



**New York State Division of Probation
And Correctional Alternatives**

**New York State
Model Victim Policy
For Probation Departments**

**David A. Paterson
Governor**

**Robert M. Maccarone
State Director**

September 2009

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STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES
80 WOLF ROAD, ALBANY, NEW YORK 12205
TELEPHONE: (518) 485-7692
FAX: (518) 485-5140

DAVID A. PATERSON
Governor

ROBERT M. MACCARONE
State Director

September 2009

Dear Colleagues,

Victims of crime are a very important part of New York State's criminal justice system. The agencies that comprise the criminal justice system are generally focused on holding offenders accountable to protect community safety, while ensuring that the rights of offenders are safe-guarded and that their treatment is just. However, of equal concern and importance is the provision of justice for victims of crime. While probation departments provide many meaningful and valuable services to victims, including obtaining victim impact statements, collecting and distributing victim restitution and convening victim impact panels, their policies are often fractionalized across the functional areas of probation, including investigation, supervision and the collection of restitution.

To assist probation departments in developing comprehensive victims policies, DPCA convened a Statewide Workgroup on Probation and Crime Victims that met over a two year period. The Statewide Workgroup consisted of professionals from diverse disciplines that touch the lives of victims, including small and large probation departments, crime victim services, the courts, treatment services, and other state agencies. Victims of crime and their families were also invited to present to the Workgroup to ensure their voices were heard and their needs understood.

The Model Victim Policy for Probation Departments was developed from the recommendations of the Statewide Workgroup and is intended to provide practical guidance to probation professionals in developing a systematic approach, consistent with available community resources, that is fair and just for victims of crime.

I want to take this opportunity to thank the Co-Chairs of the Workgroup, DPCA Executive Deputy Director Thomas Slater and former Ulster County Probation Director Robert Sudlow, the members of the Workgroup for their sustained efforts, as well as other professionals who assisted in the development of this comprehensive and practical probation guidance.

Sincerely,

A handwritten signature in cursive script that reads "Robert M. Maccarone".

Robert M. Maccarone
State Director

New York State Crime Victims and Probation Workgroup Members

Thomas Slater, Co-Chair, NYS Division of Probation and Correctional Alternatives
Robert Sudlow, Co-Chair, Ulster County Probation Department

John Amodeo, Office of Court Administration
Amy Barasch, NYS Office for the Prevention of Domestic Violence
Victoria Casey, Orange County Probation Department
Janelle Cleary, NYS Council on Children and Families
William Connors, Albany County Probation Department
Lisa D'Ambrosio, New York City Department of Probation
Peggy Duffy, NYS STOP DWI Association
Joseph Farrell, NYS Coalition Against Sexual Assault
Sherry Frohman, NYS Department of Health AIDS Institute
Gary Govel, NYS Division of Probation and Correctional Alternatives
Heather Haskins, NYS Office for the Prevention of Domestic Violence
Carol Hooper, Dutchess County Probation Department
Delores Hunter, New York City Department of Probation
Janet Koupash, NYS Department of Correctional Services
Connie Neal, NYS Coalition Against Domestic Violence
Bonnie Speanberg, NYS Crime Victims Board
Tina Stanford, NYS Crime Victims Board
Mary Ellen Still, Dutchess County Probation Department
Norma Tyler, NYS Division of Probation and Correctional Alternatives
Linda Valenti, NYS Division of Probation and Correctional Alternatives
Gretchen Walsh, Office of Court Administration
John Watson, NYS Crime Victims Board

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MODEL VICTIM POLICY FOR PROBATION DEPARTMENTS

Introduction

The primary goal of probation is to reduce offender recidivism and promote community safety. Probation holds offenders accountable, but it also works to address their treatment needs to mitigate the risk of re-offending so they will change their behavior and become law-abiding members of the community. Importantly, probation departments are also strategically positioned within the justice system to help victims get their lives back on track in the aftermath of crime.

Probation departments in New York State provide many services to victims of crime, including helping victims complete applications for victim compensation, providing victims services information, referral and education, providing victim/offender mediation, convening victim impact panels and providing victim notification regarding offenders' status and disposition. In a single year, probation departments reach out to over 18,000 victims and include their impact statements in presentence investigation reports prepared for the Courts. Probation departments also collect over \$14 million annually in restitution from offenders on behalf of victims of crime.

While it is clear that probation departments serve victims of crime in many meaningful ways, there is inconsistency in the approach taken by departments in providing services. Moreover, while probation departments have policies that address victim services, they are often set out according to the probation investigation, supervision, and restitution functions. To help probation departments better serve victims of crime, DPCA established a statewide workgroup consisting of a diverse membership, to re-examine the role of probation with respect to victims and to provide guidance for departments to develop clear and consistent policies that will improve services. This Model Policy is a direct result of the efforts of the workgroup.

The Model Policy recognizes the differences in communities across New York State and the resources available to them. In the larger metropolitan areas, some victim services are provided by community-based agencies that specialize in this important work. They may be co-located with probation departments or operate as independent agencies. Probation departments should reach out to these agencies and ensure they are included in crafting a comprehensive probation victims policy for their jurisdiction. In smaller and often more rural communities, the probation department may be the primary or only service provider that works to address the needs of victims of crime. The Model Policy is designed to assist all probation departments in re-examining this important function and to provide a roadmap for them to craft comprehensive policies that will best serve victims of crime.

Parallel Justice as a Framework for a Model Victim Policy¹

Criminal acts perpetrated by offenders produce victims. The traditional criminal justice response to crime focuses on holding the offender accountable through the arrest, prosecution, judicial and corrections processes. Parallel Justice emphasizes the social obligation to repair the harm caused by crime, above and beyond the arrest and adjudication of offenders. In addition to the traditional offender-based response to crime, a parallel set of responses geared to the victim will help victims rebuild their lives.

In the aftermath of crime, most victims have three primary needs: 1) the need to feel safe; 2) the need to recover from trauma, and 3) the need to regain control over one's life.

Parallel Justice provides a useful framework for criminal justice agencies to examine their respective roles and duties concerning victims of crime to address these needs in ways that are consistent with their mission. The statewide workgroup utilized the Parallel Justice framework as a lens to organize its thoughts and recommendations. In addition to the more general Parallel Justice principles, the workgroup considered the following twelve elements of the role of government in Parallel Justice as it examined the policies and practices of probation departments.

The Role of Government

- **Foster commitment to help victims of crime rebuild their lives.**
- **Ensure that the goal of victim safety is reflected in all policies and practices.**
- **Provide victims emergency and ongoing assistance as needed.**
- **Offer victims priority access to resources and services.**
- **Provide compensation to victims for crime-related expenses.**
- **Create special allowances to ease victims' burdens.**
- **Implement and enforce victims' rights.**
- **Ensure fair and respectful treatment of victims.**
- **Provide opportunities for victims to talk about their experience and their needs.**

¹Parallel Justice is a new vision of justice for victims developed by crime victim expert Susan Herman. Ms. Herman is an Associate Professor at Pace University, and former Executive Director of the National Center for Victims of Crime. She has sought to identify the commonalities that all victims share, rather than issues particular to subsets of victims (i.e. domestic violence, sexual offenses, etc.). This emphasis on Parallel Justice in the Model Policy results from a workshop conducted by Ms. Herman with the Probation and Crime Victims Workgroup held on July 17, 2008.

- **Acknowledge that what happened to victims was wrong and that every effort will be made to help them rebuild their lives.**
- **Develop and coordinate a comprehensive, communal response to victims.**
- **Base decisions about how to address victims' needs on sound information and research.**

As stated previously, the model policy is intended to assist probation departments, in re-examining their policies and practices to better assist victims of crime.

Members of the workgroup and DPCA recognize that in today's fiscal climate, jurisdictions may not have the resources to develop and implement a "comprehensive" victims policy all at once. Rather, the model policy was developed by probation practitioners to assist departments in determining where they are, where they would like to go and most importantly, how to get there.

It is recommended that departments first start with a self-assessment. This can be done by reviewing the twelve points listed above and the following model policy to determine what is already being done and what else the department would like to accomplish. Many departments will find that they already do many of the things recommended in the model policy. A number of the recommendations can also be achieved without additional resources. Wherever possible, it is recommended that departments collaborate with other agencies in their jurisdictions to better serve both victims **and** offenders.

Model Victim Policy for Probation Departments

- I. **Mission Statement** – Probation departments should have Mission Statements that clearly state the reduction in probationer recidivism as a major goal and that recognize and prioritize the needs of crime victims. Mission Statements should include the concepts of preventing victimization (and repeat victimization) and minimizing further harm by the justice system. This includes the compassionate treatment of victims and empathy for victims, the use of victim-sensitive letters, safe and appropriate waiting space or alternative sites for meeting with victims or the scheduling of meetings to ensure that victims do not have to be confronted with offenders, as well as the provision of timely notification of various court processes. Probation departments should provide information and referral as service brokers to victims of crimes as well as offenders. Examples of mission statements are located in Appendix A. Victim supportive signage regarding value and mission statements should be clearly visible throughout probation department facilities.

- II. **Crime Victim Specialists and Crime Victim Advocates** - Probation departments should develop specialist staff and/or designate individual(s) to specialize in crime victim services. Designated staff should be responsible for the development of a comprehensive probation crime victim services plan and provide guidance to officers on victim-related issues. Departments may wish to partner with other agencies to provide this resource or consider the development of crime victim advocate positions. Several counties have

secured grant funding through the State's Crime Victims Board and the federal Office of Victim Services to establish these positions and services. Probation based crime victim services, including advocacy, can be a very strong model in influencing a victims centered approach within agencies.

Victims of crime can experience serious, life-changing consequences and may need services, including education about the justice system, assistance with the court process, notification of offender status, compensation, restitution, counseling or therapy, housing, and safety planning among many other services. Probation staff should be available to victims to discuss their concerns and needs. When specific needs are identified, services should be provided directly wherever possible or through referrals to community based agencies. Whatever model is developed, coordination of services to victims is of paramount importance. Departments with satellite offices should ensure that their crime victim service plans address access to these specialized resources by satellite office staff.

III. Victim Impact - Victim impact information should be collected that describes the financial, emotional, physical, and psychological effects of the crime, as well as the safety concerns of the victim. Different methods of delivering victim impact statements should be available to victims such as appearing in court, written, audio and video allocutions, and telephone and electronic communication. Special consideration should be shown for youth and other vulnerable populations. This information will assist in determining the following:

- a. Victim-specific restitution.
- b. Recommendation for the length or type of the sentence.
- c. The need for any special release conditions (*e.g.*, restraining orders) for an offender.
- d. The need for any victim/offender programs (*e.g.*, dialogue processes/mediated means, conciliation, participation in treatment programs).
- e. Any other recommendations to help protect the safety of the victim.
- f. Responsibility to determine victim's desire to be notified or updated regarding offender's post-conviction status.

Interagency Collaboration – Interagency agreements, either formal or informal, between the probation department and other law enforcement agencies, including the prosecutor, should be utilized to foster an understanding of how victim impact information is to be shared as each case progresses through the justice process. These agreements should specify *who* is responsible for *what* activities related to victim impact. The purpose of this collaborative effort is to minimize any negative impact the justice system may have on the victim, while ensuring that his/her rights to certain kinds of compensation and assistance, notification of judicial proceedings and his/her rights during these proceedings, including the right to be free from intimidation, the right to submit a victim impact statement and appear in court and be heard, the right to restitution, and his/her rights as a victim of stalking, domestic violence and/or rape or sexual assault.

