

GENERAL CRIME VICTIM PROGRAM STANDARDS FOR GOVERNMENT-BASED GRANTEES

GOAL

The overall goal of these standards is to ensure crime victims' rights are upheld, to increase victims' safety and access to services that meet their self-defined needs, and to ensure that program services are relevant to the populations that exist within the community.

DEFINITIONS

General crime victim: A general crime victim refers to a victim of any crime, including: assault, robbery, burglary, theft, homicide, sexual assault, domestic abuse, child abuse, elder abuse, sex and labor trafficking, DWI, criminal vehicular homicide/operation and other traffic offenses with a victim, arson, fraud and identity theft, criminal damage to property, bias motivated crimes and any other crime punishable by law. Any person defined as a "crime victim" under Minnesota Statutes section 611A.04, subd 1(b) is a "general crime victim."

Government-based grantee: A government entity that receives OJP funds for the provision of services to crime victims is a "government-based grantee." A government entity includes a city, county, state or tribal prosecutorial, law enforcement, probation, corrections, and human services/social services agencies.

LIMITS TO PRIVACY IN COMMUNICATION

The program shall clearly inform victims as early as possible in their assistance to the victim about the role of the victim service staff and the confidentiality limitations on information provided by the crime victim to the victim service staff.

SERVICES TO VICTIMS

The general crime victim program shall provide victim services to primary and secondary victims of crime including, but not limited to:

Information and referral

- a. Provide statutorily required notices to crime victims.
- b. Explain the criminal justice process, including the investigatory stage, case review, prosecution process and post-conviction process.
- c. Explain the authority and discretion of criminal justice professionals.
- d. Explain the statutory rights afforded to crime victims.
- e. Explain to victims the availability of financial assistance through restitution, crime victim reparations and emergency funds, and provide appropriate referrals.
- f. Provide information on available legal resources and courthouse-based Self-help Centers.

- g. Provide information about civil protective orders including the process to obtain, the relief available, and the local resources available to assist with their preparation.
- h. Discuss with and refer victims to the support services available to them from victim-serving organizations and social service agencies in the community. Identify services available to them such as crisis intervention, safety planning, legal advocacy, emergency shelter, emergency assistance, and support groups and counseling services. Explain which agencies provide confidential services.

Assistance

- a. Provide assistance to victims throughout the entire criminal prosecution process, including hearing/trial preparation and court accompaniment.
- b. Assist with completing restitution requests in criminal cases.
- c. Assist with completing reparations claim forms.
- d. Assist with or connect victims to organizations that provide emergency assistance such as transportation, shelter, food and other basic necessities.
- e. Process requests for “direct client assistance” funds distributed through the program, if applicable.
- f. Act as liaison between victim and criminal justice professionals including investigators and prosecutors.
- g. Provide assistance with the preparation of civil protective order applications.
- h. Provide guidance and assistance in filing elder, vulnerable adult and child abuse reports.
- i. Provide referrals for immigrant crime victims to appropriate social service and legal resources to meet their unique needs.
- j. Facilitate the return of stolen property and property held as evidence.
- k. Ensure that victims and witnesses have a safe waiting area at the courthouse.
- l. Assist victims who wish to limit distribution of their personal information by explaining the statutory protections and assist in making the necessary requests to law enforcement agencies and prosecutors.
- m. Provide additional assistance as appropriate, such as transportation to the courthouse.

Advocacy

- a. Advocate on the behalf of victims with law enforcement, prosecutors and judges to ensure the victim’s rights are upheld, their voices are heard, and their interests are represented.
- b. Act as a liaison with other criminal justice system personnel to ensure crime victims have the information they need at various stages in the process and are treated with dignity and respect.
- c. Ensure that victims’ input, concerns and objections are communicated to the prosecutor.

NOTE: For additional requirements specific to PROSECUTORIAL AGENCIES, see pg. 4

POLICIES AND PROCEDURES

- a. Develop and periodically review procedures and practices related to crime victim rights, and make any necessary changes to ensure continued compliance with the statutory obligations to victims.
- b. Assist in developing agency policies and procedures to ensure the efficient and timely collection of information for the processing of restitution requests.
- c. Establish an end-of-case process that ensures complete information is provided to victims about post-convictions issues, rights, resources, and information.
- d. Ensure that information regarding the agency's complaint process is readily available to victims and provide information on how to access the complaint policy and process.

STAFF SUPPORT AND SUPERVISION

New staff: Government-based agencies shall provide formalized new employee orientation and training to victim service staff that includes crime victim rights, information about the network of community and government resources available to crime victims, effective communication with victims, and respectful response towards victims.

Professional development: Victim service staff shall be provided ongoing training opportunities, utilizing both in-house and outside training sources.

Supervision: Victim service staff workload shall be designed to ensure that the core efforts of the victim service professional are for assisting victims, providing necessary notifications, being responsive and available to victims, and ensuring that the victims' concerns and position are communicated to the relevant criminal justice professional.

PROFESSIONAL TRAINING AND SYSTEMS CHANGE

Victim service staff shall work to ensure the fair and sensitive treatment of victims within their own office and within the offices of their criminal justice system partners. Their efforts with their office and outside agencies should include:

- a. Providing training and updates on crime victimization and rights issues.
- b. Monitoring the offices' compliance with statutory obligations.
- c. Assisting with the development, review, and update of policies and procedures to ensure that they are sensitive to the rights and needs of crime victims.
- d. Maintaining formal and informal contacts and relationships with criminal justice partners who have contact with victims of crime.

EXTERNAL ACTIVITIES

Community partners and collaborative relationships: Victim service staff shall actively work to establish and maintain effective collaborative relationships with crime victim service providers, legal aid, law enforcement agencies, and other government agencies to better address the needs of crime victims. Partnering may involve both formal and informal avenues, including referral agreements; cooperative community training, events, and public awareness activities; cross-disciplinary trainings; culturally-specific

and issue-specific workgroups; multi-disciplinary taskforces; information sharing; and community provider networks.

Community education and outreach: Staff should promote, collaborate on, and assist with local community education efforts aimed at enhancing community and public safety. Staff should conduct outreach and organize training efforts to educate the community on crime victim rights and victimization and to increase public awareness of crime victim services.

REQUIREMENTS SPECIFIC TO PROSECUTORIAL AGENCIES

Policies and procedures: Prosecutorial agencies shall maintain documentation of their policies and procedures that demonstrate compliance with their obligations to crime victims under Minnesota Statutes chapter 611A. This documentation shall include notification letters and their internal procedures for maintaining records of communication and correspondence with victims.

Communication with victims: Prosecutorial agencies shall maintain documentation of communications with victims in criminal cases being prosecuted by the agency, including the provision of statutorily required notices.

Collaboration with other organizations and agencies: Those prosecutorial agencies that have arrangements with community-based organizations or other government entities to provide assistance and notifications to victims of crimes being prosecuted by the agency must ensure that those other programs have timely access to relevant case information and hearing dates, and that they maintain records of their assistance to those crime victims. Arrangements between government-based grantees and other organizations must be formalized in a memorandum of understanding that describes the relationship between the government-based grantee and the other organization, the services being provided, the protections on the data, records retention and documentation of services.