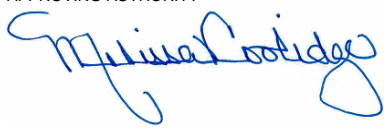
 <b>Department of Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Office of Victim Assistance</b>		NO. 0500
			DATE 08/28/2024
SUPERSEDES DIR #0500 Dtd. 04/18/23	DISTRIBUTION A B	PAGES PAGE 1 OF 2	DATE LAST REVISED
REFERENCES (Include but are not limited to) CPL §380.50; CPL §440.50; Exec. Law §632-a, §259-i; PLRA; ACA Expected Practices 5-ACI-1B-24, 5-ACI-5F-06, 5-ACI-5F-07, 5-ACI-5F-08, 4-APPFS-1A-04, 2-1074-1, 2-1128-1; Directives #0510, #2003, #4036, #4422, #4423	APPROVING AUTHORITY 		

- I. **PURPOSE:** The Department of Corrections and Community Supervision’s (DOCCS) Office of Victim Assistance works in partnership with other criminal justice agencies and victim service providers to represent, protect, and advance the interests of crime victims.
- II. **FUNCTIONS:** The DOCCS Office of Victim Assistance performs the following functions:
  - A. Written Notification: Provide written notification to victims who have registered for such notification per New York State Criminal Procedure Law Sections 380.50 and 440.50. See Directive #4036, “Notification to Victim of Incarcerated Individual Release or Damages Award.”
  - B. Automated Telephone Notification: Coordinate the automated telephone information and notification service through the Victim Information and Notification Everyday (VINE) system.
  - C. Victim Impact Statements: Schedule victim impact statements with members of the Parole Board in person and via telephone. Coordinate disbursing transcripts from victim impact statement meetings to the confidential file maintained at the correctional facility. Provide copies of written victim impact statements to the correctional facility staff to be maintained in the confidential victim impact file per Executive Law Section 259-i. Provide copies of videotaped and/or audiotaped victim impact statements to the designated Board of Parole staff for dissemination to the Parole Board panel prior to the incarcerated individual’s Parole Board interview.
  - D. Notification of Damages Award: Correspond with the New York State Office of Victim Services in accord with Section 632-a of the Executive Law whenever an incarcerated individual’s account exceeds \$10,000. Similarly, provide notification to crime victims when monetary damages are about to be paid pursuant to a civil action against a Federal, State, or local correctional facility or an official of such facility as required by the Federal Prisoners Litigation Reform Act of 1995 (PLRA). See Directive #4036.
  - E. Pending Restitution Orders: Verify if restitution is owed by an incarcerated individual with a pending compensatory damages award in connection with a civil action brought against any Federal, State, or local jail, prison, or correctional facility, or against any official or agent of such jail, prison, or correctional facility as the award funds “shall be paid directly to satisfy any outstanding restitution orders pending against the prisoner. The remainder of any such award after full payment of all pending restitution orders shall be forwarded to the prisoner” as required by the Federal PLRA of 1995.

- F. Victim Referrals: Provide referrals to appropriate service providers in the victim's home community. Additionally, provide information to victims about the New York State Office of Victim Services victim compensation program.
- G. Community Outreach: Perform community outreach efforts to educate the community and victim service providers with information on the Department's notification programs. Outreach efforts include, but are not limited to, participation in regional crime victim services coalition meetings and the New York State Office of Victim Services Advisory Council.
- H. Victim Correspondence: Respond to all victim-initiated phone calls and correspondence within the Department to ensure victim inquiries are handled appropriately and with sensitivity. See Directive #4422, "Incarcerated Individual Correspondence Program," and Directive #4423, "Incarcerated Individual Telephone Calls."
- I. Victim Sensitivity Training: Ensure there is a Victim Sensitivity lesson plan available so Department staff can be trained regarding sensitivity to victim issues.
- J. Domestic Violence Training: Work with the State Office for the Prevention of Domestic Violence to provide training to Department staff on Domestic Violence as required in Directive #2003, "Domestic and Gender-Based Violence and the Workplace Policy."
- K. Victim/Offender Dialogue: A victim-initiated, victim-sensitive service for crime victim/survivors which involves preparation meetings for both the victim and the incarcerated individual/releasee and is intended to lead to a one-time direct dialogue between the victim/survivor and the offender. Established procedures are followed to respond to victims who initiate a request for a Victim/Offender Dialogue.
- L. Apology Letter Bank: Maintain the apology letter written by the incarcerated individual to the victim or their family members. The registered victim will be informed of the fact that an apology letter exists and will decide if they want to accept the letter. See Directive #0510, "Apology Letter Bank."

Incarcerated individuals, prohibited in Directive #4422 from corresponding with any victim of a crime for which the incarcerated individual has been convicted or is presently under indictment or with any member of said victim's household, may send letters of apology to the DOCCS Office of Victim Assistance.