

NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE	CHAPTER <u>General Administration</u> STATEMENT NUMBER <u>1.30</u>
SUBJECT: <b>SERVICES AND SUPPORT FOR VICTIMS AND SURVIVORS OF CRIME</b>  PROPONENT: <u>Wm. McGonagle, Assist. Comm.</u> <i>Name/Title</i> <hr/> <u>Commissioner's Office</u> <u>271-5601</u> <i>Division Phone #</i>	EFFECTIVE DATE <u>08/30/13</u> REVIEW DATE <u>08/30/14</u> SUPERSEDES PPD# <u>1.30</u> DATED <u>01/01/12</u>
ISSUING OFFICER:  <hr/> <i>William Wrenn, Commissioner</i>	DIRECTOR'S INITIALS: _____ DATE: _____ APPENDIX ATTACHED: YES: _____ NO: _____
REFERENCE NO: See reference section on last page of PPD.	

I. PURPOSE:

To provide services for crime victims and survivors consistent with their needs

II. APPLICABILITY:

To all staff, offenders, interested victims and survivors

III. POLICY:

It is the policy of the Department of Corrections to provide information, assistance and support to crime victims and survivors and collaborate with community and statewide agencies to promote responsiveness to the needs of victims.

The Victim Service Bureau shall promote the following principles:

- A. Further trauma for crime victims and families is avoided through:
  - 1. Non-judgmental, compassionate and timely interactions by trained staff
  - 2. Information about the correctional process and case-specific progress
  - 3. Information about available resources
- B. Victim input into relevant correctional decision making processes is encouraged
- C. Community justice is supported by:
  - 1. Acknowledging the harm caused by crime
  - 2. Listening to victims and survivors
  - 3. Addressing the relationship between victims, offenders and communities
  - 4. Providing opportunities for promoting victim empowerment and offender self improvement
  - 5. Supporting the role and interest of communities in achieving justice.
- D. Collaborative partnerships are essential with victim advocates; national, state and local coalitions; community organizations and other public and private agencies.

IV. PROCEDURES:

- A. Notification of Changes in an Offender's Status. The Department is committed to keeping victims of crime informed about offender custody changes when such information is helpful for victims and families experiencing the impact of crime. Crime victims, domestic violence

plaintiffs, Victim/Witness Advocates, or other participants in the criminal justice process may request that the Department notify them of changes in an offender's custody status, escapes or death. The victim/survivor will receive follow-up notification when an offender has been returned from escape status.

1. Requests to be notified are documented in writing, including the victim's name, requestor's name and relationship to the victim (if different), mailing address, telephone number, offender's name and requestor's relationship to the offender (if applicable). Law enforcement and other agencies making oral or telephonic request will be advised that the Department's policy encourages such notifications, and requests in writing.
2. It is the responsibility of the person requesting notification to ensure that the mailing address and telephone number maintained by the Victim Services Bureau is current and correct. The Department does not have any responsibility to track down persons who have moved and not kept the Department informed of their current address information.
3. Notification to victims and others with documented requests will be in advance of the intended action when possible. In the event of escapes, deaths or judicial releases, telephonic notification may be made.
4. The Victim Services Bureau will receive such notification requests and will:
  - a. Enter data regarding the request into the CORIS system;
  - b. Inform the Adult Parole Board of the request;
  - c. Retain the request in a separate confidential file so that the offender cannot access information about the request. Victim Services' confidential files are kept separate from the offender records case files;
  - d. Keep current the addresses of individuals and agencies;
  - e. File any notices which are returned as undeliverable in the file described in c above and notify the Victim/Witness Advocate as appropriate;
  - f. Provide notification (as determined below) to those victims and agencies with documented requests.
5. For those offenders with victim/witness notification indicated on the CORIS system;
  - a. Upon completing classification boards, the Classification Office at each facility will inform the Victim Services Bureau of the following changes:
    1. From medium (C3) to minimum custody (C2) status and from minimum custody (C2) to work release or administrative home confinement (C1) status (see PPD 5.94)
    2. From C1 or C2 to any higher custody status
    3. Transfer to another in-state prison and transfer to/from an out-of-state prison
    4. Transfer to/from a County House of Correction
  - b. When there is an escape or inmate death while in custody, the Warden's Office will determine if there is an obligation to notify a victim or agency. If yes, the Warden's Office will cause a notification to the Victim Services Coordinator and convey the pertinent information. The Victim Services Bureau will provide the notification to the victim or agency. Upon the offender's return to prison, the Classification Office will inform the Victim Services Bureau for victim notification purposes.
  - c. The Bureau of Offender Records will inform the Victim Services Bureau when offenders are scheduled for release due to maximum term served Court Order, parole or other release. The Bureau of Offender Records will inform the Victim Services Bureau when offenders are returned to prison for parole violation or other reason prior to their maximum term. Offenders placed at a Community Corrections facility or under the "7-day sanction" are excluded, as they remain under probation/parole supervision in the community.
  - d. Notwithstanding item IV.5.c above, the Victim Services Bureau will review Parole Board hearing results and CORIS "maximum release" reports to determine planned releases. Providing advance victim notification (e.g. 30 – 60 days before release), when practical, will provide concerned victims with an extended time to prepare for the offender's release.

