

Virginia Victim/Witness Grant Program Codebook

Revised December 2016

A Resource for Victim/Witness Grant Program Funded
Advocates and Victims Services Providers to Ensure the
VOCA (Victims of Crime Act) and
Virginia's Crime Victim and Witness Rights Act Compliance



www.dcjs.virginia.gov

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INTRODUCTION

This Victim/Witness Grant Program Codebook has been designed by the Virginia Department of Criminal Justice Services (DCJS) in accordance with the Office of Justice Programs Performance Measurement Tool requirements for federal Victims of Crime Act (VOCA) funded victim/witness programs. We hope that victim/witness staff will find it useful when completing the Quarterly Progress Report. This may also be a functional resource for newly created programs, or localities funded to start a victim/witness program.

Victim Witness Program new employees and volunteers will find that this Codebook provides a comprehensive explanation of the role of victim/witness programs and services provided under the [Virginia Crime Victim and Witness Rights Act \(§19.2-11.01\)](#).

Instructions for Completing the Quarterly Progress Report

The numbering in this section corresponds to the numbering in the Quarterly Progress Report generated by CIMS (Client Information Management System). CIMS is a case management data collect system to aid programs in tracking services provided to victims of crime with grant funds. A staff person can complete the fields in CIMS while referring to the instructions.

In July 1997, a computer software program was made available to programs to enable them to automate their case records. CIMS has been programmed and upgraded to produce the Quarterly Progress Report at the conclusion of each quarter. **All programs are required to compile their client information using the CIMS program and upgrade to version 9.3.A1 for fiscal year 2017 progress reporting.** Please contact DCJS at (804) 786-8475 to request a copy of the CIMS software. This Codebook will prove useful to victim/witness staff when compiling this information.

Program staff who are experiencing difficulty with CIMS, or who are unable to generate an accurate progress report, should contact their assigned Grant Monitor as soon as possible.

We hope these materials are helpful and informative. If you have suggestions for corrections, additions, or deletions, please contact your Grant Monitor with comments for the next revision.

VOCA IN VIRGINIA

In 1984, the General Assembly created the victim/witness grant program and designated DCJS as the administering agency. The federal Victims of Crime Act (VOCA) was also enacted by Congress in 1984, and it established the Crime Victim Fund and authorized the Director of the federal Office for Victims of Crime (OVC) to make annual VOCA victim assistance and compensation grants to states. Currently, DCJS is using federal VOCA funds, as well as state Special Funds, and General Funds to support Victim/Witness Programs.

The victim/witness grant program is open to local units of government and certain state agencies. Local units of government may subcontract with private, non-profit service providers. Localities may submit joint applications to support regional victim/witness programs serving multiple localities.

Grantees must comply with grant award conditions including the applicable provisions of: the DCJS Victim/Witness Grant Program Guidelines, the federal Victims of Crime Act (VOCA), the VOCA rule, and the federal Department of Justice Financial Guide. Grant funded Virginia Victim Witness Programs are also mandated under §19.2-11.01A to provide victim assistance services. Specifically, the *Code of Virginia* indicates:

Unless otherwise stated, it is the “responsibility of a locality’s crime victim and witness assistance program to provide the information and assistance required by this chapter,” including verification that the standardized form listing the specific rights has been received.

(Note: Links to the resources described are provided in the “Helpful Links” section)

A new rule addressing the use and administration of VOCA funds became effective in the summer of 2016. As appropriate the Codebook has been updated to incorporate applicable changes resulting from the new rule and changes in data collection and reporting required by the federal Office for Victims of Crime. Most provisions in this final rule are substantively the same as the corresponding provisions of the previous Guidelines. See the New OVC Performance Measure and Service Objectives section for further details.

FINANCIAL AND PROGRESS REPORT

DCJS is responsible for the monitoring of grant recipient awards to ensure compliance with applicable federal and state guidelines. Monitoring is conducted to determine if the grant recipient is adequately providing services outlined in their grant application and in accordance with the DCJS Grant Award Package. Accomplishing grant recipient monitoring objectives is achieved through a variety of monitoring techniques, including Grant Monitors’ review of progress reports, telephone interviews, desk audit/review, or on-site visits to the grant recipient’s local office.

The information you provide about your program provides DCJS with the information necessary to complete reports that are required by the state of Virginia and Federal Office for Victims of Crime. This information is also provided to state officials, the Secretary of Public Safety and Homeland Security and the General Assembly, upon request, and may prove useful to you as you work to keep local officials informed of the valuable services provided by your program. For these reasons, the accuracy and completeness of the reports are of the utmost importance.

Instructions for Completing the Progress Report

Grant Number: this is the number that identifies your grant-funded program. It is assigned annually by DCJS. The number can be found on the Statement of Grant Award. **All correspondence to DCJS must include this number.**

Program Name: indicate the name of the program. Please be sure to include the **locality name** and Victim/Witness in the title. For example, “**Monroe County** Victim/Witness Program”.

Reporting Period: this is the period of time that the Progress Report covers.

The “fiscal year” for victim/witness grants runs from July 1 through June 30. The fiscal year is labeled by the year in which the grant ends. For example, for the grant year July 1, 2016 through June 30, 2017 the fiscal year is 2017.

The “quarter” refers to the three-month period of time that the report covers. The quarters begin with the fiscal year on July 1. Consequently,

- “**First Quarter**” covers July 1 through September 30.
- “**Second Quarter**” covers October 1 through December 31.
- “**Third Quarter**” covers January 1 through March 31.
- “**Fourth Quarter**” covers April 1 through June 30.

Report Deadlines

Reports are due on the 12th working day following the close of the quarter covered in the report. Financial reports are required, even if no expenditures have occurred. DCJS requires all reports to be submitted using the Grants Management Information Systems (GMIS Online). GMIS allows users to submit financial reports, progress reports, request funds, make amendments to current approved budgets, and view the status of all grant reports and special conditions. More information about GMIS Online can also be obtained from the DCJS website at: www.dcjs.virginia.gov/grants/gmis.

The program staff designated as the Finance Officer maintains a current list of users who can gain access to GMIS. **If your Financial Officer has changed please send a notification email to DCJS at:** grantsweb@dcjs.virginia.gov.

Financial Managers can go into GMIS and access the **Manage Users link under Additional Options. Review your user list and confirm all of the persons within your locality that are currently using the website. Any new users who are not on the list may be added by clicking the Add New User button. Once they have been added, they will receive an automated email from the DCJS server with their account information. In addition, any users who need to be removed may be deleted by clicking the Delete button. If a current user's email address has changed, click the Edit button to update that information.**

Report Extensions

If victim/witness program staff are unable to submit the quarterly reports to DCJS by the required deadline, program staff must:

- Notify the Grant Monitor by email to request an extension on the quarterly **progress report**
- Notify Grants Administration by email to request an extension on the quarterly **financial report**

There must be a reasonable cause for this delay (e.g., computer problems, a staff vacancy, etc).

Even if an extension is approved by the Grant Monitor or by Grants Administration staff, the locality cannot request funds until both the financial report and progress report have been received and approved. Additionally, all grant special conditions and a signed Statement of Grant Award acceptance must be received by DCJS Grants Administration before funds can be requested by the locality.

Please note the Criminal Justice Services Board (CJSB) has adopted the following policy:

A key factor in determining eligibility for continuation funding will be compliance with grant financial and progress reporting requirements. **No current recipient of funding through the victim/witness grant program will be considered for continuation funding if, as of the continuation application due date, any of the required Financial and Progress reports for the current grant are more than 30 days overdue.** For good cause, submitted in writing, DCJS may waive this provision.

DCJS grant funded programs are required to maintain grant related records which may include programmatic and financial documents for three years plus the year of the grant. Any records older than the required retention period may be stored or purged, at the discretion of the program director and sponsoring agency.

DOCUMENTING VICTIMS AND SERVICES

I. NUMBER OF NEW VICTIMS SERVED THIS QUARTER

As mandated under the Government Performance and Results Act of 1993 (GPRA), the Office for Victims of Crime (OVC) is required to establish strategic planning, performance planning, and reporting as a framework to communicate progress in achieving its mission. The Performance Measurement Tool (PMT) collects information to determine whether a program achieved its goals and objectives. Information from PMT is used to improve the operation of the program. This data is not used to “evaluate” programs but to understand the progress that programs achieve on the state and national level toward meeting program objectives and the mission of the agency.

OVC’s intent is to use performance measurement data to understand the trends and changes grantees experience over time. With this practical understanding, OVC is better able to meet the requests of Congress, the Office of Justice Programs (OJP), the Department of Justice, the Office of Management and Budget, and other stakeholders and to offer insight into programmatic and policy considerations.

Virginia has developed an enhancement to CIMS (Client Information Management System) to comply with federal reporting guidelines. The CIMS enhancement includes all services outlined by the PMT. The performance measures indicate to what extent grant activities meet the following goals and objectives:

- Support the provision of direct services to crime victims;
- Improve victim access to services;
- Increase victim knowledge of the criminal justice system;
- Assess impact of funded programs using performance management data;
- Provide more emphasis on evidence-based programs and practices;
- Increase partnerships with other OJP agencies that work with victims;
- Collect and analyze OVC performance management data; and
- Increase stakeholder satisfaction with OVC.

