



COMMUNITY CORRECTIONS FACILITIES AND PROGRAMS BUREAU FACILITY OPERATIONAL REQUIREMENT

Requirement:	FPB 6.2.411 VICTIM SERVICES
Effective Date:	05/03/2021 Page 1 of 2
Revision Date(s):	09/06/2021; 04/24/2026
Signature/Title:	/s/ Scott Eychner, Rehabilitative and Enterprise Division Chief

This requirement 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 FPB and its contract facilities will support victims of crime and treat them with respect, dignity, and sensitivity by being familiar and complying with applicable statutes and regulations regarding crime victim information and notification.

II. DEFINITIONS (see Glossary)

III. REQUIREMENTS

A. ACCESS TO INFORMATION

1. State law, 46-24-212, MCA, requires the Department to provide certain information about offenders to victims who register to be notified. Each FPB 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 and Parole supervisor, the Department's Victim Liaisons, or the FPB 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 *FPB 6.2.408 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 and 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 the offender management system.
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 a policy and/or procedure on victim services for staff to follow. The initial policy or procedure will be submitted to FPB for review to ensure consistency with Department policy, and then submitted upon any revisions. The policy or 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 1.8.1 Victim Services* and *DOC 1.8.1A Victim Services Standard Operations Procedure Guide*.

IV. CLOSING

Questions about this requirement should be directed to the FPB Chief or the Department Victim Programs Manager.

V. REFERENCES

- A. §§ 2-15-112; 41-5-1416; 46-18-241; 46-24-101; 46-24-203; 46-24-212; 46-24-213; 53-1-203, MCA
- B. *DOC 1.8.1 Victim Services*