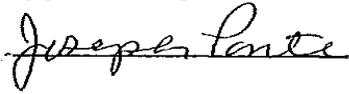


<b>POLICY TITLE: OFFICE OF VICTIM SERVICES</b>		<b>PAGE <u>1</u> OF <u>5</u></b>
<b>POLICY NUMBER: 6.0</b>		
<b>CHAPTER 6: VICTIM SERVICES</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT of CORRECTIONS</b>	<b>PROFESSIONAL STANDARDS:</b>
	<b>Approved by Commissioner:</b> 	<b>See Section VII</b>
<b>EFFECTIVE DATE:</b> <b>November 30, 2011</b>	<b>LATEST REVISION:</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

**I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in Title 34-A M.R.S.A. Section 1403.

**II. APPLICABILITY**

Entire Maine Department of Corrections

**III. POLICY**

It is the policy of the Maine Department of Corrections to ensure that victims are treated with respect and sensitivity, and that they are informed and considered in decisions related to their offenders' release. The Office of Victim Services shall provide crisis intervention, support, and advocacy for victims of crime and their families throughout the correctional process.

**IV. CONTENTS**

- Procedure A: Victim Services Coordinator
- Procedure B: Duties
- Procedure C: Confidentiality
- Procedure D: Education and Training
- Procedure E: Program Evaluation

**V. ATTACHMENTS**

None

**VI. PROCEDURES**

- Procedure A: Victim Services Coordinator**

1. When feasible, crime victims should be afforded every opportunity to participate in the corrections process. The Office of Victim Services shall coordinate these efforts.
2. The Victim Services Coordinator shall direct and coordinate the Office of Victim Services and shall report to the Commissioner or an Associate Commissioner.
3. The Victim Services Coordinator shall, with the approval of the Commissioner or Associate Commissioner, select other victim advocates, who shall report to the Victim Services Coordinator, as needed to carry out the intent of this section

**Procedure B: Duties**

1. The Office of Victim Services shall provide notification of release of offenders to registered crime victims in accordance with the requirements of 17-A M.R.S.A. Section 2106 and Department Policy 6.1, Victim Notification of Prisoner or Juvenile Release. This notification shall include notification of an escape of the offender and the offender’s return to custody.
2. Various points throughout the corrections process may create a crisis for victims, such as the escape of the offender from custody. The Office of Victim Services may assist by providing emotional support and referrals for victims whenever requested.
3. Victims who are expressing dissatisfaction or have a complaint regarding actions of the Department of Corrections shall be directed to Office of Victim Services staff. Office of Victim Services staff shall intercede on behalf of victims with officials of the Department, any correctional facility, any detention facility, community corrections or any contract agency or assist these persons in the resolution of victim-related issues.
4. Victims who have received a threat or are otherwise fearful of an offender about to be released may call the Office of Victim Services for assistance. Victim Services staff shall work with community victim advocates, law enforcement officials, and/or other resources to help the victim develop safety planning as necessary.
5. Office of Victim Services staff shall act as an information source regarding the rights of victims and shall keep informed about all laws, administrative rules, Departmental and other policies relating to the rights and dignity of victims and about relevant legal decisions and other developments related to the field of corrections, both in this State and in other parts of the country.

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6. The Office of Victim Services shall oversee coordination of workplace violence issues in accordance with Department Policy 6.10, Workplace Policy on Domestic Violence, Sexual Assault, and Stalking. Staff who are victimized, either in the workplace or in the community, may participate in all services available through the Office of Victim Services.