The Victim Assistance program performance measures are reported in two formats: quantitative (numeric responses) and qualitative (narrative responses).

This section includes all **new** direct and generic service victims with whom **initial** contact was made during the quarter being reported.

Each fiscal year (July 1–June 30), each victim should be counted only once for each crime, regardless of the number of charges or defendants. A person may be counted more than once only as a result of separate and unrelated crimes. A general rule to use is the following: if there is a separate trial for a subsequent crime, a new case can be opened for an existing victim (also referred to as a “client” in the CIMS Program). A new case can also be opened for mistrials or hung juries and where new trials are held. *Note: If the new trial is held in a new fiscal year, the victims are to be entered in the new fiscal year.*

Due to the nature of domestic violence, a victim of a series of misdemeanor domestic violence assaults within a fiscal year should be counted only once, if it is the same defendant for all assaults. The only situations where you should open a new case for a domestic violence victim are: 1) if the subsequent act of violence with the same partner occurs in another fiscal year after the initial date of when the case was opened, or 2) if the subsequent act of violence with the same partner is to be charged as a more serious crime than previously documented charges. For example, if a couple has a previous history of assault and battery, but a rape occurs and the perpetrator is charged with sexual assault, you would open a new case for that existing

client and select “Adult Sexual Assault” as the victimization type for the case. **It is possible that a victim will be entered into CIMS twice in a 12 month period if July 1st is within that period.**

If a client has a new case as a result of a subsequent, separate crime, this information is entered into CIMS by selecting the client’s name from the client listing and then selecting the option for a “New Case for this Client.” Victims should only appear once in the client listing, regardless of the number of times they have been a victim in separate crimes.

The number recorded for I. (A) Direct Service Victims must be the same as the TOTAL in II. Program Source of Knowledge, the TOTALS for each column in III. (Sex, Race, Age in Years, Disability), and the TOTAL in IV. Direct Service Victims Served by Type of Victimization.

It is anticipated that future quantitative and qualitative measures of data will include the ability to capture multiple types of victimizations and services provided to victims during a reporting period. DCJS continues to diligently update its data collection system and is using the current upgrade, CIMS (9.3A.1) to demonstrate that efforts are underway to track data as requested by the federal requirements.

VICTIM

According to Virginia’s Crime Victim and Witness Rights Act, “Victim” means a person who suffered physical, psychological or economic harm as a direct result of: the commission of any felony, or certain misdemeanors (Assault and battery; assault and battery against a family or household member; stalking; sexual battery; attempted sexual battery; or driving while intoxicated).

The definition of “victim” includes: **spouses** and **children** of all victims, and **parents** and **guardians** of minor victims, and **parents, siblings or guardians** of mentally or physically incapacitated victims and/or victims of homicide, and foster parents or other caregivers, under certain circumstances.

Note: The actual deceased victim of a homicide is never counted as a direct service victim.

Programs may continue to offer services to crime victims not included in the Act’s definition. For example, extended family and close friends of a victim can be counted as victims in CIMS if they receive the program’s services. Providing services to victims not specifically outlined in the Act is at the discretion of the staff, and largely depends on the available resources of the locality. **Any person served by the program should be counted in the Quarterly Progress Report.**

Count all individuals served by your organization with the use of VOCA plus match funds during the reporting period. This number should be an unduplicated count of people served during a single reporting period, regardless of the number of services they received or victimization types with which they presented.

*Some organizations may be unable to track clients over time due to organizational capacity issues, legal restrictions (e.g., confidentiality laws that limit record-keeping), or the nature of the services they provide (e.g., an anonymous hotline). **If you know that your agency is NOT able to provide a unique count of individuals served within the reporting period, report the number of individuals served to the best of your knowledge.***

(A) DIRECT SERVICE VICTIM

A direct service victim receives the services described under the “Direct Services” category.

DIRECT SERVICES

Direct services are program services provided to victims which go beyond the provision of routine, or generic services (see definition of generic services below). Such services seek to alleviate problems or inconveniences arising from the commission of a particular crime. Examples of direct services include: crisis intervention, assistance with crime victims’ compensation claims, court accompaniment, etc. For example, with restitution,

if a staff person helps a victim to determine the amount of restitution and then monitors payments, count that victim under “Direct Service”.

(B) GENERIC SERVICE VICTIM

A generic service victim receives only the services listed under the “Generic Services” category.

GENERIC SERVICES

Generic services include, **and are limited to**, the provision of pre-printed information, *routine contact* related to the advanced notice of judicial proceedings, restitution, and case dispositions.

Routine contacts are brief, limited encounters with a victim. For example, with restitution, if a staff person mails a restitution check to a victim, and that is the only contact with that victim, count that victim under “Generic Service”.

II. PROGRAM SOURCE OF KNOWLEDGE ABOUT NEW DIRECT SERVICE VICTIMS/CASES

This section notes the source from which program staff first found out about the *new* direct service victim.

When entering the Program Source of Knowledge for a victim, please be sure to designate whether a victim’s information was obtained from the Commonwealth’s Attorney, Commonwealth’s Attorney report or case file, court docket, court services unit, magistrate, medical/hospital, mental health, police, police report, sheriff, sheriff’s report, social services or other.

“Victim-Initiated” contact occurs when the victim, without any outreach efforts by the staff (e.g., contact letters), calls or visits the program. If a victim calls or visits the program after receiving a contact letter, do not count this as “victim-initiated”. The origin of the program’s information (i.e., how the program learned of the victim and the victim’s address) is marked as the program source of knowledge. If a criminal justice agency refers the victim to the program, and the victim contacts the program, it is still a victim-initiated contact because the victim chose to make contact. However, if that same agency refers the victim to the program, but also contacts the program to alert staff and to give them information about the victim, then mark the referring agency as the program source of knowledge.

The number recorded for TOTAL in II. Program Source of Knowledge is the same as the TOTAL in I. (A) Direct Service Victims, the TOTALS for each column in III. (Sex, Race, Age in Years, Disability), and the TOTAL in IV. Direct Service Victims Served by Type of Victimization.

III. CHARACTERISTICS OF NEW DIRECT SERVICE VICTIMS

This section provides the characteristics of *new* direct service victims served, by the categories identified.

In situations that prohibit making an accurate determination about the victim’s characteristics (e.g., during telephone contacts), this requirement may be waived; mark the “Not Reported or Not Tracked” category. Whenever possible, please make an educated guess in order to keep the number of “Not Reported or Not Tracked” characteristics to a minimum.

*If no data is collected for a **category**, select the appropriate bullet in CIMS to mark it as **Not Tracked**. In the “Not Tracked” category provided, report the number of individuals who did not have demographic data tracked. If no data is collected for an **individual**, count that individual in the **Not Reported** category.*

The numbers recorded for the TOTALS for each column in III. (Sex, Race, Age in Years, Disability) should be the same as the TOTAL in I. (A) Direct Service Victims, the TOTAL in II. Program Source of Knowledge, and the TOTAL in IV. Direct Service Victims Served by Type of Victimization.

Note: When working with an adult who was molested as a child, the age recorded should be the age at which (s)he was molested, not his or her current age.

Special classifications of individuals effective April 2016 (self-reported):

- Deaf/Hard of Hearing
- Homeless
- Immigrants/Refugees/Asylum Seekers
- Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ)
- Veterans
- Victims with Disabilities: Cognitive/Physical/ Mental
- Victims with Limited English Proficiency
- Other. If other, please explain:

IV. NEW DIRECT SERVICE VICTIMS SERVED BY TYPE OF VICTIMIZATION

Count all individuals served by your organization with the use of VOCA plus match funds during the reporting period. This number should be an unduplicated count of people served during a single reporting period, regardless of the number of services they received or victimization types with which they presented.

In this section, *new* direct service victims are counted only once *by their most serious victimization during the reporting period.*

Future reporting will require that programs enter the count of individuals who received services based on each presenting victimization type during the reporting period. An individual MAY be counted in more than one victimization type and multiple services. CIMS 9.3A.1 does not have the functionality to capture more than one victimization. CIMS 9.3A.1 currently captures multiple cases for a victim but not multiple victimization in a case.

Crime categories are based on federal *program* requirements, and are listed in order of a “crime hierarchy”. If a victim was the subject of more than one type of crime during a single incident, mark *once* in the “highest” crime category on the list. For example, a victim who was both raped and robbed is counted *one time* in the category “Adult Sexual Assault”.

The number recorded for the TOTAL in IV. Direct Service Victims Served by Type of Victimization is the same as the TOTAL in I. (A) Direct Service Victims, the TOTAL in II. Program Source of Knowledge, and the TOTALS for each column in III. (Sex, Race, Age in Years, Disability).

