

# Victim Advocacy

Within the Criminal Justice System

What is  
Advocacy?

## What is Advocacy?

- To support
- To identify links
- To create access
- To promote voice and agency

## What is a Victim?

13 VSA § 5301

“Victim” means a person who sustains physical, emotional or financial injury or death as a direct result of the commission or attempted commission of a crime or act of delinquency and shall also include the family members of a minor, incompetent or a homicide victim.

Vermont:  
Wealthy with  
Advocacy

System Based and Community  
Based Advocates:  
What are some of the  
differences?

## Vermont: Wealthy with Advocacy

- Confidentiality
- Self-Referral
- No fixed end point in services
- No police or “system” intervention necessary

Vermont:  
Wealthy with  
Advocacy

System Based and Community  
Based Advocates:  
Common Ground?

## Vermont: Wealthy with Advocacy

- Victim Centered Approach
- Informed Consent
- Trauma Informed
- Choice—victims can choose who they want to work with and what services they want to access
- FREE



# Confidentiality and Privilege

Confidentiality:

What is it for?

Who holds the privilege?

## Confidentiality and Privilege

Legal Privileges include:

- Attorney
- Medical/Mental health
- Marital
- Crisis Worker

# Where are the CJS Advocates Located?

- Offices of the State's Attorneys
- Special Investigative Units/Child Advocacy Centers
- Office of the Attorney General
- Office of the United States' Attorney
- Police Stations
- Department of Corrections

## **Other Sources of Support for Victims:**

- Major Crimes Unit, Vermont State Police
- South Burlington Police Department

# What do we do?

## **Provide:**

- Emotional support
- Information about the criminal justice system
- Resources/referrals
- Support with safety planning
- Help with victim compensation applications
- Help with restitution
- Help with funeral arrangements
- Notification about events in the investigation or case
- Assistance and support with impact statements and testimony

# Victim Assistance Program

## **Prosecution Based Advocates Statutory Requirements:**

- Information
- Short-term counseling and support and referrals
- Assistance in obtaining financial assistance
- Assistance in preparing documents for Restitution
- Assistance in obtaining protection
- Assistance in the return of property
- Assistance in dealing with law enforcement agencies
- Transportation as needed to court

## In a nutshell:

- Ensure that the court process is explained clearly
- Act as a liaison with the CJS
- Ensure that victims have the opportunity to be heard
- Ensure that victim rights are respected and upheld

# Victim Rights

- Cooperation
- Notice and Right to be present at Arraignment
- Presence in the courtroom
- Nondisclosure information about Victim
- Prompt return of property
- Victim interest in speedy prosecution
- Limitations on an employer
- Information from law enforcement agency
- Information regarding appeal or PCR
- Complete identification by prosecution and defense

## Victim's Voice along the Continuum

- Report
- Arrest/Citation
- Arraignment—BAIL
- Discovery
- Disposition
  - Plea agreement
  - Trial
  - Sentencing



Questions?