

OVC Performance Measures Service Objectives

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REQUIRED SERVICE OBJECTIVES – 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** contact with crime victim to identify available services and support.

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.

REQUIRED SERVICE OBJECTIVES – 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.

REQUIRED SERVICE OBJECTIVES – 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.

REQUIRED SERVICE OBJECTIVES – 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).*

REQUIRED SERVICE OBJECTIVES – 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 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 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".