Locating Victims – Victim location is often known through official documents filed or shared with the probation department. Where the victim is identified, but his/her location is unknown, the probation staff assigned to the investigation, supervision, or collection of restitution, should make diligent efforts in locating the victim. Resources (Appendix B) that may be useful in locating victims include:

- a. Directory Assistance Plus - <http://www.daplus.us/>
- b. White Pages.com - <http://www.whitepages.com/>
- c. Zaba Search - <http://www.zabasearch.com/>
- d. United States Postal Service
- e. Various pay data base search services such as Lexis Nexis, Westlaw and Regional Information Sharing Systems (RISS)
- f. Legal notice press releases
- g. Crime Victims Board - <http://cvb.state.ny.us>

Victim contact information should be considered confidential and be maintained as such within the department to the extent possible. However, sometimes documents containing victim information are legally requested and granted through the Freedom of Information Law (FOIL) and victims should be made aware of this possibility.

Contact With Victims - When probation staff initially contact a victim, a telephone call with a follow-up letter is recommended (Appendix C). The letter should specify a date and specific time frame for the victim to call the probation officer. Letters should include information on available services, victim's rights, including the victim's right to "opt-out" of the process, the claim requirements for the Crime Victims Board, and other information deemed essential. Multi-lingual versions of the letter may be necessary. Probation staff should also share the following:

- a. information from the New York State Crime Victims Board such as the booklet titled *The Rights of Crime Victims in New York State* and the Crime Victims Board Website <http://cvb.state.ny.us>.
- b. opportunities to participate in the Victim Information and Notification Everyday (VINE) Program and notification via VINE when an incarcerated offender will be released (Appendix D).

The content of this initial contact will vary depending on the probation and community services available to the specific type of victim. In any contact by the probation department, the victim must be made fully aware of the probation officer's role in the particular case. The probation officer must also take into consideration the statutory provisions concerning the disclosure of information when the offender is a mandatory Youthful Offender (YO) or is involved in a Family Court or diversion matter.

- a. The method by which victim information is collected should vary according to a victim's age. Coordinated interviews of child victims should be conducted to minimize the burden placed on the child and prevent repeat victimization.

- b. Staff collecting victim information should take into consideration language barriers, visual impairments, and any literacy limitations of victims. In some instances, victim impact statements may require collaboration between the victim, his/her family, the victim advocate and the probation officer. In some cases, the members of the family may be the perpetrators of the crime and their collaboration would obviously not be sought.
- c. Probation departments should be aware of resources available in their communities for victims with disabilities (e.g., mental illness, mental retardation and developmental disabilities). When victims with disabilities are identified, they should be linked with a specially trained and appropriate advocate. Child and Adult Protective Services should also be considered when appropriate.
- d. The office space where a probation officer meets with a victim should ensure the comfort, and protect the identity, of the victim. If such meetings are within the probation department, consideration should be given to escorting victims and not asking them to wait in areas with probationers.

Pre-Sentence/ Pre-Dispositional/Pre-Plea Investigations and Reports - In a pre-sentence, pre-dispositional or pre-plea investigation, the following core concepts must be included in a Victim Impact Statement (Appendix E): victim's version of the offense, extent of injury, economic loss and actual out-of-pocket loss, views of the victim toward disposition, and the amount of restitution and reparation sought. The victim's safety concerns should always be addressed in the report. The content of the investigation report is governed by DPCA Regulation Part 350 of 9 NYCRR , which has the force and effect of law.

Victim Impact Panels - Victim Impact Panels, where available, should be routinely recommended in pre-sentence reports for DWI Offenders and other impact panels considered for other offenders, where appropriate. Victim Impact Panels should also be utilized during the period of probation supervision.

IV. Core Victim Services

Notification of Offender Status - The victim should be provided the opportunity to register with the probation department for future notification of the offender's status once the offender is sentenced to probation supervision (Appendix F). Whenever a violation of probation is filed, the probationer absconds, or when the individual is no longer under the supervision of the department, the victim would be immediately notified of such status change. The department should allow for several methods for victims to receive notification such as telephone, e-mail or in writing. When a probationer's supervision is transferred to another county, the receiving county would assume the responsibility for notification of offender status. During the transfer process, the sending county should provide the receiving county with victim contact information for notification purposes. Informing victims of offenders' status directly affects their sense of safety and security.

Providing notifications is a process that lends itself to the use of automated probation case management systems. Probation departments utilizing *Caseload Explorer* and other automated case management systems may wish to use templates and pre-formatted documents to implement this practice.

Victim Safety Planning - Probation staff should ensure that victims have safety plans in place to prevent repeat victimization, regardless of where the offender is in the justice process. This can be accomplished by a referral to a victim service provider or by the department itself. Victim safety planning is a critical function and anyone providing this service should be properly trained. Victim safety should be central to all probation decisions and functions. The victim should be considered whenever any decisions are made regarding an offender. For example, if there are orders of protection in place, any decisions regarding an offender's housing or employment should not violate the conditions of the court order. When an offender requests permission to travel, the supervising officer should consider the location of the victim and the status of any restitution payments to the victim. Victims should be informed of their opportunities to participate in the parole and local conditional release processes and be provided notification of the offender's release. VINE may be utilized to secure this information.

Victim Information and Referral - When a service is requested by a victim, staff should make an appropriate referral. Losses to victims, however, often extend beyond those for which restitution can be ordered. Furthermore, victims often need services that traditional victim service agencies do not provide, including job training, drug and alcohol treatment services, housing, educational opportunities and mental health services. Probation staff should be familiar with local resources that address victim needs. An up-to-date victim services directory, which includes a detailed description of services provided and contact information, should be provided to all staff working with victims. This kind of information is usually available from local victim service agencies, regional coalitions, and national victims' organizations.

Offender Accountability - Alternative forms of accountability including victim-offender dialogues (where appropriate), group conferences, community accountability boards, reparative boards, and dispute resolution should be considered at any stage in the process, consistent with victim input and approval. Probation departments should consider a variety of methods to promote probationers' taking responsibility for their actions. A Victim Empathy Worksheet or similar tool should be utilized with all offenders with victims (Appendix G). This tool helps the supervising probation officer assess how the probationer views the victim(s).

Restitution Collection – The Director/Commissioner shall establish restitution collection policies in accordance with rule and regulation 9 NYCRR Part 353 Financial Obligations, and the *Internal Control Guide For Probation Department Restitution Collection and Disbursement* prepared by the Statewide Fiscal Controls Workgroup. The *Internal Control Guide* is available to all probation officers through the Probation Services Suite of *e-Justice New York*. An effective restitution management process shall also contain the following:

- a. In the pre-plea/sentence report, the probation department should recommend restitution whenever applicable, regardless of whether the defendant will be sentenced to local or state incarceration or probation supervision.
- b. In a pre-dispositional report, the probation department should recommend restitution wherever applicable for a disposition of either probation or placement, within the requirements of the Family Court Act, Sections 353.3 (8) and 353.6 for Juvenile Delinquency (JD) matters and within the requirements of the Family Court Act Section 758-a for Persons In Need of Supervision (PINS) matters.
- c. For JD cases in the process of being adjusted, “the inability of the respondent or his or her family to make restitution shall not be a factor in a decision to adjust a case or in a recommendation to the presentment agency pursuant to” Family Court Act Section 308.1 (6). The probation department or the court may direct a respondent to obtain employment and to make restitution from the earnings of such employment. (Family Court Act Section 308.1 (2)).
- d. The Probation Department/District Attorney/Court should ensure that the NYS Department of Correctional Services (DOCS) is made aware of any restitution ordered by having it included as a restitution order with the commitment, specifying that restitution may be collected from the inmate through DOCS.
- e. Probation departments designated as restitution collection agencies in their respective jurisdictions are required to collect restitution from all offenders whether probationers or not, and shall take proactive steps with courts to ensure that they receive copies of restitution orders in all cases where restitution is ordered.
- f. Where restitution is ordered as a condition of probation, the court should be encouraged to issue a separate order of restitution at the same time. This ensures that the restitution obligation continues when the probation case is terminated.
- g. Procedures regarding restitution disbursement should be included on departmental websites, in correspondence to victims and in as many other relevant locations as possible. Such information should include reminders that victims need to notify the restitution collection agency in the event that they change their address of record.
- h. To assist the Crime Victims Board, written or verbal communications with victims should include, where appropriate, questions regarding whether or not the victim has received an award related to the crime or whether they have submitted a compensation claim for such. The Crime Victims Board may be designated as the recipient of the restitution to the extent that it has paid out a claim.
- i. Probationers should not be recommended for early discharge until all restitution orders are fully satisfied.
- j. Restitution, where appropriate, should always be recommended despite an offender’s ability to pay at the time of sentence. Circumstances may eventually enable an offender to pay the restitution ordered or pay at a higher rate.
- k. Any recommendation for community service, reparations, or other alternatives should be discussed with the victim. Victim’s input should be sought, particularly regarding safety issues.
- l. When probation departments prepare pre-plea/sentence reports, where applicable, the recommended restitution condition should include a statement that restitution orders be filed and entered in the same manner as civil judgments per CPL 420.10 (6). (Appendix H)

- m. When a violation of probation is filed for non-payment of restitution, the probation officer shall articulate what efforts were made to collect the restitution balance from the probationer prior to such violation being filed. Such efforts should include administrative hearings, advising the offender to request a modification of the payment schedule from the court, etc.
- n. In an intrastate transfer case, the receiving probation department shall be responsible for the collection of any restitution payment and designated restitution surcharge imposed as a condition of the probation sentence or disposition and disbursement to the proper beneficiary. The receiving department shall be entitled to receive and keep any designated surcharge imposed.
- o. In an interstate transfer case, the sending state is responsible for collecting restitution or other financial obligations imposed by the sending state on the offender. Upon notice by the sending state that the offender is not complying with restitution or other obligations, the receiving state shall notify the offender that he/she is in violation of the conditions of supervision and must comply. The receiving state shall inform the offender of the address to which payments are to be sent.
- p. In a JD Proceeding, a Family Court may recommend restitution pursuant to Family Court Act Section 353.6, in conjunction with an order of placement with a Commissioner of Social Services or the Commissioner of the NYS Office of Children and Family Services. The probation department should recommend to the Family Court that the restitution order be written in such a manner as to allow for collection of the restitution while the JD is in placement. For NYS OCFS placements, a protocol for entering the restitution order, tracking restitution requirements monthly, and the collection of restitution has been incorporated into the OCFS case management system (JJIS).
- q. In a PINS Proceeding, a Family Court may recommend restitution pursuant to Family Court Act Section 758-a (1) (a) in conjunction with an order of placement with a commissioner of social services. The probation department should recommend to the Family Court that the restitution order be written in such a manner as to allow for collection of the restitution while the PINS is in placement.
- r. While an inmate is in state custody, the DOCS will collect restitution and other financial obligations until such obligations are paid in-full, or until the offender is released from custody. The following are recommendations to ensure that restitution can be collected from state inmates:
 - i. In the event that a probationer's sentence is revoked and a sentence of state prison is imposed, the original Order and Conditions which specify restitution is not sufficient for correction authorities to collect restitution. Probation should request that the Judge issue a new or modified/amended order reflecting the unpaid restitution obligation and include it with the Commitment Order.
 - ii. When restitution has been ordered, probation shall ensure that DOCS is provided with a copy of the order.
 - iii. Probation pre-plea/pre-sentence recommendations shall specify that restitution payment not be deferred until after the offender's release from DOCS. Statements such as "Payment to begin upon 60 days after release from the Department of Correctional Services", prevent collection of

- restitution while the offender is an inmate and should not be utilized.
- iv. When a probation department learns an inmate/defendant has an old restitution order, but is now or will be incarcerated on a new, unrelated conviction, probation shall advocate that the Judge forward an order directing DOCS to collect on the old order.
 - v. When a probation department learns that an offender who had a restitution related encumbrance returns to state custody on a parole revocation, probation shall update DOCS regarding any current balances in order to resume collection of the restitution obligation.
 - vi. The probation department, when designated as the restitution collection agency, shall take proactive steps with courts to ensure that they receive copies of restitution orders in all cases including when an offender is sentenced to state prison.
 - vii. If a probation department receives a restitution check from the DOCS and the department does not have a restitution order on file, the department should thoroughly investigate the situation before sending the check back to DOCS.
 - viii. In order for probation departments to properly process restitution checks from DOCS, the check should be made payable to the Probation Department and County and include the offender's name, NYSID number and docket number. A copy of the restitution order should also accompany the check.
 - ix. DOCS prepares lists by county, identifying the inmates that they are collecting restitution from, as well as any payments that may have been forwarded. Probation departments should request a copy of that list and ensure that they have restitution orders on file for the inmates listed.
Departments should contact:
 - NYS Department of Correctional Services
 - Office of Victims Services
 - Mail: Riverview Center, 150 Broadway
 - Albany, New York 12204
 - Telephone: 1-518-402-6600
 - x. Staff working on restitution matters should routinely check with the State Crime Victims Board to see if there are any open or paid claims on the cases. Departments should contact:
 - State Crime Victims Board
 - 1-800-247-8035

V. Local Victim Advisory Council - The Probation Director/Commissioner should be a member of any existing local Victim Advisory Council. Where no such council exists, the Director/Commissioner should consider collaborating with the County Executive's Office/Mayor's Office, victims, and practitioners from corrections, law enforcement, the prosecutor's office and victim services to establish such a forum. A crime victim services assessment should be considered by the Council annually to assess the quality of current services, the effectiveness of coordinated efforts, and identify gaps in service. The Council

should plan and advocate for the improvement of services to victims, as well as encourage existing criminal justice committees, workgroups or advisory boards to establish sub-committees specific to victim rights, needs and issues. Probation departments should prioritize assessments of how well probation departments are interacting with and assisting victims.

