The
VICTIM'S INFORMER
TEXAS CRIME VICTIM CLEARINGHOUSE JUNE/JULY 2016 VOL. 21, NO. 2

THE NATIONAL DOMESTIC ABUSE HOTLINE

By Angie McCown, Director
TDCJ Victim Services Division

This year National Crime Victims' Rights Week (NCVRW) was observed April 10th-16th throughout Texas and beyond. This year's theme was - *Serving Victims. Building Trust. Restoring Hope.* – highlighting the importance of providing needed services at the earliest stage of victimization. Early intervention has the potential to prevent both further victimization and involvement in the criminal justice system, thus addressing the cycle of violence and restoring the future.

Each year, in observance of NCVRW, the Office for Victims of Crime recognizes extraordinary individuals, organizations, teams, and programs that demonstrate outstanding achievements in supporting victims and victim services. One of the award categories is the National Crime Victim Service Award. This award recognizes programs and individuals whose work has been particularly noteworthy, and that exemplifies the long-term commitment that characterizes many of our Nation's victim service providers, some of whom are also victims of crime. This year's recipient of this award was the National Domestic Violence Hotline (the Hotline) located in Austin, Texas.

The Hotline has been operational for 20 years providing a 24/7 lifeline to victims and survivors of domestic violence nationwide. The Hotline provides crisis intervention, counseling, referrals, safety planning and hope to those that call. The approximately 130 advocates who answer calls on the Hotline receive almost 35,000 monthly contacts. Each one of these contacts provides the opportunity for early intervention that might prevent further victimization, addressing the cycle of violence and restoring the future – *Serving Victims. Building Trust. Restoring Hope*.

Angie McCown

Please take time to learn more about The Hotline at www.thehotline.org and join me in congratulating all the dedicated individuals who have worked tirelessly at the Hotline for the last 20 years.

Page 1 Message from the Director
Page 2 Spotlight: OAG - Human Trafficking and Transnational Organized Crime Section
Page 3 House Bill 1446 - Crime Victims' Compensation
Page 4 TDCJ VSD New Dedicated Hotline Staff
Page 5 Safety Planning
Page 11 National Crime Victims' Rights Week (NCVRW)
Page 13 Training Opportunities
Page 14 Board of Pardons and Paroles

The
VICTIM'S INFORMER

The Texas Department of Criminal Justice (TDCJ) Victim Services Division (VSD) is proud to provide you with an email notification service. Email notifications may be retrieved directly from your computer, mobile device, or wherever internet access is available. Email notifications are time sensitive and notify you of changes in an offender's status. Being a current Victim Notification System (VNS) registrant will not automatically register you for this email service.

To register, contact the TDCJ VSD at 800-848-4284 or visit our website at www.tdcj.texas.gov and complete the victim email notification form. You continue to have the option to receive notifications by letter, email, or both. We would like to encourage all victim service providers who utilize the VNS to elect to receive email notifications only whenever possible.

OFFICE OF THE ATTORNEY GENERAL OF TEXAS: HUMAN TRAFFICKING AND TRANSNATIONAL ORGANIZED CRIME SECTION

By Mallory N. Myers, Assistant Attorney General, Office of the Attorney General

On January 14, 2016, Texas Attorney General Ken Paxton and the Office of the Attorney General of Texas (OAG) created a new section within the agency committed to combating human trafficking on Texas' soil. This new section is the Human Trafficking and Transnational Organized Crime (HTTOC) section.

This new section is headed by Deputy Criminal Chief Kirsta Leeburg Melton, an experienced prosecutor with an extensive background in fighting human trafficking in Texas. Chief Melton brings unmatched enthusiasm and passion to the issue, and has been a leader in the Texas anti-trafficking movement since 2009.

The OAG HTTOC section will help to fight back against the horrific crime of human trafficking through investigations, prosecutions, training and raising awareness.

The section provides the state with a new weapon in the fight against human trafficking, transnational gangs and organized crime syndicates that threaten the fundamental liberties of the people of Texas.

The section consists of three lawyers, four investigators, a crime analyst and a victim advocate dedicated to the rescue of victims and the investigation of criminal human trafficking across the state. In addition, the section will be utilizing the civil racketeering statute to attack trafficking on the business side through massive fines, penalties and provisions that allow for the dismantling of corrupt and criminal trafficking enterprises.

continued on page 4

HOUSE BILL 1446: REIMBURSING MEDICAL COSTS FOR SEXUAL ASSAULT VICTIMS WHO RECEIVE A FORENSIC MEDICAL EXAM

By Lauri Saathoff, Policy and Program Coordinator, Office of the Attorney General

Sexually violent offenders subject their victims to extraordinary physical and emotional suffering, often disrupting everyday activities and causing victims to change their address, job or lifestyle to regain their sense of security. With so much difficulty to overcome, victims should not also face financial hardship, which is why Texas lawmakers enacted House Bill (HB) 1446 in 2015. The new legislation allows the Office of the Attorney General of Texas (OAG) to make payments from the Crime Victims' Compensation (CVC) Fund to or on behalf of a sexual assault victim for certain costs incurred from emergency care associated with a forensic medical examination.

