REVIEW
The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

COMPLIANCE
This operating procedure applies to all units operated by the Virginia Department of Corrections. Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.
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DEFINITIONS

Automated Information and Notification System – The DOC may implement or contract with a private vendor to provide automated inmate/probationer/parolee information and notification of inmate status changes via telephone, email, or letter. This database contains the names, addresses, email addresses, and telephone numbers of registered victims and concerned citizens to be notified prior to the inmates’ name change, work release status, release, transfer, parole interview, parole decision, in the event of an escape/apprehension, or death.

Conditions of Supervision - A document that details the rules a probationer/parolee must abide by in order to complete supervision successfully.

Intimidation or Harassment - Any contact, directly or through a third party, by an inmate/probationer/parolee incarcerated or under direct supervision of the DOC, and directed toward the victim or any citizen, that causes the victim or citizen to feel threatened, to fear for his or her safety, or to suffer emotional trauma resulting from the unwanted contact.

Victim Services Provider - Professionals or volunteers who provide services and assistance through system-based programs (i.e., law enforcement, prosecution, juvenile/criminal courts, and probation and parole), and community based programs (i.e., rape crisis centers, domestic violence programs and shelters, child advocacy centers, general victim assistance centers, and victim support groups, among others).

Victim Services Unit (VSU) - The unit that oversees the implementation of procedures and programs to ensure that the rights of victims of DOC inmates/probationers/parolees are enforced; (5-ACI-5F-07) the VSU serves as the primary contact between DOC and other national, state, and local victim assistance programs and is responsible for all matters related to victim information, registration, notification, protection from harassment and harm, referral to support programs, victim advocacy, and the training and oversight of victim impact programming for the DOC.

Victim/Survivor - For purposes of this operating procedure, a person who is the documented victim of the crime for which the inmate is currently incarcerated or on probation/parole; the term “victim/survivor” also includes the person’s spouse, parent, child, sibling, or lawful representative of a deceased crime victim, or who is a minor, is incompetent, or is physically or psychologically incapacitated. The term “victim” also includes a person whose life has been threatened by an inmate while incarcerated.

Victim Travel Fund - Agency funds that support a travel reimbursement program for crime victims that take part in criminal justice related activities through DOC.
PURPOSE
This operating procedure establishes protocol and responsibilities for a comprehensive victim services program that honors and protects the rights and interests of victims of crimes committed by inmates/probationers/parolees under the custody or supervision of the Department of Corrections (DOC).

PROCEDURE

I. Victim Services
   A. In order to promote public safety, the DOC provides automated notification assistance to registered victims of inmates currently under its custody as well as make referral and information services available to all victims of inmates/probationers/parolees under its custody.
   B. Additionally, the DOC establishes and maintains services for victims of crimes, including victim registration and notification, inmate/probationer/parolee status and location, inmate release plans, victim awareness education, impact of crime education for inmates/probationers/parolees, and the Victim Offender Dialogue Program (VOD).
   C. The Virginia Victim’s Bill of Rights, COV §19.2-11.01, Crime victim and witness rights, does not provide for victim input before a P&P Officer requests the Court or the releasing authority to add, remove, or modify any of the Court ordered special conditions of supervision. (4-APPFS-2A-05)

II. Tasks Assigned to the Victim Service Unit (VSU)
   The following tasks are assigned to the VSU in collaboration with other agency units (4-ACRS-6D-02):
   A. If requested, coordinate with the programs that collect restitution from inmates/probationers/parolees, and notify victims or survivors of their civil remedies when inmates/probationers/parolees fail to pay their restitution.
   B. Maintain confidential files on victims as legally allowed including victims or survivors of inmates/probationers/parolees sentenced to the DOC prior to the establishment of the VSU.
   C. Oversee victims' rights provisions when inmates/probationers/parolees are in the custody or supervision of the DOC.
   D. Provide educational information about victims' rights and services available from the VSU; this information will be made available in languages commonly spoken by the victims or survivors and using technologies that meet the needs of deaf or hearing-impaired victims.
   E. Provide training to victim advocacy groups about the DOC and assist with training of DOC staff on victim awareness.
   F. Offer crisis intervention and referral to victim services agencies.
   G. Intervene when an inmate/probationer/parolee is harassing, threatening, or endangering the victim or survivor.
   H. Collaborate with local, statewide, and national victim assistance resources.
   I. Assist facility staff in the development and implementation of Victim Impact Curriculums.
   J. Coordinate, review, and manage VOD in accordance with Operating Procedure 021.2, Victim Offender Dialogue.