VI. Public Information and Outreach - The Director/Commissioner may also consider working with other governmental and community agencies to develop an effective public information and outreach program – the purpose of which is to educate victims, citizens, and various other service providers and to garner public support for the work of community corrections. An effective public information and outreach program may include some of the following elements:

- a. Probation departments should distribute materials such as brochures, telephone rolodex cards, fact sheets, and handbooks describing departmental victim services. This information should be available in multiple formats including printed, on-line and via special telephone numbers where available (i.e., 211, 311, or 411).
- b. Probation departments should display existing literature on available crime victim services throughout the department and distribute to community agencies including local hospitals.
- c. Probation departments should distribute existing resource guides to victim services for the benefit of probation officers and victims. Hotline numbers for victims should be included and distributed in any probation related information.
- d. Departments may participate in National Crime Victim's Week activities within their communities, and support other crime victim awareness initiatives throughout the year.
- e. Departments may make public presentations to community groups on how the department interacts with and assists victims.
- f. Probation departments should solicit regular feedback from victims regarding their experience with probation officers and utilize this feedback in improving the department's response to victims.

VII. Staff Development - All probation staff should receive training in victim services. It is recommended that 3 of the 21 hours of in-service training required annually of professional probation staff include some aspect of victim services. Where resources permit, staff serving probation departments as Crime Victim Specialists should attend training at the Crime Victims Academy in the first year of their designation and receive training annually on victim issues. Some areas for training consideration are:

- a. The relationship between domestic violence and sexual offending.
- b. Crossover sexual offending including marital rape, intimate partner sexual assault and child sexual abuse.
- c. Increased awareness of various technologies that can be used by offenders to further victimize. Such technologies can include covert monitoring of cell phone

conversations, e-mail and computer use, GPS tracking, listening devices, night vision, manipulation of caller ID, etc.

- d. Gender and cultural sensitivity.
- e. Victims with disabilities may require special consideration and/or accommodations within the criminal justice system. Probation staff working with victims should receive specific training and guidance in working with victims with disabilities.
- f. A system of officer “self-care” should be implemented by departments to increase the effectiveness of officers in their work with victims and avoid secondary trauma.
- g. Probation Officers should familiarize themselves with appropriate internet resources including the State Crime Victims’ Board website, Office for Victims of Crime, National Coalition Against Domestic Violence, STOP DWI, National Center for Victims of Crime, etc.
- h. Probation departments should utilize Victim Impact Panels as opportunities for probation officer victim awareness training. While most victim impact panels currently deal with DWI’s, panels can be used for any kind of crime.

RESOURCES

Literature

A Guide to Crime Victim Compensation in NYS – Brochure available from the NYS Crime Victims Board website

A Guide to Restitution in NYS – Brochure available from the NYS Crime Victims Board website

Child Custody Investigations: Guidelines for Practice, A Model Procedural Package For Use by Probation in a Coordinated Criminal Justice Response to Domestic Violence, NYS Division of Probation and Correctional Alternatives, June 2008

Intake Guidelines: Completing Petitions for Orders of Protection Involving Family Offenses, A Model Procedural Package For Use by Probation in a Coordinated Criminal Justice Response to Domestic Violence, NYS Division of Probation and Correctional Alternatives, NYS Office for the Prevention of Domestic Violence and NYS Coalition Against Domestic Violence, October 2008

Internal Control Guide for Probation Department Restitution Collection and Disbursement, NYS Division of Probation and Correctional Alternatives, Statewide Fiscal Controls Workgroup, October 2005

NYS Crime Victims Board Annual Reports – Reports available from the NYS Crime Victims Board website

Parallel Justice for Victims of Crime by Susan Herman (forthcoming book published by the National Center for Victims of Crime)

Probation Domestic Violence Pre-Sentence Investigations & Reports, A Model Procedural Package For Use by Probation in a Coordinated Criminal Justice Response to Domestic Violence, NYS Division of Probation and Correctional Alternatives, NYS Office for the Prevention of Domestic Violence and NYS Coalition Against Domestic Violence, April 2004

Probation Supervision: A Model Procedural Package For Use by Probation In a Coordinated Criminal Justice Response to Domestic Violence, NYS Division of Probation and Correctional Alternatives, NYS Office for the Prevention of Domestic Violence and NYS Coalition Against Domestic Violence, January 2005

The Probation Response to Supervision of Women Who are Abused, Sherry Frohman and Connie Neal, NYS Coalition Against Domestic Violence, Inc., June 2005

Promising Victim-Related Practices and Strategies in Probation and Parole, U.S. Department of Justice, Office for Victims of Crime, and the American Probation and Parole Association, July 1999

The Rights of Crime Victims in NYS— Pamphlet available from the NYS Crime Victims Board website

Vermont Center for Crime Victim Service Restitution Unit - Report to Legislature, Prepared By Judy Rex, January 24, 2007

Websites

Barrier Free Living, Inc., New York City - www.bflnyc.org

National Center for Victims of Crime - www.ncvc.org

New York State Coalition Against Domestic Violence - www.nyscadv.org

New York State Coalition Against Sexual Assault - www.nyscasa.org

New York State Community Dispute Resolution Centers - www.nycourts.gov/ip/adr

New York State Council on Children and Families - www.ccf.state.ny.us

New York State Crime Victims Board – www.cvb.state.ny.us

New York State Department of Correctional Services - www.docs.state.ny.us

New York State Division of Probation and Correctional Alternatives - www.dpca.state.ny.us

New York State Office for the Prevention of Domestic Violence - www.opdv.state.ny.us

New York State Office of Court Administration - www.courts.state.ny.us

New York State STOP DWI Association - www.stopdwi.org

The Center for HOPE – www.hope4themissing.org

U.S. Department of Justice, Office for Victims of Crime - www.ojp.usdoj.gov/ovc/

Appendix A

Mission Statements

- **Orange County Vision and Mission Statements**
 - **Dutchess County Mission Statement**

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OUR VISION

We are committed to public safety; to justice for victims; to reparation of the community; and to accountability of offenders with respectful treatment for all.

MISSION STATEMENT

The mission of the probation department is to protect the community through victim focused investigation, supervision and rehabilitation of juvenile and adult offenders; to provide safe alternatives to incarceration and placement and to address the needs of crime victims and individuals seeking relief through the family court.



MISSION STATEMENT

The Mission of the Dutchess County Office of Probation and Community Corrections is to protect the community through intervention in the lives of those under supervision by facilitating compliance with court orders and serving as a catalyst for positive change. We operate in collaboration with our criminal justice partners and the community. We provide services to courts, help strengthen families and give victims a voice in the justice system. We provide leadership and services in a cost effective community based setting.

Appendix B

Resources Available to Locate Victims

- **Directory Assistance Plus**
- **White Pages**
- **Zaba Search**
- **United States Postal Service**
 1. **Address Information Request Format**
 2. **Code of Federal Regulations, Title 39, Postal Service §265.6
Availability of Records**
- **Data Base Search Services**
 1. **Lexis Nexis**
 2. **West Law**
 3. **Regional Information Sharing Systems**



Like the rec

▶ Directory Assistanceplus / a service of infoUSA

- ▶ WHITE PAGES
- ▶ YELLOW PAGES
- ▶ PHONE SEARCH
- ▶ MY FAVORITES
- ▶ GROW YOUR BUSINESS

- Area Code Search
- Zip Code Search
- Address Search
- Map
- Find a Doctor

Search Canada

Find a BUSINESS:

By Category: (Example: Hotels or Doctors)

By Company Name: (Example: Walmart)

City OR Zip :

State:

New York

(State OR Zip Code is required.)

/OR/

Find a PERSON:

Two or more letters are required for Last Name
Note: Use an asterisk(*) to return broader results
eg. Low* returns LOWery, LOWerie, LOWry.

First Name

Last Name (r

City OR Zip :

State:

New York

(State OR Zip Code is required.)



REVERSE PHONE Search:

Enter the ten digit phone number:



(Example: 402-555-1212 or 4025551212)

Special Offers:

Grow Your Business

with



FREE Business Credit Reports

Easy to use reports from 14 million businesses





WhitePages.com™

search.find.connect

30 Results matching "Thomas Slater, NY".

Sort by: - Select -

1 2 3 Next >

Thomas Slater
 1177 Avenue Of The Americas, Fl 40
 New York, NY 10036-2714
 (212) 823-1900
[Listing Details](#)

Job title: Analyst
 Company: Metlink Capital

SPONSORED LINKS
[Lookup Background Info for Thomas Slater.](#)
[What's This Home Worth?](#)
[Find Thomas Slater's Email](#)

[View Thomas Slater's Profile](#)

Make it easy for people to contact you on WhitePages.com [Learn more](#) [Add your listing](#)

Thomas A Slater
 176 Saint Johns St
 Central Islip, NY 11722-3640
phone number unavailable
[Listing Details](#)

Age: 55-59
 Household: Florence M Slater, Lori Slater

SPONSORED LINKS
[Lookup Background Info for Thomas Slater.](#)
[What's This Home Worth?](#)
[Find Thomas Slater's Email](#)

[View Thomas Slater's Profile](#)

Thomas C Slater Jr
 603 Somerset Kntl
 Brewster, NY 10509-6517
 (845) 207-9083

Household: Susan F Slater

SPONSORED LINKS
[Lookup Background Info for Thomas Slater.](#)
[What's This Home Worth?](#)
[Find Thomas Slater's Email](#)

Free People Search Find People for Free Search by Name. USA People Search.

ZABASEARCH

Free People Search and Public Information Search Engine

People Search by Name. i.e. *john doe* or *john a doe*

[Advanced Search](#)
[Help](#)

All 50 States

**Telephone Numbers and Addresses Revealed Free. No Registration Required. Instant Results.
Three Times More Residential Listings than White Pages Phone Directory**

InfoFinders.com - 1-800-444-4444 1-800-444-4444

Search by Phone Number. i.e. *555-555-5555*

Premium Services: [Search by Phone Number](#) [Search by SS#](#) [Run a Background Check](#)

[Know When You're Being Searched](#) [ZabaSphere Login](#) [Check for Messages to You](#) [Top 25 Searched Names Today](#) [Your Current Location](#)

[FAQ](#) [Nick Matzorkis, Founder & CEO](#) [Robert Zakari, President](#) [ZabaSearch Your Homepage](#) [Bookmark ZabaSearch](#) [Privacy](#)

[Free Search Menu](#) [White Pages](#) [Yellow Pages](#) [People Finders by PeopleData](#) [American Idol Voting](#) [Reunion Videos](#)

[Live Reunions in ZabaSearch Messages](#) [Create a Public Record for Free](#) [\\$20 Instant Opt-Out Service](#)

Like Google, ZabaSearch is a search engine, not a database and does not house, create or manage the information in the search results.