For years the CVC Fund has covered, and will continue to cover, the costs of sexual assault forensic examinations and kits; this has not changed. HB 1446 modifies the way in which the CVC Program reimburses certain sexual assault victims and medical service providers by allowing the CVC Program to reimburse medical costs associated with the initial visit to a hospital or emergency room, regardless of whether or not the victim chooses to report the crime or is determined ineligible for CVC.

Under HB 1446, victims of sexual assault and medical service providers will receive reimbursement for certain medical costs if the medical care provided is on or after September 1, 2015.

In preparation for this change, the CVC Program has created a standardized application form documenting that the medical costs submitted represent costs associated with care provided under Texas Health and Safety Code § 323.004, and that a sexual assault forensic medical examination was performed. The application gives the victim the option to seek reimbursement only for the costs for that initial emergency medical care associated with a forensic medical exam.

The Application for Emergency Medical Care for Victims of Sexual Assault is required before CVC can reimburse providers and is available online at https://www.texasattorneygeneral.gov/cvs/crime-victims-compensation-how-to-apply.

Victims of sexual violence may decide for themselves whether to report the crime to law enforcement, and those who are unsure about reporting the attack to authorities may seek more information about the reporting process from their local sexual assault prevention and assistance program. Under HB 1446, medical bill reimbursements through the CVC Fund include no requirement that a victim of sexual assault report or cooperate with law enforcement authorities.

Equally important to note is that follow-up care services and/or admissions are not covered under HB 1446. To receive the full range of CVC available awards at a later time, victims would need to follow the standard CVC process and submit a regular CVC application to determine eligibility.

Victims of sexual crimes, medical service providers, law enforcement agencies, dedicated victim advocates and volunteers can be assured that the OAG will continue to fund sexual assault examination costs, as well as certain medical costs sexual assault victims incur during their initial visit to a hospital or emergency room in conjunction with a forensic medical examination.

For more information about the CVC Fund or the CVC Program's implementation of HB 1446, please call 800-983-9933.

OFFICE OF THE ATTORNEY GENERAL OF TEXAS: HUMAN TRAFFICKING AND TRANSNATIONAL ORGANIZED CRIME SECTION

continued from page 2

Most recently, the OAG partnered with Truckers Against Trafficking and the Texas Trucking Association to help nurture relationships and collaboration between law enforcement and the trucking industry to help fight against trafficking. This partnership will include five sexual exploitation briefings throughout the state, targeted at high trucking areas. The briefings are designed to equip truckers with tools on how to recognize the red flags of trafficking and connect the trucking industry with local law enforcement.

For Human Trafficking Red Flags, please visit https://www.texasattorneygeneral.gov/images/cj/16088_ht_red_flags_facebook_final.jpg.

For additional information, or if you need assistance, please visit the OAG human trafficking web page at: https://www.texasattorneygeneral.gov/cj/human-trafficking.

TDCJ VSD NEW DEDICATED HOTLINE STAFF

By Mary McCaffity, Manager, TDCJ VSD - Notification

The Texas Department of Criminal Justice (TDCJ) Victim Services Division (VSD) was awarded a Victim's of Crime Act grant from the Office of the Governor's Criminal Justice Division to enhance the crisis hotline operated by the Notification section of the TDCJ VSD. The grant provides funding for six dedicated hotline staff members and a language interpreting service to better meet the needs of the TDCJ VSD service population.

The Notification section affords crime victims' rights as defined by the Texas Code of Criminal Procedure art. 56.01 and other individuals' rights as mandated by the Code of Criminal Procedure chapter 56 and the Texas Government Code chapter 508 by providing mandated notifications and collaborating with the Texas Board of Pardons and Paroles (BPP) on behalf of crime victims.

The TDCJ VSD Notification section previously had 16 positions with responsibilities including answering the crisis hotline, generating mandated notifications, processing correspondence and Victim Impact Statements (VISs), registering victims on the Victim Notification System (VNS) and placing protest materials in offender files for review by the BPP.

According to statistics collected throughout fiscal year (FY) 2015, the TDCJ VSD received 12,759 crisis hotline calls with an average of 20 calls per month being non-English speaking. Staff estimate an average call length of 30 minutes and varying topics are discussed during each call. Approximately 500 victims and other individuals with victim related concerns are added to the VNS monthly (5,403 registrants

continued on following page

TDCJ VSD NEW DEDICATED HOTLINE STAFF

continued from previous page

were added to the VNS during FY15).