III. Victim Registration
   A. Victim comment and personal information must be kept confidential pursuant to COV §19.2-11.02, Prohibiting inquiry into the immigration status of certain victims or witnesses of crime. Any records pertaining to the victim must be kept confidential. Information regarding victim enrollment and
B. The VSU has developed the Notification and Assistance for Victim Inclusion (NAAVI), an automated information and notification system, brochure for distribution to Virginia Commonwealth Attorney’s offices, local law enforcement agencies, and victim advocates. Under COV §19.2-11.01, Crime victim and witness rights, it is the responsibility of the local crime victim and witness assistance program to notify crime victims of the right to participate in the post-sentencing process.

C. Registration is voluntary and is accomplished by the victim submitting the required registration information.

1. The victim may contact the VSU at victimservices@vadoc.virginia.gov, 800-560-4292, or register online at naavi.virginia.gov.

2. The registration link can be found at https://vadoc.virginia.gov/victim-services/or naavi.virginia.gov.

3. Registration is not complete unless a registration request is received and processed by the VSU.

4. If a registration request is received at the institution or P&P District, the information should be forwarded via phone, fax, mail, or email to the VSU general email: victimservices@vadoc.virginia.gov. Registration with a separate automated notification system, such as VINE or SAVIN, does not substitute for the official DOC registration process with NAAVI.

D. The registration database for the VSU will be housed and maintained within the office of the VSU.

1. NAAVI must be confidential.

2. Only VSU staff may have access. All other access must be approved by the VSU Director.

E. In accordance with COV §19.2-11.01, Crime victim and witness rights, the victim is responsible for notifying the VSU of address, email, or telephone changes. Notification may be accomplished in writing (letter or email) or by phone.

F. All victim notification forms are to be kept in the VSU or within NAAVI. Any forms found in inmate/probationer/parolee records should be forwarded to the VSU.

IV. Victim Notification

A. Notification of victims or other concerned citizens must be provided prior to the release of an inmate, pursuant to applicable COV statutes. (4-APPFS-1A-04)

B. To promote public safety, NAAVI will notify all registered victims of an inmate’s release, transfer, escape, death, name change, work release, and parole events (parole decisions and interviews). DOC will provide public information on inmates/probationers/parolees upon request to those victims and concerned citizens registered with NAAVI, and will receive and answer inquiries and complaints from victims, in compliance with current COV requirements.

C. Upon notification by Community Corrections staff to the VSU of a major status change for a probationer/parolee (i.e., death, interstate and intrastate transfers, and travel pass approvals), a task will be delegated to a VSU Regional Victim Advocate to make the appropriate telephone notification directly to any registered crime victim(s).

D. All email and phone notifications to registered crime victims will be facilitated by the VSU. NAAVI will provide all automated notification via telephone, email, or letter. The Virginia Parole Board (VPB) staff are responsible for the distribution of letter notifications related to parole events.

E. The registered victim must be notified when the following occurs: (5-ACI-5F-06; 4-ACRS-7F-06; 2-CO-4G-02)

1. Transfer of the inmate
   a. Upon transfer of custody of the inmate to an authority other than the DOC.
b. Upon inmate transfer to a different location code within the DOC - notification will include the facility name.

c. Upon overnight transfer to a local hospital.

d. Interstate Corrections Compact (prison to prison transfers) or International Prisoner Transfer Program
   i. The Interstate Corrections Compact Coordinator will notify the VSU Director when an inmate applies for transfer to another state.
   ii. The VSU must contact, by letter, all registered victims regarding a requested Interstate or International Prisoner Transfer.
   iii. The victim has 30 days, from the receipt of the letter, to submit verbal or written comments to the VSU each time an inmate requests Interstate Corrections Compact transfer or International Prisoner Transfer Program transfer.
   iv. VSU staff will be responsible for taking all verbal comments. Comments will be taken over the phone and summarized. All registration and victim comments will be confidential.
   v. VSU staff will forward comments to the Interstate Corrections Compact Coordinator for consideration in final decisions. If the victim decides not to provide comment, the VSU will notify the Interstate Corrections Compact Coordinator.
   vi. VSU staff will contact victims to provide them with the transfer decision.