The following list shows a breakdown of each category and the types of charges typically recorded in each one. **This list is not exhaustive.**

HOMICIDE	Murder, (in)voluntary manslaughter, vehicular homicide, DUI/DWI (death case), reckless driving (death case).
SEXUAL ASSAULT	Adult sexual assault, adult aggravated sexual assault, adult incest, adult object penetration, adult rape, adult sexual battery, adult sodomy, campus sexual assault, adult human trafficking sex, marital sexual assault, indecent exposure-adult, protective order, violation of a protective order.
ADULTS MOLESTED AS CHILDREN	Survivors of child sexual abuse.

CHILD SEXUAL ABUSE	Carnal knowledge, child aggravated sexual assault, child pornography, exposure to child pornography, rape (including statutory), sexual battery, object penetration, sodomy, incest, taking indecent liberties, campus sexual assault, contributing to the delinquency of a minor (sexual assault), indecent exposure-child, protective order, violation of protective order.
CHILD PHYSICAL ABUSE	Assault (misdemeanor or felony), neglect, contributing to the delinquency of a minor (abuse), protective order, violation of a protective order.
ELDER ABUSE	Assault and battery, protective order, violation of a protective order, neglect, or financial exploitation of an elder (a person aged 60 or older—see definition for further information) <i>by a guardian or caretaker</i> . Assault and battery of an elder family or household member by someone other than a guardian or caretaker is counted under Domestic Violence and not under Elder Abuse.
ROBBERY	Theft from the person (includes employees of a business; e.g., 7-11, purse snatching, carjacking).
ASSAULT	Abduction (Non-custodial, Custodial), assault and battery (does not include victims who are family or household members of the offender), malicious wounding, attempted murder, felonious assault, maiming, stabbing, hit and run with personal injury, throw missile into occupied dwelling or vehicle, protective order, violation of protective order. Assault and battery of an elder (a person aged 60 or older—see definition for further information) by a guardian or caretaker is counted under Elder Abuse and not under Assault.
DOMESTIC VIOLENCE	Felony or misdemeanor assault and battery against a family or household member (see definition), teen dating, protective order, violation of protective order, curse and abuse—DV, Assault of an adult aged 60 or older by a live-in guardian or caretaker is counted under Elder Abuse, and not under Domestic Violence.
STALKING	Stalking, protective order, violation of a stalking protective order.
HARASSMENT	Curse and abuse, bullying, harassing/threatening/obscene phone calls, internet harassment, protective order, violation of a protective order.
OTHER CRIMES AGAINST PERSONS	Mass violence (Domestic/International), terrorism (Domestic/International)
DUI/DWI CRASHES	Crime resulting in personal injury or property damage involving a driver who was intoxicated or under the influence of drugs or alcohol.
PROPERTY CRIMES	Arson, breaking and entering, burglary, construction fraud, credit card fraud, destruction of property (public and private), embezzlement, extortion, fraud, grand/petit larceny, forgery and uttering, hit and run with property damage, home invasion, identity theft, internet theft, obtain money by false pretenses, shoplifting, trespassing, unauthorized use of an automobile, worthless check.

ATTEMPTED CRIMES	Attempted crimes, with the exception of homicide, are categorized as if they were completed. For example, attempted robbery is counted as “Robbery”; attempted burglary is counted as “Property Crime”.
CHILD	A person under the age of 18 .
ELDER	A person aged 60 and older . “Elder Abuse” is defined as the abuse of vulnerable adults the age of 60 and older: those individuals who do not have the mental and/or physical capacity to manage their daily needs, and who are subjected to abuse <i>by a guardian or caretaker</i> .
FAMILY OR HOUSEHOLD MEMBER	Family or household member means the person’s: spouse, former spouse, parents, stepparents, children, stepchildren, siblings (includes half siblings), grandparents and grandchildren, regardless of whether such persons reside in the same home with the person . Family or household member also means the person’s: In-laws who reside in the same home with the person , any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person. “Cohabit” in this section means a couple who resides together in an intimate relationship (includes same-sex couples). Victims of felony or misdemeanor assaults, who are in a family or household member relationship to the offender, should be counted as “Domestic Violence”, not “Assault.”

V. VICTIMS’ COMPENSATION

This section records the number of *new* crime victims’ compensation claims filed, and the number of claims denied or appealed during the quarter being reported. Also records the number and amounts of initial, emergency, and supplemental awards made during the quarter.

The CIMS **Compensation** tab does not generate a count of claims for programs but is intended to capture this activity and data collected from the activity of filing a claim and documenting receipt of denial letters, appeals, and awards.

This section may include new *and* carry-over victims.

VI. DISTRIBUTION OF PRE-PRINTED INFORMATION

Pre-printed information is any type of pre-printed material designed to provide general information to victims and witnesses of crime. Record the date the brochures, pamphlets, or other materials were distributed to victims and witnesses in the quarter being reported.

If the program does not use the brochure designed by DCJS entitled “A Summary of Virginia’s Crime Victim and Witness Rights Act,” a local brochure may be substituted, if that brochure reflects all the information contained in the *Act*.

“**Local Brochures**” are defined as any materials from local victim services agencies, including victim/witness programs, domestic violence programs, and sexual assault crisis centers.

“Other” brochures may include initial contact letters, informational packets, Channing-Bete pamphlets, etc.

Example: A victim is sent a contact letter, a local domestic violence program brochure, and a brochure outlining the rights of crime victims. Mark one in the box “A Summary of Virginia’s Crime Victim and Witness Rights Act”, one in the box “Other”, and one in the box “Local Brochures”.

VII. PROGRAM DEVELOPMENT

Separate Waiting Areas Available: indicate if there are designated places for victims to wait during court proceedings to afford them privacy and protection from intimidation (this includes a witness room, the victim/witness program office, etc.). **This is a requirement** for all grant-funded victim/witness programs.

Directory of Services Developed: indicate whether the victim/witness program has a compilation of social services and community resources available to crime victims. The directory must be current (updated within the last two years). **This is a requirement** for all grant-funded victim/witness programs.

Continuance Notification Process Established: indicate whether the program maintains a system that is used to assist victims in minimizing unnecessary trips to court (e.g., a 24-hour docket line, procedures that encourage victims to call the day before trial, or criminal justice professionals who notify victims personally). **This is a requirement** of all grant-funded victim/witness programs.

Percentage of Grant-Funded Staff Hours Devoted to the Provision of Services to Witnesses: state the percentage. Grant-funded programs must keep this figure under five percent.

Campus Sexual Assault Services: provide the service provision number of hours to primary, secondary, college or university students, faculty, and or staff.

Client Feedback Surveys: provide the number of formal client surveys distributed and completed.

Note: If “No” is marked for any of the first three categories, describe in the narrative, under “Plans For Next Quarter,” the steps the program will take to meet the requirement.

VIII. VOLUNTEER HOURS

Record the number of hours contributed by volunteers during the quarter to the provision of services to victims. Volunteers include students and unpaid interns.

All grant-funded victim/witness programs are *required* to have volunteer hours during the fiscal year.

IX. NUMBER OF NEW AND CARRY-OVER VICTIMS

This section records the number of **victims** (new *and* carry-over) that received each of the listed services in the current quarter. Services will be provided at the request of a victim, or when a staff person makes a determination that services would be beneficial to the victim.

(In this section, count the **number of victims** who received a specific service; therefore, count the victim the first time a particular service is provided. A service may be provided more than once to the victim, but once the victim is counted, **do not** count the victim for that particular service again.)

An ® before or after the service objective indicates that the service is required by Virginia’s Crime Victim and Witness Rights’ Act.

For a description of victim service objectives, **please refer to page 14** (OVC Required Service Objectives-Victims).

Annual Victim Target: every quarterly report should indicate the number of victims receiving services for that particular quarter, for the year to date, as well as the annual target.

The annual target refers to the number of direct service victims the program anticipates serving during the current grant year by each service objective. These targets are submitted with the grant application. Transfer these numbers from the program's approved grant application. **They should be entered into CIMS during the first quarter and should not be changed throughout the fiscal year.**

X. TRAINING ACTIVITIES

The goal of all training is to enhance services to crime victims.

Training Received: this section records the number of hours of skills training **received** by paid staff and volunteers. Compute the number of training hours by each staff person (i.e., if two staff persons attended an eight-hour workshop, the total number of training hours is 16).

Training Provided: this section also records training **provided to others** by victim/witness staff. Community education activities that are designed to identify crime victims, or to inform the public about available program services and how to obtain this assistance, are allowable. **General public awareness efforts designed to raise the public's consciousness of victims' issues do not qualify as direct services to crime victims and are not to be included as training activities.**

XI. NUMBER OF NEW WITNESSES SERVED THIS QUARTER

This section states the number of **new** direct and generic witnesses with whom **initial** contact was made during the quarter being reported.

(A) DIRECT SERVICE WITNESS: a direct service witness receives any or all of the required and optional services listed in section XII, or a service that goes beyond the provision of routine, or generic services (see definition of generic services below).

