

## VICTIM AND WITNESS ASSISTANCE PROGRAMMES: A CONTINUUM OF SERVICES

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*“Organizing is what you do before you do something so that when you do it, it’s not all mixed up”*

– Christopher Robin in A.A. Milne’s Winnie the Pooh.

In keeping with this maxim, the National Organization for Victim Assistance (NOVA) began developing standards for victim service programmes as early as 1980. The process involved site visits to fifty different programmes that were recommended as excellent by practitioners in the field and represented law enforcement based programmes, prosecutor based programmes, as well as independent community based programmes. These site visits resulted in a publication entitled “The Victim Service System: A Guide to Action”. This was followed by a Delphi study of victim service providers and a series of regional conferences in which over 1,000 victim service providers were given the opportunity to review and critique the proposed standards as they were being developed. The initial product was published in 1988. The standards have been formally revised three times since then.

The purpose of the process was: To promote standards for implementing programmes and for individuals who work with victims and witnesses in order to better assist them in dealing with emotional trauma, participating in the criminal justice process, obtaining reparation, and coping with associated problems caused by the impact of victimization.

It was determined that a programme should seek to ensure that either the programme itself or other agencies provide nine clusters of services, ranging from crisis intervention, assistance with practical problems, counselling and advocacy throughout the process, to the prevention of victimization.

The types of services that should be provided have been divided into nine clusters. Most of the clusters, in turn, are described in terms of the provision of emotional support, direct assistance and information. In connection with each cluster, a required standard of service is identified. Experience has shown that these minimum services, where needed in the individual case, are central to the recovery of victims or witnesses. Additional recommended services are identified. Ideally, a programme should ensure that these services are also provided.

An individual programme need not necessarily provide the entire continuum of services. If the service already exists in the community and the victim assistance programme can refer victims or witnesses to it, the programme should not seek to duplicate its work. If a needed service does not exist, then the programme should either provide it directly, or help to promote its provision through another agency.

All services should include outreach services and provide information with particular attention paid to providing multilingual services, services for the disabled, and culturally appropriate services.

While communities should ideally be prepared to assist all victims, based upon resources, the expertise of the programme staff, existing services institutions, and an analysis of the needs of jurisdiction, programmes are urged to prioritize the implementation of services and to phase in full service to victims over a period of time. In setting priorities, programmes are encouraged to use a systematic approach to take into account the severity of the victimizing event and its impact on the victim. They are also encouraged to ensure that prosecution witnesses receive services as needed.

### **At minimum, services should be available for:**

- Victims of sexual assault
- Child victims and their families

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- Victims of spouse abuse
- Surviving families of homicide victims
- Victims of severe physical injury
- Prosecution witnesses
- Victims of terrorism

**It is recommended that services also be available for:**

- Victims of burglary
- Victims of vandalism
- Victims of drug-related crimes
- Victims of gang violence
- Victims of robbery
- Victims of white collar crime
- Victims of hate or bias crimes
- Elderly victims
- Gay or lesbian victims
- Racial or ethnic minority victims
- Disabled victims
- Victims of human trafficking
- Chronically mentally ill victims
- Homeless victims

All programmes should have an ongoing multidisciplinary strategic planning process that identifies gaps and services through community partnerships and determines the responsibility of each member of the partnerships to avoid duplication through a referral system.

Ideally, all programme services should be available on a twenty-four hour basis, however, most programmes do not have the resources to do this. Usually through networking communities can sustain twenty-four hour crisis services either through a telephone hotline, on-scene response, home visits or walk-in services. Most programmes can provide ongoing services as well either through direct assistance or appropriate referrals.

The following are the nine clusters of services.

**A. Crisis Intervention**

Crisis intervention counselling services are seen as absolutely essential to a good victim assistance programme. The importance of this was driven home to me early in my career. I will always remember Jillean Englethorn. I was in the process of reporting as a volunteer to a hospital one night when I noticed a young woman clad only in a paper gown and paper shoes sitting outside the front door of the medical center.