6. As determined by the Victim Services Coordinator, Warden's Office or Administrative Director of the Secure Psychiatric Unit, after consultation with the appropriate Victim/Witness Advocates or law enforcement agency, victim notification may be provided through the Victim/Witness Advocate or law enforcement agency.
  7. Reasonable requests by the victims/survivors for copies of a recent photograph of the offender will be honored to the extent that it helps promote safety as the offenders are released into the community. Such requests will be made through the Victim Services Bureau. The Victim Services Bureau will request said photograph through the appropriate correctional facility, transitional housing unit or district office. Under these circumstances, photographs from the CORIS system are released to the victim/survivor through the Victim Service Bureau.
- B. Inmate Contact with Crime Victims and Witnesses. Crime victims have a statutory right to be free from intimidation and to be reasonably protected from the offender throughout the criminal justice process. The Department provides reasonable measures to support physical and emotional safety for victims and survivors of crime and domestic violence.
1. Offenders are responsible for knowing and abiding by no contact court orders and parole conditions.
    - a. During the reception and diagnostic orientation period (see PPD 7.14), the Correctional Counselor/Case Manager (CC/CM) will inform all offenders that visitation and other contact with victims, survivors or witnesses is prohibited for those offenders with no contact orders. Offenders will be informed that any direct or indirect contact contrary to no contact orders may result in sanctions by the Court, Parole Board or discipline by Departmental staff.
    - b. Offenders must certify on their Inmate Visitor Request Slip (see PPD 7.09) that no Court or Parole Board has ordered the offender to refrain from contact with each prospective visitor.
  2. To confirm outstanding court orders regarding no contact orders:
    - a. Offender Records will review each offender's sentencing order to determine whether there is a no contact order. When offenders with such orders have been identified, Offender Records will enter the order in the CORIS system..
    - b. The Classification Office shall search the data of the National Crime Information Center (NCIC) for detainers or warrants on all new offenders. The search will include any domestic violence protective orders issued against the offender. When these protective orders are identified, the Classification Office will inform the Victim Services Bureau with the offender's name and Court.
    - c. When offenders are served with domestic violence protective orders while under Departmental custody, Offender Records will notify the Victim Services Bureau with the offender's name and court.
    - d. The Victim Services Bureau will confirm the name and date of birth of the victim or other individual through the Victim/Witness Advocate or other appropriate agency.
    - e. The Victim Services Bureau will enter the no contact information in the CORIS system to exclude the individual from the offender's approved visitor list.
  3. When concerned for physical or emotional safety, victims, witnesses or their advocates may request assistance from the Department in preventing contact between the offender and victim or other individual.
    - a. This request must be in writing, including the name of the person with safety concerns to the Victim Services Bureau and must include an articulable concern for the emotional or physical well being of the victim or other person.
    - b. The Victim Services Bureau shall inform the Warden in writing about the request. The Warden or designee shall provide written notice to the offender to refrain from direct or indirect contact with the victim or other person. A copy of the written notice will be filed in the Victim Services' record.
    - c. While the offender is in minimum security or work release status, safety concerns for the victim/witness can be mitigated by assuring that the offender is housed or takes

outings away from the community where the victim/witness resides or is employed. Upon victim/witness request through the Victim Services Bureau such concerns shall be reasonably honored.

