



**RICHMOND
VICTIM/WITNESS SERVICES**

OVERVIEW

- VA Code §19.2-11.01. Crime victim and witness rights.

In recognition of the Commonwealth's concern for the victims and witnesses of crime, it is the purpose of this chapter to ensure that the full impact of crime is brought to the attention of the courts of the Commonwealth; that crime victims and witnesses are treated with dignity, respect and sensitivity; and that their privacy is protected to the extent permissible under law. It is the further purpose of this chapter to ensure that victims and witnesses are informed of the rights provided to them under the laws of the Commonwealth; that they receive authorized services as appropriate; and that they have the opportunity to be heard by law-enforcement agencies, attorneys for the Commonwealth, corrections agencies and the judiciary at all critical stages of the criminal justice process to the extent permissible under law.

Unless otherwise stated and subject to the provisions of §19.2-11.1, it shall be the responsibility of a locality's crime victim and witness assistance program to provide the information and assistance required by this chapter, including verification that the standardized form listing the specific rights afforded to crime victims has been received by the victim.



OVERVIEW CONTINUED

- As soon as practicable after identifying a victim of a crime, the investigating law-enforcement agency shall provide the victim with a standardized form listing the specific rights afforded to crime victims. The form shall include a telephone number by which the victim can receive further information and assistance in securing the rights afforded crime victims, the name, address and telephone number of the office of the attorney for the Commonwealth, the name, address and telephone number of the investigating law-enforcement agency, and a summary of the victim's rights under VA Code §40.1-28.7:2.



OVERVIEW CONTINUED: VICTIM DEFINITION

- Victim means (i) a person who has suffered physical, psychological, or economic harm as a direct result of the commission of (a) a felony, (b) assault and battery in violation of, stalking in violation of, a violation of a protective order in violation of, sexual battery in violation of, attempted sexual battery in violation of, or maiming or driving while intoxicated in violation of, or (c) a delinquent act that would be a felony or a misdemeanor violation of any offense enumerated in clause (b) if committed by an adult; (ii) a spouse or child of such a person; (iii) a parent or legal guardian of such a person who is a minor; (iv) for the purposes of subdivision A 4 only, a current or former foster parent or other person who has or has had physical custody of such a person who is a minor, for six months or more or for the majority of the minor's life; or (v) a spouse, parent, sibling, or legal guardian of such a person who is physically or mentally incapacitated or was the victim of a homicide; however, "victim" does not mean a parent, child, spouse, sibling, or legal guardian who commits a felony or other enumerated criminal offense against a victim as defined in clause (i).



WHAT ARE VICTIMS' RIGHTS?

1. Victim and witness protection and law-enforcement contacts
2. Financial assistance (*referral to the VA Victims Fund, DSS, Community Advocacy Organizations, etc.*)
3. Notices
4. Victim input
5. Courtroom assistance
6. Post trial assistance



WHAT IS RICHMOND VICTIM/WITNESS SERVICES?

- VA Code §19.2-11.1 Establishment of crime victim-witness assistance programs; funding; minimum standards.

Any local governmental body which establishes, operates and maintains a crime victim and witness assistance program, **whose funding is provided in whole or part by grants administered by the Department of Criminal Justice Services pursuant to § 9.1-104, shall operate the program in accordance with guidelines which shall be established by the Department** to implement the provisions of this chapter and other applicable laws establishing victims' rights.



WHAT IS RICHMOND VICTIM/WITNESS SERVICES?

