

Ensuring Victims' Rights as a Probation and Parole Officer:

What Can You Do?

The Right to Notification and Information:

- Research your state laws regarding victim notification.
- Review your agency policies and advocate that your agency policies provide ample opportunities for victims to be given information about requesting notification.
- Explain the criminal justice proceedings to the victim, if they have questions.
- If it exists in your jurisdiction, invite them to “opt in” for notification services. **Don't assume they are choosing to opt out. Offer the resource.**
- Coordinate with the victims' services program within your corrections agency if one exists.
- Check with the victim services agency in your area to get brochures for your office.
- Identify any websites that provide information on notification rights and services.

The Right to Reasonable Protection and Safety:

- Research the law and policies in your jurisdiction regarding safety and reasonable protection.
- Review case files for victim information.
- Read the Victim Impact Statement, if it exists.
- Give information to the victim that could enhance their safety such as the location of the person under supervision, travel restrictions, no contact orders, special conditions, and violations.
- Actively listen to the concerns of a victim who contacts you.
- Ask open ended questions regarding safety concerns (i.e. Do you have any safety concerns for yourself? What about for your children or other family members? Have you ever been threatened?)
- Be prepared to follow-up on this conversation with information about safety planning and referrals to community- or system-based advocates who can offer safety planning assistance.
- Know your resources. Most victim advocacy programs have advocates trained in safety planning.

The Right to Confidentiality and Privacy:

- Understand the rights in your jurisdiction related to victim privacy.
- Understand the policies and practices in place within your agency about communicating with victims and protecting their confidentiality.
- Review the victim impact statement and other information that may be forwarded to you.
- Discuss the confidentiality policies and procedures with your supervisor, colleagues, and advocates so that you know you are all on the same page and advocate for training on these policies. When in doubt, err on the side of victim confidentiality to mitigate risk and increase safety. Sample policies can be found [here](#).
- When working with a victim, discuss their privacy concerns and the protections that your agency has put in place to protect their privacy.
- Ask victims for a release of information to talk with an advocate that they have been working with or to access some information from their file. If a victim authorizes the release of information, the release should: be written, time-limited, specify the purpose for disclosure, and identify the person to receive the information.
- Take special precautions to protect victim information from being seen. Separate any documentation containing communications with the victim in a different location than your supervision documentation. Only allow designated staff to access victim information/case files. If computerized, use password protections.
- Consider how victim-related restrictions placed on the person under supervision might impact victim confidentiality. For example, if you restrict someone from going to a particular street or store, this may

be letting them know where the victim is living or working. When possible, broaden the restricted area enough so that confidentiality is supported.

The Right to Attend and Be Present:

- Ask them if they are aware of the notification programs in your jurisdiction and if they have registered to be notified.
- Provide them with the information on how to sign up for notification if they chose.
- Connect them with a victim advocate who could offer support before, during, or after the hearing, including courtroom or hearing orientation that helps victims understand what to expect. If you work in a system that has victim advocates as part of corrections, you should make a connection to that program.
- If you do not have internal victims' advocates, there may be programs in your community that can offer support. Make connections (see section 5: Building Partnerships) so that you are able to refer victims to support and services.

The Right to Be Heard/Provide Input:

- Research your state laws regarding victim input and participation.
- Review your agency policies and resources on obtaining victim input.
- Read the Victim Impact Statement/s and/or interview victims to inform conditions of release/supervision and to better understand victim safety concerns.
- If contacting a victim about an impact statement, provide detailed information that clearly explains the purpose of the victim impact statement and who will have access to the information. Include contact information for systems or community-based advocates that could provide support and assistance in preparing the statement.

The Right to Compensation:

- Contact your state's victim compensation program and/or website to become familiar with the requirements and application process so that you can refer victims of violent crimes.
- Obtain brochures or informational materials on victim compensation to keep in your office.
- Ask victims of violent crimes if they are aware of the victim compensation program; don't assume they already know about it.

The Right to Restitution:

- Research your state laws regarding restitution.
- Consult agency policy on restitution management.
- When conducting a PSI, ensure that losses incurred by the victim are included and addressed.
- Review the case file for documentation of restitution and other legal financial obligations such as child support.
- Help with collection by setting up services such as budgeting and employment assistance. Help individuals create a realistic payment plan.
- Invoice the individual under supervision for payment, garnish wages, summons to court, and check in on the plan at each visit, if applicable.
- Prioritize restitution over court fees and fines if allowed by law and supported by the court.

<http://info.nicic.gov/wwvc>