(608) 266-6470/1221
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Wyoming

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Victim Assistance Programs With a Juvenile Unit

In 1987, we conducted a mail survey of Victim Witness Assistance programs.¹ Of the 398 programs that responded, 82 reported that victims of juveniles composed at least 10 percent of their clients, and that they had special units or persons assigned to serve these victims. We list these programs below by state (excluding the eight programs used as examples in earlier chapters). An "*" beside the program indicates that it primarily serves rape, sexual abuse, or domestic violence victims.

Since we did not have personal contact with all of these programs, we have no information about the breadth or quality of their services.

Alabama

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Arizona

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California

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Tel: (916) 823-4759

Janet Goeske
Janet Goeske Center for Seniors
5257 Sierra Street
Riverside, CA
Tel: (714) 351-8801

¹ The mail survey included two samples -- a random sample of programs on the National Organization of Victim Assistance mailing list (536 programs) and a sample composed of all of the victim assistance programs in 151 counties (395 programs) nationwide. Response rates were 68 percent for the random sample and 61 percent for the county sample. After deleting those programs that do not provide direct services to victims and witnesses of crime and correcting for the overlap between the two samples, we were left with 398 programs. We describe the mail survey methods and results in detail in the Victims and Witnesses in the Juvenile Justice System Assessment Report.

California

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Colorado

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Mary Roman *
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P.O. Box 367
Castle Rock, CO 80104
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Penelope Brodeur *
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Reuben Marquez
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Florida

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Commission Against Sexual Assault
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Fort Lauderdale, FL 33301
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Florida

Victim Advocate
Fort Lauderdale Police Dept.
1300 W. Broward Blvd.
Fort Lauderdale, FL 33312
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Debbi Thomas *
Sexual Assault Center of Children's
Crisis Center, Inc.
P.O. Box 40279
Jacksonville, FL 32203-0279
Tel: (904) 350-6808

Florida

Victim Intervention Program *
Peace River Center for Personal
Development
Community Mental Health Center
1835 North Gilmore Avenue
Lakeland, FL 33805
Tel: (813) 683-5701

Sexual Assault Victim Examination *
Program
Pinellas County Public Health Unit
500 Seventh Avenue South
St. Petersburg, FL 33701
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Florida

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Public Safety Dept. - Youth Affairs
Palm Beach County Juvenile Court
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Annette Andre
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Georgia

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Illinois (continued)

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Kansas

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Michigan

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Minnesota (continued)

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Karen Hogendorf *
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New York

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North Dakota

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South Carolina

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