She had a handful of newspapers on her lap. I walked over and asked her if she was okay – she said she didn't know. She had been raped; she had reported it; the sheriff had taken her statement; she had been examined for evidence; they had taken her clothes; and now she didn't know how she was going to get home. She was stunned and in shock. She needed what we have come to know as the elements of basic crisis intervention. She needed to be provided with physical safety and a sense of emotional security. She needed a chance to tell her story – not just review the so-called facts of her case. She needed to be reassured that her emotional reactions were valid. And she needed to have someone what to expect next and help her figure out how she might begin to cope with problems that faced her.

It is highly recommended that the following additional services be provided as a part of crisis intervention when appropriate. Death notification services, support for people when it is necessary for them to identify the body of a deceased loved one, notification of the victimization to the immediate family (unless the victim does not want them notified) or friends of the victim. In the aftermath of a major tragedy, communities should be prepared to provide crisis response to all communities directly affected as soon as possible. This is often complicated because a community's own crisis responders may be immobilized due to the nature of the crisis as has been clearly illustrated in the aftermath of Hurricane Katrina on the Gulf Coast in the United States. So over the years there has been the development not only of community crisis response programmes but state crisis response programmes. Twenty eight states have state teams that can be deployed to other states if there is a need.

Other services that should be considered include dependent care, cleanup of the crime scene and emergency repairs, protection through restraining orders, relocation services, property repair. I was struck by the scene of a Korean woman whose husband was murdered by a young man in Washington DC – she was washing the blood off the door of the convenience store where they had built and worked at a local business. I said to myself, she should not have to do this – no one should have to do that.

### **B. Ongoing Counselling**

This should be available to victims whether not there is an investigation of their victimization.

We routinely train victim service providers in post-trauma counselling. Post-trauma counselling involves education for the victim on the probable course of their reactions; helping the victim focus on their physical well-being since health often deteriorates as people try to deal with stress of victimization; and providing victims with methods of reducing that stress. Many victims cope well even after being exposed to a traumatic event, but the majority may need some additional care. And some may need mental health therapy or pastoral counselling. Counsellors should be able to help victims problem-solve for immediate needs and provide appropriate referrals to mental health professionals, culturally appropriate religious or spiritual needs, support groups, and legal needs both in the civil and the criminal justice system.

### **C. Advocacy**

Many times victims feel the lack of assistance and understanding by social and criminal justice institutions is more harmful than the victimization itself. They may want to become an advocate for themselves.

Indeed activism has an important therapeutic role in helping victims get on with their lives. There are ten reasons why victim activism can be therapeutic for survivors.

- *Focus* – When one's world has been thrown into chaos by trauma, there is a need to restructure order through focus on specific functional activities.
- *Catharsis* – Activism can provide a way to express intensely frightening emotions in a safe and socially-acceptable way. For instance, anger may be expressed in outrage at laws and a determination to change them – instead of venting at family members.
- *Relationships* – Many victims and survivors lose touch with once-close friends and family. Those friends or relations may be afraid of the emotional upheaval in the victim's life, may not know what to do or say, or may blame the victim. Victim activism often gives survivors a chance to form new "families" and relationships bound together by trauma and commitment.

- *Repetition* – A vital part of healing is “telling your story”. Victim impact panels, legislative testimony, speak-outs, support groups and so forth, all provide opportunity for telling and retelling the story.
- *Self-Esteem* – Victimization is often a humiliating, degrading experience. Activism can give victims tangible evidence of their accomplishments and self-worth.
- *Testimony* – Victims not only need to tell their story but to have it validated through the knowledge that someone listened to and believed the story, and it made a difference.
- *Insight* – Activism provides a way to hear from others who have suffered similar traumas as well as from people who work in the field. Hearing other people’s experiences can help clarify one’s own experiences.
- *Integration* – An important therapeutic goal for many is to be able to incorporate the story of their own tragedy into their lives. Activism allows victims to restructure their lives and recognize how their victimization and survival has altered them forever.
- *Purpose* – For many, the impact of crime shatters their sense of meaning and purpose in life. Their plans are thrown asunder. A person whose life has been centered around her child dies a special kind of death when the child is murdered.