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Address Information Request Format - Government Agency

(Pursuant to 39 C.F.R. §265.6(d)(5)(i) & (7))

(AGENCY LETTERHEAD)

To: Postmaster

Agency Control Number _____

Date _____

ADDRESS INFORMATION REQUEST

Please furnish this agency with the new address, if available, for the following individual or verify whether or not the address given below is one at which mail for this individual is currently being delivered. If the following address is a post office box, please furnish the street address as recorded on the boxholder's application form.

Name: _____

Last Known Address: _____

I certify that the address information for this individual is required for the performance of this agency's official duties.

(Signature of Agency Official) _____

(Title) _____

FOR POST OFFICE USE ONLY

- | | |
|---|----------------------------|
| <input type="checkbox"/> MAIL IS DELIVERED TO ADDRESS GIVEN | NEW ADDRESS |
| <input type="checkbox"/> NOT KNOWN AT ADDRESS GIVEN | _____ |
| <input type="checkbox"/> MOVED, LEFT NO FORWARDING ADDRESS | _____ |
| <input type="checkbox"/> NO SUCH ADDRESS | |
| <input type="checkbox"/> OTHER (SPECIFY): | BOXHOLDER'S STREET ADDRESS |

Agency return address

Postmark/Date Stamp

Code of Federal Regulations Currentness

Title 39. Postal Service
Chapter I. United States Postal Service
Subchapter D. Organization and Administration
Part 265. Records and Information
Part 265. Release of Information (Refs & Annos)
➔ **§ 265.6 Availability of records.**

(a) Records available to the public on request--

(1) General. Postal Service records are available for inspection or copying at the request of any person, in accordance with the provisions of this part, except as otherwise provided by law or regulations, including but not limited to paragraphs (b) through (g) of this section. Certain categories of records of particular interest are available on a continuing basis as provided in paragraphs (a)(2), (3), and (4) of this section and are listed in a public index as provided in paragraphs (a)(4) and (5) of this section. Access to other records may be requested on an individual basis in accordance with the procedures provided in § 265.7. Official records which are maintained on an electronic storage medium will normally be made available, in accordance with this part, as an exact duplicate of the requested original in a form readable by the human eye, such as a computer print-out. On request, records will be provided in a different form or format if they are maintained in the requested form or format or if they can be readily reproduced in the requested form or format.

(2) Opinions. All final opinions and orders made in the adjudication of cases by the Judicial Officer and Administrative Law Judges, all final determinations pursuant to section 404(b) of title 39, United States Code, to close or consolidate a post office, or to disapprove a proposed closing or consolidation, all advisory opinions concerning the private express statutes issued pursuant to 39 CFR 310.6, and all bid protest decisions are on file and available for inspection and copying at the Headquarters Library and, if created on or after November 1, 1996, also at the Postal Service's world wide web site identified at § 265.5.

(3) Administrative manuals and instructions to staff. The manuals, instructions, and other publications of the Postal Service that affect members of the public are available through the Headquarters Library and at many post offices and other postal facilities. Those which are available to the public but are not listed for sale may be inspected in the Headquarters Library, at any postal facility which maintains a copy, or, if created on or after November 1, 1996, through the world wide web site identified at § 265.5. Copies of publications which are not listed as for sale or as available free of charge may be obtained by paying a fee in accordance with § 265.9.

(4) Previously released records. Records processed and disclosed after March 31, 1997, in response to a Freedom of Information Act request, which the Postal Service determines have become or are likely to become the subject of subsequent requests for substantially the same records, are available for inspection and copying at the Headquarters Library. Any such records created by the Postal Service on or after November 1, 1996, also will be available at the Postal Service's world wide web site identified at § 265.5. Records described in this paragraph that were not created by, or on behalf of, the Postal Service generally will not be available at the world wide web site. Records will be available in the form in which they were originally disclosed, except to the extent that they contain information that is not appropriate for public disclosure and may be withheld pursuant to

this section. Any deleted material will be marked and the applicable exemption(s) indicated in accordance with § 265.7(d)(3). A general index of the records described in this paragraph is available for inspection and copying at the Headquarters Library. [Beginning on or before December 31, 1999, the index also will be available at the Postal Service's world wide web site.]

(5) Public index.

(i) A public index is maintained in the Headquarters Library and at the world wide web site of all final opinions and orders made by the Postal Service in the adjudication of cases, Postal Service policy statements which may be relied on as precedents in the disposition of cases, administrative staff manuals and instructions that affect the public, and other materials which the Postal Service elects to index and make available to the public on request in the manner set forth in paragraph (a) of this section.

(ii) The index contains references to matters issued after July 4, 1967, and may reference matters issued prior to that date.

(iii) Any person may arrange for the inspection of any matter in the public index in accordance with the procedures of § 265.7.

(iv) Copies of the public index and of matters listed in the public index may be purchased through the Headquarters Library with payment of fees as listed in the index or as provided in § 265.9.

(v) Materials listed in the public index that were created on or after November 1, 1996, will also be available in electronic format at the Postal Service's world wide web site at <http://www.usps.gov>.

(6) Listings of employees' names. Upon written request, the Postal Service will, to the extent required by law, provide a listing of postal employees working at a particular postal facility.

(b) Records not subject to mandatory public disclosure. Certain classes of records are exempt from mandatory disclosure under exemptions contained in the Freedom of Information Act and in section 410(c) of Title 39, U.S.C., the Postal Service will exercise its discretion, in accordance with the policy stated in § 265.2, as implemented by instructions issued by the Records Office with the approval of the General Counsel in determining whether the public interest is served by the inspection or copying of records that are:

(1) Related solely to the internal personnel rules and practices of the Postal Service.

(2) Trade secrets, or privileged or confidential commercial or financial information, obtained from any person.

(3) Information of a commercial nature, including trade secrets, whether or not obtained from a person outside the Postal Service, which under good business practice would not be publicly disclosed. This class includes, but is not limited to:

(i) Information pertaining to methods of handling valuable registered mail.

(ii) Records of money orders, except as provided in R900 of the Domestic Mail Manual (DMM).

(iii) Technical information concerning postage meters and prototypes submitted for Postal Service approval prior to leasing to mailers.

(iv) Reports of market surveys conducted by or under contract in behalf of the Postal Service.

(v) Records indicating rural carrier lines of travel.

(vi) Records compiled within the Postal Service which would be of potential benefit to persons or firms in economic competition with the Postal Service.

(vii) Information which, if publicly disclosed, could materially increase procurement costs.

(viii) Information which, if publicly disclosed, could compromise testing or examination materials.

(4) Interagency or internal memoranda or letters that would not be available by law to a private party in litigation with the Postal Service.

(5) Reports and memoranda of consultants or independent contractors, except to the extent they would be required to be disclosed if prepared within the Postal Service.

(6) Files personal in nature, including medical and personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(7) Information prepared for use in connection with proceedings under chapter 36 of Title 39, U.S.C., relating to rate, classification, and service changes.

(8) Information prepared for use in connection with the negotiation of collective bargaining agreements under Chapter 12 of title 39, U.S.C., or minutes of, or notes kept during, negotiating sessions conducted under such chapter.

(9) Other matter specifically exempted from disclosure by statute.

(c) Records or information compiled for law enforcement purposes.

(1) Investigatory files compiled for law enforcement purposes, whether or not considered closed, are exempt by statute from mandatory disclosure except to the extent otherwise available by law to a party other than the Postal Service, 39 U.S.C. 410(c)(6). As a matter of policy, however, the Postal Service will normally make records or information compiled for law enforcement purposes available upon request unless the production of these records:

(i) Could reasonably be expected to interfere with enforcement proceedings;

(ii) Would deprive a person of a right to a fair trial or an impartial adjudication;

(iii) Could reasonably be expected to constitute an unwarranted invasion of personal privacy;

(iv) Could reasonably be expected to disclose the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by a criminal law enforcement authority (such as the Postal Inspection Service) in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source;

(v) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law; or

(vi) Could reasonably be expected to endanger the life or physical safety of any individual.

(2) Whenever a request is made which involves access to records described in § 265.6(c)(1)(i), and

(i) The investigation or proceeding involves a possible violation of criminal law; and

(ii) There is reason to believe that,

(A) The subject of the investigation or proceeding is not aware of its pendency, and

(B) Disclosure of the existence of the records could reasonably be expected to interfere with enforcement proceedings, the Postal Service may, during only such time as that circumstance continues, treat the records as not subject to the requirements of the Freedom of Information Act.

(3) Whenever informant records maintained by a criminal law enforcement agency (such as the Postal Inspection Service) under an informant's name or personal identifier are requested by a third party according to the informant's name or personal identifier, the records may be treated as not subject to the requirements of the Freedom of Information Act unless the informant's status as an informant has been officially confirmed.

(4) Authority to disclose records or information compiled for law enforcement purposes to persons outside the Postal Service must be obtained from the Chief Postal Inspector, U.S. Postal Service, Washington, DC 20260-2100, or designee.

(d) Disclosure of names and addresses of customers. Upon request, the names and addresses of specifically identified Postal Service customers will be made available only as follows:

(1) Change of address. The new address of any specific customer who has filed a permanent or temporary change of address order (by submitting PS Form 3575, a handwritten order, or an electronically communicated order) will be furnished to any person, except that the new address of a specific customer who has indicated on the order that the address change is for an individual or an entire family will be furnished only in those circumstances stated at paragraph (d)(5) of this section. Disclosure will be limited to the address of the specifically identified individual about whom the information is requested (not other family members or individuals whose names may also appear on the change of address order). The Postal Service reserves the right not to disclose the address of an individual for the protection of the individual's personal safety. Other information on PS Form 3575 or copies of the form will not be furnished except in those circumstances stated at paragraphs (d)(5)(i), (d)(5)(iii), or (d)(5)(iv) of this section.

(2) Name and address of permit holder. The name and address of the holder of a particular bulk mail permit, permit imprint or similar permit (but not including postage meter licenses), and the name of any person applying for a permit in behalf of a holder will be furnished to any person upon the payment of any fees authorized by paragraph (b) of § 265.9. For the name and address of a postage meter license holder, see

paragraph (d)(3) of this section. (Lists of permit holders may not be disclosed to members of the public. See paragraph (e)(1) of this section.)

(3) Name and address of postage evidencing user. The name and address of an authorized user of a postage meter or PC Postage product (postage evidencing systems) printing a specified indicium will be furnished to any person upon the payment of any fees authorized by paragraph (b) of § 265.9, provided the user is using the postage meter or PC Postage product for business purposes. The request for this information must be sent to the manager of Postage Technology Management, Postal Service Headquarters. The request must include the original or a photocopy of the envelope or wrapper on which the postage meter or PC postage indicium in question is printed, and a copy or description of the contents to support that the sender is a business or firm and not an individual. (Lists of authorized users of postage meters or PC Postage products may not be disclosed to members of the public.)

(4) Post Office boxholder information. Information from PS Form 1093, Application for Post Office Box or Caller Service, will be provided as follows:

(i) Except as provided in paragraph (d)(4)(iii) of this section, the boxholder applicant name and address from PS Form 1093 will be provided only in those circumstances stated in paragraphs (d)(5)(i) through (d)(5)(iii) of this section.

