

<p style="text-align: center;">STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS</p>	<p>Title: VICTIM NOTIFICATION</p>	<p style="text-align: right;">Page 1 of 3</p>						
<p>Chapter: Programs – Victims Services</p>	<p style="text-align: center;"># 502.01</p>	<p>Supersedes #502.01 (dated 11/16/2009)</p>						
<p>Attachments, Forms & Companion Documents: This directive has guidance document(s) that provide further implementation detail. Any associated documents are available on the Department of Corrections website.</p>								
<p>Local Procedure(s) Required: Yes. Applicability: All staff (including contractors and volunteers) Security Level: “B” – Anyone may have access to this document.</p>								
<p>Approved</p> <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;"> <p>SIGNED</p> <hr style="width: 30%; margin: 0 auto;"/> </td> <td style="text-align: center; border: none;"> <p>11/29/2016</p> <hr style="width: 30%; margin: 0 auto;"/> </td> <td style="text-align: center; border: none;"> <p>12/16/2016</p> <hr style="width: 30%; margin: 0 auto;"/> </td> </tr> <tr> <td style="text-align: center; border: none;">Lisa Menard, Commissioner</td> <td style="text-align: center; border: none;">Date Signed</td> <td style="text-align: center; border: none;">Effective Date</td> </tr> </table>			<p>SIGNED</p> <hr style="width: 30%; margin: 0 auto;"/>	<p>11/29/2016</p> <hr style="width: 30%; margin: 0 auto;"/>	<p>12/16/2016</p> <hr style="width: 30%; margin: 0 auto;"/>	Lisa Menard, Commissioner	Date Signed	Effective Date
<p>SIGNED</p> <hr style="width: 30%; margin: 0 auto;"/>	<p>11/29/2016</p> <hr style="width: 30%; margin: 0 auto;"/>	<p>12/16/2016</p> <hr style="width: 30%; margin: 0 auto;"/>						
Lisa Menard, Commissioner	Date Signed	Effective Date						

PURPOSE

This administrative directive outlines the process by which victims of crime, affected persons, and other members of the community receive notification, or otherwise access information regarding the status of offenders that are in custody (incarcerated) or under the supervision of the Vermont Department of Corrections (DOC). This administrative directive provides the implementation mechanism to ensure that the DOC adequately meets statutory requirements surrounding victims’ rights and notification.

PHILOSOPHY

The DOC recognizes and endeavors to consistently fulfill its statutory obligations to victims of crime, in addition to implementing victim-informed best practices. This approach holistically addresses the needs of individuals and communities that have been affected by crime.

The DOC meets its statutory obligations through its utilization of automated notification technology and through non-automated contact performed by specialized DOC staff members. This combination of automated and non-automated contact ensures the DOC is adequately meeting its commitment to supporting the rights of victims to receive timely notifications regarding changes in an offender’s status. In addition to victim notification, the DOC’s automated notification technology allows community members to access general information regarding the status of an offender.

Victims of listed crimes are supported in pursuing their right to participate in parole board hearings in an informed and victim-sensitive manner. Victims and affected persons are also invited to exercise their right to participate in specific correctional system processes by engaging with a continuum of victim-centered services made available throughout the course of the offender's custody and supervision.

AUTHORITY

28 V.S.A. §§ 104(a) and 507; 13 V.S.A. § 5305;

REFERENCE

Vermont DOC Policies/Administrative Directives #254.04 Case Note Documentation, #353 Terminal Illness & Inmate Death, #371.05 Offender Responsibility Plan, #371.14 Residence Approval, #371.15, Conditional Re-entry, #371.26, Reintegration Furlough, #372.03 Compassionate Leave Furlough, #406.01 Transportation ("A" security level), #418.01 Out of State Movement & ICAOS, #501.01 Restorative Justice Programs, #502 Victim Services, #502.02 Victim Contact Standards. Department of Corrections Work Rules (4.07.97)

POLICY

DOC ensures that victims receive notification when the offender(s) in their case experiences a change in custody status. Status changes that initiate notification include when an offender: ¹

- A. is released from incarceration such as release on bail;
- B. is released upon completion of a maximum or split sentence;
- C. is released to community supervision;
- D. is transferred to court;
- E. escapes, is recaptured, dies; or
- F. receives a pardon or commutation of sentence.

Notice shall be given to the victim/affected person(s) as expeditiously as possible at the address or telephone number provided to the DOC by the person (or agent) requesting notification. Notifications will be made using the DOC's automated notification technology or by direct communication by an appropriate staff member, as determined by the DOC. Any email address, physical address or telephone number provided shall be kept confidential. Victims of listed crimes shall also be afforded the opportunity to provide input regarding an offender's pending release into the community where issues pertaining to victim safety have been identified. ²

Victims of listed crimes have the right to participate in parole board hearings. Victims who provide current contact information shall be notified of the offender's eligibility for parole board consideration at least thirty days prior to the parole board hearing. Victims have the right to appear in person before the board, with or without the offender being present, or they may elect to provide a

¹ 13 V.S.A. § 5305(a).

² 13 V.S.A. § 5305(a).

written statement for the parole board's consideration. Victims shall promptly be informed of parole board decisions and any attached conditions or restrictions pertaining to the offender's release.³

³ 13 V.S.A. § 5305(c).