- d. Restrictions issued by the Department due to safety concerns shall not be construed as an order of the Court or Parole Board. Said restrictions apply to inmates under direct care and custody of the Department.
  4. Visitation or other contact between the offender and victim or other individual may be approved whenever the no contact court order, parole condition or written notice is rescinded or modified. After verification by the Victim Services Bureau, the change is reflected in the CORIS system. The Visiting Room OIC and other appropriate staff will be informed that visitation or other contact may occur consistent with the Department's policies and procedures.
  5. Victims and other individuals may inform the Warden or Victim Services Bureau in writing of offenders exhibiting behavior believed to be intimidating, harassing or threatening. Upon receipt of documented reasonable information of unauthorized or inappropriate behavior, the Warden or designee shall address the matter in any of the following manners: cease and desist directives (see IV B 3), telephone blocking, mail screening, disciplinary action or referral to the Division of Professional Standards and possible criminal prosecution.
- C. Victim-Offender Dialogue. The Department is respectful of the trauma, grief and recovery experienced by victims and survivors. Victim-offender dialogue empowers interested victims and survivors to meet with the offender and address the personal impacts of the crime.
1. To promote safety and proper preparation, all requests for victim-offender dialogue are referred to the Victim Services Coordinator.
  2. Each request will be addressed consistent with the Protocols for Victim-Offender Dialogue (attachment 1) developed in collaboration with Victim/Witness Advocates, community-based mediation providers and other criminal justice stakeholders. The Protocols for Victim-Offender Dialogue, incorporated herein by reference, addresses the service goals and objectives, principles, definitions, facilitator skills/training and the procedures to be followed.
  3. Staff and community-based facilitators will be trained in facilitating dialogue between victims and offenders. The Victim Services Coordinator will maintain a list of prospective facilitators.
  4. Community-based volunteer facilitators will be approved as Departmental short-term volunteers pursuant to PPD 2.24 (Citizen Involvement and Volunteer).
  5. For the well-being of all parties requesting a victim-offender dialogue, each facilitator will be monitored for quality of work, ethical conduct and timely completion of assignments. If a facilitator is not in compliance with the protocols and procedures outlined, the facilitator may be removed for the list of approved facilitators.
  6. Confidentiality will be maintained consistent with PPD 1.40 (Public Records and Public Access to DOC). Information subject to client privileges may be released if a written authorization has been executed.
  7. The Protocols for Victim-Offender Dialogue is applied to each case. Under rare circumstances, reasonable exceptions may occur at the discretion of the Victim Services Coordinator in consultation with all parties concerned.
- D. Victim Services Liaisons promote communication, responsiveness and victim sensitive principles throughout the Department.
1. Each Warden/Division Director will identify at least one employee to serve as a victim services liaison to include each district office, transitional housing unit and facility.
  2. The Commissioner will appoint the identified victim service liaisons. Appointment as a victim services liaison is in addition to the employee's regular duties.
  3. Responsibilities for each victim service liaison include:
    - a. Assisting in planning and developing of victim services and related programs

- b. Attending scheduled statewide meetings (3-4 annually) to participate in planning, training and information sharing. The Victim Services Coordinator will assemble these meetings.
  - c. Attend local, state and national training programs related to crime victimization issues
  - d. Collaborating with community organizations and other stakeholders to address victims' issues.
  - e. Responding to inquiries, as needed, from crime victims and survivors with referral to the Victim Services Coordinator, other staff and community resources, as appropriate
  - f. Being accessible to provide information and advice to other employees at each facility or district office.
4. Under NH law, victim-identifying information (i.e. address, place of employment and other personal information) is confidential. No victim identifying information will be maintained within the facilities. Victim identifying information maintained at district offices shall not be accessible to parolees/probationers. All victim identifying information may be forwarded to the Victim Services Bureau for filing.

References:

Standards for the Administration of Correctional Agencies

Second Edition Standards

**2-CO-4G-02**

Standards for Adult Correctional Institutions

Fourth Edition Standards

**4-4447**

Standards for Adult Community Residential Services

Fourth Edition Standards

**4-ACRS-7F-06**

Standards for Adult Probation and Parole Field Services

Third Edition Standards

Other:

**NHRSA 21-M:8,k**

McGONAGLE/clr

Attachment

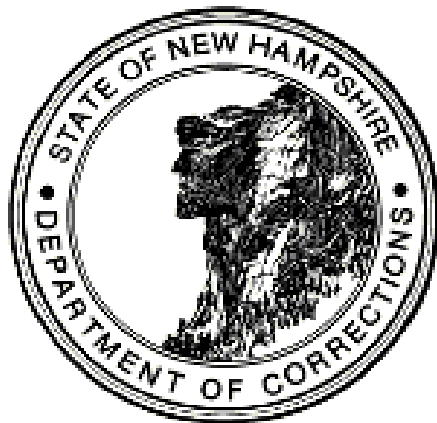
# New Hampshire Department of Corrections

## Protocols

### For

## Victim- Offender Dialogue

- Goal & Objective
- Principles of Victim-Offender Dialogue
- Definitions
- Facilitator Skills, Training & Selection
- Dialogue Process and Procedures
  - Case Prerequisites
  - Case Processing
  - Case Documentation



Revised Sept. 2009

New Hampshire Department of Corrections  
Victim Services

**PROTOCOLS FOR VICTIM-OFFENDER DIALOGUE**

**GOAL:**

The purpose of Victim-Offender Dialogue (VOD) is to support justice and healing by empowering victims and survivors to meet with the offender and address the personal impacts of violent crime.

**OBJECTIVES:**

To offer interested victims and survivors of violent crime an opportunity to meet with their offender in a safe environment.

To offer an opportunity for the victim and offender to discuss the crime and its impact, get answers to their questions and express their feelings, as part of a healing and recovery process.

To encourage interested offenders to express remorse, develop empathy and accept full responsibility for the harm caused to the victim and family

**PRINCIPLES OF VICTIM-OFFENDER DIALOGUE:**

When initiated by the victim or survivor, a facilitated discussion with the offender can be helpful in moving forward in the aftermath of violent crime.