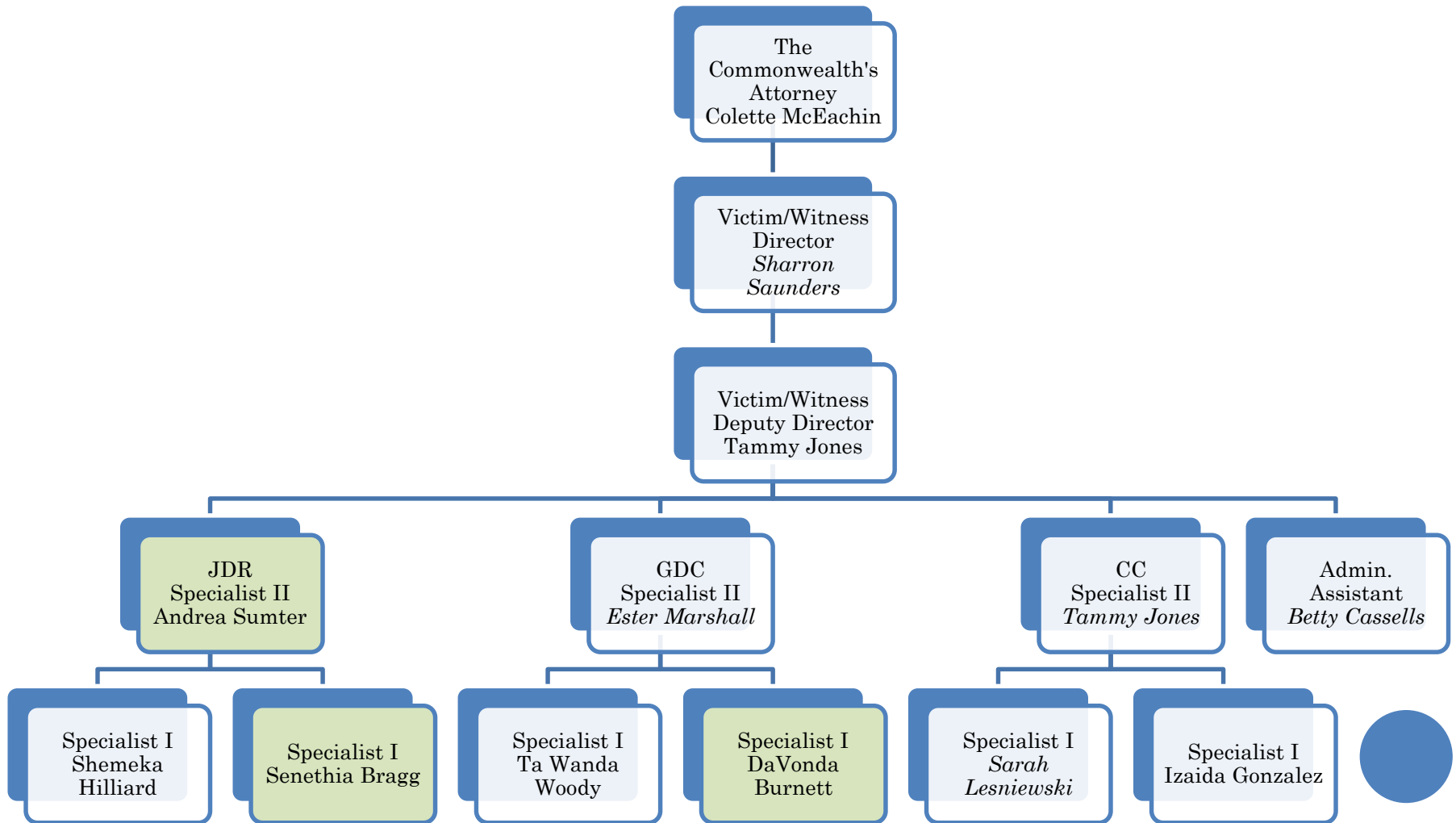
- The Richmond Victim Witness Services program was established in 1991. The program is hosted and located within the Richmond Commonwealth's Attorney Offices. There is a Victim Witness Services office located in each of the three City Of Richmond courthouses. The program consists of eleven staff members with nine designated as Victim Witness Services Specialists available to assist crime victims and witnesses.
- The role of each Specialist is to reduce the trauma of victimization and encourage crime victims and witnesses to cooperate with and participate in the criminal justice system by providing direct services including; assisting crime victims in completing victims' compensation fund claim applications, providing court date notification of judicial proceedings, providing case disposition information, prisoner status, and any other assistance required by the Crime Victim and Witness Rights Act.
- Each Specialist provides and ensures an explanation of the complexities of the criminal justice system, provides written materials to crime victims and witnesses which explain how to obtain the program's services, and summarizes victim and witness rights while offering specialized counseling or a referral to such services. To enquire about Victim Witness Services assistance contact the office at 804-646-7665 or see <https://www.rva.gov/commonwealths-attorney/victim-witness>.

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WHO IS RICHMOND VICTIM/WITNESS SERVICES?



JOHN MARSHALL COURTS BUILDING

• Tammy Jones

301
CNJ

• Izaida Gonzalez

302
WMR/JSM

• Rotate between Sarah & Izaida

305
DEC

• Tammy Jones

307
BWS

• Overflow Courtroom

308
Designated

• Sarah Lesniewski

311
BBC/PLH



MANCHESTER COURTS BUILDING

- Ta Wanda
Woody

1

CHEEK

- Inactive
Courtroom

2

VACANT

- Ester
Marshall

3

HICKS



OLIVER HILL COURTS BUILDING

• Senethia Bragg

1
BEL

• Senethia Bragg

2
MCG

• Shemeka Hilliard

3
RBC

• Shemeka Hilliard

4
MEL

• Andrea Sumter

5
AKT



VICTIM/WITNESS SERVICES WILL ASSIST WITH THE FOLLOWING VICTIMIZATIONS TYPES (LIST IS NOT EXHAUSTIVE)

