A statue of Lady Justice, the personification of justice, is shown from the waist up. She is wearing a dark, draped robe and has her right arm extended, holding a pair of scales of justice. The scales are made of metal and have two pans hanging from a horizontal beam. The background is a solid dark gray.

Navigating the Criminal Justice System

HOW SYSTEMS-BASED ADVOCATES CAN SUPPORT VICTIMS AND WORK COLLABORATIVE WITH COMMUNITY PARTNERS

INTRODUCTIONS

- ▶ Where are you from? Shelter, therapist, criminal justice system advocate, police officer, probation officer, attorney, coalitions, etc.?



So, what do YOU think we do?



Law Enforcement Victim Services

MELISSA PENNACHI (SHE/HER)
VICTIM SERVICES COORDINATOR
NEWARK POLICE DEPARTMENT

Law Enforcement Advocates Across Delaware

- ▶ Advocates are located in-house at 8 police departments:

- ▶ Delaware State Police
- ▶ Dover Police Dept.
- ▶ Georgetown Police Dept.
- ▶ Millsboro Police Dept.
- ▶ New Castle Co. Police Dept.
- ▶ Newark Police Dept.
- ▶ Smyrna Police Dept.
- ▶ Wilmington Police Dept.

Some departments have 1 VS staff, others have more. Some may have specialized caseloads.

Law Enforcement Advocates Across Delaware

- ▶ Departments without advocates in-house, are covered by the Delaware State Police Victim Services Unit, under the name of the Delaware Victim Center
- ▶ DSP VSU/DE Victim Center runs the 24/7 1-800-VICITIM-1 hotline

Victims' Bill of Rights

- ▶ In 1992, Delaware enacted legislation called the "Victims' Bill of Rights". This law mandates that crime victims be informed about the criminal justice process, and it also extends notification and participation rights to them. The law specifies that certain information must be given to victim either orally or in writing.

Victims' Bill of Rights and Law Enforcement

- At the initial contact with law enforcement , the victim shall be provided:
 - an explanation of the victim's rights
 - information concerning the availability of social service and other victim assistance
 - a victim copy of the initial police report
 - notice of available victim services
 - information about the Victims' Compensation Assistance Program that may provide reimbursement or payment of costs associated with being a crime victim
 - information concerning pre-trial release (bail) of the defendant
 - an agency contact to allow the victim to check the status of any arrest

Advocate's Role in Law Enforcement

- ▶ Can be called to the scene to provide crisis intervention with victims
- ▶ Most often, following up with victims the next business day after a report has been made.
- ▶ Advocates work with victims to safety plan, discuss next steps in the investigation or criminal justice process, and discuss available resources that may benefit the victim or their family.
- ▶ Advocates can assist with filing for Protection from Abuse orders and work with officers to help “serve” orders to the respondent.

Coordination is Key

- ▶ Law enforcement based advocates routinely work with advocates in other parts of the criminal justice process (Prosecution and Correction) as well as community-based agencies:
 - ▶ Department of Justice
 - ▶ Other Police Departments
 - ▶ Dept. of Correction
 - ▶ Domestic Violence agencies providing shelter, hotlines, etc
 - ▶ Sexual Response agencies
 - ▶ VCAP
 - ▶ Civil legal agencies (CLASI, DVLS)
 - ▶ Culturally specific services (DCJ Adult Victim Services, LACC)

Well, how do I know who to call?

- ▶ First, ask your victim! Do they have the police report? If not, do you have a complaint number? If not, do they remember the department?
- ▶ Second, before releasing information, tell the advocate information to make sure it's the correct department. What's the address of the incident? This will determine jurisdiction.

Prosecution and Victim Rights

JENN KUTNEY-SOPER (SHE/THEY)
VICTIM/WITNESS SOCIAL WORKER
DELAWARE DEPARTMENT OF JUSTICE

Who and where we are

- ▶ The Delaware Department of Justice has victim services specialists in all three counties
- ▶ In New Castle county we have:
 - ▶ 17 Victim Services Specialists.
- ▶ In Kent County we have:
 - ▶ 7 victim services specialists
- ▶ In Sussex County we have:
 - ▶ 8 victim services specialists
- ▶ 1 Director of Victim Services

Victim Bill of Rights and Prosecution

- ▶ During prosecution victims have the right to:
 - ▶ Be educated on the criminal process
 - ▶ The amount of bail and any bail conditions
 - ▶ The date and location of court events.
 - ▶ To be present in court during open court events.
 - ▶ To be notified of plea offers, recommendations for sentence, the outcome of a case, to be notified of projected release dates, and any sentencings or sentence modifications.
 - ▶ The outcome of appeals
 - ▶ Be made aware of other services available from outside agencies.
 - ▶ To make, or not make, a Victim Impact Statement during the sentencing phase.