Victims and survivors requesting meaningful dialogue with the offender should be respected and offered the opportunity to meet, consistent with safety and security needs.

Participation by the victim/survivor and offender is voluntary and may be terminated at any time by either party or facilitator(s).

A facilitator, trained in victim-offender dialogue in cases of severe violence, will support a genuine dialogue in which the participants are actively engaged.

Presenting choices to the participants promotes personal empowerment.

A victim sensitive, structured process can neutralize status and power, providing an environment conducive to meaningful dialogue in highly emotional circumstances.

Extensive preparation for both participants and facilitators is critical to the success of the dialogue.

**DEFINITIONS:**

**Facilitator:** One who is trained and skilled at making dialogue easier between a crime victim/survivor and offender, during a structured process which neutralizes status and power, in an environment which is conducive to meaningful discussion under highly emotional circumstances. A facilitator does not promote reconciliation, settlement or compromise.

**Ground Rules:** Through discussion with the victim and offender, the co-facilitators define standards of behavior for the dialogue sessions; ground rules may include, but are not limited to, no name-calling, no emotional or physical violence, respectful listening, one speaker at a time, and others defined by the parties.

**Guilt:** Acknowledging responsibility for the victimizing behavior, which harmed the victim.

**Participant Consent Form:** The victim/survivor and offender must voluntarily agree to the process as described, release NHDOC and the VOD facilitators from any liability and declare that it is not their intention to cause physical or emotional harm to any party associated with the VOD process.

**Stakeholders:** The victim/survivor, the offender, their supportive resources, and justice-related agencies who know the participants and can contribute to the outcome of a VOD.

**Support Person:** A responsible individual whom the victim/survivor and the offender may choose to attend (i.e. observe) the VOD process, consistent with correctional security needs. The co-facilitators

may deny participation by a support person identified by either party if the other party voices a reasonable, articulated concern about that person's presence during the preparation or dialogue. The relationship between a participant and his/her support person need not be disclosed to the other participant. A support person shall not be currently under the jurisdiction of the NHDOC.

Victim/Survivor: A person who suffers direct or threatened physical, emotional, psychological or financial harm as a result of the commission or attempted commission of a crime. This includes the immediate family of any victim who was a minor or incompetent at the time of the offense, or the immediate family of a homicide victim.

VOD Steering Committee: Stakeholders collaborating with the Victim Services Bureau in the development, implementation and evaluation of Victim-Offender Dialogue. The committee includes representatives of victims/survivors, victim-witness advocates, mediation agencies, correctional facilities and probation-parole officers.

### **VOD FACILITATOR SKILLS AND TRAINING:**

(SOURCES: "Advances Victim Sensitive Mediation Training", Center for Restorative Justice and Mediation, University of Minnesota; "Evaluation of VOMP of Langley B.C. for Solicitor General Canada", T. Roberts; and Texas Department of Criminal Justice, Victim Services)

#### Qualities include:

Caring	Objective, Neutral	Patient
Supportive	Honest, Trustworthy	Flexible
Effective Listening	Direct	Experienced
Genuine	Professional	Knowledgeable
Empathic	Confident	

#### Skills include:

Generalist ("helping skills", as above)

##### Specialized Skills

- Understanding victimization and phases of grief/recovery
- Dealing with grief and loss (own and others)
- Understanding post-traumatic stress
- Understanding the painful journey of participants
- Facilitation skills (facilitating direct and frank dialogue)
- Understanding the offender/inmate experience
- Ability to relate to violent offenders in a nonjudgmental manner
- Ability to assess offender genuineness about VOD participation
- Interviewing skills (e.g. open-ended questions, non-verbal cues, objectivity)
- Ability to collaborate with therapists, corrections staff and other stakeholders
- Understanding the criminal justice and corrections systems
- Crisis intervention skills
- Accepting feedback through peer consultation

#### Advanced Training for VOD Facilitators (30 hours):

- The Victimization Experience
  - Understanding impacts of severe violence (physical, emotional, financial harms)
  - Victim trauma
  - Grief and recovery
  - Post-traumatic stress
  - Victim Impact Panel (differing viewpoints; survivors of homicide, sexual abuse, domestic violence)
  - Needs and implications for VOD practice
- The Offender Experience
  - Violent crime, contributing factors



- Power and control issues
- Justice system and prison environments
- Needs and implications for VOC practice
- Prison tour and panel of inmates (violent crime)
- Victim-Sensitive Victim-Offender Dialogue
  - Community justice framework
  - Humanistic model of dialogue
    - Paradigm of Healing
    - Empowerment, mutual recognition
    - Adapting to diverse populations
    - Compassionate listening
  - Spirituality issues
  - Multi-system assessment and planning
  - Self-assessment and centering of facilitators
  - Case preparation
  - Collaboration
  - Case management and documentation
- Multiple Case Study Analyses