2. Death of the inmate - VACORIS will send an update to the Automated Information & Notification System (NAAVI). A task will then be generated within the NAAVI system and assigned to a Regional Victim Advocate to contact the registered victim(s) directly.

3. Escape and recapture of the inmate
   a. The Director’s Office staff or other designated DOC staff will notify the VSU Director and provide specifics of the incident.
   b. The VSU Director or designee will generate an override in NAAVI to show escape status changes for the inmate(s).
   c. If accessible, the VSU Director will review the inmate’s NAAVI record to locate victim notification information. VSU staff must attempt to reach by telephone, or other contact means if not reachable by phone, documenting each attempt in NAAVI. Upon confirmation that an escapee has been taken into custody, the DOC Director or designee will notify the VSU, who will inform the victim that the inmate has been returned to custody. If the victim is registered, an automated return to custody notification will be provided.

4. Release from incarceration
   a. VACORIS will send an update to NAAVI to ensure automated notification of any registered victims. The Community Release Unit will notify the VSU, via email, of any inmate being processed for release out of DOC custody that has an alert flag in VACORIS. The Community Release Unit will provide the VSU with release information including but not limited to the inmate’s release plan, probation information, anticipated release date, and any change in release dates.
   b. VSU staff must ensure that all registered victims listed in VACORIS or NAAVI are notified of the release status of an inmate. The VSU must provide the victim information as deemed necessary regarding the inmate’s release plan, community supervision information, and any other information that is deemed necessary and within confidentiality guidelines.
   c. If requested by the registered victim and deemed appropriate by VSU, a recent photo of the inmate will be obtained from VACORIS and provided to the victim.
   d. VSU staff will refer victims to the VPB staff to request additional conditions of parole.
   e. If requested by the registered victim, VSU staff will liaise with supervising probation staff to address victim concerns related to the inmate’s transition back into the community after release.

5. Name change - Information will be sent from VACORIS to NAAVI to provide notification regarding
6. Work release
   a. Pursuant to COV §53.1-160, Notice to be given upon prisoner release, escape, etc., COV §53.1-133.02, Notice to be given upon prisoner release, escape, etc., and Operating Procedure 830.5, Transfers, Institution Reassignments, 15 days prior to the release of any inmate to an authorized work release program or release to attend a business, education, or other related community program, the DOC must give notice to registered victim(s), as defined in COV §19.2-11.01, Crime victim and witness rights. VACORIS will send an update to NAAVI to ensure automated notification of any registered victim(s).
   b. In accordance with Operating Procedure 830.5, Transfers, Institution Reassignments, inmates participating in a work release program will be responsible for making payments from their work release wages to restitutions or costs as ordered by the Court. If requested, VSU staff can provide information on restitution amounts owed to registered victims of the crime. (5-ACI-1B-24; 4-ACRS-6D-02)

V. Coordination with the Virginia Parole Board (VPB)

A. A cooperative agreement between the VSU and the VPB provides clarification of services that the VSU provides to victims of crime. The VSU will refer victims to the VPB regarding questions and issues directly related to parole events, notifications, concerns, and/or complaints are voiced to VSU staff.

B. The VPB staff are responsible for the printing and distribution of all parole related letter notifications generated from NAAVI. In addition to the victim notifications listed in Section IV.D., the VSU will provide automated telephone, text, and email notification of:
   1. Parole interview date
   2. Parole decision
   3. Discretionary parole release
   4. Geriatric parole release
   5. Mandatory parole release

C. Upon request, the VSU will provide public information on inmate/probationer/parolee status to those victims registered with NAAVI. The VSU will receive and answer inquiries and complaints from victims, in compliance with current COV requirements.

D. In order to receive automated notification of a parole interview or parole decision, all victims must be registered with the VSU.

E. Parole interview notification
   1. VSU staff will coordinate NAAVI to provide the victim with 30 day advance notification of a parole interview. VACORIS must contain correct information to ensure the parole interview notification is accurate and timely.
   2. Victim notification will include confirmation that previously submitted input is still on file; however, if they wish to update input or provide initial input to the VPB, they should contact the VPB directly at 804-674-3081. This notification directs victims to contact the VPB directly if they want to schedule an appointment to meet with a member of the VPB.
   3. If a victim contacts the VSU regarding a parole interview or decision, VSU staff will refer the victim to the VPB. VSU staff are not authorized to provide information regarding the parole process or the status of an inmate’s parole review.