(B) GENERIC SERVICE WITNESS: a generic service witness receives only pre-printed information or routine contact related to case dispositions.

XII. NUMBER OF NEW AND CARRY OVER WITNESSES

This section records the number of **witnesses** (*new and carry-over*) who received each of the listed services in the current quarter. *Grant funded* staff hours devoted to the provision of services to witnesses must be limited to 5% or fewer.

(In this section, count the **number of witnesses** who received a specific service; therefore, count the witness the first time a particular service is provided. A service may be provided more than once to the witness, but once the witness is counted, **do not** count the witness for that particular service again.)

For a description of witness service objective, **please refer to page 22** (Required Service Objective-Witness).

XIII. NARRATIVE

Complete narrative questions for the reporting period based on activities and services provided to enhance services to crime victims. Note: If there has been no activity in the narrative section, respond accordingly. The N/A designation should not be used as a narrative category description.

1. PROGRAM ACCOMPLISHMENTS and CHANGES

Report any projects, tasks, or initiatives which show the program's success: e.g., new court procedures enacted, the adoption of new policies, increased media attention (attach copies of

newspaper articles), etc. Describe any materials that were created for the program: e.g., brochures, forms, cooperative agreements, etc.

- Please discuss some of the challenges your victim assistance program faced during the reporting period.
- Please briefly outline any staffing retention issues that your victim assistance program has and why these issues may occur during the reporting period (e.g., high turnover due to insufficient salary, insufficient benefits, and heavy workload).
- Explain anything that may benefit or impede service delivery to victims in your locality: for example, new resources, personnel, procedures, or equipment.

2. CASE STUDIES

Describe two noteworthy cases, or cases requiring a large amount of staff time; letters from crime victims may be included. *Case studies should focus on the services provided to victim(s).* Discuss services provided in cases (i.e., child abuse, domestic assault, sexual assault, and underserved) in which VOCA funds were used to assist crime victims during the reporting period. Additional materials may be submitted as an upload to GMIS.

Note: Victims real names should not be used.

3. CAMPUS SEXUAL ASSAULT

Report how the provision of the Act (§23-9.2:15. Reporting of acts of sexual violence) impacted the overall workload of your program. (Please describe the types of services provided, the amount of time spent providing services, the impact of the services provided and the response of the institution and collaboration efforts).

4. COORDINATED RESPONSES

Describe any coordinated responses/services for assisting crime victims during the reporting period. Discuss any attempts to promote coordinated public and private activities within the community to aid victims: for example, task forces, SART teams, multidisciplinary teams. Please describe ways that your agency promoted the coordination of public and private efforts within the community to help crime victims during the reporting period.

5. VICTIMS' COMPENSATION

Relate any successes or problems encountered in assisting clients in obtaining awards from the Virginia Victims Fund (formerly Criminal Injuries Compensation Fund).

6. TRENDS

Identify any emerging issues or trends affecting crime victim's services in your locality: for example, new protective order laws increases the number of victims the program must serve.

7. TRAINING RECEIVED

Report the training staff has received, including content and evaluative remarks. Describe any changes that may have been implemented as a result of the training during the reporting period.

8. Organizational Capacity Issues

Please list the number of requests for services that were unmet because of organizational capacity issues. Explain how the program staff addressed the requests.

9. NEXT QUARTER PLANS

Describe anything the program hopes to accomplish in the next reporting period: e.g., first meeting of a multi-disciplinary team, Victims' Rights week activities, etc.

10. DCJS ASSISTANCE NEEDED

Request training, consultations, technical assistance, or other resources needed; if there is an immediate need, please contact your Grant Monitor.

Attachments to the narrative should be e-mailed to your Grant Monitor, or uploaded as an attachment (i.e., pdf) to GMIS. (e.g., a new brochure, a newspaper article). All attachments should be standard size—8 ½" X 11"), except brochures. Please include your program name, grant number and Grant Monitor on all attachments.

NEW OVC PERFORMANCE MEASURES SERVICE OBJECTIVES

The Office of Justice Programs (OJP) Office of Victims of Crime (OVC) adopted new data collection and performance measures for Victim Assistance Programs in the United States in 2016. The Virginia Department of Criminal Justice Services performed a Gap Analysis on victimizations types and service objectives and the following list of services have been incorporated into the service objectives for Victim Witness Programs in Virginia, effective July 1, 2016:

Referral to Other Victim Service Programs

Victim Advocacy/Accompaniment to Emergency Medical Care

Immigration Assistance

Child or Dependent Care

Hotline Crisis Counseling

On-Scene Crisis Response

Shelter/Housing Services

Family Law Issues Assistance

Immigration Assistance

Prosecution Interview

Law Enforcement Interview

Other Legal Advice and/or Counsel

Other, Referring to Services Provided

REQUIRED Victims' Rights Information (Pre-Printed)[®]

All printed information given to victims must be counted on the pre-printed service tab in CIMS.

VICTIMS' RIGHTS INFORMATION (PRE-PRINTED)

Any written materials—such as brochures, forms, pamphlets, flyers, and applications—that provide information regarding the following: victims' compensation, restitution, financial assistance and social services, victim impact statements, confidentiality of address and telephone numbers, interpreter services, employer services, protection, advanced notification of judicial proceedings, notification of a prisoner's custody status, victims' responsibilities in being notified, parole process and parole input forms, support person for minor

victims, right to remain in the courtroom, closed preliminary hearings for certain sex offenses, use of closed circuit television in certain offenses, and an explanation of the steps in the criminal justice process.

In addition to the required information, other pre-printed materials may include initial contact letters, referral lists, maps, directions to court, or local food and lodging establishments.

Pre-printed materials may be distributed in person or by mail. They also may be made available through literature displays where victims may congregate (e.g., outside courtrooms).

OVC REQUIRED SERVICE OBJECTIVES – VICTIMS

® Denotes *required* by Virginia’s Crime Victim and Witness Rights Act.

INFORMATION AND REFERRAL

Count all individuals served by your organization with the use of VOCA plus match funds during the reporting period. This number should be an unduplicated count of people served during a single reporting period, regardless of the number of services they received or victimization types with which they presented.

Available services can be **in-person** and by **telephone or email** contact with crime victims to identify available services and support. The service can only be counted once regardless of delivery type.

1. CRIMINAL JUSTICE PROCESS®

Explain to victims their options with respect to the criminal justice process. This information may include their rights in proceeding with criminal charges, civil avenues for redress, college judicial system, etc.

2. VICTIMS’ RIGHTS EXPLANATION®

As appropriate to a victim’s individual needs, program staff should provide explanations of the services available to a victim. These explanations can be made in person or by telephone. The service can only be counted once regardless of delivery type.

- A. Protection:** provide information on levels of protection available to victims of crime when harm or threats of harm are present. This may include an explanation of the availability of orders of protection, “no contact” restrictions on bonds, police patrol ride-bys, etc. Inform victims about the availability of protective orders and no contact orders, and the action needed to obtain them. This would include victims of domestic violence, child physical abuse, child sexual abuse, elder abuse, stalking, sexual assault, assault and harassment.
- B. Financial Assistance and Social Services:** inform victims of financial assistance (beyond crime victims’ compensation) and social services available to them on both a state and local level as a result of their victimization and provide appropriate referral information. Additionally, advise victims of their right to restitution.
- C. Notices:** provide information to victims on their right to receive employer intercession services. Provide information to victims on their right to receive advance notification of judicial proceedings relating to their cases and any changes in court dates from the local Commonwealth’s Attorney. Provide information to victims on their right to be notified by the Department of Corrections or the local sheriff or jail superintendent in whose custody an escape, change of name, transfer, release, discharge, or parole of a prisoner occurs. Advise victims that in order to receive notices and offer input, all agencies

and persons having such duties must have current victim addresses and telephone numbers given by the victims.

- D. Victim Input:** advise victims that they may submit to the court a written impact statement or may be given an opportunity to testify about the impact of the crime on the victim and his or her family. Provide explanations to victims about the parole process and victim input for crimes occurring before January 1, 1995. Advise victims that they may remain in the courtroom, during all court proceedings, unless the court finds that their presence would impair the conduct of a fair trial. Advise victims of felonies, that given their written requests, Commonwealth's Attorneys must consult with them, either verbally or in writing, regarding the contents of proposed plea agreements and their views concerning plea negotiations. Additionally, advise victims of felonies, that given their written requests, Commonwealth's Attorneys are to provide victims advance notice of any proceedings in which plea agreements will be offered to the courts. Finally, advise victims that Commonwealth's Attorneys direct the prosecution and can enter into a plea agreements, whether or not victims agree with such agreements and that the courts can accept plea agreements, about which victims were not consulted, given good cause.
- E. Courtroom Assistance:** inform victims that they may request that their addresses and telephone numbers not be disclosed. Explain to victims that they have the right to use the services of an interpreter, if needed. Inform minor victims that an adult of their choosing may be present during court proceedings. Advise victims that there may be a closed preliminary hearing for certain sexual offenses, and that closed circuit television may be used in cases involving certain criminal offenses with victims who are 14 years of age or younger at time of offense or 16 years of age or younger at time of trial.
- F. Appeals/ Habeas Corpus Services:** provide information to victims of their right to receive notification from the Office of the Attorney General of the filing and disposition of any appeals or habeas corpus proceedings involving the defendant(s) in their case.