#### VOD Facilitator Selection Requirements:

- Submit completed *VOD Application for Facilitator* to the Victim Services Bureau
- Prior basic victim-offender dialogue training and experience OR related human services training and experience
- Criminal record check (does not automatically exclude eligibility as a VOD Facilitator)
- Shall not be currently under NHDOC jurisdiction
- Personal interviews are scheduled with qualified candidates
- Shall agree to at least one year post-training availability for VOD services
- Shall successfully complete advanced training for VOD in cases of violence
- Submit a signed *Facilitator Service Agreement* with the NHDOC Victim Services Bureau
- Shall participate in at least 4 or 6 Peer Consultation/Case Review meetings each year as determined by the NHDOC Victim Services Bureau and VOD Steering Committee
- Shall agree and maintain appropriate confidentiality (see PPD 1.40)
- Community volunteers shall be approved as NHDOC Short-term Volunteer (see PPD 2.24)
- Final selection of VOD facilitators is determined by the NHDOC Victim Services Bureau

### **PROCESS AND PROCEDURE FOR VICTIM-OFFENDER DIALOGUE**

#### **CASE REQUISITES:**

Victim Initiated: It is the practice of the NH Department of Corrections to pursue victim-offender dialogue only for requests initiated by a crime victim or survivor.

Voluntary: Participation of both the victim and the offender is voluntary. Either party may choose to discontinue participation anytime during the preparation, dialogue or follow-up phases of the program.

Offender Responsibility: For an offender to participate in a dialogue, he/she must admit guilt and accept full responsibility for the victimizing behavior, as determined by the co-facilitators during the preparation phase.

Offense Date: The length of time passed since the crime is considered in determining whether a case continues into a formal victim-offender dialogue. There is no mandated timeframe. Offense-related court proceedings must not be pending. No case shall move to the dialogue phase if the Victim Services Coordinator, Victim/Witness Advocate, or facilitator believes it is too soon after the crime for the parties to engage in meaningful dialogue. In the event the victim/survivor or offender objects to that

determination, either party may request review by the Victim Services Bureau and the VOD Steering Committee.

Legal Status:

- Victim-Offender Dialogue is not a condition of sentencing, reduced custody or parole release.
- Offender participation in the dialogue process shall not effect the offender's legal status, including prison classification level, parole release date, or probation/parole supervision.
- Outstanding criminal or civil "no contact" orders issued by any court or the Adult Parole Board must be modified or rescinded, for the limited purposes of VOD as approved by the Department, during the preparation phase before face-to-face dialogue occurs.

Confidentiality: Information shared during the VOD process is confidential and is not considered public record. The parties, the facilitators and the NH Department of Corrections are not authorized to release confidential information without written consent of the parties (see PPD 1.40).

CASE PROCESSING:

I. Referral and Preliminary Assessment

- A. The victim/survivor may make a referral to the NHDOC Victim Services Bureau directly or through a Victim/Witness Advocate, Adult Parole Board, NHDOC staff, victim's therapist or other community sources.
- B. The Victim Services Bureau will complete a *Victim-Offender Dialogue Referral Information Form*.
- C. The Victim Services Bureau will assess the referral regarding the appropriate prerequisites.
- D. The Victim Services Bureau will confirm offender's current legal status and anticipated status at the time of VOD (i.e. prison, work release, parole, probation).
- E. The Victim Services Bureau will consult with the Victim/Witness Advocate and other stakeholders (e.g. VS Liaison & other correctional staff) before case assignment and preparation.

II. Facilitator Assignment

As appropriate following initial assessment, the Victim Services Bureau will assign the case to trained co-facilitators to begin the preparation phase. Consideration will be given to geographic and cultural needs, as well as facilitator experience. Case information shared with the co-facilitators will include at a minimum, the following information:

- A. Name and telephone number of the victim or survivor requesting dialogue
- B. Name and location of offender (facility or district office). If the offender is under community supervision, the offender's mailing address and telephone number will be provided.
- C. Name, address and telephone number of appropriate DOC staff (e.g. Probation-Parole office, Mental Health Counselor)
- D. Crime, sentencing information and offender's legal status
- E. Police report of the crime, if available (or may be obtained via the Probation-Parole Office or prosecutor's office)
- F. Inmate Summary report, if available
- G. Other relevant information pertinent to the case (facilitators not employed with NHDOC may review agency-generated treatment information with the signed consent of the offender)

III. Case Preparation

A. Introduction

Prior to a facilitated dialogue between the victim/survivor of crime and the offender, an intensive preparation must be completed. Participation by a victim/survivor and offender in these parallel preparation sessions does not guarantee, nor should it be presumed, that a face-to-face dialogue will occur.