7. Services to Prevent Unwanted Offender Contact/Activities

a. Harassment Notice:

When an adult in the custody or under the supervision of the Department is making unwanted or inappropriate contact with a victim, the victim may request in writing that this contact be stopped. All such requests shall be made by contacting the Office of Victim Services or an official of the facility or community corrections region directly. The Office of Victim Services shall coordinate the investigation of the request and the issuance of a harassment notice, when appropriate, as set out in 17-A M.R.S.A. Section 506-A and Departmental Policy 6.5, Harassment.

b. No Contact Orders or Conditions:

When a person in the custody or under the supervision of the Department has a court order or probation or conditional release condition of no contact with a victim and the Office of Victim Services is made aware of a violation of the order or condition, the Office of Victim Services shall coordinate the investigation of the violation and enforcement of the order or condition, when appropriate, as set out in Departmental Policies 21.2, Prisoner Mail, 20.3 Prisoner Telephone System, and 20.4, Prisoner Visitation (Adult Facility); 16.1, Resident Mail, 16.2, Access to Telephones, and 16.3, Visitation (Juvenile Facility); and 9.16, Probation Violation (Adult Community Corrections).

8. Victims may request to meet with the offender(s) involved in their case. The Office of Victim Services shall handle each request in accordance with Policy 6.8, Victim/Offender Dialogue in the Correctional Facility Setting, and in coordination with the appropriate Chief Administrative Officer (if the offender is incarcerated) or Regional Correctional Administrator (if the offender is under community supervision).

9. The Office of Victim Services shall be responsible to ensure that victims who are ordered to receive restitution by the Court receive the restitution as soon as possible after it is collected, as required by 17-A M.R.S.A. section 2006 and Department Policies 6.6, Payment of Restitution and Fines, and 9.6, Restitution (Adult Community Corrections).

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10. The Office of Victim Services shall oversee the Department of Corrections Impact of Crime Program.
11. The Office of Victim Services shall oversee the certification and monitoring of Batterer's Intervention Programs pursuant to M.R.S.A. 34-A Section 1214 and Department of Corrections Agency Rule Chapter 15.

**Procedure C: Confidentiality**

1. Requests for any action by the Office of Victim Services must be kept confidential and may be disclosed only to a state agency if necessary to carry out the statutory functions of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile criminal justice.
2. A victim's current address or location or information from which the victim's current address or location could be determined must be kept confidential and may be disclosed only to a state agency if necessary to carry out the statutory functions of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile criminal justice.
3. In no case may a victim's request for notice of release of an offender be disclosed outside the Department and the office of the attorney for the State with which the request was filed.

**Procedure D. Education and Training**

1. The Office of Victim Services shall provide outreach and presentations to various groups, including victim advocates, crime victims and community members, about services available through the Office of Victim Services and policies and procedures of the Department.
2. The Office of Victim Services shall conduct training for Departmental staff to ensure staff awareness of victims' issues.
3. The Office of Victim Services shall work with other states' correctional agencies to coordinate both direct services for victims and to discuss ways to improve services nationally in this field.

**Procedure E. Program Evaluation**

1. The Office of Victim Services shall conduct an annual survey of all victims who have received notification of an offender's release during the previous fiscal year.

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## VI. PROFESSIONAL STANDARDS

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- 5-ACI-5F-07** Written policy, procedure and practice provide that designated staff are responsible for coordination of victims' programs and that curriculum is established for providing training to staff involved with victims' issues. This curriculum includes the following topics:
- specific services available to crime victims
  - changes in laws impacting victims
  - way(s) of gaining access to the services
  - confidentiality of victim information
  - way(s) for victims to communicate complaints and other concerns
  - program evaluation measures, which include victim input regarding the effectiveness of services and ways for them to make suggestions regarding agency policies and practices intended to assist crime victims
- 4-ACRS-7F-06** Consistent with the laws of the jurisdiction, registered victim(s) of a crime prior to any release from confinement of the convicted offender and/or escape from custody. Follow up notification to victim(s) occurs when escapees are returned to custody.
- 4-JCF -6G-07** Consistent with jurisdictional laws, registered crime victim(s) are notified of a juvenile offender's release prior to any planned release from confinement and/or escape from custody. Follow up notification to victims occurs when escapees are returned to custody.

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