3. REFERRAL TO OTHER VICTIM SERVICES PROGRAMS®

Provide victims with referral(s) to services, supports and resources including other Victim Witness Assistance Programs or community based nonprofit victim service programs. This can include legal, medical, faith based organizations, protection programs, address-confidentiality programs, etc. Referrals to the federal witness protection program also fall in this category.

4. REFERRAL TO OTHER SERVICES, SUPPORTS, RESOURCES

- A. Crisis Referrals:** provide victims the names, addresses, and telephone numbers of appropriate agencies that offer crisis intervention (including hotlines), follow-up counseling (private and public mental health providers), and support groups. These referrals can be made in person or by telephone.
- B. Crime Prevention:** direct victims to law enforcement agencies for the purpose of obtaining crime prevention services (includes emergency cell phone coordination, and safety planning).
- C. Emergency Assistance:** refer victims to emergency assistance agencies, such as those that provide shelter, food, clothing, etc. You can count this service for a victim even if the victim does not follow through with the referral. For example, if you refer a victim of domestic violence to a shelter and the victim does not go to the shelter, you can still count this service as Emergency Assistance-Referral.

5. VICTIMS' COMPENSATION®

Assist victims in applying for crime victims' compensation. Making victims aware of the availability of crime victim compensation (see the following definition), helping victims complete required forms, and gathering needed documentation. May also include follow up contact with the victim compensation agency on behalf of the victim.

Services may include:

- **Explanation:** Explain to victims how the compensation process works and the steps that need to be taken in order to process a claim.
- **Services:** Program staff help victims complete the forms, if requested, answer questions, help victims find notaries, and copy or mail the application, if requested.
- **Follow-up:** These services may include: acting as a liaison between victims once an application has been filed, obtaining information on the status of the claim, contacting medical providers and employers who have failed to respond to requests for information, providing Virginia Victims Fund with the status and disposition of the criminal case, and providing information on appeal procedures. Includes in-person contacts, telephone contacts, and written communications with victims to offer emotional support, provide empathetic listening, and check on a victim's progress.

PERSONAL ADVOCACY/ACCOMPANIMENT

Assisting victims in securing rights, remedies, and services from other agencies; locating emergency financial assistance and intervening with employers, creditors, and others on behalf of the victim; assisting in filing for losses covered by public and private insurance programs, including workers' compensation, unemployment benefits, and public assistance; and accompanying the victim to the hospital.

6. EMERGENCY MEDICAL CARE

A program service provider assists victims in seeking medical care to treat injuries and be tested and treated by emergency care personnel.

7. MEDICAL FORENSIC EXAM ACCOMPANIMENT

Accompany victim to forensic medical exam. Provide assistance to victims with processing vouchers for payment by the Virginia Supreme Court or the Virginia Victims Fund (formerly Criminal Injuries Compensation Fund) of all certified costs relating to the gathering of evidence in forensic medical examinations of a crime victim.

8. MEDICAL FORENSIC PERFORM/COLLECT

Grant funded staff perform medical forensic exam or interview, or medical evidence collection or services related to performance and/or collection of forensic evidence.

9. LAW ENFORCEMENT INTERVIEW, ADVOCACY/ACCOMPANIMENT®

Assist in scheduling and/or accompanying victims to a law enforcement interview. This includes referring victims to law enforcement if they are in need of an escort after court, or if they want increased monitoring of their residence. This can include accompanying victims to law enforcement agencies for photographing injuries.

10. INDIVIDUAL ADVOCACY®

Assisting victims in securing rights, remedies, and services from other agencies. This can include assisting victims in retrieving any property being held for evidentiary purposes, unless there is a compelling law enforcement reason for retaining it. Staff can accomplish this through coordination between the Commonwealth's Attorney's Office and law enforcement. If the property is released, advise the victim where and how it may be picked up.

This service does not include: Emergency Medical Care, Medical Forensic Exam Accompaniment, Medical Forensic Performance/Collection, Law Enforcement Interview, Advocacy, Accompaniment, Immigration Assistance, Intercession (Employer/Other), Child Dependent Care, Transportation Services, and Interpreter Services.

11. IMMIGRATION ASSISTANCE

Provide assistance to person that are not natives of the United States or where they do not possess citizenship (in order to settle or reside). Services can include assistance with special visas, continued presence application, and other immigration relief.

12. INTERCESSION®

Act on the behalf of victims to minimize their losses and to ensure their full cooperation. Intervention with employer, creditor, landlord, or academic institution.

- A. Employer:** intercede to ensure that employers of victims cooperate with the criminal justice process in order to minimize the employee's loss of pay and other benefits due to court appearances. This may include written confirmations or phone contacts.®
- B. Creditor:** bill collectors, medical providers, and any other third parties to ensure that victims are able to fully cooperate with the criminal justice process. For example, a staff person may call a hospital's billing office to inform them that the defendant has been court-ordered to pay restitution, and to request that the victim's bills not be forwarded to a collection agency.
- C. Landlord:** landlords, and any other third parties to ensure that victims are able to fully cooperate with the criminal justice process.
- D. Academic Institution:** program staff also work with school officials.

13. CHILD/DEPENDENT CARE

Provide child dependent care or assistance to gain child/dependent care that is provided by another agency.

14. TRANSPORTATION SERVICES

Provide victims with transportation by automobile to appointments related to the investigation or adjudication of a criminal case. If you only help to *arrange* transportation, do not mark that as "Transport".

Transportation services related to the investigation or adjudication of a criminal case:

- A. Transportation provided by Agency:** an agency is providing services funded by VOCA to provide transportation to victim. Ex. Law Enforcement sponsored programs may allow use of vehicle by grant funded staff.
- B. Reservations:** e.g., hotel, airline or bus reservations.
- C. Travel reimbursements:** for mileage, hotel, meals, etc. Including arranging transportation by commercial carrier or law enforcement.

Program staff are discouraged from providing transportation with their personal vehicles, due to liability concerns.

15. INTERPRETER SERVICES®

Act as a liaison between the victim and criminal justice agencies to obtain the services of a qualified interpreter and to avoid any conflict of interest that may arise through the use of that interpreter. Please see *Code* §19.2-164 regarding interpreters and reimbursement. Note: Pre-court interviews with the prosecutor qualify for reimbursement.

EMOTIONAL SUPPORT OR SAFETY SERVICES

16. CRISIS INTERVENTION®

Crisis is defined as a state of emotional distress (often characterized by crying or being irate). Provide crisis/emergency counseling, emotional support, and guidance when a victim is in crisis. This could occur at the scene of a crime, immediately following a crime, preceding/during/following a court hearing, or on an ongoing basis.

17. HOTLINE/CRISIS LINE COUNSELING

Provide hotline services and operation of a 24-hour telephone service, seven days a week, which provides counseling, guidance, emotional support, and information and referral.

18. ON-SCENE CRISIS RESPONSE

Provision of criminal justice services are conducted on-scene of the crisis. This includes GCI (Group Crisis Intervention) response by certified trained NOVA (National Organization for Victim Assistance) responders. (*e.g., community crisis response*). This service includes response at the scene of a crime by victim advocate.

19. INDIVIDUAL COUNSELING

Intervention, emotional support, and guidance and counseling provided by advocates, counselors, mental health professionals, or peers. Such counseling may be provided on an ongoing basis. This consists of offering follow-up counseling or any short-term supportive peer counseling that is not crisis driven. Note: follow-up counseling could be provided in your first contact with a victim if such counseling is not crisis driven. Also includes in-person contacts, telephone contacts, and written communications with victims to offer emotional support, provide empathetic listening, and checking on a victim's progress.

20. SUPPORT GROUPS

Provide or organize support groups for victims (e.g., homicide survivors group). Including coordination of supportive group activities, such as self-help, peer, and social support. This is more than a referral to a support group (see crisis referrals above), and is **only counted in this category if your program sponsors the group**.

21. OTHER THERAPY

Provide or coordinate victims' access to traditional, cultural, or alternative healing; art, writing, or play therapy, etc.

22. EMERGENCY FINANCIAL ASSISTANCE

Provide or furnish emergency assistance: payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic medications, durable medical equipment, etc.). This can include directly providing a victim with food, clothing, etc. If you refer a victim to shelter (whether or not they end up staying at the shelter), this is counted as **Referral to Other Victim Services Programs®** (#3) and should **not** be counted under Emergency Financial Assistance.

SHELTER/HOUSING SERVICES

Short and long term housing and related support services for victims and families following victimization. This can include providing the service or arranging the service.

23. EMERGENCY SHELTER/SAFE HOUSE

Provide or assist with short term housing and related support services for victims and families following a victimization that is an emergency. (Ex. 24-hour shelter to escape domestic violence).