Throughout the preparation phase, the co-facilitators must assure the following:

- (i) Victim/Survivor Safety
  - (a) The physical safety of the victim/survivor must be maintained. Whether meeting with the victim/survivor in a community setting or correctional facility, consideration must be given to safety and security needs.
  - (b) Emotional safety is equally important. The co-facilitators must have sensitivity to the victims' well-being, be responsive to verbal and non-verbal cues, seeks frequent feedback from them.
- (ii) Victim/Survivor Choices
  - (a) Victim-Offender Dialogue is victim-driven and victim-sensitive. The victims/survivors may choose to continue or withdraw from the process at any time.
  - (b) The co-facilitators must continually inform them of their option to terminate the case at any time.
  - (c) Preparation meeting times and locations must be convenient to the victim/survivor.
  - (d) The victim/survivor has a choice and is encouraged to bring a responsible support person to preparation meetings.
- (iii) Offender Choices
  - (a) While Victim-Offender Dialogue is victim-driven, the offender may choose to continue or withdraw from the process at any time
  - (b) The co-facilitators must continually inform the offender of the option to terminate the case at any time.
  - (c) The offender has a choice and is encouraged to bring a responsible support person to preparation meetings (consistent with security requirements).
- (iv) Stakeholder Consultation
 

To promote the safety and well-being of each party and to assure a collaborative process with all concerned, the co-facilitators consult with the following individuals during the preparation phase of Victim-Offender Dialogue.:

  - (a) NHDOC Victim Services Coordinator
  - (b) Victim/Witness Advocate of the County Attorney or Dept. of Justice
  - (c) Victim's therapist and other supportive resource (if applicable)
  - (d) Offender's therapist and other supportive resource (if applicable)
  - (e) Warden or Director of Field Services
  - (f) NHDOC mental health staff (or Correctional Counselor)
  - (g) NHDOC chaplain
  - (h) Other community resources as appropriate
- (v) Peer Consultation
  - (a) Facilitators must regularly communicate in a timely manner with the Victim Services Coordinator about progress/concerns during case preparation.
  - (b) Bi-monthly peer consultation/case review meetings are scheduled with the VOD Steering Committee. VOD facilitators shall attend at least four (4) meetings during a twelve month period.
  - (c) VOD facilitators shall not proceed with any dialogue between victim/survivor and offender without sufficient peer consultation and approval by the NHDOC (see "Final Preparation for Dialogue").
- (vi) "No Contact" Orders
  - (a) When any court or the Adult Parole Board has ordered an offender to refrain from direct or indirect contact with the victim/survivor. Victim-Offender Dialogue shall not occur unless such order is modified or rescinded by the court or Adult Parole Board.
  - (b) Requests for modification of the orders are submitted to the court by the prosecutor's office in criminal cases and by the victim or representative in matters of civil protection orders. Requests for modification are filed with the Adult Parole Board by the NHDOC Victim Services Bureau.

- B. Facilitator's Initial Contact with Victim/Survivor
  - (i) Introductory contact about the VOD request and VOD service
  - (ii) Schedule initial meeting between co-facilitators and victim/survivor, at a time and location convenient for the victim/survivor.
  - (iii) Encourage the victim/survivor to invite a responsible support person to attend preparation meetings with him/her
- C. Facilitator's Initial Meeting with Victim/Survivor
  - (i) The goal of this meeting is to establish rapport and a sense of credibility with the victim/survivor
  - (ii) Encourage the victim/survivor to consider a responsible support person to attend future preparation sessions and the dialogue.
  - (iii) The facilitator listens to the victim/survivors experiences about the crime and recovery process (may include discussion of treatment received related to the crime).
  - (iv) Identify victim/survivor's expectations for a dialogue with the offender.
  - (v) Asses extent of the victim's needs and losses
  - (vi) The facilitator provides information and answers questions about:
    - The VOD service
    - The facilitator
    - The VOD process
    - Victims' rights and available resources for support
    - The offender's legal status
  - (vii) The facilitator and victim/survivor discuss the risks and benefits of a dialogue under the circumstances.
  - (viii) Identify personal information which the victim/survivor determines can or cannot be shared with the offender during preparation meetings with the offender.
  - (ix) Schedule time and location for a second preparation meeting to occur, before or after the facilitator's initial preparation meeting with the offender.
  - (x) *VOD Victim/Survivor Consent* Form must be reviewed and signed.
- D. Facilitator's Initial Contact with Offender
  - (i) Introductory contact about the VOD request and VOD service
  - (ii) Schedule initial meeting between co-facilitators and offender
  - (iii) Encourage the offender to invite a responsible support person to attend preparation meetings with him/her.
- E. Facilitator's Initial Meeting with Offender
  - (i) The goal of this meeting is to establish rapport and a sense of credibility with the offender.
  - (ii) Encourage the offender to consider a responsible support person to attend future preparation sessions and the dialogue
  - (iii) The facilitator provides information and answers questions about:
    - The VOD service
    - The facilitator
    - The VOD process
    - Victims' rights
    - Offender's rights and available resources for support
  - (iv) The facilitator listens to the offenders' experience about the crime (may include discussion of subsequent treatment received) as well as interest in a victim-offender dialogue
  - (v) Identify the offender's expectations for a dialogue with the victim/survivor
  - (vi) The facilitator and offender discuss the risks and benefits of a dialogue under the circumstances
  - (vii) Identify personal information which the offender determines can or cannot be shared with the victim/survivor during preparation meetings with the victim/survivor
  - (viii) Schedule time and location for a second preparation meeting to occur after the facilitator's next preparation meeting with the victim/survivor.
  - (ix) *VOD Offender Consent* form must be reviewed and signed