The full-time, dedicated crisis hotline staff permits the VSD to offer more concentrated expertise to victims when answering calls and providing information, as well as shorter waiting time for callers.

In FY15, 32,999 pieces of correspondence were received and processed. Correspondence includes victim related correspondence, protests, and VISs received through letters, emails, and faxes. In FY15, 117,777 pieces of correspondence were sent out to victims registered on the VNS. In the past five years, the number of registrants on the VNS database has increased 20.34%.

The six new dedicated hotline positions have been created and five staff members have been hired, trained, and are now answering calls full-time. The full-time, dedicated crisis hotline staff permits the VSD to offer more concentrated expertise to victims when answering calls and providing information, as well as shorter waiting time for callers.

The dedicated crisis hotline staff allows non-hotline staff to focus on other mandated services without the additional duty of answering the crisis hotline. The hotline receives calls from victims of crime, witnesses, and other concerned citizens, as well as criminal justice and victim service professionals seeking information about victims' rights and offenders in TDCJ custody.

The TDCJ VSD hotline staff are available Monday through Friday from 8:00 a.m. – 5:00 p.m. on the toll-free hotline (800-848-4284) to assist with inquiries regarding an offender's status (location, parole eligibility, and the parole review process), crime victims' rights, referrals and other services offered by the VSD.

POST-CONVICTION SAFETY PLANNING

By Brooke Ellison, Manager, TDCJ VSD - Programs

If you type in "safety plan" into any search engine, the results are often plans that include important tips that address the needs of victims of family violence, dating violence or stalking. In addition, most of the safety plans available online include vital tips for victims that are in, are leaving or have left an abusive relationship.

Our community may not think of other types of victimizations when discussing safety plans; however, safety planning is a vital tool for all victims of crime. In addition, crime victims may have safety concerns that are particular to the status of the offender, including when the offender is incarcerated or on parole/mandatory supervision.

When a crime victim is able to openly share his/her fears or concerns, criminal justice and victim services professionals can assist the crime victim in identifying his/her specific safety concerns. Criminal justice and victim services professionals can then provide appropriate and current information regarding

continued on following page

POST-CONVICTION SAFETY PLANNING

continued from previous page

statutes, available services and tips specific to the identified safety concern(s).

The information shared below focuses on statutes and available services that address crime victims' safety concerns while the offender is in the TDCJ Correctional Institutions Division (CID) (adult prison system) custody or on parole/mandatory supervision. This information can be utilized, in conjunction with other safety plan templates, to assist crime victims in developing a plan that is personalized, detailed and practical.

When an Offender is Incarcerated

Being Informed

Victims have expressed concerns that he/she will not be aware of changes in the status of the offender, including when the offender will be considered for parole and released from the TDCJ CID custody.

The TDCJ VSD Victim Notification System (VNS) provides over 80 types of notifications regarding several phases of an offender's incarceration and parole/mandatory supervision, including the parole review process. Some registration options are available to statutory victims only (those defined by Texas Code of Criminal Procedure (CCP) art. 56.01) and may have additional restrictions. The VNS registration options include:

- receiving notifications by e-mail, letter or both;
- registering to speak with the Texas Board of Pardons and Paroles (BPP) during the parole review process;
- registering to receive an automated telephone call when the offender is being processed for release; and
- registering for text notifications on warrant actions when an offender is on parole supervision.

In addition, the VNS registrants can access an automated telephone system 24/7 in English or Spanish, which provides limited offender information, including the offender's assigned unit.

A crime victim once shared with me that she called the automated system every night before going to bed. By knowing the offender was still in custody, increased her ability to sleep through the night. It may seem simple, but this information reassured the victim and addressed one of her safety concerns.

Important Things to Remimber:

- A safety plan is a personalized, detailed and practical plan created by a crime victim to increase his/her safety;
- Victims of all types of victimizations can create and utilize a safety plan;
- Safety plans can be created and re-evaluated at any time;
- Safety plans evolve - victim can modify his/her safety plan based on his/her current needs;
- Listening and providing appropriate and accurate information is essential when assisting a crime victim as he/she develops, evaluates or modifies his/her safety plan; and
- No safety plan can guarantee safety. If a victim thinks he/she is in danger, he/she should call 911.

continued on following page

POST-CONVICTION SAFETY PLANNING

continued from previous page

Crime victims, legal guardians or parents of minor victims, surviving family members, witnesses who testified at trial against the defendant and concerned citizens are eligible to register on the VNS upon their request. Their request is either indicated by: a victim's completed Victim Impact Statement (VIS); the registrant contacting the VSD directly; or a weekly Victim Information and Notification Everyday (VINE) transfer report, which includes a list of offenders who have been transferred from Texas county custody to the TDCJ CID along with requests from individuals to be registered on the VNS.