24. TRANSITIONAL HOUSING

Provide or assist with short- and long-term housing and related support services for victims and families following victimization that are transitioning from violent situations or victim assistance shelters/facilities.

25. RELOCATION ASSISTANCE

Provide or assist with short- and long-term housing and related support services for victims and families following victimization. *This service includes assistance with obtaining housing support from local, state, and/or federal resources to relocate victim(s).*

CRIMINAL/CIVIL JUSTICE SYSTEM ASSISTANCE

26. EVENT NOTIFICATION®

- A. Case Status:** provide victims with information on any significant developments in the investigation and adjudication of the cases in which they are involved. Significant developments include the arrest of a suspect, a defendant choosing to enter a guilty plea, etc. This information may be relayed through a personal letter specifically about that case or by telephone or email contact.
- B. Case Dispositions:** provide victims with the final dispositions of their cases within 30 working days of disposition. This includes dispositions of habeas corpus appeals.
- C. Advance Notification:** provide victims with advance notification of judicial proceedings relating to their cases and inform them of any changes in court dates. This information may be relayed through a personal letter or telephone contact.

27. VICTIM IMPACT STATEMENTS®

Assist victims in the preparation of victim impact statements or coordinate this service with the probation and parole office. Staff may offer dictation service to illiterate victims, or translation service to non-English speaking victims. This also includes preparing victims to give oral statements.

28. RESTITUTION®

Assist victims in seeking and securing restitution. As appropriate, victim/witness program staffs are required to assist victims in seeking and securing restitution by providing information about local procedures and referrals to appropriate personnel. These responsibilities are in accordance with §19.2-11.01 A2c which requires that victims "...be advised that restitution is available for damages or loss resulting from an offense and shall be assisted in seeking restitution in accordance with §§ 19.2-305, 19.2-305.1 ..."

Nothing in these statutes places a responsibility on victim/witness program staff to **collect** restitution. To the extent possible, program staff are encouraged to limit restitution services to the provision of information about local procedures and referrals to appropriate personnel. Compliance with the Crime Victim and Witness Rights Act requires that programs address a broad range of service objectives.

Allocation of staff time and resources cannot be unreasonably focused on a few services, such as restitution, to the detriment of other services

- A. Explanation®:** help victims determine the specific amounts of restitution owed in their particular cases.

- B. Monitoring:** monitor the payments of court-ordered restitution. “Monitoring” restitution is the service of checking with third parties or the victims themselves to ensure that restitution payments are being made in a timely fashion.
- C. Collection:** collect and forward restitution payments.
- D. Enforcement:** request, or assist the victim in requesting, a show cause summons when defendants are delinquent in their payments.

29. BUSINESS RESTITUTION

Assist businesses in seeking and securing restitution. As appropriate, victim/witness program staff are required to assist victims in seeking and securing restitution by providing information about local procedures and referrals to appropriate personnel. These responsibilities are in accordance with §19.2-11.01 A2c which requires that victims “...be advised that restitution is available for damages or loss resulting from an offense and shall be assisted in seeking restitution in accordance with §§ 19.2-305, 19.2-305.1 ...”

Nothing in these statutes places a responsibility on victim/witness program staff to **collect** restitution. To the extent possible, program staff are encouraged to limit regular restitution services to the provision of information about local procedures and referrals to appropriate personnel. Compliance with the Crime Victim and Witness Rights Act requires that programs address a broad range of service objectives. Consequently, the allocation of staff time and resources cannot be unreasonably focused on a few services, such as restitution, to the detriment of other services.

- A. Explanation:** help businesses determine the specific amounts of restitution owed in their particular cases.
- B. Monitoring:** monitor the payments of court-ordered restitution. “Monitoring” restitution is the service of checking with third parties or the businesses themselves to ensure that restitution payments are being made in a timely fashion.
- C. Collection:** collect and forward restitution payments.
- D. Enforcement:** request, or assist the victim in requesting, a show cause summons when defendants are delinquent in their payments.

30. PROTECTION ORDERS®

Provide and assist victims with obtaining protective orders (Emergency, Preliminary, and Permanent). This would include victims of domestic violence, child physical abuse, child sexual abuse, elder abuse, stalking, sexual assault, assault and harassment.

Note: Under §16.1-253.2(d) victims have the right to a new protective order not exceeding two years upon the conviction of Violation of Protective Order.

31. FAMILY LAW ISSUES ASSISTANCE

A civil legal attorney provides assistance in obtaining protection or restraining order and family law issues (e.g., custody, filing for temporary restraining orders, injunctions, visitation, or support). This can include an advocate arranging services with a civil legal attorney, Legal Aid, and or pro bono assistance programs for civil services. Does not include criminal prosecution or the employment of attorneys for such nonemergency purposes as custody disputes and civil suits.

32. OTHER EMERGENCY JUSTICE-RELATED ASSISTANCE

Other protection services include advising victims where they may file a warrant for criminal offenses, sitting in a courtroom so as to obstruct the defendant’s view of the victim, etc. Also, assisting victims in

obtaining available protection options (i.e., no contact orders or instructions, stop mail, and blocked phone calls), from the appropriate authorities when harm or threats of harm arise from the victims' cooperation with law enforcement or prosecution efforts. Appropriate authorities may include law enforcement, state police, jail or prison staff, court service units, general district courts, magistrates, and Commonwealth's attorneys. Also, includes utilizing the Lethality Assessment Program or lethality assessment tools to assess danger. Providing advocacy services to victims in emergency situations only; not routine.

33. IMMIGRATION ATTORNEY ASSISTANCE

An attorney providing assistance with special visas, continued presence application, and other immigration relief. This includes an advocate arranging services with immigration attorneys and or advocacy programs that specialize in immigration services.

34. PROSECUTION INTERVIEW

Provide advocacy/accompaniment with the prosecuting attorney(s). Provide descriptive or guided tours of the courtroom in which the victim's case will be heard. Examples of descriptive tours are Kids Court, working through the "Going To Court" coloring book with a child victim, or providing a detailed description of the layout of the courtroom (i.e., courtroom tours, court waiting rooms, and post disposition conferences with prosecuting attorney(s)).

35. CRIMINAL JUSTICE ADVOCACY/ACCOMPANIMENT®

- A. Notification Assistance®:** assist victims in completing and forwarding notification request forms to Commonwealth's Attorneys' offices, to court clerks, and other appropriate agencies. This will ensure that the agencies properly notify victims of all court proceedings in which the victims are involved. This includes assisting victims in completing and forwarding notification request forms for plea agreements.
- B. Liaison Re: Prisoner Status®:** assist in the completion and forwarding of notification request forms to local jails and state correctional facilities to ensure that victims are notified of the escape, change of name, transfer, release, or discharge of a prisoner.
- C. Confidentiality Forms®:** assist victims in completing confidentiality request forms (DC-301 form, available through the Supreme Court) and filing them with the appropriate court or agency. These forms help protect from disclosure of victims' addresses, telephone numbers and places of employment. Staff act as a liaison between the victim and the involved criminal justice agencies to ensure confidentiality of victims and family members. This also includes indicating in the Virginia Commonwealth's Attorneys Information System (VCAIS) that the victim requests that their address be blocked.
- D. Criminal Justice Process:** support, assistance, and advocacy provided to victims at any stage of the criminal justice process, including post sentencing services and support.
 - i. **Support:** accompany victims to court, court services unit, magistrate's office, clerk's office, and/or to other appropriate criminal justice agencies. This service is different from an escort in that staff provide information and counseling before, during and after the hearing or meeting.
 - ii. **Explanation of Steps:** provide explanations of the overall criminal justice process, as well as detailed explanations of each hearing or step in the process (e.g., bond hearings, motions, preliminary hearing, continuances, grand jury, trial, sentencing, etc.).
- E. Parole Input:** assist with the completion and filing of parole input forms for crimes that occurred prior to January 1, 1995. Offenders who have committed crimes after January 1, 1995 are not eligible for parole. Effective July 1, 2014, the Virginia Parole Board is now required to annually interview and consider all eligible geriatric offenders for conditional release. Eligibility includes any conviction other than a Class 1 felony (capital murder), and an offender who has:

- (1) Reached the age of 65 or older and has served at least five years of his or her sentence
- (2) Reached the age of 60 or older and has served at least 10 years of his or her sentence

**For additional information contact Virginia Parole Board,
Victim Services Coordinator at 804-887-8184.**

F. Escort: Provide victims with escort (i.e., physically go with the victim) to services related to the investigation or adjudication of a criminal case. These services may include escort to and from court, or going with victims to their appointments at various criminal justice agencies.

“Escort” does not encompass “Transportation provided by Agency” or “Criminal Justice Process Support”, but all three services could be provided to the same victim. For example, if a staff person drives a victim to court, walks the victim to the courtroom, and stays with the victim during the judicial proceeding, count the victim one time under each service.