N.B. Co-facilitators debrief and inform the Victim Services Coordinator about progress/concerns arising during preparation.

- F. Subsequent Preparation Meeting(s) with Victim/Survivor
- (i) Reality check – reassess needs, losses and expectations
  - (ii) The facilitator listens to the victim/survivor’s experiences, grieving and recovery process (may include discussion of treatment received).
  - (iii) Assure understanding of potential benefits and risks
  - (iv) *Authorization to Release Information Form(s)* for relevant facilitator consultation with victim’s therapist and/or other resources are reviewed and signed by the victim/survivor. (Note: Contact with a therapist is helpful during preparation for dialogue; the victim’s denial of such consultation does not automatically preclude continued preparation for VOD).
  - (v) Document the topics to be addressed in the dialogue
  - (vi) Review and confirm the signed *VOD Victim/Survivor Consent Form*
  - (vii) Address preparation needs, if any, of support persons
  - (viii) Inform and discuss with victim/survivor the identity of offender’s chosen support person, if applicable
  - (ix) Schedule tour of VOD location (e.g. facility) if helpful for victim/survivor
  - (x) Discuss ground rules, seating arrangement, speaking order for the dialogue
  - (xi) Discuss post-dialogue logistics (e.g. transportation, time & location of follow-up meeting between facilitators and victim/survivor)
- G. Subsequent Preparation Meeting(s) with Offender
- (i) Assure full responsibility for the victimizing behavior; confirm the details; assess sincerity
  - (ii) Reality check- reassesses needs and expectations
  - (iii) Assure understanding of potential benefits and risks  
N.B. Co-facilitators debrief and inform the Victim Services Coordinator about progress/concerns arising during preparation.
  - (iv) *Authorization to Release Information Form(s)* for relevant facilitator consultation with offender’s therapist and/or other resources are reviewed and signed by the offender. (Note: Contact with a therapist is helpful during preparation for dialogue; the offender’s denial of such consultation does not automatically preclude continued preparation for VOD).
  - (v) Discuss and schedule offender participation in Victim **IMPACT** Program, as available
  - (vi) Document the topics to be addressed in the dialogue
  - (vii) Review and confirm the signed *VOD Offender Consent form*
  - (viii) Address preparation needs, if any, of support persons
  - (ix) Inform and discuss with offender the identity of victim’s chosen support person, to the extent the victim agrees (e.g. first name, family/friend)
  - (x) Discuss ground rules, seating arrangement, speaking order for the dialogue
  - (xi) Discuss post-dialogue logistics (e.g. time & location of follow-up meeting between facilitators and offender)  
N.B. Co-facilitators debrief and inform the Victim Services Coordinator about progress/concerns arising during preparation.
- H. Final Preparation for Dialogue
- (i) Final Approval  
A final recommendation to proceed with a face-to-face dialogue is made by the co-facilitators, through the Victim Services Bureau, for approval by the appropriate Warden or Director of Field Services. If approval is denied or special conditions are requested, the dialogue process is suspended until co-facilitators, the parties and Victim Services Bureau will resolve any concerns.
  - (ii) Safety and Security  
Prior to the day of face-to-face dialogue, provisions must be made to promote the physical safety of the parties, and the integrity of institutional security. When dialogue will occur in

a correctional facility, the Victim Services Bureau will confirm appropriate arrangements with NHDOC security staff. When dialogue will occur in a community location, physical safety needs must be addressed appropriate to the setting.

(iii) Pre-Dialogue Briefings

Co facilitators “check-in” with the victim/survivor and offender on the day before & immediately before the scheduled dialogue to:

- Discuss participant’s current feelings, concerns
- Affirm and encourage participant’s strengths
- Confirm ground rules for the dialogue
- Discuss opening statements and introductions (order of statements is determined by the victim/survivor)
- Review the topics to be discussed during dialogue
- Confirm attendance of each participant’s support person