Registration to the TDCJ VSD VNS is dependent on the TDCJ VSD receiving the victim's request.

If the victim completed a VIS, it is required to be forwarded in the offender's penitentiary packet to the TDCJ VSD (CCP art. 42.09).

In addition, the VINE transfer report is dependent on the county having the ability to and entering a transfer code. If the county does not enter a transfer code, the victim's request for notification will not be forwarded to the TDCJ VSD. It is important to discuss with crime victims that they should follow-up with the TDCJ VSD once the offender is in the TDCJ CID (adult prison) custody to ensure they are registered on the VNS.

In addition, the crime victim will need to notify the TDCJ VSD of any changes in their contact information. If the TDCJ VSD is not notified of a change of address, email or other contact information, the crime victim may not receive notifications regarding the status of the offender.

For More Information:

The TDCJ VSD staff presented the following webinars:

- VNS and VINE: An Explanation of Notification Services
- Post-Conviction Safety Planning

Recordings of these and other webinars, can be accessed on the TDCJ website, http://www.tdcj.texas.gov/divisions/vs/victim_webinars. html

Prohibiting the Offender from Contacting the Victim

Victims have expressed concerns that the offender is going to try to contact them directly or indirectly. In some instances, the offender may have threatened the victim if he/she reported the offense or participated in the prosecution. Due to the offender's threats the victim may have concerns of retaliation from the offender, offender's family or offender's friends.

In addition, some victims may express emotional safety concerns. I had an opportunity to work with a victim that discussed receiving a hand-made note from the offender for a specific holiday. The note did not contain overt threats; however, the victim expressed a feeling of re-victimization because the offender contacted her.

There are statutes and available services that prohibit offenders from contacting the victim directly or indirectly with specific punishments for doing so. Some statutes are specific to the age of the victim at the time of the offense, some are specific to the type of victimization, some allow for the victims or victims' family members to consent to the contact, and all have some level of punishment. Below is a brief summary of the statutes and available services. For specific statute language, please visit http://www.statutes.legis.texas.gov/.

continued on following page

POST-CONVICTION SAFETY PLANNING

continued from previous page

Prohibiting Contact with Victim – CCP art. 42.24
If a defendant's sentence includes a term of confinement or imprisonment, the convicting court may, as part of the sentence, prohibit the defendant from contacting, during the term of the defendant's confinement or imprisonment, the victim of the offense of which the defendant is convicted or a member of the victim's family.

Forfeiture for Contacting Victims – Texas Government Code § 498.0042
The TDCJ is required to adopt policies that prohibit an inmate in a correctional facility from contacting by letter, telephone, or any other means, either directly or indirectly, a victim of the offense for which the offender is serving a sentence, if the victim was younger than 17 years old at the time of the offense, or a member of the victim's family.

Certain individuals can provide the TDCJ with a written consent to allow offender contact: the parent of the victim or the member of the victim's family, other than the inmate; a legal guardian of the victim or the member of the victim's family; or the victim or the member of the victim's family, if the victim is 17 years of age or older at the time of giving consent, can provide the TDCJ with a written consent to the contact.

The offender cannot make contact prior to receiving a copy of the consent that was provided to the TDCJ. If the inmate violates the TDCJ policy or an order under CCP art. 42.24, the TDCJ shall forfeit all or any part of the inmate's accrued good conduct time.

Improper Contact with Victim – Texas Penal Code § 38.111
A person commits an offense if the person, while confined in a correctional facility after being charged with or convicted of an offense listed in CCP art. 62.001(5) (a reportable offense), contacts by letter, telephone, or any other means, either directly or through a third party, a victim of the offense or a member of the victim's family, if the victim was younger than 17 years of age at the time of the offense.

Certain individuals can provide the director or warden of the correctional facility with a written and dated consent to the contact: the parent of the victim; a legal guardian of the victim; the victim, if the victim is 17 years of age or older at the time of giving consent; or a member of the victim's family who is 17 years of age or older can provide the director or warden of the correctional facility with a written and dated consent to the contact.

The person confined cannot provide the consent and has to be provided with a copy of the consent prior to the contact. An offense under this section is a Class A misdemeanor unless the actor is confined in a correctional facility after being convicted of a felony listed in CCP art. 62.001(5), in which event the offense is a third degree felony.