Activism can be the key to developing a sense of triumph over tragedy and providing meaning for both that woman’s life and her deceased child.

- *Hope* – Activism may provide survivors with hope. The nine elements of activism described above and its positive benefits lead to a re-establishment of hope and a new life for victims and survivors.

Some victims need someone to advocate for them. A programme should be prepared to provide assistance with victim compensation or private insurance applications. Victims may need intervention on their behalf with sustaining their credit; maintaining their housing or employment; dealing with medical institutions (particularly where a forensic examination is involved; a concern about HIV infection exists; or where family violence is involved); assistance with relocation or shelter; assistance with dealing with the media; document replacement and other practical problems.

I remember the case of Mary Jimenez, a native-Mexican. She was the wife of Robby Smith. She married him after meeting him while in graduate school in Mexico City. He abused her shortly after their marriage began. In the attack that precipitated her leaving him, he broke her nose and arm and then cleaned out their apartment. She had been an immigrant by marriage and held a green card designating her as a resident. When she called for assistance, she had been in hiding for four weeks because she did not have her green card and was afraid she would be deported without her two children. She was desperate and did not know how to speak English well enough to make herself understood without an advocate to translate for her and find the right person in the immigration department who could help her.

#### **D. Support Services During Criminal Justice Investigation and after Arrest**

These services are critical. Law enforcement officers are very often the first contact a victim has with the criminal justice system and how a victim is treated at this stage can affect the way they feel about the entire criminal justice process. As friend of mine once said, “a law enforcement officer can help to turn a victim into an effective witness”. More and more law enforcement officers are receiving crisis intervention training and are using crisis intervention as a part of their interviewing processes, and more and more victim service providers are working alongside law enforcement officers in the initial response. Crisis intervention services are important at this stage as well as support and accompaniment to occasions for the identification of the accused, other criminal justice interviews and to forensic examinations. Direct assistance includes assistance with victim compensation or insurance applications; payment of costs of forensic examinations and arrangement for bills to be received by the payor not the victim; assistance with requests for victim restitution; application and enforcement of protection orders; provision of shelters or safe places for victims; and assistance with prompt return of property when it is recovered.

The latter can be a struggle. In one famous case, a victim, Betty DeHarsh, tried to retrieve her son's car after he had been murdered. He was murdered in the state of Arizona and she lived in Nebraska. He had been in the Navy and he had been discharged in order to help care for Betty. It took the intervention of a Navy Admiral to arrange for the car to be transported to Nebraska.

At all stages of service, information about what is going on is important. It becomes even more important when the criminal justice system is involved. It is recognized as a victim's right in all 50 states and the federal government. Information should be accurate and expeditiously given. This includes information about case status; the criminal justice process and the victim rights that are applicable throughout the process; information on the detention of the suspect, bail, bond, measures to assure reparation; protection of evidence in a forensic examination; and information about available protection and prevention programmes. It may also include information on restorative community justice programmes.

### **E. Support Services During Prosecution**

Some programmes provide crisis intervention services in the initial contact with victims but do not have them available at later stages. Yet, personal support from a trained crisis intervener is not only critical at all stages, it is useful to the actual prosecution of a case. So it is recommended that such services be available through all proceedings including hearings, interviews and trial. The importance was underscored to me when I accompanied a man, Jack Russell, whose sister had been murdered to the sentencing hearing in which he would provide a victim impact statement. When the murderer was brought into the courtroom, he seemed palpably evil. I shivered with fear and trepidation, even though I wasn't going to be given a statement and there were law enforcement officers in the room. As we stood to acknowledge the judge, I felt, Jack reach over and take my hand. He was shaking too.