G. Closed Preliminary Hearing: coordinate with the appropriate court personnel to arrange closed preliminary hearings, or make arrangements to have the case held until the end of the court docket.

H. Closed Circuit TV: coordinate with appropriate court personnel to arrange closed circuit television testimony.

36. OTHER

List any other services provided to victims by your grant program that does not fit in an above category. **Please keep the number of "Other" to a minimum. It is required that you be able to identify the service listed in "Other".**

REQUIRED SERVICE OBJECTIVES – WITNESSES

1. WITNESS' RIGHTS INFORMATION (PRE-PRINTED)[®]

Written materials—such as brochures, forms, pamphlets, flyers, and applications—provide information regarding the following: protection, employer services, confidentiality of address and telephone numbers, and interpreter services.

Transfer the number for the Current Quarter box from section VI. “An Informational Guide to Virginia’s Crime Victim and Witness Rights’ Act”—Witnesses.

In addition to the required information, other pre-printed materials may include initial contact letters, referral lists, maps, directions to court, or local food and lodging establishments.

Pre-printed materials may be distributed in person or by mail as well as in literature displays where witnesses may congregate (e.g., outside of court rooms, magistrate offices, law enforcement waiting areas, etc).

2. WITNESS' RIGHTS EXPLANATION[®]

As appropriate to a witness’ individual needs, provide explanations of each of the services listed below. These explanations can be made in person or by telephone.

A. Protection: provide information on levels of protection available to witnesses of crime when harm or threats of harm are present. This may include requests for “no contact” restrictions on bonds, requests for a police patrol ride-by, etc.

- B. Employer Services:** advise witnesses that it is unlawful for an employer to penalize an employee for appearing in court pursuant to a summons or subpoena.
- C. Confidentiality Re: Address and Telephone Number:** inform witnesses that they may request that their addresses and telephone numbers not be disclosed in court, except when required by a judge for the conduct of a criminal proceeding.
- D. Interpreter Services:** advise witnesses requiring the services of an interpreter that they have the right to such services.

3. PROTECTION®

Assist witnesses in obtaining available protection from the appropriate authorities when harm or threats of harm arises from the witnesses' cooperation with law enforcement or prosecution efforts.

Witnesses should be referred to law enforcement if they are in need of a deputy escort after court, or if they want increased monitoring of their residence. Other protection services may include: advising witnesses where they may file a warrant for criminal offenses, escorting witnesses to waiting rooms, etc.

4. INTERCESSION—EMPLOYERS®

Intercede to ensure that employers of witnesses cooperate with the criminal justice process in order to minimize the employee's loss of pay and other benefits due to court appearances. This may include written confirmations or phone contacts. For example, a staff person may provide witnesses with written confirmations of their appearance in court that they can present to their employers to show their compliance with subpoenas.

5. ASSISTANCE WITH INTERPRETER SERVICES®

Act as a liaison between the witness and the criminal justice agencies involved to obtain the services of a qualified interpreter and to avoid any conflict of interest that may arise through the use of that interpreter.

OPTIONAL SERVICE OBJECTIVES – WITNESSES

6. DISPOSITIONS

Provide witnesses with the final dispositions of their cases within 30 working days.

7. COURTROOM EXPLANATIONS

Provide explanations of the overall criminal justice process, as well as detailed explanations of each hearing or step in the process (e.g., bond hearings, motions, preliminary hearing, continuances, grand jury, trial, sentencing, etc.).

8. COURTROOM TOURS

Provide **descriptive or guided tours** of the courtroom in which the witness' case will be heard.

RESOURCES

[Glossary of Terms](#)

[Appendix A](#)

[Victimization Types](#)

[Helpful Links](#)

GLOSSARY OF TERMS

Annual Victim Target: The annual target refers to the number of direct service victims the program anticipates serving during the current grant year by each service objective. These targets are submitted with the grant application each year.

Child: A child is a person *under the age of 18*.

Continuance Notification: Any system used to assist victims in minimizing unnecessary trips to court (e.g., a 24-hour docket line, procedures that encourage victims to call the day before trial, or criminal justice professionals who notify victims personally).

Crime: An act committed in violation of a law.

Crisis: Crisis is defined as a state of emotional distress (often characterized by crying or being irate).

Direct Services: Direct services are program services provided to victims which go beyond the provision of generic services. Such services seek to alleviate problems or inconveniences arising from the commission of a particular crime. Examples of direct services include: crisis intervention, assistance with compensation claims, court accompaniment, etc. For example, with restitution, if a staff person helps a victim to determine the amount of restitution and then monitors payments, count that victim under “Direct Service”.

Direct Service Victim: A direct service victim receives the services described in the “Direct Services” category.

Direct Service Witness: A direct service witness receives any or all of the required and optional services listed in section XII.

Directory of Services: A compilation of social services and community resources available to crime victims.

Elder: An elder is a person *aged 60 and over*.

Elder Abuse: The abuse of vulnerable adults the age of 60 and over. “Vulnerable adults” are those individuals who do not have the mental and/or physical capacity to manage their daily needs, and who are subjected to abuse *by a guardian or caretaker*.

Family or Household Member: Family or household member means the persons: spouse, former spouse, parents, stepparents, children, stepchildren, siblings (includes half-siblings), grandparents and grandchildren, *regardless of whether such persons reside in the same home with the person*. Family or household member also means the persons: In-laws *who reside in the same home with the person*, any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.

“Cohabit” in this section means a couple who resides together in an intimate relationship (includes same-sex couples).

Generic Services: Generic services include, and are limited to, the provision of pre-printed information, routine contact related to the advanced notice of judicial proceedings, restitution, and case dispositions. Routine contacts are brief, limited encounters with a victim. For example, with restitution, if a staff person mails a restitution check to a victim, and that is the only contact with that victim, count that victim under “Generic Service”.

Generic Service Victim: A generic service victim receives only the services described in the “Generic Services” category.

Generic Service Witness: A generic service witness receives only pre-printed information or routine contact related to case dispositions.

Separate Waiting Areas: Designated places for victims to wait during court proceedings to afford them privacy and protection from intimidation (this could include a jury room, the victim/witness program office, etc.)

Victim: According to Virginia’s Crime Victim and Witness Rights Act, “Victim” means a person who suffered physical, psychological or economic harm as a direct result of: the commission of *any* felony, or certain misdemeanors (*Assault and battery; assault and battery against a family or household member; stalking; sexual battery; attempted sexual battery; or driving while intoxicated*).

The definition of “victim” includes: *spouses and children* of all victims, and *parents and guardians* of minor victims, and *parents, siblings or guardians* of mentally or physically incapacitated victims and/or victims of homicide, and foster parents or other caregivers, under certain circumstances.

Note: *The actual deceased victim of a homicide is never counted as a direct service victim.*

Programs may continue to offer services to crime victims not included in the Act’s definition. This is at the discretion of the staff, and largely depends on the available resources of the locality. Any victim served by the program should be counted in the Quarterly Progress Report.

APPENDIX A

“American Indian or Alaska Native” refers to a person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicated their race(s) as “American Indian or Alaska Native” or reported their enrolled or principal tribe, such as Navajo, Blackfeet, Inupiat, Yup’ik, or Central American Indian groups or South American Indian groups.

“Asian” refers to a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. It includes people who indicated their race(s) as “Asian” or reported entries such as “Asian Indian,” “Chinese,” “Filipino,” “Korean,” “Japanese,” “Vietnamese,” and “Other Asian” or provided other detailed Asian responses.

“Black or African American” refers to a person having origins in any of the Black racial groups of Africa. It includes people who indicated their race(s) as “Black, African American, or Negro” or reported entries such as African American, Kenyan, Nigerian, or Haitian.

“Hispanic or Latino” refers to an individual who self-reports in one of the specific Spanish, Hispanic, or Latino categories listed on the Census 2010 questionnaire: “Mexican,” “Puerto Rican,” or “Cuban.” This also refers to those who indicate that they are “another Hispanic, Latino, or Spanish origin.” People who do not identify with one of the specific origins listed on the questionnaire but indicate that they are “another Hispanic, Latino, or Spanish origin” are those whose origins are from Spain, the Spanish-speaking countries of Central or South America, or the Dominican Republic. The terms “Hispanic,” “Latino,” and “Spanish” are used interchangeably.

“Multiple Races” refers to a person who may self-identify in more than one race or ethnicity category.

“Native Hawaiian or Other Pacific Islander” refers to a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who indicated their race(s) as “Pacific Islander” or reported entries such as “Native Hawaiian,” “Guamanian or Chamorro,” “Samoan,” and “Other Pacific Islander” or provided other detailed Pacific Islander responses.

“White” refers to a person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicated their race(s) as “White” or reported entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.