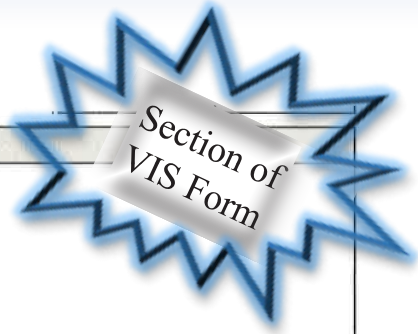
TDCJ Negative Mailing List (NML)
The TDCJ Negative Mailing List (NML) is an available service that allows individuals to request in writing that correspondence from the offender not be sent to him/her. Parents or legal guardians of minors may also object in writing to the correspondence for the minor child, except if the minor is the offender's own child or step-child and not the victim of the offender's offense.

Crime victims can request to be placed on an offender's NML by contacting the TDCJ VSD at 800-848-4284, 512-406-5900 or victim.svc@tdcj.texas.gov or the TDCJ Mail System Coordinating

continued on following page

POST-CONVICTION SAFETY PLANNING

continued from previous page



SECTIONS 1 & 2 TO BE COMPLETED BY VICTIM, PARENT/GUARDIAN OR CLOSE RELATIVE	
SECTION 1. NOTIFICATION / NO CONTACT If you are an adult, do you want to be notified about: • relevant court proceedings, or • the defendant's status if the defendant: ○ is placed on community supervision (probation), or ○ is sentenced to prison (Texas Department of Criminal Justice, Correctional Institutions Division) or is considered for parole or release?	☐ YES ☐ NO
If the defendant is sent to prison, do you want the defendant to be prohibited from contacting you?	☐ YES ☐ NO
Do you have a protective order against the defendant?	☐ YES ☐ NO

Panel at 936-437-6336, or by completing a VIS form.

Placement on the offender's NML is dependent on the TDCJ receiving the victim's request.

Reporting Contact
Crime victims can report prohibited or unauthorized contact by contacting the TDCJ VSD at 800-848-4284, 512-406-5900 or victim.svc@tdcj.texas.gov. The TDCJ VSD staff will forward the victims' statements and any correspondence or documentation to the warden of the facility and the Office of the Inspector General.

When An Offender is in the Parole Review Process/ Released to Parole/Mandatory Supervision

To Be Informed and Participate
Crime victims often express a sense of re-victimization when the offender enters the parole review process. For some, the process can cause memories, emotions and thoughts regarding the victimization and the subsequent journey through the criminal justice system to come flooding back. In addition, some victims express concerns of safety that range from fear of retaliation to the fear of seeing the offender in a public setting.

For some victims, their concerns of retaliation or being victimized again are based on threats made directly or indirectly by the offender. These threats could have been made during the commission of the offense(s), during the investigation or prosecution, and, for some, while the offender is confined or incarcerated.

Crime victims have also expressed a fear of running into the offender – especially if the offender was being released to the county where the victim resides. Victims have shared that the mere sight of the offender could cause him/her immediate safety concerns, both emotionally and physically. For some victims, the fear is not being able to live a "normal" life – fear of the possible physical, psychological and emotional impact it could have on him/her.

As previously mentioned in this article, crime victims who wish to be informed and notified of the status of the offender should register on the VNS. A notification regarding the offender entering the parole review process also includes information regarding the victim's right to participate in the parole review process.

Participation can include crime victims submitting materials for the BPP to consider and meeting with the BPP prior to the BPP making a decision regarding an offender's release to parole supervision. The crime victim can discuss with the BPP his/her safety concerns.

Victims have expressed a sense of empowerment - a sense of "being

continued on following page

continued from previous page

heard," representing the victim's loved one - after participating in the parole review process. Some victims express that providing important information for the BPP to consider was helpful to him/her.

The information the victim shares can also be helpful to the BPP when considering special conditions that address the victim's safey concerns. In some instances the BPP is required to impose a condition prohibiting the offender from contacting the victim.

When An Offender is Released from Incarceration to Parole/ Mandatory Supervision or Discharge

Offender Prohibited From Contacting the Victim

Below are two statutes that require the BPP to impose a condition prohibiting the offender from contacting the crime victim while the offender is on parole/ mandatory supervision.

Avoiding Victim of Stalking Offense – Texas Government Code § 508.190

A parole panel is required to impose a condition that requires a releasee serving a sentence for stalking to not: communicate directly or indirectly with the victim; go to or near the residence, place of employment, or business of the victim; or go to or near a school, day-care facility, or similar facility where a dependent child of the victim is in attendance.

No Contact with a Victim – Texas Government Code § 508.191

If a parole panel releases a defendant on parole or to mandatory supervision, the panel is required to impose a condition that the defendant not intentionally or knowingly communicate directly or indirectly with a victim of the offense or intentionally or knowingly go near a residence, school, place of employment, or business of a victim.