(ii) Except as provided in paragraph (d)(4)(iii) of this section, the names of persons listed as receiving mail, other than the boxholder applicant, will be furnished from PS Form 1093 only in those circumstances stated in paragraphs (d)(5)(i) and (d)(5)(iii) of this section.

(iii) When a copy of a protective order has been filed with the postmaster, information from PS Form 1093 will not be disclosed except pursuant to the order of a court of competent jurisdiction.

(5) Exceptions. Except as otherwise provided in these regulations, names or addresses of Postal Service customers will be furnished only as follows:

(i) To a federal, state or local government agency upon prior written certification that the information is required for the performance of its duties. The Postal Service requires government agencies to use the format appearing at the end of this section when requesting the verification of a customer's current address or a customer's new mailing address. If the request lacks any of the required information or a proper signature, the postmaster will return the request to the agency, specifying the deficiency in the space marked 'OTHER'. A copy of PS Form 1093 may be provided.

(ii) To a person empowered by law to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is acting pro se, upon receipt of written information that specifically includes all of the following: (A) A certification that the name or address is needed and will be used solely for service of legal process in connection with actual or prospective litigation; (B) a citation to the statute or regulation that empowers the requester to serve process, if the requester is other than the attorney for a party in whose behalf service will be made, or a party who is acting pro se; (C) the names of all known parties to the litigation; (D) the court in which the case has been or will be commenced; (E) the docket or other identifying number, if one has been issued; and (F) the capacity in which the boxholder is to be served, e.g., defendant or witness. By submitting such information, the requester certifies that it is true. The address of an individual who files with the postmaster a copy of a protective court order will not be disclosed except as provided under paragraphs (d)(5)(i), (d)(5)(iii), or (d)(5)(iv) of this section. A copy of Form 1093 will not be provided.

The Postal Service suggests use of the standard format appearing at the end of this section when requesting information under this paragraph. When using the standard format on the submitter's own letterhead, the standard format must be used in its entirety. The warning statement and certification specifically must be included immediately before the signature block. If the request lacks any of the required information or a proper signature, the postmaster will return it to the requester specifying the deficiency.

Note: The term *pro se* means that a party is not represented by an attorney but by himself or herself.

(iii) In compliance with a subpoena or court order, except that change of address or boxholder information which is not otherwise subject to disclosure under these regulations may be disclosed only pursuant to a court order.

(iv) To a law enforcement agency, for oral requests made through the Inspection Service, but only after the Inspection Service has confirmed that the information is needed in the course of a criminal investigation. (All other requests from law enforcement agencies should be submitted in writing to the postmaster as in paragraph (d)(5)(i) of this section.)

(6) Jury service. The mailing address of any customer sought in connection with jury service, if known, will be furnished without charge upon prior written request to a court official, such as a judge, court clerk or jury commissioner.

(7) Address verification. The address of a postal customer will be verified at the request of a Federal, State, or local government agency upon written certification that the information is required for the performance of the agency's duties. "Verification" means advising such an agency whether or not its address for a postal customer is one at which mail for that customer is currently being delivered. "Verification" neither means nor implies knowledge on the part of the Postal Service as to the actual residence of the customer or as to the actual receipt by the customer of mail delivered to that address. The Postal Service requires government agencies to use the format appearing at the end of this section when requesting the verification of a customer's current address or a customer's new mailing address. If the request lacks any of the required information or a proper signature, the postmaster will return the request to the agency, specifying the deficiency in the space marked "OTHER".

(8) Business/Residence location. If the location of a residence or a place of business is known to a Postal Service employee, whether as a result of official duties or otherwise, the employee may, but need not, disclose the location or give directions to it. No fee is charged for such information.

(9) Private mailbox information. Information from PS Form 1583, Application for Delivery of Mail Through Agent, will be provided as follows:

(i) Except as provided in paragraph (d)(9)(iii) of this section, information from PS Form 1583 will be provided only in the circumstance stated in paragraph (d)(5)(iii) of this section.

(ii) To the public only for the purpose of identifying a particular address as an address of an agent to whom mail is delivered on behalf of other persons. No other information, including, but not limited to, the identities of persons on whose behalf agents receive mail, may be disclosed to the public from PS Form 1583.

(iii) Information concerning an individual who has filed a protective court order with the postmaster will not be disclosed except pursuant to the order of a court of competent jurisdiction.

(e) Information not available for public disclosure.

(1) Except as provided by paragraph (a)(6) of this section, the Postal Service and its officers and employees shall not make available to the public by any means or for any purpose any mailing list or other list of names or addresses (past or present) of postal patrons or other persons.

(2) Records or other documents which are classified or otherwise specifically authorized by Executive Order 12356 and implementing regulations to be kept secret in the interest of the national defense or foreign policy are not subject to disclosure pursuant to this part.

(3) Records consisting of trade secrets or confidential financial data, the disclosure of which is prohibited by section 1905 of Title 18, U.S.C., are not subject to disclosure pursuant to this part.

(4) Other records, the disclosure of which is prohibited by statute, are not subject to disclosure pursuant to this part.

(f) Protection of the right of privacy. If any record required or permitted by this part to be disclosed contains the name of, or other identifying details concerning, any person, including an employee of the Postal Service, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, the name or other identifying details shall be deleted before the record is disclosed and the requester so informed.

(g) Disclosure in part of otherwise exempt record. Any reasonably segregable portion of a record shall be provided after deleting the information which is neither subject to mandatory disclosure nor available as a matter of discretion.

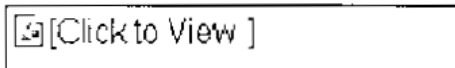


Image 1 (8" X 6") Available for Offline Print

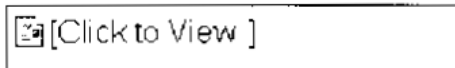


Image 2 (6.5" X 6") Available for Offline Print

[40 FR 7331, Feb. 19, 1975, as amended at 41 FR 52052, Nov. 26, 1976; 42 FR 59085, Nov. 15, 1977; 43 FR 42250, Sept. 20, 1978; 45 FR 44270, July 1, 1980; 47 FR 20304, May 12, 1982; 47 FR 21248, May 18, 1982; 48 FR 1969, Jan. 17, 1983; 49 FR 21325, May 21, 1984; 49 FR 44286, Nov. 6, 1984; 49 FR 46896, Nov. 29, 1984; 51 FR 8825, March 14, 1986; 51 FR 26386, July 23, 1986; 52 FR 13668, April 24, 1987; 52 FR 22778, June 16, 1987; 53 FR 49983, Dec. 13, 1988; 54 FR 3558, Jan. 24, 1989; 59 FR 11550, March 11, 1994; 59 FR 22757, May 3, 1994; 59 FR 62324, Dec. 5, 1994; 59 FR 67225, 67227, Dec. 29, 1994; 60 FR 57345, Nov. 15, 1995; 62 FR 64281, 64282, Dec. 5, 1997; 63 FR 6481, Feb. 9, 1998; 64 FR 41290, July 30, 1999; 65 FR 3859, Jan. 25, 2000; 67 FR 46393, July 15, 2002; 68 FR 56559, Oct. 1, 2003; 69 FR 34932, June 23, 2004; 69 FR 39851, July 1, 2004; 70 FR 22512, April 29, 2005; 70 FR 52016, Sept. 1, 2005]

SOURCE: 51 FR 5326, Feb. 13, 1986; 51 FR 8825, March 14, 1986; 56 FR 55824, Oct. 30, 1991; 60 FR 17224, April 5, 1995, unless otherwise noted.

AUTHORITY: 5 U.S.C. 552; 5 U.S.C. App. 3; 39 U.S.C. 401, 403, 410, 1001, 2601.

NOTES OF DECISIONS

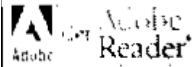
39 C. F. R. § 265.6, 39 CFR § 265.6

Current through September 4, 2008; 73 FR 51715

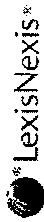
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- » Sign On Help

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Quickly determine relevant information about people and their connections.

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- Smart linking technology connecting billions of records to individuals
- An intuitive interface that's easy to use, simplifying your research
- A dynamic interactive graphical view that helps you see connections quickly
- A mapping feature to help home in on the person you're looking for
- Downloadable reports in professional formats to easily communicate your findings

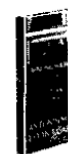
Expand your research in the graphical interface

If you want, you can expand your research with the intuitive graphical interface with identifying icons to easily see connections between people and records. Just click on an icon and see where the dynamic trail leads you.

Then, download a professional report with the information that's relevant to you: Comprehensive, Core, Assets, or Adverse.

Westlaw PeopleMap makes all these research tasks easier:

Email |
You Ma



- Anti-money laundering
- Due diligence
- Fraud investigation
- Litigation
- Locating a person

Take a closer look



View a demo »

This tour through Westlaw PeopleMap shows you how easy it is to use – and how the interactive graphical interface brings connections to the surface.

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REGIONAL INFORMATION SHARING SYSTEMS



Regional Information Sharing Systems (RISS)

RISS has been in operation for approximately 30 years providing services to support the investigative and prosecution efforts of law enforcement and criminal justice agencies. RISS was founded in response to specific regional crime problems and the need for cooperation and secure information sharing among law enforcement agencies.

Today, RISS is a national network comprised of six multistate centers designed to operate on a regional basis.

- This regional orientation allows each center to offer support services that are tailored to the investigative and prosecution needs of member agencies, though the centers also provide services and products that are national in scope.
- RISS membership and the commonality of RISS services foster interagency cooperation, and criminal intelligence products that are national in scope and significance.

The mission of RISS is to support law enforcement efforts nationwide to combat illegal drug trafficking, identity theft, human trafficking, violent crime, terrorist activity, and to promote officer safety.

Traditional support services provided to law enforcement member agencies are:

- Information sharing resources
- Analytical services
- Loan of specialized investigative equipment
- Confidential funds
- Training conferences
- Technical assistance

RISS operates a secure intranet, known as RISSNET™, to facilitate law enforcement communications and information sharing nationwide. RISS local, state, federal, and tribal law enforcement member agency personnel have online access to share intelligence and coordinate efforts against criminal networks that operate in many locations across jurisdictional lines.

The RISS Program is a federally funded program administered by the U.S. Department of Justice (DOJ), Bureau of Justice Assistance (BJA). Each RISS center must comply with DOJ, BJA Program Guidelines. Information retained in RISS criminal intelligence databases must also comply with the Criminal Intelligence Systems Operating Policies (Federal Regulation 28 CFR Part 23).

<http://www.riss.nct/Overview.aspx>

5/8/2009



The Director and policy board chairperson of each center compose the RISS National Policy Group, which has direct control over the policies and operations of the secure nationwide law enforcement communications and information sharing network (RISSNET™) and related resources.

Since inception, RISS membership has grown to serve over 8,100 law enforcement and criminal justice agencies representing close to a million sworn officers around the globe. Membership includes local, state, federal, and tribal law enforcement member agencies in all 50 states, the District of Columbia, U.S. territories, Australia, Canada, and England. Agencies must join their regional RISS center through an application process established by the center.

RISS history includes many achievements and successes in aiding member agencies to share information and combat multijurisdictional crime problems. A few milestones are mentioned below.

In 1997, RISS implemented RISSNET. Today, many resources are available for electronic access by member agencies. RISSNET resources include online access to RISSIntel, RISSGang Program, RISSLeads, RISSSearch, RISSLive, RISSLinks, RISS center Web pages, secure e-mail, and RISSafe. Member agency officers must obtain a security package and enroll on RISSNET.

During 1999, RISS began expansion of RISSNET to electronically connect state and federal law enforcement agency systems as nodes to provide additional resources to all users. As of May 2008, 18 High Intensity Drug Trafficking Areas, 30 state agencies, and 17 other federal and regional systems have an established node connection to RISSNET.