Direct assistance usually includes coordination of victim appearances at hearings, interviews, and trial with the goal of minimizing the number of appearances; providing or reimbursing transportation or arranging, where applicable, for parking; employer, landlord, creditor intercession services; assistance with restitution requests and enforcement; assistance with victim participation in the criminal justice process (including implementation of all rights for presenting victim information at critical stages in the decision-making including input on bail, charging, diversion, dismissals, plea bargains, continuances and sentencing); and provision of safe places for victims separate from the accused or defense witnesses when they are attending hearings or interview. Many programmes also offer appropriate clothing to the victim if necessary -- some even have clothing closets so victims can pick styles and sizes. Other programme enhancements may include: actual transportation is provided for persons, particularly those with disabilities, the elderly, and the infirm; full restitution requests are made routinely by the prosecutor; all victims are provided assistance in preparing a victim impact statement for use at plea bargains and at sentencing; and rehearsals and court room walk-throughs are available to all victims.

Again, information is to victims. Information on victim rights should be reiterated. Many victims are not fully capable of understanding their rights when they first are told because they are in a crisis situation. They need information on responsibilities of all criminal justice personnel, and what sanctions are available if these responsibilities are not met. They need information on the progress of the prosecution and the trial as well as what is expected of them in the criminal justice process at each stage of the proceedings. Most victim and witness programmes have a call-in system to provide current case status information and some of them provide proactive contacts with victims and witnesses, if requested.

### **F. Support Services after Case Disposition**

Programmes routinely provide of personal support and accompaniment during all appeals or motions for retrials; probation revocation, parole or clemency hearings. Some programmes work with corrections departments to provide alternative ways for victims to testify at hearings. One innovation that emerged during the eighties was the use of video recordings as a vehicle for testifying. One of the first cases involved Betty Jane Spencer whose four boys were killed in her home. She also was shot but survived. The young men who murdered her boys were caught and sentenced to life. But, after they spent ten years in prison, they began to exercise their right to appeal for clemency -- they could do so every year for the rest of their life. She found it onerous to go back in to a courtroom to testify over and over again, so she asked for and received permission to give her testimony by video.

Some programmes provide personal support during civil legal proceedings. Others offer support and assistance with participation in restorative community justice programmes or victim-offender intervention services, upon request of victims.

*Restitution issues are a primary concern after case disposition.* Programmes may work with other agencies to ensure enforcement of restitution orders through monitoring restitution payments. Programmes may also work with the prosecutor or the probation department to get prompt revocation of probation when restitution payments are not made or when other violations of probation occur.

Most information needs are provided by corrections or probation programmes. Some departments have their own victim service programmes that also work with local programmes. Upon request, information should be available about the offender's status, release or escape. One enhancement in this area is to provide victims with information on where the offender will be released and a picture of the offender at the time of release in case the offender's appearance has changed. Victims should be given information and notification of parole hearings. Some programmes try to proactively notify victims if they become aware of current media events that may retraumatize victims.

The following three service clusters focus on education and training standards.

### **G. Training Services for Allied Professionals**

Programmes are strongly encouraged to establish interdisciplinary task forces for the promotion of multidisciplinary approaches to victim assistance. Most programmes have a training component for at least law enforcement professionals and some actively train prosecutors. Training for judges is less well developed, but some states such as California have a mandatory continuing education programme for their judges and it includes a victim component. Education of other professional groups that work directly with victims such as school personnel, the health and mental health professions, the legal profession, spiritual leaders, and the media is also encouraged. Design and implementation of preparatory educational programmes on victim issues for students of those professions as well as training and education programmes for active professionals. Four publications that have had a large influence in this area are: the final report of the President's Task Force on Victims of Crime, U.S. Department of Justice, 1982; *Frontiers and Fundamentals*, Marlene A. Young, National Organization for Victim Assistance, 1994, *New Directions from the Field: Victims' Rights and Services for the 21st Century*, U.S. Department of Justice, 1997, and *The Community Crisis Response Team Training Manual*, Marlene A. Young, National Organization for Victim Assistance, 2002, now in its Third Edition. *New Directions from the Field* sets out recommendations for eight different professional groups. The recommendations for the four professional groups most relevant for criminal justice are attached in the appendices. The *Community Crisis Response Team Manual* has probably had the most use in training allied professionals in crisis intervention.