Offender's Parole/Mandatory Supervision Information

The TDCJ VSD can provide crime victims with name of the county where the offender will be released prior to his/her release from TDCJ CID. In addition, the TDCJ VSD can also provide the conditions imposed on the offender's supervision. Once the offender is released, the TDCJ VSD can provide the offender's residence information and the supervising parole officer's name and contact information.

Offender Photos

Prior to release, the TDCJ VSD staff can provide statutory victims (those defined by CCP art. 56.01) a current photo of the offender. This can be helpful for victims who are unaware of the changes in the offender's appearance while incarcerated as he/she prepares for the release of the offender.

General Release Procedures

The TDCJ VSD staff can provide crime victims with general information on release procedures. By being able to understand the process, crime victims may be better equipped to prepare for the pending release of the offender.

Extension of Protective Orders

In addition, the following statutes require the extension of a protective order for offenders being released to parole/ mandatory supervision or who are discharging his/her sentence.

Texas Family Code § 85.025(c) and CCP art. 7A.07(c)

If an offender is the subject of a protective order issued on or after September 1, 1999, and is confined or imprisoned on the date the protective order expires or if the protective order would expire not later than the first anniversary of the date the person is released from confinement or imprisonment, Texas statutes mandate that the protective order be extended.

continued on following page

POST-CONVICTION SAFETY PLANNING

continued from previous page

While the extension of protective orders is automatic, the data in the national and Texas crime information centers (the NCIC and TCIC) is not automatically updated to reflect the new expiration date. This can be challenging when enforcing a protective order. To assist crime victims, the TDCJ VSD provides resources to the Texas Legal Service Center's AVOICE Program at 888-343-4414 and the Texas Advocacy Project at 512-476-5386 or 888-325-SAFE (7233). These organizations or the county that issued the protective order can assist crime victims in obtaining a protective order with the new expiration date – thus updating TCIC and NCIC.

Crime victims, criminal justice professionals and victim services professionals are encouraged to contact the knowledgeable TDCJ VSD staff to address any questions or safety concerns. The TDCJ VSD staff can be reached at 800-848-4284 or victim.svc@tdcj.texas.gov.

NATIONAL CRIME VICTIMS' RIGHTS WEEK

The TDCJ VSD Notification staff attend the 2016 Bexar County Wreath Ceremony in San Antonio, Texas.

December 2015 Tree of Angels memorial stone.

The TDCJ VSD hosts a stuffed animal collection during the 2016 NCVRW. All proceeds go to the Stop Abuse for Everyone (SAFE) Alliance.

As a reminder, the Texas Victim Assistance Training (TVAT) Calendar is available to users to submit, search and view victim-related events. The TVAT Calendar can be accessed at: www.tdcj.texas.gov/php/vscalendar/

continued on following page

National Crime Victims' Rights Week • April 10–16, 2016

Serving Victims

Building Trust Restoring Hope

continued from previous page

The TDCJ VSD Notification staff attend the 2016 NCVRW event in Austin, Texas.

The TDCJ VSD TxCVC's Regional Victim Services Coordinator, Rose Trevino, joined the Del Mar Divas & Dukes for a Zumba class at the 2016 NCVRW Resource Fair.

"When a crime does occur, we owe it to those who suffer in its aftermath to uplift them and stand beside them. This week, as we honor those dedicated to ensuring services and support are available for victims of crime, let us rededicate ourselves to protecting crime victims' rights and upholding the basic belief that all people should be able to live safely and free from fear, violence, and intimidation."[1]

-2016 NCVRW Proclamation from President Obama

The Honorable Elliott Naishtat, Texas House of Representatives, receives the 2016 NCVRW Suzanne McDaniel Award in Austin, Texas. Pictured here with Verna Lee Carr, People Against Violent Crime (PAVC).

Crime victims' advocate, Lynn Williams, presents the keynote address at the 2016 NCVRW event in Austin, Texas.

Verna Lee Carr, PAVC, pictured here at the 2016 NCVRW event in Austin, Texas beside the Tree of Angels memorial stone.

1. White house website: Presidential Proclamation -- 2016 NCVRW. https://www.whitehouse.gov/the-press-office/2016/04/08/presidential-proclamation-national-crime-victims-rights-week-2016

TEXAS CRIME VICTIM CLEARINGHOUSE TRAINING OPPORTUNITIES

TVAT Online:
Texas Victim Assistance Training (TVAT) Online is a statewide online victim assistance training focused on victim-centered service delivery and professional development that enables new advocates to acquire baseline professional skills and competence. To register or obtain more information, visit: https://www.tdcj.texas.gov/php/tvatonline/

Live Trainings:
The Texas Department of Criminal Justice (TDCJ) Victim Services Division (VSD) Texas Crime Victim Clearinghouse (TxCVC) staff provides training on a variety of topics, which can be tailored to the needs of the requestor. If you would like to host a training in your community, contact the TxCVC at tdcj.clearinghouse@tdcj.texas.gov or 512-406-5931.