The Advocate's Role in Prosecution

- ▶ Trauma impacts everything
- ▶ The criminal legal process is weird!
- ▶ Advocates are the translators for people who survive trauma
 - ▶ Trauma often affects how a person's brain is working
 - ▶ Advocates provide another set of ears and eyes to help individuals navigate complicated systems during that time
- ▶ We act as liaisons for prosecutors and victims
 - ▶ We make sure prosecutors hear from victims and survivors, directly and indirectly, by advocating within the system on behalf of victims and survivors
 - ▶ We also make sure victims understand what prosecutors have to do and what is happening in a case

Coordination is key

- ▶ Advocates in prosecution work with advocates in other agencies regularly
- ▶ Referrals and warm handoffs are often made to
 - ▶ Civil legal systems (DVAP, CLASI)
 - ▶ Non-profit legal advocates (Child Inc. DVAP)
 - ▶ Counseling services
 - ▶ Support groups
 - ▶ Housing services
 - ▶ Substance Abuse Recovery
 - ▶ Police and corrections

Well, who do I know who to call?

- ▶ First, as always, ask your victim. Have they already heard from someone at DOJ? Has their police advocate given them a contact?
- ▶ What kind of case is it? Misdemeanor, Felony, Domestic Violence, Sex Crime, Child Abuse, something else?
- ▶ What county is it in?

Corrections Victim Services

ERIN YOUNG (SHE/HER)
VICTIM SERVICES PROGRAM MANAGER
DELAWARE DEPARTMENT OF CORRECTION

Department of Correction Victim Services

- ▶ Provides information, assistance, and support to victims of crime when the offender in their case is in the care or custody the DOC. The Victim Services Unit assists victims in gaining knowledge and understanding about the corrections process.
- ▶ Our goal is to help empower victims to become both informed and involved so they may experience less frustration with prison and probation personnel and be better prepared to participate in the corrections process, if they choose.
- ▶ The DOC encourages all victims to learn more about and become participants in the corrections process. The DOC is dedicated to helping victims and survivors find answers and support.

DDOC Victim Services Staff

- ▶ Victim Services Program Manager
- ▶ Victim Services Advocate (VSA)
 - VSAs are housed in the Domestic Violence Units in Probation and Parole.
 - 1 VSA in each county (New Castle, Kent, Sussex)

Victim Bill of Rights

§ 9413. Information concerning confinement.

(a) The Department of Correction and the Department of Services for Children, Youth and Their Families shall notify in writing those victims of the following regarding defendants in their custody:

- (1) Projected release date;
- (2) Release or release to a community-based program; and
- (3) Parole Board hearing date.

(b) In the event of an escape of the defendant, the Department of Correction and the Department of Services for Children, Youth and Their Families, shall notify immediately, by telephone or in person, any victim of the escape of the defendant.

(c) Notwithstanding any provision to the contrary, upon the request of the victim, the Department of Correction and the Department of Services for Children, Youth and Their Families shall provide the victim with information concerning the terms of probation, parole or other condition of release and the defendant's compliance or noncompliance with the sentence, probation, parole or other conditions imposed on the defendant. The Department of Correction shall have the authority to promulgate rules and regulations to implement this subsection.

[69 Del. Laws, c. 167, § 1](#); [69 Del. Laws, c. 318, §§ 1, 7](#); [72 Del. Laws, c. 345, § 1](#);

Victim Services Role at DDOC

- ▶ Notifies victims in writing prior to offender being released
- ▶ Assists victims when offender is violating no contact order or PFA
- ▶ Safety planning with victims preparing for when offender is getting released
- ▶ Explains corrections system
- ▶ Assists victims in filing for PFA
- ▶ Notifies victims of the offender's status on probation
 - including attending VOP hearings

Coordination is Key

- ▶ DDOC Victim Services teams with other law enforcement victim advocates as well community based victim advocates in order to meet the needs of crime victims.