### **H. Public Education Services**

Essentially these services address the need for victim service providers to work with the media to promote victim issues. Most programmes have a public education component and annually participate in the National Crime Victims Rights Week activities which takes place every April.

### **I. Community Victimization and Substance Abuse Prevention Services**

The goal of this service cluster is to integrate victimization and substance abuse prevention activities into programme plans. It has long been recognized that victimization and substance abuse are closely related in many situations. But these prevention services have often been left out of victim service programme. In a large part this is due to the impact of the Victims of Crime Act of 1984 (Pub. L. No. 104-235). It restricts the use of federal funding under this act to direct victim services and explicitly prohibited the use of such funds for prevention activities. Goal Five: To promote professional standards for victim service providers.

While not a part of the list of services itemized above, there has been a growing professionalization of the victim assistance field in the United States. Many programmes now require forty hours of pre-service victim assistance training and an additional sixteen hours of in-service training.

Most states have victim service programme networks and annual training conferences for their members.

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There is now a national programme of credentialling for victim advocates and a national programme of certification for crisis responders.

New Directions from the Field offered these five global challenges to guide the search for victim rights and services for the 21st century:

“To enact and enforce consistent, fundamental rights for crime victims in federal, state, juvenile, military, and tribal justice systems, and administrative proceedings.

“To provide crime victims with access to comprehensive, quality services regardless of the nature of their victimization, age, race, religion, gender, ethnicity, sexual orientation, capability, or geographic location.

“To integrate crime victims’ issues into all levels of the nation’s educational system to ensure that justice and allied professionals and other service providers receive comprehensive training on victims’ issues as a part of their academic education and continuing training in the field.

“To support, improve, and replicate promising practices in victims’ rights and services built upon sound research, advanced technology, and multidisciplinary partnerships.

“To ensure that the voices of crime victims play a central role in the nation’s response to violence and those victimized by crime.”

These are ambitious goals. But, I think they have resonance on an international level. Both internationally and nationally there has been tremendous progress made over the last thirty-five years, the goals only remind us how much there is left to do.

“We are in for a very, very long haul. “I am looking for everything you have to give. We will never give up. You will lose your youth, your sleep, your patience, your sense of humor, and occasionally...the understanding and support of people that you love very much.

“In return, I have nothing to offer you but...

“Your Pride in being a Woman, and all your Dreams you’ve ever had for your daughters and nieces, and granddaughters...

“Your future.

“And the certain Knowledge that at the end of your days, you will be able to look back and say that: Once in your life, you gave everything you had for justice.

Jill Ruckelshaus, 1977.