Texas Victim Assistance Training Online

T★V★A★T

CALENDAR

The Texas Crime Victim Clearinghouse wishes to remind our readers that a calendar feature has been added for the Texas Victim Assistance Training (TVAT) Online.

Criminal justice and victim services professionals can view, search, and submit victim-related trainings and events on the TVAT Calendar webpage.
www.tdcj.texas.gov/php/vscalendar/

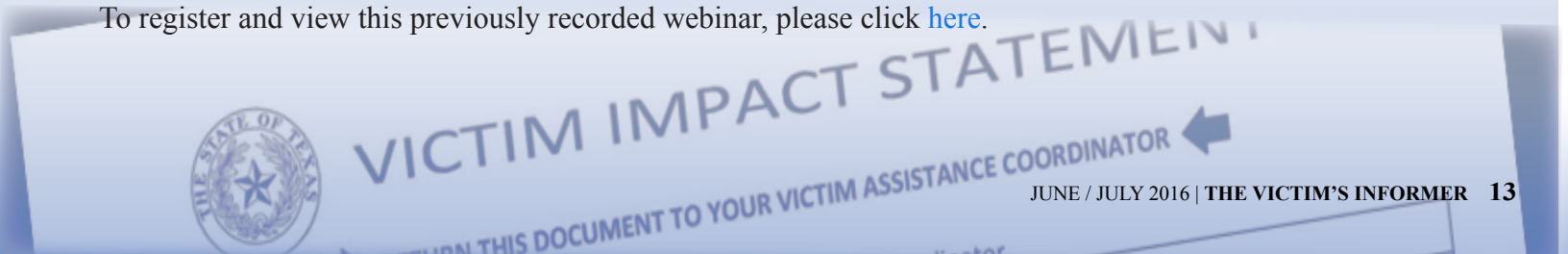
Webinars:
The TDCJ VSD TxCVC hosts a webinar series. Recent webinars provided information on Victim Impact Statement Quarterly Reporting, Children's Advocacy Centers: Comprehensive Services for Families Impacted by Child Abuse, Victim Services in the Military, and Post-Conviction Safety Planning. Webinar descriptions and registration information, as well as recordings for past webinars may be accessed on the TDCJ VSD website: http://tdcj.texas.gov/divisions/vs/victim_webinars.html

Webinar Highlights:
Victim Impact Statement: Recommended Processing Procedures
The TxCVC along with other state and local agencies developed the Victim Impact Statement (VIS) and the VIS Recommended Processing Procedures. This webinar will provide information regarding the VIS Recommended Processing Procedures developed by victim services and criminal justice professionals with the goal to help ensure that completed VISs are submitted to the correct supervising entity and to assist individuals that handle the VIS to meet the statutory mandates regarding the VIS processing.

To register and view this previously recorded webinar, please click here.

The Victim Impact Statement: The Victims' Voice in the Criminal Justice System
The Victim Impact Statement (VIS) is key to ensuring victims are afforded their rights in the criminal justice system. This training discusses recent revisions to the VIS and offers valuable information for individuals working with crime victims and those handling VISs, including judges, prosecutors, victim assistance coordinators, district clerks, court coordinators, probation officers and law enforcement personnel who assist victims or assemble penitentiary packets.

To register and view this previously recorded webinar, please click here.



THE TEXAS BOARD OF PARDONS AND PAROLES

By Ed Robertson, Board Member
Texas Board of Pardons and Paroles

Who Determines Parole Eligibility?

A common misconception frequently facing the Board of Pardons and Paroles (BPP), is the notion that the agency determines when an offender becomes eligible for parole. The fact is the Texas Legislature establishes, through statute, the time percentage of a sentence that must be served before becoming eligible for parole consideration.

The amount of time served before becoming eligible for parole consideration is dependent upon the offense of conviction. Additionally, some offenses take into account good conduct time while incarcerated and others simply consider only calendar time. If the statute is changed by the legislature, an offender's eligibility is determined by the statute in effect on the date of the offense.

For example, a person convicted of Aggravated Robbery for an offense that occurred September 20, 1987, and was sentenced to 40 years, would be parole eligible after serving one-fourth (10 years) of the sentence. However, if the same offense occurred September 20, 1996, due to a change in the statute, the offender would now be required to serve one-half (20 years) of the sentence.

Once an offender becomes parole eligible it is the BPP's statutory authority and responsibility to carefully review an offender for parole, render a decision and provide reasons for the approval or denial of release. The BPP cannot arbitrarily decide not to review an offender that by statute is eligible for consideration.