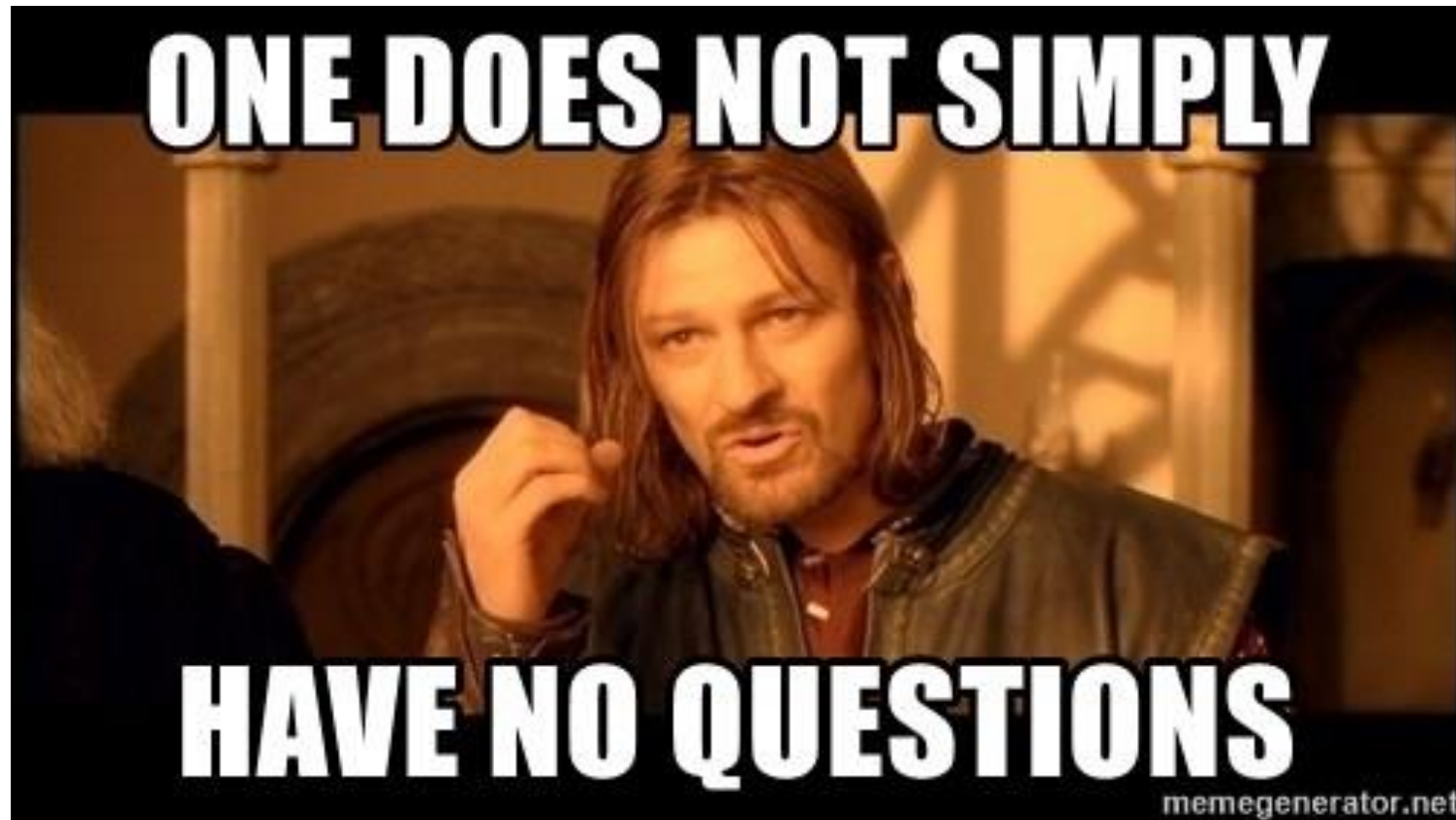
Well, how do I know who to call?

- ▶ Is the offender in Delaware DOC custody? Is the offender under probation or parole supervision? This includes pre-trial supervision.
- ▶ Don't know the offender's custody status? Call Erin.
- ▶ The offender's on probation. Which county? Don't know which county? Call Erin.

Let's look at a case scenario

- ▶ We're going to divide into groups and each group gets a case scenario
- ▶ Your job is to determine what services you can provide and where in the system this victim can be referred for their case.

Any Questions?



Contact information for us!

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