“Some Other Race” includes all other responses not included in the White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander race categories described above.

www.census.gov/prod/cen2010/briefs/c2010br-02.pdf

VICTIMIZATION TYPES

- a. **Adults Sexually Abused/Assaulted as Children:** Adult survivors of sexual abuse and/or assault suffered while they were children.
- b. **Adult Physical Assault/Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
 - Simple Assault:** assaults and attempted assaults where no weapon was used or no serious or aggravated injury resulted to the victim. Intimidation, coercion, and hazing are included.
- c. **Adult Sexual Assault:** includes a wide range of victimizations; crimes that include attacks or attempted attacks generally involving unwanted sexual contact between victim and offender. Sexual assaults may or may not involve force and include such things as grabbing, fondling, and verbal threats. Also included is rape, which is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ by another person, without the consent of the victim; may also include penetration of the mouth by a sex organ by another person.
- d. **Arson:** any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, and so on.
- e. **Bullying (cyber, physical, or verbal):** repeated, negative acts committed by one or more children against another. These negative acts may be physical or verbal in nature—for example, hitting or kicking, teasing or taunting—or they may involve indirect actions such as manipulating friendships or purposely excluding other children from activities. Implicit in this definition is an imbalance in real or perceived power between the bully and victim. Examples of cyber bullying include mean text messages or e-mails, rumors sent by e-mail or posted on social networking sites, and embarrassing pictures, videos, web sites, or fake profiles.
- f. **Burglary:** the unlawful entry of a structure to commit a felony or theft. The FBI’s Uniform Crime Reporting (UCR) program includes three sub-classifications: forcible entry, unlawful entry where no force is used, and attempted forcible entry. The UCR definition of “structure” includes apartment, barn, house trailer or houseboat when used as a permanent dwelling, office, railroad car (but not automobile), stable, and vessel (i.e., ship).
 - f.1. Campus Sexual Assault: Sexual offense:** the act of forcible rape, attempted rape, statutory rape, sexual harassment, prostitution, or other unlawful sexual contact and other unlawful behavior intended to result in sexual gratification or profit from sexual activity that takes place on a campus of colleges, universities, and primary and secondary education campuses.
- g. **Child Physical Abuse and Neglect:** this may include physical abuse that is non-accidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.
- h. **Child Sexual Abuse and Assault:** this may include activities such as fondling a child’s genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution by a parent, caregiver, or other person. Includes teen sexual assault.
- i. **Child Pornography:** any visual depiction, including any photograph, film, video, picture, drawing, or computer or computer-generated image or picture, which is produced by electronic, mechanical, or other means, of sexually explicit conduct, where: (1) its production involved the use of a minor engaging in

sexually explicit conduct; (2) such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct; (3) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (4) it is advertised, distributed, promoted, or presented in such a manner as to convey the impression that it is a visual depiction of a minor engaging in sexually explicit conduct.

- j. Domestic and/or Family Violence:** a crime in which there is a past or present familial, household, or other intimate relationship between the victim and the offender, including spouses, ex-spouses, boyfriends and girlfriends, ex-boyfriends and ex-girlfriends, and any family members or persons residing in the same household as the victim. Involves a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.
- k. DUI/DWI Incidents:** driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.
- l. Elder Abuse/Neglect:** also known as elder mistreatment generally refers to any knowing, intentional, or negligent act by a family member, caregiver, or other person in a trust relationship that causes harm or creates a serious risk of harm to an older person. Elder abuse may include abuse that is physical, emotional/psychological (including threats), or sexual; neglect (including abandonment); and financial exploitation. This is a general definition; state definitions of elder abuse vary. Some definitions may also include fraud, scams, or financial crimes targeted at older people.
- m. Hate Crime (Racial/Religious/Gender/Sexual Orientation/Other):** a criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, ethnic origin, or sexual orientation.
- n. Human Trafficking: Sex/Labor:** inducing a person by force, fraud, or coercion to participate in commercial sex acts, or the person induced to perform such act(s) has not attained 18 years of age. It also covers obtaining a person through recruitment, harboring, transportation, or provision, and subjecting such a person by force, fraud, or coercion into involuntary servitude, peonage, debt bondage, or slavery (not to include commercial sex acts).
- o. Identity Theft/Fraud/Financial Crimes:** identity theft occurs when someone wrongfully obtains another's personal information without their knowledge to commit theft or fraud. Fraud and financial crimes include illegal acts characterized by deceit, concealment, or violation of trust and that are not dependent upon the application or threat of physical force or violence. Individuals and organizations commit these acts to obtain money, property, or services; to avoid the payment or loss of money or services; or to secure personal or business advantage.
- p. Kidnapping (noncustodial):** occurs when someone unlawfully seizes, confines, inveigles, decoys, abducts, or carries away and holds for ransom or reward, by any person, except in the case of a minor by the parent thereof.
- q. Kidnapping (custodial):** occurs when one parent or guardian deprives another of his or her legal right to custody or visitation of a minor by unlawfully taking the child. The definition and penalties of custodial kidnapping vary by state. In some states, kidnapping occurs only if a child is taken outside of the state and/or if an existing custody order is intentionally violated. In all cases, international custodial kidnapping is a federal offense.

- r. **Mass Violence: Domestic/International:** an intentional violent criminal act that results in physical, emotional, or psychological injury to a sufficiently large number of people to significantly increase the burden of victim assistance and compensation for the responding jurisdiction.
- s. **Other Vehicular Victimization:** may include hit-and-run crimes, carjacking, and other vehicular assault.
- t. **Robbery:** taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- u. **Stalking/Harassment:** individuals are classified as victims of stalking or harassment if they experienced at least one of the behaviors listed below on at least two separate occasions. In addition, the individuals must have feared for their safety or that of a family member as a result of the course of conduct, or have experienced additional threatening behaviors that would cause a reasonable person to feel fear. Stalking behaviors include making unwanted phone calls; sending unsolicited or unwanted letters or e-mails; following or spying on the victim; showing up at places without a legitimate reason; waiting at places for the victim; leaving unwanted items, presents, or flowers; and posting information or spreading rumors about the victim on the Internet/social media, in a public place, or by word of mouth.
 - u.1 **Strangulation:** §18.2-51.6. Strangulation of another; penalty any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation, a Class 6 felony.
- v. **Survivors of Homicide Victims:** survivors of victims of murder and voluntary manslaughter, which are the willful (intent is present) killing of one human being by another.
- w. **Teen Dating Victimization:** teen dating violence is defined as the physical, sexual, psychological, or emotional violence within a teen dating relationship, including stalking. It can occur in person or electronically and might occur between a current or former dating partner. [Teen: OVC describes a teen (for purposes of this report) as a youth, ages 13–17. Use this definition to capture youth ages 13–17 who present for services for a primary and/or additional victimization where applicable: for example, teen dating victimization].
- x. **Terrorism: Domestic:** the term terrorism means an activity that...(1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or any State; and (2) appears to be intended...(a) to intimidate or coerce a civilian population, (b) to influence the policy of a government by intimidation or coercion or (c) to affect the conduct of a government by assassination or kidnapping (18 U.S.C. 3077).
- y. **Terrorism: International:** the *Antiterrorism and Emergency Reserve Fund Guidelines for Terrorism and Mass Violence Crimes* refers to the term terrorism, when occurring outside of the United States, as international terrorism to mean an activity that...(1) involves a violent act or an act dangerous to human life that is a violation of the criminal laws of the United States of any State or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; (2) appears to be intended...(a) to intimidate or coerce a civilian population; (b) to influence the policy of a government by intimidation or coercion; or (c) to affect the conduct of a government by assassination or kidnapping; and (3) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the persons they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum (18 U.S.C. 2331).
- z. **Violation of a Court Order:** this is defined by state or jurisdiction.

Helpful Links

FY2017 Victim Witness Program Guidelines

www.dcjs.virginia.gov/grants/programs/fy-2017-2018-victimwitness

CIMS

www.dcjs.virginia.gov/victims-services/client-information-management-system-cims

DOJ Financial Guide

http://ojp.gov/financialguide/DOJ/pdfs/2015_DOJ_FinancialGuide.pdf

GMIS Online and Manual

<https://grants.dcjs.virginia.gov>

DCJS Publications Directory

www.dcjs.virginia.gov/about-dcjs/publication-directory

Virginia Attorney General Victim Services

www.oag.state.va.us/citizen-resources/victim-assistance

Virginia Victim Assistance Network

<http://vanetwork.org/>

Virginia Victim Fund

www.cicf.state.va.us

Virginia Sexual and Domestic Violence Action Alliance

www.vsdvalliance.org/#/member-services

Virginia's Judicial System

www.courts.state.va.us

Virginia Parole Board

<https://vpb.virginia.gov/victim-services>

Virginia Department of Corrections

<https://vadoc.virginia.gov/victim>

Virginia Commonwealth's Attorney Services Council

www.cas.state.va.us

VOCA Rule

www.federalregister.gov/documents/2013/08/27/2013-20426/voca-victim-assistance-program

Federal Victim Assistance

- <https://victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/what-is-a-victim-advocate->
- www.victimlaw.org
- <http://ojp.gov/ovc/welcome.html>
- http://ojp.gov/ovc/awareness/about_ncvrw.html
- www.trynova.org
- www.cleryact.info/home.html

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