The BPP's publication "Parole In Texas" (available on their website at: http://www.tdcj.texas.gov) provides a Legislative Parole Eligibility Chart to assist in determining an offender's initial parole eligibility. Additionally, the website contains up-to-date information of parole decisions for each offender eligible for parole consideration. In addition, victims may call the Texas Department of Criminal Justice (TDCJ) Victim Services Division (VSD) at 800-848-4284 for assistance.

The BPP Partners with the TDCJ VSD for Statewide Training Sessions.

The BPP recently collaborated with the TDCJ VSD to provide an overview and discuss newly adopted policies and programs related to the BPP and its role in the criminal justice process. With the recent addition of three new Governor-appointed Board members, it was timely to get all of the voters from across the state together to meet.

Invited by the Board Chairman, David Gutierrez, VSD Director Angie McCown presented to the BPP an overview of her department including their mission to provide direct, personal service to victims and their families, and to assure victims that they are not left behind at the crime scene, but can be involved in all parts of the criminal justice system.

Ms. McCown presented several areas of the TDCJ VSD's responsibilities as they relate to the BPP, specifically addressing the newer Board members, as well as providing a "refresher" for existing Board members. She discussed the importance of interaction between victims and the BPP, from the respective Board office staff including, administrative personnel, Board assistants, and Parole commissioners to Board members themselves. Each of the staff members plays a vital role, from initial contact by a victim (and/or victims' family member[s]) to a formal in-person or telephone interview. Each aspect of the interaction is important and plays a key role in relaying instructions on how to submit protests or other information as well as requests to meet with the BPP during an offender's parole review.

continued on following page

WE WANT TO HEAR FROM YOU !

OUR GOAL IS TO PRINT NEWS OF INTEREST FOR VICTIMS AND VICTIM ADVOCATES

The Victim's Informer newsletter is published quarterly. Articles, meeting notices, and other submissions should be sent to the Texas Department of Criminal Justice (TDCJ) Victim Services Division (VSD), Texas Crime Victim Clearinghouse, 8712 Shoal Creek Blvd, Suite 265, Austin, Texas 78757-6899; faxed to 512-452-0825; or e-mailed to tdcj.clearinghouse@tdcj.texas.gov. If you would like to submit materials, the deadline dates for articles, meeting notices, and other submissions are identified in the box on this page. For questions or comments, please call us at 800-848-4284 or 512-406-5931.

Please Note:
You may access the publication at the TDCJ VSD Internet website. If you wish, we will notify you via e-mail each time The Victim's Informer becomes available on the TDCJ VSD Internet website and provide an electronic link to The Victim's Informer. Send your e-mail address to: tdcj.clearinghouse@tdcj.texas.gov

Angie McCown, Director
Texas Department of Criminal Justice
Victim Services Division
victim.svc@tdcj.texas.gov
8712 Shoal Creek Blvd., Suite 265
Austin, Texas 78757

THE TEXAS BOARD OF PARDONS AND PAROLES

continued from previous page

The sessions also provided an opportunity for the voters (Board members and Parole Commissioners) to provide feedback to Ms. McCown on what types of questions they are receiving while speaking with victims and what issues victims are most concerned with. They were also able to comment on what successes they have had with the inclusion of the VSD staff at in-person meetings and telephone interviews conducted with victims. Voters shared that victims were more prepared, less nervous and more knowledgeable about the process as a whole, making the experience not only informative but amiable.

Chairman Gutierrez, having previously held the position as the BPP's liaison with the TDCJ VSD, has proven very informed and conscientious to the needs of victims who interact with voters and their staff members. He continues to keep the doors open and explore new avenues of improving the relationship the two agencies experience as well as providing victims every opportunity to share their thoughts and perspectives related to their case.

Chairman Gutierrez looks forward to continuing these sessions with the VSD and the BPP, because they have shown to be very productive and educational, and they keep both parties informed as to the latest issues, and policies and procedures being utilized.

The BPP, established by the Texas Constitution, decides which eligible offenders to release on parole, the conditions for parole and whether to revoke parole if conditions are not met, as well as makes recommendations of resolution of clemency matters to the Governor.

This article is provided by the BPP; Board member Ed Robertson. Additional information about factors the Board considers, decision reasons and other topics is available on the BPP website: www.tdcj.texas.gov/bpp/

The Victim's Informer newsletter is published quarterly. If you would like to submit materials, the deadline dates for articles, meeting notices, and other submissions are:

July 05, 2016
Vol. 21, no. 3 (Sept./Oct.)

September 30, 2016
Vol. 21, no. 4 (Dec. 2016/Jan. 2017)

January 23, 2017
Vol. 22, no. 1 (Mar./Apr. 2017)