In September 2002, the FBI Law Enforcement Online (LEO) system interconnected with RISS. In October 2003, the RISS/LEO interconnection was recommended in the *National Criminal Intelligence Sharing Plan* (NCISP) as the initial sensitive but unclassified communications backbone for implementation of a nationwide criminal intelligence sharing capability. The NCISP encourages agencies to connect their system to RISS/LEO.

In April 2003, RISS expanded its services and implemented the Automated Trusted Information Exchange (ATIX), to provide additional users with access to homeland security, disaster, and terrorist-threat information. RISS member agencies as well as executives and officials from other first-responder agencies and critical infrastructure entities can access ATIX.

In 2006, responding to the recent resurgence of gang-related criminal activity, RISS expanded the RISSGang Program to include a national gang intelligence database, Web site, bulletin board, secure e-mail, and numerous tools and resources regarding gangs and gang activities. The RISSGang Program is available to member and nonmember criminal justice agencies.

RISS has also developed RISSafe, an officer safety event deconfliction system. The purpose of the RISSafe application is to store and maintain information on planned law enforcement activities. Used in conjunction with a mapping system, upcoming events are posted and monitored for potentially dangerous conflicting law enforcement operations. If a conflict is identified, immediate notification to the submitting officer occurs, as well as notification to the conflicted officers. RISSafe will make a significant contribution towards enhancing officer safety and supporting criminal investigations.

Answers to frequently asked questions (FAQ) about the RISS Program.

<http://www.riss.net/Overview.aspx>

5/8/2009

Appendix C

Contact with Victims

- **Sample letter for County Departments of Probation**
- **Victim Impact Statement for Parents of Child Victims***
- **Victim Impact Statement for the School-Aged Child***
 - **Victim Impact Statement – Just for Little Kids***
- **Dutchess County Victim Service Unit Correspondence**

***Source: “Promising Victim-Related Practices and Strategies in Probation and Parole,” U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime, National Victim Center. Used by permission. These forms may be utilized as long as there are no monetary charges for their use.**

Date:
Name:
Address:

Dear _____,

The _____ County Probation Department is committed to helping crime victims, and providing services and support to people in our community who have been harmed by crime. What happened to you is wrong. We are sorry that you have been victimized, and are grateful for your participation in the criminal/juvenile justice process. Your involvement and input are vital to promoting individual and community safety, and to holding your offender accountable for the harm s/he has caused.

One of your most important rights as a victim of crime is the opportunity to tell the court how you and your loved ones have been affected by the crime. Your completed “victim impact statement” ensures that your voice is heard as part of the justice process.

It is important for the court to understand the nature of the offense, and its impact on you and your loved ones – emotionally, physically, and financially. Your victim impact statement will also give the court valuable information that can be used to hold the offender accountable, and to promote safety for you and your community.

I have enclosed a resource package that describes the process for completing the victim impact statement. Any additional information you think is important for the court to know should be provided as an attachment to your victim impact statement.

We are grateful for your continuing support to the criminal/juvenile justice process, and we will do everything we can to assist you. If you have any questions about completing your victim impact statement, or would like information about services for victims in our community, please contact (name) at (area code/telephone #) or email (email address).

Thank you very much.

Enclosures: *Suggestions for Completing Your Victim Impact Statement*
Victim Impact Statement form (questions)
“Documenting Financial Losses” Checklist

Victim Impact Statement *For Parents of Child Victims*

Name of parent or guardian

Name of child

Name of Defendant

1. Has your child been emotionally affected by this crime? If yes, you may wish to discuss how the crime may have affected your child's relationships with you, family members, and those close to you. If your child received any form of victim services such as counseling by either a licensed professional, member of the clergy or a community-support group, you may wish to mention this. Please use additional paper as necessary.

2. Was your child physically injured or hurt as a result of this crime? If yes, you may wish to write about the type of injuries your child had, what medical treatment your child received, and how long these injuries lasted or are expected to last. Please use additional paper as necessary.

(please turn the paper over)

National Victim Center ■

Victim Impact Statement *For Parents of Child Victims*

3. Has this crime affected the way your child relates to his or her friends, either at school or in your neighborhood? Has this crime affected your child's school work in any way? Please use additional paper as necessary.

4. How has this crime affected you, your family and those close to your child? You may wish to write about changes that may have occurred in your family, in your ability to perform your work, make a living, run a household or enjoy any other activities you enjoyed before the crime. You may also wish to include any victim services or counseling that you and those close to your child have received. Please use additional paper as necessary.

■ *National Victim Center*

Victim Impact Statement *For the School Aged Child*

What is your name?

How old are you? What grade are you in?

1. Please write or draw anything you would like the judge to know about how you feel because of what has happened to you. You may want to write about anything that has changed in your life or in your family. You can even tell a story or write a poem if you would like. You can add more paper if you run out of room.

(please turn the paper over)

National Victim Center ■

Victim Impact Statement *For the School-Aged Child*

2. Please write or draw anything you want the judge to know that may be different at school, in your neighborhood or with your friends because of what has happened to you. You can add more paper if you run out of room.

▪ *National Victim Center*

Victim Impact Statement

just for little kids

To parents: if your child is too young to read or is just learning to read, you will want to help your child fill out the victim impact statement. when helping your child, you will want to read the directions aloud to your child, talk about what feelings are (happy, sad, mad, scared, or any other feelings you think are appropriate), and what your child may want to think about when they are drawing or writing on the statement. please do not tell your child what to draw or write. This is your child's chance to tell the judge how he or she is feeling about what has happened. if your child would rather draw a picture of a bird, a boat or write a story about bumblebees, this is okay as well. Should your child become uncomfortable in any way while filling out the victim impact statement, reassure your child that he or she does not have to fill out the form unless he or she wants to.

What is your name?

(it's okay if your parents help you write your name)

How old are you? _____

If you go to school, what grade are you in? _____

How do you feel about what happened to you? (you can circle as many as you like.)



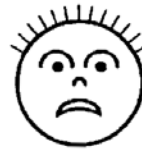
Happy



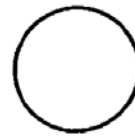
Sad



Mad



Scared



Other

Turn the page over now

National Victim Center •

Victim Impact Statement

NOTE: This question intentionally eliminated.

If you want to, you can use this page to draw a picture, write a poem, tell a story, or anything else you would like to do to tell the judge about how you are feeling about what has happened to you. If you don't want to write or draw anything here, that's okay too!

▪ National Victim Center



Victim Services Unit

A Collaborative Program of Dutchess County & Family Services, Inc.

Dutchess Co. Office of Probation
and Community Corrections
50 Market Street
Poughkeepsie, NY 12601
(845) 486-2614
(845) 486-2676 Fax

Family Services, Inc.
Crime Victims Assistance Program
29 North Hamilton Street
Poughkeepsie, NY 12601
(845) 452-1110 x 3533
(845) 452-7298 Fax
(845) 452-7272 Rape Crisis/Crime
Victims Hotline

We are writing this letter to introduce you to the **Victim Services Unit** of the Dutchess County Office of Probation and Community Corrections. This unit was created to collaborate and coordinate services with the **Crime Victims Assistance Program** of Family Services, Inc. to assist crime victims and their loved ones.

Enclosed you will find the following:

- A letter outlining your right as a victim to *choose* to submit (and present if you wish) a victim impact statement and request restitution through the criminal court
- Forms to aid in your understanding and completion of a victim impact statement and/or a restitution request
- A brochure outlining the free services available to you through the Crime Victims Assistance Program.
- The Crime Victims Board (CVB) claim application, which is a state-based agency established to provide monetary reimbursement for out-of-pocket costs as a result of crime. Costs include medical bills (including counseling, co-pays, etc.), property damage, funeral expenses, and a number of other expenses outlined in the application. The CVB is the payer of last resort, and restitution should be sought first. However, if you are concerned that restitution may be delayed because the defendant is unable to reimburse you for whatever reason, it is in your best interests to also apply through CVB. Also, once a claim is opened and future expenses are incurred, the claim can be reactivated and you may be able to be reimbursed. Then again, if CVB advances or reimburses you any funds, and you are also granted restitution, please remember you will be responsible for repaying CVB.

If you have any questions or concerns regarding the information enclosed, please do not hesitate to contact the Victim Services Unit using the contact information printed on the letter following this page. Thank you!



a program of the United Way

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Appendix D

Victim Information and Notification Everyday (VINE)

- **VINE Informational Brochure**
- **VINELink Quick Reference Guide**
- **New York Sheriffs' Victim Hotline**



“This is a system that, had it been in place, could have saved Mary. It’s too late for Mary, but there are still a lot of victims out there.”

John Byron
 father of murder victim Mary Byron
 and advocate for victims’ rights

VINE — The National Victim Notification Network™

Across the country, crime victims and other concerned citizens are using VINE for access to timely and reliable information about criminal cases and the custody status of offenders 24 hours a day — over the telephone, through the Internet, or by e-mail.

Victims can call to inquire about the current status of an offender and register to be notified immediately in the event of an offender’s release, escape, transfer, or court appearance.

Benefits Of VINE

Around-the-clock support — a staff of live operators to assist victims and technicians who monitor all VINE systems

- Saves taxpayers money by eliminating the need to manually notify victims, allowing staff to focus on their core responsibilities
- Provides life-saving services to victims at no cost
- Helps satisfy most states’ legislative requirement for victim notification
- Depending on the community, victims can interface with VINE in multiple languages
- VINE generates about 700,000 notification calls each month



VINELink Web Site

Also, log onto www.vinelink.com for the same functionality in a convenient Web format.

Put VINE To Work For You

For more information about VINE or to arrange for a demonstration, contact Appriss at 1-866-Appriss (1-866-277-7477) or info@appriss.com. You can also learn more about VINE at www.appriss.com.



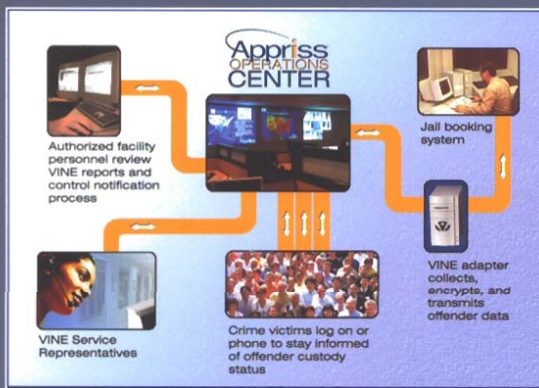
How VINE Works

- VINE communicates with jail and prison booking systems in near real-time, transmitting updated information to the Appriss Data Network.
- Crime victims and the general public can access the information by calling a local toll-free number, or logging onto www.vinelink.com, any time of the day or night.
- Victims can inquire whether an offender is held in jail as well as the facility's location.
- Users can register to be notified immediately of a change in the offender's status, such as release, transfer, or escape.
- When a notification is triggered, VINE automatically calls the number or numbers the victim has provided.
- Calls continue for a designated period of time, or until the victim enters a four-digit PIN.

Where Is VINE?

- More than 2,100 communities nationwide
- Most of the nation's largest metropolitan areas
- More than two-thirds of the nation's Departments of Correction

To date, more than two-thirds of the nation is using the patented VINE system to keep victims informed about offenders. All of these communities are connected to the Appriss Data Network™, the nation's largest integrated criminal justice information database. Data from county and state correctional facilities is collected by this central hub, where Appriss manages automated interfaces and monitors 13 million offender transactions each month.



R 01/08

VINE®
Victim Information &
Notification Everyday

www.vinelink.com

The general public can register with VINE to receive custody status updates on offenders and court case changes by visiting VINELink at www.vinelink.com.



Appriss Inc.
10401 Linn Station Road
Suite 200
Louisville, KY 40223

Phone: 1-866-Appriss
Fax: 502-561-1825
www.appriss.com

VINELink® Quick Reference Guide

1 Go to www.vinelink.com

2 Click on your state



3 Click the "Search" tab

You can search for offender or court case information by entering the offender name or identification number

- Click the "Search" button
- Click on the magnifying glass icon next to the offender for details and the option to register for notification

Register Data	Name	First Name	Date of Birth	Age	Custody Status	Facility/Reason	Reporting Agency
	SMIT				In Custody	Arkansas Department of Correct	Arkansas Department of Correct
					In Custody	Arkansas Department of Correct	Arkansas Department of Correct

4 Register for notification

Select the method of notification then click continue

- Enter a phone number and/or e-mail address where you want to be reached
- Create and enter a four-digit Personal Identification Number (PIN) that will be used to stop notification calls
- Click the plus sign to register additional phone numbers or e-mail addresses

Phone Notification

Phone Number	Language	4 Digit Pin
<input type="text"/>	English	<input type="text"/>
<input type="text"/>	English	<input type="text"/>
<input type="text"/>	English	<input type="text"/>

5 Click "Register" - Registration Complete!

Congratulations! You are now registered to receive notification when an offender's custody status or court event changes.

VICTIM HOTLINE



VICTIMIZED BY A CRIMINAL?

Find out where he is -

In Jail, In Prison or Back On The Street

IT'S YOUR RIGHT TO KNOW!

Call the

New York Sheriffs' VICTIM HOTLINE

For offender information, call toll-free:

1-888-VINE-4-NY

(1-888-846-3469) También disponible en español



**Statewide victim
information and
notification 24 hours a day.**

A service provided by the New York State Sheriffs' Association Institute Inc.
and funded by the New York State Crime Victims Board.

LÍNEA PERMANENTE PARA VÍCTIMAS



¿LE HA DAÑADO UN DELINCUENTE?

Búsquelo –

En la cárcel, en la prisión o en la calle

¡TIENE EL DERECHO DE SABER DÓNDE ESTÁ!

Llame a la

LÍNEA PERMANENTE de los Sheriffs de Nueva York PARA VÍCTIMAS

Para obtener información sobre los ofensores, llame al número gratuito

1-888-VINE-4-NY

(1-888-846-3469) También disponible en español



**Ayuda a las víctimas
y información en todo
el estado las 24 horas del día.**

Servicio suministrado por el New York State Sheriffs Association Institute Inc., financiado por la Junta de Víctimas de Delitos del Estado de Nueva York.

Appendix E

Victim Impact Statement

- **Victim Impact Statement Resource Package**
- **Dutchess County Victim Services Unit-Victim Impact Statement Information**

VICTIM IMPACT STATEMENT RESOURCE PACKAGE

August 2001

This Resource Package was developed by Victim Advocate Anne Seymour (Justice Solutions: Washington, D.C. 2001) to provide guidelines for courts and correctional agencies that are responsible for implementing victims' right to an impact statement. It should be **revised**, as needed, to reflect both **state law** and **agency policies** in your jurisdiction.

Some of these resources have been adapted from "Victim Impact: A Victim's Right to Speak, a Nation's Responsibility to Listen" written by Janice Harris Lord and Ellen Alexander, and published by the National Victim Center and MADD in 1994.

Special thanks is extended to Bob Wells, a Senior Instructor with the Behavioral Science Division of the Federal Law Enforcement Training Center, for his assistance in drafting and editing this document.

Special thanks is also extended to the Honorable Ted Todd, Judge, Fifth Judicial District in Indiana for providing an overview of what courts consider in the adjudication of youthful offenders.

**Electronic versions of this Resource Package are available via e-mail: annesey@erols.com.
Please specify "Word" or "Word Perfect" in your request.**

Sample Cover Letter for Victim Impact Statement

*This letter can be adapted for criminal and juvenile courts,
as well as for adult and juvenile paroling authorities.*

“Dear Mr./Ms. :

(Name of agency) is committed to helping crime victims, and providing services and support to people in our community who have been hurt by crime. We are sorry that you were victimized, and are grateful for your participation in the criminal/juvenile justice process. Your involvement and input are vital to promoting individual and community safety, and to holding your offender accountable for the harm s/he has caused.

One of your most important rights as a victim of crime is the opportunity to tell the court how you and your loved ones have been affected by the crime. Your completed “victim impact statement” ensures that your voice is heard as part of the justice process.

It is important for the court to understand the nature of the offense, and its impact on you and your loved ones – emotionally, physically and financially. Your victim impact statement will also give the court valuable information that can be used to hold the offender accountable, and to promote safety for you and for our community.

I have enclosed a resource package that describes the process for completing the victim impact statement process. Any additional information you think is important for the court should be provided as an attachment to your victim impact statement.

We are grateful for your continuing support to the criminal/juvenile justice process. If you have any questions about completing your victim impact statement, or would like information about services for victims in our community, please contact (name) at (area code/telephone number).

Thank you very much.

Enclosures: *Suggestions for Completing Your Victim Impact Statement*
Victim Impact Statement Form (questions)
“Documenting Financial Losses” Checklist

NOTE: Although this letter is part of the original Victim Impact Statement Resource Package, we are recommending the use of the letter provided in Appendix C.

1. What Is a Victim Impact Statement and How Is It Used?

Victim impact statements provide an opportunity for your voice to be heard by our justice system. When completed, it is an important document that describes how the crime has affected you and your loved ones, and provides input into how the court can best hold the offender accountable for the harm s/he has caused.

As a crime victim, you have the opportunity to use this victim impact statement to describe how this crime affected you and others close to you. This statement has space for you to:

- Describe the crime and its physical, emotional, and financial effects on you and your loved ones.
- Discuss any concerns you may have about your safety and security.
- Address any changes in your life you may have experienced since the crime occurred.
- Offer suggestions for a resolution that is fair, and provide information that will give the offender the opportunity to take responsibility for actions that caused you harm and loss.

If the defendant pleads guilty or is found guilty after trial, your impact statement will help the judge understand how this crime has affected you and those close to you.

Filling Out This Statement Is Voluntary

You do not have to fill out a victim impact statement. However, it may be helpful to the judge when he or she decides what sentence the defendant should receive, and/or any money the defendant may have to reimburse you for expenses you have paid or owe because of this crime. If the judge orders the defendant to pay you restitution, there is no guarantee that the defendant will be able to pay the entire amount. However, a court order for the full amount of your losses is an important component for victims to pursue civil remedies for all of the financial losses associated with this crime. Whether or not you choose to submit a victim impact statement is a decision made by you and your family. It is a voluntary right that you have as a victim of crime.

2. Suggestions for Completing Your Victim Impact Statement

The following suggestions and the attached victim impact statement form are offered only as a guide. Please answer as many questions as you wish. If you need more space, you can use additional pages and simply attach them to the form when you return it.

Only *you* know how to best describe the effects this crime has had on you and those close to you. We realize it may be difficult to describe in words how this crime has affected you, your family and friends. However, your input is vital to determining a sentence that is fair and just, and holding the offender accountable for the harm s/he caused you. The questions that follow are designed to help you and your family complete this important process.

Some victims have found it helpful to write a rough draft of their statement before completing the final statement. If you should need any assistance in completing your victim impact statement, please feel free to contact my office for assistance at (telephone number) .

If you would like to tell the court about the *emotional impact* of this crime, you may wish to consider:

- How this crime has affected your lifestyle or those close to you.
- How your feelings about yourself or your life have changed since the crime.
- How your ability to relate to others has changed.
- Any counseling or other support you have obtained to help you cope.

If you or your family members were injured, you may wish to tell the court about the *physical impact* of this crime. You may wish to describe:

- The specific physical injuries you or members of your family suffered.
- How long your injuries lasted or how long they are expected to last.
- Any medical treatment you have received or expect to receive in the future.
- How your physical injuries have affected your lifestyle, i.e. ability to work, enjoy recreational pursuits, etc.

It is very important for the court to understand how this crime has affected your ability to earn a living and how it has affected you financially. If you have paid or owe any money for bills because of this crime, please fill out the *financial impact* section of the statement. It is important to be as accurate and complete as possible when listing your costs because this information will be used by the prosecutor, probation officer and judge to help them determine what restitution the defendant must pay to you.

We have included a separate checklist to help you describe and document the types of financial losses you may have endured, or will be faced with in the future. It is important to be as complete as possible in describing your financial losses, as this information will be used by the probation department/paroling authority and provided to the judge/paroling authority for determining restitution. *Restitution* is the possible payment by the defendant to you for any financial losses you may have suffered as a result of this crime.

3. Who Has Access to Your Victim Impact Statement?

Your statement will become an official court document after it is given to the court, and will become part of the defendant's permanent file. The judge, prosecutor, and probation officer will read your statement. In addition, prison and parole officials may read your statement if the defendant is sentenced to a prison/detention term.

The defendant and the defendant's attorney will also be able to read what you have written. They may even be able to ask you questions about your statement in court. *However, the defendant will*

not be able to see your address and telephone number because you are not asked to put them on your statement.

Add in applicable jurisdictions: You also have the right to speak to the judge at the time of sentencing. If you would like to do so, please contact our office immediately so we can facilitate your oral statement to the court.

Add in applicable jurisdictions: You also have the right to give your victim impact statement in the form of an audio or video tape, or via teleconference if traveling to the sentencing hearing imposes an undue burden on you. If you would like to pursue any of these options, please contact our office immediately for further information and assistance.

Add in applicable jurisdictions: The information you provide in your victim impact statement can be utilized to help the offender understand how his/her criminal/delinquent actions have affected your life. While your personal contact information *will not be revealed*, the information you provide about victim impact – with your permission – may be integrated into offender casework to address personal accountability and victim empathy issues.

4. Crime Victim Compensation

If you are a victim of a crime involving violence or resulting in personal injury, you may be able to receive financial help from the Crime Victim Compensation Program. This program can pay you back for certain out-of-pocket expenses for physical or emotional injuries received as a direct result of a crime. These expenses may include medical bills, counseling costs, funeral bills, and lost wages and support. This is *not the same as restitution*. You may be able to receive money to help you with some of your medical bills even before you go to court.

You can file for benefits immediately following the crime even if no arrest has been made. If you would like more information about the possible benefits available, or how to apply for victim compensation, please contact our office for assistance, or contact the (state victim compensation program) directly at: (address; telephone number; e-mail; and web site).

For Help With Your Victim Impact Statement

Please return your completed impact statement to our office within (#) days. If you have any questions while writing your impact statement or if you would like to speak to the judge at sentencing, please contact our office immediately so we can help set this up for you. If our office can help you in any way at all, contact us at: (name of agency; address; telephone number; and/or e-mail.) If you need more space to answer any of the following questions, or if you have additional information that is not addressed by these questions, please use as much paper as you need, and simply attach these sheets of paper to this impact statement. Thank you.

4. Other Information That the Court Considers in Adjudication Decisions (for juvenile cases)

The following considerations are important to the court, and are all helpful in developing a profile

of the youthful offender, and what may or may not be an appropriate disposition in a particular case.

- Victim impact statement.
- Nature of the offense and extent of the juvenile's involvement.
- Age of both the juvenile and the victim(s).
- Educational records of the juvenile.
- Work record of the juvenile.
- Juvenile's support system (family, close friends [both adult and peers], any religious affiliation, any other group affiliations, school, and work).
- Juvenile's health (mental health, physical health, substance use/abuse)
- Juvenile's attitude (toward this offense and victim[s], and toward his/her community)
- Offender's prior involvement with the juvenile justice system.

VICTIM IMPACT STATEMENT *

1. Please describe how this offense has affected you and your family.

2. What was the *emotional impact* of this crime on you and your family?

3. What was the *financial impact* of this crime on you and your family?

(NOTE: ADD “PHYSICAL IMPACT” FOR PERSONAL CRIMES.)

