



**DEPARTMENT OF CORRECTIONS
PROGRAMS AND FACILITIES BUREAU
FACILITY OPERATIONAL REQUIREMENT**

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| Requirement: | PFB 6.2.411 VICTIM SERVICES |
| Effective Date: | 05/03/2021 Page 1 of 3 |
| Revisions Date(s): | 09/06/2021 |
| Reference(s): | DOC 1.8.1; 2-15-112, MCA; 41-5-1416, MCA; 46-18-241, MCA; 46-24-101, MCA; 46-24-203, MCA; 46-24-212, MCA; 46-24-213, MCA; 53-1-203, MCA |
| Signature / Title: | /s/ Megan Coy, Programs and Facilities Bureau Chief |

This procedure is referenced as ACCD 1.8.100 Victim Services, ACCD 1.8.101 Victim-Offender Dialogue, and ACCD 1.8.200 Victim Impact Panels in Section 2.C.6. Program Requirements and Design; Programming and Curriculum; Victim Services, in the following contracts: Alternatives, Inc., Butte Prerelease, Gallatin County Reentry Program, Helena Prerelease, Passages, Elkhorn, Nexus, and START.

I. PURPOSE:

The Programs and Facilities Bureau and its contracted facilities will support victims of crime and treat them with respect, dignity, and sensitivity by being familiar and comply with applicable statutes and regulations regarding crime victim information and notification.

II. DEFINITIONS:

PFB-Programs and Facilities Bureau – The Bureau oversees the facilities providing assessments and sanctions, prerelease, and treatment services.

Programs and Facilities Contract Manager – The Department’s employee(s) who acts as the liaison for services and monitors the contractual agreements between the Department and PFB contract facilities

Registered Victim – A person registered with an automated notification system (e.g., VINE) used by the Department and/or who is identified in OMIS as registered with the Department to receive location and custody status updates about adult offenders under Department supervision.

VINE-Victim Information and Notification Everyday – An automated telephone, email, and text notification system which provides location and custody status updates about adult offenders under Department supervision.

Victim - The person against whom a felony crime has been committed, or a family member of that person. Other individuals may be recognized as victims on a case-by-case basis.

Victim Liaison (VL) – A Department employee supervised by the VPM, who performs specific tasks to implement the Department’s victim programs and policies including providing direct victim services, collaborating with community entities serving victims, and acting as a liaison between victims and Department staff or Department-contracted facility staff to mitigate risk in high danger situations.

Victim Programs Manager (VPM) – A Department employee located in the Director’s Office who manages victim liaisons, programs, and policies. With victim liaisons, responds to victims’ requests for

information and referrals, educates victims about the post-conviction criminal justice system, provides victim services training, and represents victim interests in all Department matters.

III. REQUIREMENTS:

A. ACCESS TO INFORMATION:

1. §46-24-212, MCA, requires the Department to provide certain information about offenders to victims who register to be notified. Each PFB facility may designate a staff member to serve as a liaison to the Department Victim Programs Manager (VPM) to ensure compliance.
2. The Department VPM will provide victim services training upon request. Training includes victim information requests, VINE and other notification procedures, victim sensitivity and staff communication skills, policy and procedure requirements, and Department programs for victims.
3. Facility staff may contact the local probation & parole supervisor, the Department's Victim Liaisons, or the Programs and Facilities Contract Manager for registered victim information and guidance regarding information that can and cannot be released to the victim.
4. **Victim information is confidential information.**

B. VICTIM NOTIFICATION:

1. Information on offenders will be provided as authorized by §46-24-212, MCA, and outlined in *PFB 6.2.408 PFB Offender Case Records Management*. The information that can be provided to victims about an offender includes:
 - a. date of discharge from prison;
 - b. community in which the offender will reside on probation or parole;
 - c. any change in location or custody status;
 - d. escape, apprehension;
 - e. decisions of the Board of Pardons and Parole;
 - f. decision of Governor to commute sentence;
 - g. conditions of community supervision; and
 - h. the offender's death.
2. Victim information will be used to make immediate notifications regarding any changes in the above-listed information. All notifications will comply with the requirements in applicable policies, procedures, and statutes.
3. VINE is an automated victim notification system that provides current offender custody status and location 24 hours a day for adult inmates in secure custody and offenders under community supervision. A VINE notification is initiated when the location of an offender is changed IN OMIS.
4. Offenders may not appeal any delay or other impairment of case decisions or actions caused by statutory and/or procedural victim notification requirements or the processing of such notifications.

C. FACILITATED CONTACT WITH OFFENDERS:

- 1. Facilities WILL NOT initiate contact between offenders and victims apart from the Department's Victim Services and its programs.**
2. All facilities will have policy/procedure on victim services for staff to follow. The initial policy/procedure will be submitted to PFB for review to ensure consistency with DOC policy, and then submitted upon any revisions. The policy/procedure must include direction on the following:
 - a. Unless there is a "no contact with victim" condition in an offender's judgment, or a victim has an order of protection against the offender, contact between victims and offenders may only be approved by the Department's Victim Services and initiated through established victim programs, such as Victim Impact Panels, Victim-Offender Dialogue, and the Offender Accountability Letter Program.
 - b. In cases of domestic violence, stalking, and sexual assaults, the Department's Victim Services will determine the severity of the risk of contact between an offender and victim by performing an applicable risk assessment. Each case is unique and mitigation of the risk requires evaluation of the assessment, research by Department staff, releases of information, and/or therapists willing to provide services in high-risk cases.
 - c. The VPM should be contacted for information regarding the victim programs, and participation in a victim program will be in accordance with *DOC Policy 1.8.1, Victim Services* and *DOC 1.8.1(A) Victim Services Standard Operations Procedure Guide*.

IV. CLOSING:

Questions regarding this requirement should be directed to the Programs and Facilities Bureau or the Department Victim Programs Manager.