F. Parole review notification - The VSU will coordinate NAAVI to provide automated notification of a parole review decision to all registered victims. The VPB staff are responsible for printing and mailing victim notifications for letter registrations from NAAVI. The VPB staff are responsible for ensuring all
Operating Procedure 021.1, Victim Services Unit

Effective Date: May 1, 2022

parole events are entered into VACORIS in order for automated notifications to be provided.

G. Victims who request that special conditions be placed on an inmate upon release should contact the VPB Victim Input Program Coordinator. If granted, the VPB will notify the Community Release Unit to make note of the condition.

VI. Protecting Victims from Intimidation, Harassment, or Harm

A. The DOC strives to ensure that crime victims and citizens are protected from intimidation, harassment, or harm by inmates/probationers/parolees who are incarcerated or under direct supervision of DOC, and to respond to all alleged incidents reported.

B. Each facility and P&P District must maintain practices to prevent harassment of the public (including crime victims) by inmates/probationers/parolees who are in custody or under the supervision of the DOC, and to respond to complaints of harassment. When complaints of harassment are received, the DOC will forbid the inmate/probationer/parolee from further contact with the complainant and from engaging in any course of conduct with the intent to harass, torment, or threaten another person. This procedure does not apply to cases of harassment of one inmate/probationer/parolee by another.

C. Complaints of inmate/probationer/parolee intimidation, harassment, or harm

1. If the VSU is contacted directly by a citizen who is the subject of such conduct, VSU will open an investigation and gather all information and relevant evidence from the citizen.

2. If the matter is referred for investigation, VSU staff will collaborate with local and state partners to obtain inmate/probationer/parolee phone records and court documents.

3. The designated staff member will charge the inmate with institutional infraction, 136b, “Threats or intimidation of a member of the general public or violation of any court ordered prohibition of contact with any individual”.

4. The inmate will be informed that harassment may result in further disciplinary action; see Operating Procedure 861.1, Offender Discipline, Institutions, Offense Code 136b, Threats or intimidation of a member of the general public or violation of any court ordered prohibition of contact with any individual) as well as criminal prosecution.

5. If any court order was violated by the inmate engaging in unwanted contact, at the discretion of the VSU Director and the conclusion of the institutional disciplinary infraction procedure, VSU staff will refer the investigative information to the local Commonwealth Attorney for consideration of criminal prosecution.

VII. Visitation and Dialogue Requests from Victims

A. Per COV §53.1-30, Who may enter interior of state correctional facilities; searches of those entering, an adult victim of a crime committed by an inmate in a state correctional facility may be allowed to visit with the inmate, provided such visit preserves the safety of the victim, staff, and inmate, as well as the security and good order of the facility. All adult victim requests for visitation must be reviewed and processed in accordance with Operating Procedure 851.1, Visiting Privileges.

B. If the adult visitor is a crime victim/survivor of the inmate and does not wish to participate in regular ongoing visitation, the victim may request a one-time facilitated meeting with the inmate in accordance with Operating Procedure 021.2, Victim Offender Dialogue.

1. The VOD Committee will review all requests for a VOD prior to approval.

2. Approved VODs must be conducted in accordance with Operating Procedure 021.2, Victim Offender Dialogue.

3. VOD is intended for one victim to meet with one inmate/probationer/parolee. If multiple inmates/probationers/parolees received convictions for the same offense, each dialogue will be processed separately. Exceptions may be reviewed by the VOD Committee and approved on a case-
by-case basis.

C. Minors who are a direct victim of a violent crime committed by the inmate/probationer/parolee will not be reviewed or approved for visitation or for a VOD with the inmate/probationer/parolee until they reach the age of 18 years.

VIII. Training

A. Victim awareness programs for staff

1. The VSU will conduct training for DOC staff involved with victim’s issues to ensure awareness of victims’ issues including the following topics: (5-ACI-5F-07)
   a. Specific services available to crime victims
   b. Changes in laws impacting victims
   c. Way(s) of gaining access to the services
   d. Confidentiality of victim information
   e. Ways for victims to communicate complaints and other concerns
   f. Program evaluation measures, which include victim input regarding the effectiveness of services and ways for them to make suggestions regarding agency policies and practices intended to assist crime victims.

2. Basic Skills for Corrections Professionals will include a training segment on the VSU, victimology, and impact of crime on victims.