## APPENDIX A

From *New Directions from the Field*

### Recommendations from the Field for Law Enforcement

1. Law enforcement agencies should adopt a community policing philosophy that is both victim and crime prevention oriented.
2. Law enforcement agencies should provide a basic level of support to crime victims through establishing victim assistance programmes within their agencies and through community partnerships to ensure that victims have access to emergency services, counselling, financial assistance, information and referrals, and community programmes.
3. Law enforcement agencies should establish policies for the provision of fundamental victims' rights and services and procedures for their implementation. These policies and procedures should be disseminated in writing throughout the agency.
4. Compliance with victims' rights policies and procedures should be included as a standard in officers' performance appraisals.
5. During their initial contact with law enforcement officers, victims of crime should receive verbal and written information about victims' rights and services. Law enforcement personnel should be required to follow up with victims because many individuals are unable to comprehend assistance and compensation information in the immediate aftermath of being severely traumatized.
6. All law enforcement agencies should adopt written policies and procedures and implement training programmes for conducting sensitive and culturally appropriate death notification.
7. State, federal, military and tribal law enforcement agencies must implement victims' rights laws and ensure that victims are regularly notified of the status of the investigation, including arrests, pretrial release of suspects, and case closings.
8. Law enforcement should place a high priority on protecting victims and witnesses from intimidation and physical harm after they report a crime. Law enforcement agencies that operate jails or any custody facilities should, upon request of the victim, immediately notify the victim of a defendant's pre-trial release.
9. All law enforcement personnel, from dispatchers through management, should receive initial and ongoing training about the impact of crime and how to respond sensitively and effectively to victims.
10. Police departments should develop specialized responses for family members of officers killed in the line of duty and protocols for responding to injured officers.
11. Law enforcement agencies should establish special protocols to ensure victim participation and confidence in the system when an officer is accused of a criminal offence.
12. Procedures for the swift return of property to victims and witnesses should be developed at the federal, state, and local levels to serve as models for law enforcement agencies nationwide. Emergency funds should be made available to victims to replace essential items. Laws providing victims the right to have their property returned within a reasonable period of time should be enacted in all states and on the federal level.



## APPENDIX B

From *New Directions from the Field*

### Recommendations for Prosecutors

1. Prosecutors' offices should notify victims in a timely manner of the date, time, and location of the following: charging of defendant, pre-trial hearings, plea negotiations, the trial, all schedule changes, and the sentencing hearing. Timely notification, orally or in writing, of advanced scheduling should be provided in relevant languages. Statutes should require prosecutors to verify notifications with documentation in case files or through another mechanism.
2. Prosecutors should establish victim-witness assistance units to ensure that victims of crime receive at least a basic level of service, including information, notification, consultation, and participation.  
Prosecutors' offices should develop and incorporate into performance evaluations written definitions of the roles and responsibilities of prosecuting attorneys, victim-witness professionals, and other relevant staff and volunteers.
3. Prosecutors should use the full range of measures at their disposal to ensure that victims and witnesses are protected from intimidation and harassment. These measures include ensuring that victims are informed about safety precautions, advising the court of victims' fears and concerns about safety prior to any bail or bond proceedings, automatically requesting no-contact orders and enforcing them if violated, and utilizing witness relocation programmes and technology to help protect victims.
4. Prosecutors should address criminal and juvenile justice problems that afflict their communities by exploring the establishment of community prosecution programmes as an adjunct to traditional prosecution.  
Prosecutors should recognize the important role that they can play in reducing crime and should use the authority of their office to support effective crime prevention strategies tailored to the cultures and language needs of their communities.
5. Prosecutors should play a central role in establishing multidisciplinary efforts to respond to crime.
6. Prosecutors should advocate for the rights of victims to have their views heard by judges on bail decisions, continuances, plea-bargains, dismissals, sentencing, and restitution. Policies and procedures should be put in place in all prosecutors' offices to ensure that victims are informed in a timely manner of these crucial rights in forms of communication they understand.
7. Prosecutors should make every effort, if the victim has provided a current address or telephone number, to consult with the victim on the terms of any negotiated plea, including the acceptance of a plea of guilty or nolo contendere.
8. In all cases, particularly those involving sexual assault, the prosecuting attorney should confer with the victim or survivors before deciding not to file charges, or before deciding to seek dismissal of charges already filed.
9. Prosecutors should establish policies to "fast track" the prosecution of sexual assault, domestic violence, elderly and child abuse, and other particularly sensitive cases to shorten the length of time from arrest to disposition. Prosecutors should encourage judges to give top priority to these cases on the trial docket and should try to ensure that the case goes to trial when initially scheduled.
10. Prosecutors' offices should use technology to enhance the implementation of victims' rights.
11. Prosecutors should adopt vertical prosecution for domestic violence, sexual assault, and child abuse cases.
12. Prosecutors should work closely with victim service providers as well as victims of domestic violence to establish appropriate prosecution policies and support research to assess the effectiveness of proceeding without victim testimony in domestic violence cases.
13. Victims' rights and sensitivity education should be provided to all law students as part of their basic education in law school and to all prosecutors during their initial orientation and throughout their careers.
14. Prosecutors' offices should establish procedures to ensure the prompt return of victims' property, absent the need for it as actual evidence in court.