- Homicide
- Sexual Assault
- Adults Molested As Children
- Child Sexual Abuse
- Child Physical Abuse
- Elder Abuse
- Robbery
- Assault (Assault & Battery, Malicious or Unlawful Wounding)
- Domestic Violence (Intimate Partner Violence)
- Stalking
- Harassment
- Others Crimes Against Persons (Mass Violence)
- DUI/DWI Crashes with Death
- Traffic Related Deaths (Intentional Hit or Hit & Runs)
- Human Trafficking



SPECIAL ASSIGNMENTS

- Homicide
- Sexual Assaults/Rapes
 - *V/WS Specialists are specially assigned to these type of cases to provide continued assistance and support throughout the criminal justice process (from arraignments, motions, court trial, to sentencing) while building a rapport with the victim, next of kin or family members.*



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CAN PROVIDE:

- Victims' rights information (pre-printed)
- Victims' rights explanation
 - Protection
 - Financial assistance and social services
 - Notices
 - Victim input
 - Courtroom assistance
- Protection (*Assist with Protective Orders*)
- Victims' compensation
- Property
- Restitution
- Intercession
- Notification assistance
- Liaison re: prisoner status
- Victim impact statements
- Confidentiality forms
- Interpreter services
- Crisis intervention
- Support services
- Crisis referrals
- Case status
- Dispositions
- Criminal justice process – options explanation
- Courtroom tours
- Criminal justice process support
- Transport
- Escort



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CAN PROVIDE:

- Explanation of rights...
 - *Indicate if there are designated places for victims to wait during court proceedings to afford them privacy and protection from intimidation (this includes a witness room, the victim/witness program office, etc.).*
- Offer referrals...
 - *Indicate whether the victim/witness program has a compilation of social services and community resources available to crime victims. The directory must be current (updated within the last two years).*
- Notify victims of court dates and times...
 - *Indicate whether the program maintains a system that is used to assist victims in minimizing unnecessary trips to court (e.g. a 24-hour docket line, procedures that encourage victims to call the day before trial, or criminal justice professionals who notify victims personally).*
- Host interns and volunteers...
 - *Volunteers include students and unpaid interns. All grant-funded victim/witness programs are required to have volunteer hours during the fiscal year.*



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CAN PROVIDE:

- Advanced notice of judicial proceedings
- Forensic billing assistance
- Closed preliminary hearings
- Crime prevention
 - *Direct victims to law enforcement agencies for the purpose of obtaining crime prevention services. This includes emergency cell phone coordination and safety planning.*
- Emergency assistance
- Business restitution
 - *As appropriate, victim / witness program staff are required to assist victims in seeking and securing restitution by providing information about local procedures and referrals to appropriate personnel.*
- Transportation services
 - *Related to the investigation or adjudication of a criminal case, assist victims with reservations , travel reimbursements, or other related expenses.*
- Appeals
 - *Provide information to victims of their right to receive notification from the office of the attorney general of the filing and disposition of any appeals or habeas corpus proceedings involving the defendant(s) in their case.*
- Other
 - *Examples of “other” include child care, photographing injuries, etc., and is kept to a minimum.*



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CAN:

- Call victims within 72 hours of an incident
- Initiate contact with the ACA assigned to the case
- Maintain contact with the victim between the incident date and day of trial
- Prepare victims & witnesses for trial
- Provide training opportunities
 - *Community education activities that are designed to identify crime victims, or to inform the public about available program services and how to obtain assistance*



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CAN:

- Set-up joint meetings between the specialist, attorney, and victim.
- Acts as a first point of contact for the office.
- De-escalate intense situations.
- Visit hard-to-reach victims at their homes (with a detective).
- Assist with calling witnesses for an ACA on the day of trial (providing courtroom assistance to the victim or victim's family is not impacted).



WHAT VICTIM/WITNESS SERVICES SPECIALISTS CANNOT:

- Primarily serve witnesses who are not victims
 - *Grant funded programs must keep this figure under five percent.*
- Participate in criminal victimization prevention or lobbying
- Provide Childcare*
- Prosecution-related work
 - *In accordance with federal grant guidelines, grant funds cannot be used to pay for activities that are directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency. For example, costs, including staff time, associated with the preparation of subpoenas and other prosecution-focused activities cannot be supported with grant funds. Such expenses are considered part of the criminal justice agency's responsibility and cannot be supported with victim assistance grant funds.*





Questions?