4. What concerns do you have, if any, about your safety and security?

5. What do you want to happen now?

6. Would you like an opportunity to participate in victim/offender programming (such as mediated means and/or other dialogue processes or victim impact panels) that can help hold the offender accountable for his/her actions? (NOTE: *Only utilize this question if such programs are in place, and ensure that the victim has written resources that fully describe such programs.*)

7. If community service is recommended as part of the disposition or sentence, do you have a favorite charity or cause you’d like to recommend as a placement?

8. Is there *any other information* you would like to share with the court regarding the offense, and how it affected you and your family?

___ Please check here if you would like to be notified about the status/outcome of this case.

***Allow as much space as is needed to complete the victim impact statement.**

Documenting Losses for Victim Restitution

To ensure accurate and complete restitution orders, you are required to document your losses in writing for the court or paroling authority. The following considerations can help you document your out-of-pocket expenses and projected future expenses:

- Employer statements (letters or affidavits) that document unpaid time off from work you took as a result of injuries from the crime, or involvement in justice processes.
- Documentation of any workers compensation claims submitted and/or claims payments received.
- Copies of bills for services directly related to your financial recovery from the crime.
- Any receipts for items or services.
- Documentation that estimates the value of stolen property.
- Photos of valuables that were stolen.
- Copies of any documentation often provided by local law enforcement agencies (i.e. records of serial numbers, photos, etc.) that are intended to aid you in the recovery of stolen property.
- Any law enforcement records that indicate the status of your stolen property (i.e. property recovered, recovered but damaged, etc.)
- Copies of your applications to and/or copies of checks received from the state victim compensation fund.
- Copies of insurance claims and related correspondence between you and your insurance company, as well as copies of any checks you have received to cover losses.

Immediate Losses

During the presentence investigation, you should be asked to report information about your losses by completing or updating a financial worksheet, and providing documentation as described above.

The range of these losses can include the following:

Medical Care

- Emergency transportation to the hospital.
- Rape kit examinations that are not immediately paid by a third party.

-
- All expenses related to the hospital stay, including the room, laboratory tests, medications, x-rays, HIV testing in cases involving the exchange of bodily fluids, and medical supplies.
 - Expenses for care provided by physicians (both inpatient and outpatient) medication and medical supplies.
 - Fees for physical or occupational therapy.
 - Replacement of eyeglasses, hearing aids, or other sensory aid items damaged, destroyed or stolen.
 - Rental and related costs for equipment used for any physical restoration, i.e. wheelchairs, wheelchair ramps, special beds, crutches, etc.

Mental Health Services

- Fees for counseling or therapy for you and your family members.
- Any costs incurred as a result of your participation in support or therapy groups.
- Expenses for medications that doctors may prescribe to help ease your trauma following the crime.

Time Off From Work

- To repair damage following property crimes.
- To attend or participate in court or parole proceedings.
 - To attend doctors' appointments for injuries or mental health needs directly resulting from the crime.

Other Expenses

- Crime scene cleanup.
- Costs of replacing locks, changing security devices, etc.
- Expenses related to child or elder care when you have to testify in court.
- Relocation expenses.
- Fees incurred in changing banking or credit card accounts.

Projected Expenses

Victimization often results in injuries or losses that are long term in nature. While it is not possible to accurately document such projected expenses, it is possible to document expert opinions as to future financial obligations you might incur as a direct result of the crime.

You should be advised to seek documentation (a letter or affidavit) from professionals who are providing you with medical or mental health services that offers an estimate of your future treatment needs, as well as related expenses. Such costs can include:

- Long-term medical treatment.
- Physical or occupational rehabilitation or therapy.
- Mental health counseling or therapy.
- Time that must be taken off from work to receive any of the above services.

The justice professional responsible for assessing your restitution needs should provide this documentation to the court or paroling authority.

Seymour, A. (1997). "Victim Restitution" chapter of Promising Practices and Strategies for Victim Services in Corrections. Office for Victims of Crime, U.S. Department of Justice: Washington, D.C.

Integrating Victim Impact Statement Issues into Offender Casework

*This document is for offender case management,
and should not be included in VIS information provided to the victim.*

In 1999, the California Youth Authority developed a “checklist” for utilizing victim information – much of which can be elicited from VIS – in casework with juvenile offenders¹. Such information should only be utilized *with express permission from victims*, who are often willing to have their VIS information used to help hold their offenders accountable for their actions.

- Compare the offender’s version of the offense with the victim’s statement and other information in the pre-sentence investigation report.
- What information is the offender omitting?
- What information does the offender need to learn about the impact of the crime on the victim?
- Was the victim physically injured?
- Did the victim require medical attention, counseling or hospitalization?
- Is the victim afraid, or have any concerns for his/her safety and security?
- Is the offender aware of his/her primary victim? Secondary victims? Others who may have been affected by the offense?
- What issues do you believe the victim would like to have the offender address?
- What behavior(s) would the victim want the offender to change?
- Keep the offender focused on the ways victims are affected – financially, physically, emotionally and spiritually.
- Educate offenders about the “longevity” of the impact of crime on victims and the community.
- Focus on what they are responsible for; and to whom they are accountable.
- Is the offender verbally and/or physically harming others?
- Is the offender’s behavior indirectly a continuation of disregard for the rights of others?
- Does the offender owe the victim restitution?

¹Weston, Jill. (1999). “Integrating Victim Impact Statements into Juvenile Offender Casework.” Sacramento, CA: California Youth Authority Office of Prevention and Victim Services.

- How can the offender be reminded of these obligations?
- Does the offender understand the purpose and value of restitution?
- Remind the offender that he/she can pay voluntary restitution.
- Remind offenders of the importance and value of community service and “giving back.”
- Encourage community service to be served in a way that heals the harm to the community affected by the crime.
- Encourage the offender to write a letter of apology that addresses the fact that the offender recognizes the impact the crime has had on the victim (such letters should only be given to the victim if it is desired; otherwise, it can be maintained in the offender’s case file).

Victim Services Unit

A Collaborative Program of Dutchess County & Family Services, Inc.

Family Services, Inc.
Crime Victims Assistance Program
29 North Hamilton Street
Poughkeepsie, NY 12601
(845) 452-1110 x 3406
(845) 452-7298 Fax
(845) 452-7272 Rape Crisis Hotline

Dutchess Co. Office of Probation
and Community Corrections
50 Market Street
Poughkeepsie, NY 12601
(845) 486-2614
(845) 486-2676 Fax

Victim Impact Statements:


New York State law allows for crime victims and their family members to give written and/or oral statements to the court about the impact of the crime on their lives. These statements are presented after the defendant has been convicted and before sentencing.

If ordered by the court, the Probation Department will conduct a pre-sentence investigation on a defendant to collect information about what kind of sentence would be most appropriate. Depending on the crime, convicted offenders may be sent to jail or prison, or they may be sentenced to probation. Conditions of probation can vary and may include restitution payments, mandatory counseling for the offender, and/or a number of other options the probation officer may recommend.

It's important that the victims experience be recognized in court. Information and comments from the victim, known as the Victim Impact Statement, should be presented to the Probation Department before the completion of the pre-sentence investigation. This will be included in the offender's permanent record and passed on to the judge before a sentence is imposed. The victims, or the prosecuting attorney, can read these statements aloud in court on the day of sentencing.

A Victim Impact Statement is a statement written in the form of a letter explaining the emotional and/or physical impact the crime has had on the victim and victims' family. An explanation of the financial impact of the crime may also be added, including medical expenses, funeral expenses, counseling expenses for victims and family members, lost wages, and property damages. Documentation of these expenses can result in the offender being ordered to pay restitution. A Victim Impact Statement questionnaire is attached and may be completed instead of a letter.

When writing a Victim Impact Statement, it's best to write from your heart about your pain. Be sure your information is accurate. This statement is your opportunity to let the court know your feelings and how you've been affected as a victim of a crime.

 a program of the United Way

Appendix F

Notification of Offender Status

- **Letter regarding Notification of Offender Status**

Dear,

We are aware that you have been a victim of a crime committed by (offender's name), who was sentenced by the Honorable (Judge's name), (County, Family) Court, on (date) to a (time period) of probation.

The _____ County Probation Department is contacting you to determine if you are interested in being notified by the department in the event a violation of probation is filed; if the probationer absconds, or when this individual is no longer under the supervision of the department.

Please respond by checking the appropriate box below and return to me (name, address) so that we are able to follow your wishes as soon as possible.

<input type="checkbox"/> Yes, I wish to be contacted	<input type="checkbox"/> No, I do not wish to be contacted
Address and phone number where I may be contacted:	

Telephone: _____	

Please note that if you have responded **yes** to the above you must keep us informed of any changes in your address, telephone or other contact information. If you do not notify us, we will be unable to notify you of any changes in the offender's probation status.

If you do not respond to this letter, we will consider that to be your acknowledgement that you do not wish to be notified of any changes in the offender's probation status.

Approved:

Sincerely,

Probation Supervisor

Probation Officer

Appendix G

Victim Empathy

- **Orange County Victim Empathy Worksheet for Offenders**

NOTE: This tool may be used at different points during probation supervision (initial meeting with the probation officer, halfway point of the supervision period, near the end of supervision) to determine if there has been any significant learning by the offender in regard to the impact of the crime on his/her victim.

ORANGE COUNTY PROBATION DEPARTMENT
Victim Empathy Worksheet for Offenders

Offender Name: _____

Recall the crime you committed. With this crime in mind, answer the following questions. The purpose is to consider how your behavior affected the life of the person you offended and the community.

1. Describe the crime you committed: _____

2. Who was your victim? How would you describe them? _____

3. Did you know the victim before the crime? Yes ___ No ___ If yes, how? _____

4. What did your crime cost the victim? _____

Financially? _____

Emotionally? _____

5. What effect do you think this crime had on your victim? _____

6. How did your crime affect the victim's family, friends, and community? _____

7. How would you feel if the crime had been committed against you? _____

8. How would you feel if the crime had been committed against a member of your family? _____

9. What do you think should happen to persons who commit this type of crime? _____

10. Are you paying too much or too little for this crime? Why? _____

Appendix H
Restitution/Reparation Judgment Order*

***Source: NYS Crime Victims Board**

At a term of the _____
Court, held in and for the
County of _____
On the ____ day of ____, 2007

Hon. _____
_____ Court Judge

The People of the State of New York

against

Name DOB: _____

RESTITUTION/REPARATION
JUDGMENT ORDER

Address

City & State Zip Code

Defendant

ORDERED, that the above-captioned defendant, having been sentenced
on _____ in _____ Court, _____ County, is hereby directed,
pursuant to CPL sec. 420.10 to do the following:

Pay the _____ Probation Department, _____, New
York, _____, as the designated restitution agency, the following:

Restitution/Reparation _____

Designated Surcharge (5%) _____
Penal Law § 60.27(8)

Name and Address of Restitution/Reparation Beneficiaries:	Amount
_____	_____
_____	_____
New York State Crime Victims Board (if applicable) One Columbia Circle, Suite 200, Albany, NY 12203	_____

_____ County Probation Department 5% designated surcharge on amount collected.

Pay the total amount on this date (or) pay \$ _____ per _____ commencing on
_____ until the entire amount set forth above is paid, with a final payment of \$ _____.

It is ORDERED, that the District Attorney of _____ County shall do the following:
(1.) File a certified copy of this Order in the _____ County Clerk's Office; (2.) Serve a copy
of this Order together with proof of filing in the _____ County Clerk's Office upon each
beneficiary together with notice to the beneficiaries that Civil Proceeding for collection of the
above amount is available pursuant to CPLR § 420.10(6); (3.) Serve a copy of this order upon
the _____ County Probation Department and (4.) May institute proceedings to collect such
restitution/repairation, upon default in the above ordered payment; and/or file a satisfaction of
judgment.

It is ORDERED, that the _____ County Clerk shall do the following: (1.) Enter this
Order in the same manner as a judgment in a civil action in accordance with CPLR § 5016 (a)
and (2.) Docket the entered Order as a money judgment pursuant to CPLR § 5018.

ENTER

Court Judge