## APPENDIX C

From *New Directions from the Field*

### Recommendations for the Judiciary

1. The voices and concerns of crime victims should be recognized and institutionalized with the justice system. Judges should advise victims of their rights as routinely as they advise defendants of their rights.
2. Judges and all court personnel at all levels of the court system must receive initial and continuing education on the law concerning victims' rights, the impact of crime on victims and their families, and how the judiciary can implement the spirit as well as the letter of these rights. This education must include training on the special needs of some victim populations such as victims with disabilities and non-English speaking individuals.
3. Judges should facilitate the rights of crime victims and their families to be present at court proceedings unless the defendant proves that their presence would interfere with the defendant's right to a fair trial.
4. Judges should consider victim and community safety in any pre-release or post-release decision. As part of any pre-trial release order, including bail, bond, or personal recognizance, judges should include a "no-contact" provision stating that the accused or defendant shall not harass, intimidate, threaten, or commit physical violence against the victim or victim's family.
5. Before imposing a sentence, judges should permit the victim, the victim's representative, or, when appropriate, representatives of the community to present a victim impact statement.
6. Judges should facilitate the input of crime victims into plea agreements and resulting sentences, and they should request that prosecuting attorneys demonstrate that reasonable efforts were made to confer with the victim.
7. As leaders within the justice system, judges must ensure that victims' rights legislation is fully implemented.
8. Judges should play a leadership role in ensuring that police, prosecutors, defence counsel, judges, and court administrators receive joint training so that all have a comprehensive picture of what happens to a victim as he or she navigates through the criminal justice system.
9. Judges have a responsibility to manage their cases and calendars to make victim involvement as feasible as possible. Modern technology should be used to give victims greater access to the justice system and should include multilingual services at no cost to victims.
10. Judges should order restitution from offenders to help compensate victims for the harm they have suffered. If extraordinary and compelling reasons make restitution impractical or inappropriate, judges should explain in writing and on the record why they did not order it.
11. Judges should play a leadership role in ensuring that separate and secure waiting areas are available in all courthouses for prosecution and defence witness to minimize the contact of victims with defendants, their relatives, and friends before, during, and immediately after court proceedings.
12. Codes of Judicial Conduct should be amended to reflect the fact that crime victims play a pivotal role in the criminal justice system.
13. Judicial assignments to specialized courts or family law or juvenile courts should be based on experience and interest, not on lack of seniority or punishment.
14. Judges must take a leadership role in conceptualizing and advocating that the justice system encompass not only traditional adjudication and punishment but also holistic problem solving and treatment for victims as well as offenders. Principles of restorative community justice and therapeutic jurisprudence should be incorporated into court systems with due regard for differing cultures and ethnic groups.

## APPENDIX D

From *New Directions From the Field*

### Recommendations for Corrections

1. Adult and juvenile correctional agencies should open channels of communication with the community and with crime victims. As a first step, every state department of corrections and paroling authority should establish a victim advisory committee that includes victims and service providers to guide and support victim-related policies, programmes, and services.
2. Correctional agencies should designate staff to provide information, assistance, and referrals to victims of crime.
3. Mission statements guiding adult and juvenile correctional agencies and paroling authorities should recognize victims as an important constituency and address victims' rights and services.
4. Correctional agencies should notify victims, upon their request, of any change in the status of offenders, including clemency or pardon, that would allow them to have access to the community or to the victims themselves.
5. Correctional agencies should place a high priority on ensuring the protection of victims from inmate intimidation, threats, or physical or other harm from offenders under their supervision.
6. Correctional agencies should make information about offender status and victims' rights accessible to crime victims through multilingual, toll-free numbers and printed materials.