B. Victim impact classes for inmates/probationers/parolees- Educational efforts will assist inmates/probationers/parolees in understanding the harm they have caused and how to prevent destructive behavior in the future. They can be presented virtually or in a classroom setting or living unit setting. Classes will utilize a standard curriculum distributed by the U.S. Department of Justice, Office for Victims of Crime. (4-ACRS-6D-01)

1. The VSU will determine feasibility of victim impact education programs for inmates/probationers/parolees under the custody and supervision of the DOC. These classes or programs are intended to provide information and learning experiences for inmates/probationers/parolees to address the harm they have caused their victims; and to enable inmates/probationers/parolees to develop respect for the law and for the rights of other people, to learn responsible ways of being accountable for their actions, and to apply that knowledge to the rest of their lives. (5-ACI-1B-24)

2. It is in the interest of DOC to provide educational programs for inmates/probationers/parolees that will inform, instruct, and involve them in learning about the short and long-term psychological, financial, and physical impact of all types of crime on victims, their families, and community. Appropriately trained staff will instruct the classes.

3. Curriculum
   a. The nationally tested curriculum will be reviewed by DOC staff for use by the program.
   b. Adjustments to include state-specific references to victims’ rights and policies, local resources or special crime issue attention will be added, as well as additional activities targeted towards specialized populations.
   c. The VSU Director or designee must approve any changes to the curriculum.

4. Class size
   a. The curriculum consists of 13 sessions lasting approximately two hours each. The maximum recommended class size is 12 inmates/probationers/parolees.
   b. Changes to length, frequency, or size should be approved by VSU in alignment with the Initial Program Description.

5. Utilization of guest speakers
C. Community awareness- VSU staff will provide outreach and conduct presentations about services.
available through the DOC, as well as DOC procedures, to selected community groups, including victim advocates, crime victims and other community members.

IX. Victim Travel Fund

A. Agency funds support a travel reimbursement program for crime victims that take part in criminal justice-related activities through DOC, such as participating in VOD, speaking at conferences, trainings, programming, and attending VPB appointments.
   1. The program will cover mileage reimbursement at the state rate. Considerations will be given for state rate lodging, per diem and airfare on a case-by-case basis.

B. Victims cannot apply for or receive reimbursement from DOC if they are being reimbursed for the same expenses from any other source.

C. Application and eligibility information can be received by contacting the Victim Impact Advocate at 804-674-3243.

X. Regional Victim Advocates

Regional Victim Advocate positions have been developed in the DOC VSU to provide the following services:

A. Assist in determining safety planning, appropriate conditions and release plans, and local referrals in collaboration with probation and parole and local victim advocates.

B. Assist in problematic and high risk inmate/probationer/parolee release cases.

C. Collaborate with local victim advocates to facilitate victim registration, information, and transition to the VSU.

D. Provide victim awareness and victim related staff training for DOC.

E. Manage site visits with P&P Offices, facilities, victim advocates, and community stakeholders.

F. Develop local partnerships to increase victim registrations with the VSU.

G. Run VACORIS release reports to determine upcoming releases in assigned region; contact registered victims to determine appropriate services and referrals.

H. Assist the VPB Victim Input Program and Attorney General’s Office Victim Notification Program as requested in assigned region.

I. Assist with restitution, threats/harassment, Virginia Victims Fund, Victim Impact Statements, violation hearings, absconder status, and release from supervision, as available.

J. Provide outreach services to underserved crime victim populations including geographically isolated and reentry/post release victims of crime.

REFERENCES

COV §19.2-11.01, Crime victim and witness rights.
COV §19.2-11.02, Prohibiting inquiry into the immigration status of certain victims or witnesses of crime.
COV §53.1-30, Who may enter interior of state correctional facilities; searches of those entering.
COV §53.1-133.02, Notice to be given upon prisoner release, escape, etc.
COV §53.1-160, Notice to be given upon prisoner release, escape, etc.
Operating Procedure 021.2, Victim Offender Dialogue
Operating Procedure 830.5, Transfers, Institution Reassignments
Operating Procedure 851.1, Visiting Privileges
Operating Procedure 861.1, Offender Discipline, Institutions
Interstate Commission for Adult Offender Supervision
U.S. Department of Justice, Office for Victims of Crime

ATTACHMENTS
None

FORM CITATIONS
None