IV. The Dialogue

- A. Centering of the facilitator(s)
- B. Client-centered atmosphere: the focus is on guiding the dialogue process not on reaching agreement
- C. Facilitating the Dialogue
  - (i) Introductions and opening comments by co-facilitator (includes welcome, confirming the process, role of co-facilitators and support persons and option for either party or facilitator(s) to terminate the dialogue any time)
  - (ii) Review the predetermined ground rules
  - (iii) Connect with both parties
  - (iv) Ground participants in their feelings so they can tell own story and engage the other
  - (v) Opening statement by victim/survivor
  - (vi) Opening statement by offender
  - (vii) The dialogue includes the topics determined during the preparation phase. Examples may include the participant’s statements of the crime event, facts of the offense, its impacts, questions and answers
  - (viii) Co-facilitators observe verbal and non-verbal cues, with sensitivity to the victim/survivor’s emotional safety
  - (ix) Co-facilitators monitor the process (silence is good)
  - (x) Co-facilitators request frequent feedback from the participants
  - (xi) Take breaks or “time-outs” as needed
  - (xii) Discuss future considerations, follow-up plans, boundaries
  - (xiii) Closing comments by the participants
  - (xiv) Co-facilitator(s) summarize outcomes, offer closing statement and thanks
- D. Post-Dialogue Debriefing
  - (i) Separately with victim/survivor and with offender
  - (ii) Listen to the participant’s view of the VOD process
  - (iii) Listen to the extent to which participant’s expectations were met
  - (iv) Listen to the impact of the dialogue on the participant
  - (v) Explore unresolved issues
  - (vi) Evaluate additional contact needs
  - (vii) Discuss follow-up roles of co-facilitators, victim-witness advocate, victim’s therapist, offender’s therapist or NHDOC mental health staff
- E. Follow-up Contacts
  - (i) At three (3) days following face-to-face dialogue
  - (ii) At three (3) months following face-to-face dialogue
  - (iii) Other intervals as determined to be appropriate under the circumstances
  - (iv) Address unmet needs of participants
  - (v) Plan additional services and referrals
  - (vi) Termination/disengagement of VOD services.

## CASE DOCUMENTATION

A *VOD Fact Sheet* is available for parties to share with persons of their choosing (e.g. support persons, therapist and family)

The VOD Case File generally includes

- *VOD Referral Information Form*
- *VOD Victim/Survivor Consent Form* and *VOD Offender Consent Form*
- *Authorization to Release Information Form*
- *Acknowledgement by Support Person(s) Form*
- Facilitator Contact Notes – must be brief, non-judgmental and limited to restating information provided by the participants
- Miscellaneous correspondence
- Other relevant information

### Video/Audio Recordings

Videotaping or audiotaping of preparation and/or dialogue sessions shall only occur with the written approval of each participant, facilitator, support person and the NHDOC. Requests for other persons to observe the VOD process, in addition to written approval of each participant, support person and facilitator, must be approved by the NHDOC Public Information Officer and the appropriate Warden/Director. The co-facilitators are responsible for seeking such approvals through the Victim Services Bureau.

## CASE EVALUATION

Each case assigned for preparation and dialogue is evaluated by the Victim Services Bureau for client satisfaction, achieved outcomes and process review. Cases undergoing preparation without reaching face-to-face dialogue are reviewed as “Other Significant Support Achieved.”

In consultation with the VOD Steering, the Victim Services Bureau will annually report on the outcome measures and process review of Victim-Offender Dialogue.

## REVISIONS TO PROTOCOLS

The Protocols for Victim-Offender Dialogue is an addendum to NHDOC PPD 1.30. From time to time, the Protocols may be subject to modification through joint consultation by the NHDOC and its VOD Steering Committee.

SOURCES: *Guidelines for Mediated Victim-Offender Dialogue in Severely Violence Crimes* and *Advanced Victim Sensitive Mediation Training in Crimes of Severe Violence*. University of Minnesota, Center for Restorative Justice and Mediation; *Evaluation of VOMP of Langley B.C. for Solicitor General Canada*, T. Roberts; and State of Texas Department of Criminal Justice, Victim Services.

**NHDOC – VICTIM SERVICES  
REQUEST FOR NOTIFICATION**

DATE OF REQUEST:

VICTIM ADVOCATE (INCLUDE PHONE NUMBER):

INMATE NAME:

DATE OF BIRTH:

SENTENCING COURT:

INMATE OFFENSE(S):

**CONFIDENTIAL VICTIM INFORMATION**

NAME:

DATE OF BIRTH:

MAILING ADDRESS:

PHYSICAL ADDRESS:

HOME PHONE:

CELL PHONE:

WORK PHONE:

EMAIL:

VICTIM'S RELATIONSHIP TO INMATE:

WAS A NO CONTACT PROVISION ORDERED AS PART OF THE SENTENCE? \_\_\_\_\_  
IF SO, PLEASE WRITE THE SPECIFIC LANGUAGE IN THE ORDER:

WILL THE VICTIM BE REQUESTING A PAROLE RESTRICTION? \_\_\_\_\_ IF SO, PLEASE  
INDICATE WHAT THE REQUESTED RESTRICTION WILL BE:

ADDITIONAL INFORMATION/COMMENTS: