

**Victims' Rights Education Project**  
***Promising Practices in the Compliance and***  
***Enforcement of Victims' Rights Kit***

**A**  
**Component of the**  
**Victims' Rights Education Project**

***Prepared by:***  
**National Victims' Constitutional Amendment Network**

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**The National Victim Constitutional Amendment Network (NVCAN) is a non-profit organization comprised of leaders in the victim rights movement from across the nation. NVCAN is dedicated to advancing and supporting the rights of crime victims at all levels.**

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## Introduction

## The Victims' Rights Education Project

Since the inception of the victim assistance field in 1972, over 32,000 statutes have been passed in states that define and protect the rights of crime victims. For many victims, these victims' rights laws become their "guide" to understand and navigate the criminal justice system, and give them a sense of control over their destiny after they have been harmed by crime. Victims' rights statutes are essential to our nation's ultimate goal of "justice for all."

This Project was designed with input from professionals and volunteers who include victims/survivors, victim assistance professionals, criminal justice professionals, and legal counsel. The Project conducted a series of group field interviews with crime victims/survivors, service providers, justice and other allied professionals in 12 states. The data resulting from this vital input from the field were collected and analyzed. In addition, a wide range of existing resources about victims' rights – including laws, brochures, handbooks, and web sites – were reviewed to contribute to the development of the Victims' Rights Education Project's Toolkit. The Tools include this *Promising Practices in the Compliance and Enforcement of Victims' Rights Kit* and:

- The *Creating a Victims' Rights Public Education Strategy Guidebook* that helps victim service providers, and organizations and agencies that assist victims of crime, develop a strategy to educate crime victims and survivors, criminal justice officials and the rest of society about victims' rights, what they mean, and why they are important.
- An *Introduction and Overview* that provides a complete description of the Project and its products and deliverables. It describes the target audiences; addresses the potential for "mixing and matching Tools"; and suggests considerations for funding and marketing the products customized by victim service providers, and organizations and agencies that assist victims of crime.
- A *Crime Victims' Rights Miranda Card* includes the core rights of victims in a brief format that can be contained on a pocket-size "Miranda style" card to be handed to crime victims at the first point of contact with law enforcement.
- The *Victims' Rights Handbook* for use by victims of crime and the general public to increase awareness of victims' rights and how to exercise them, and their understanding of the criminal justice system.
- A *Victims' Rights Brochure Kit* that provides eight brochure prototypes for victim service providers, and organizations and agencies that assist victims of crime to customize for their jurisdictions.
- A *Frequently Asked Questions (FAQ) Kit* that includes a model for victim service providers, and organizations and agencies that assist victims of crime, to customize a FAQ List of commonly asked questions and issues of concern to crime victims in their state and/or jurisdictions.

- A *Talking Points Kit* for victim service providers, and organizations and agencies that assist victims of crime, to enhance training, educational materials and presentations that address the need for and value of victims' rights.

### **Goal and Objectives of this Kit:**

The goal of the "*Promising Practices in the Compliance and Enforcement of Victims' Rights Kit*" is to provide guidance about the most effective ways that crime victims can exercise their statutory and constitutional rights.

There are three objectives to reach this goal:

1. Identify the criminal justice officials who are generally responsible for implementing victims' rights.
2. Provide practical guidelines to victims and survivors about how to understand and exercise their rights, and to most effectively communicate with criminal justice officials about victims' rights implementation.
3. Identify promising practices in victims' rights compliance in the United States that enhance the implementation of victims' rights.

### **Customization of Promising Practices Kit for State/Jurisdictional Laws**

To make the model most useful to you and the victims you seek to educate, you will need to adapt the information to reflect the actual laws in your jurisdiction and create your own customized Promising Practices Kit. NVCAN asks that drafters add the following attribution to NVCAN on the last page of the customized Kit, "*The prototype for the development of this Promising Practices Kit was created by NVCAN, a non-profit organization comprised of leaders in the victim rights movement from across the nation.*"

## **Victims' Rights General Information**

### **Definition of Victims' Rights**

The term "rights" has many different definitions. The Webster's Dictionary definition is that a right is "the power or privilege to which one is justly entitled." The more practical definition of a right, when being used to describe a "victim's right," is that a right is "the power granted by law that entitles a victim to require another person, usually a criminal justice official (i.e., police, prosecutor, judge, probation or parole officer, or corrections official), to perform a specific act or refrain from performing a specific act."

For example, a victim's right to notification of a parole hearing entitles the victim to require the paroling authority to inform him or her of the time, date, and location of such a hearing. Similarly, the victim's right to attend that same parole hearing entitles the victim to prevent the paroling authority from excluding them from the hearing.

### **Eight Core Victims' Rights**

Over the past three decades, crime victims in America have been afforded a range of rights to provide them with information, notification, participation, reasonable protection, and restitution from convicted offenders, among other rights. The rights most commonly found in state statutes include:

1. Notification and information about the status of the case, and the status of the offender.
2. Reasonable protection from an accused or convicted offender before, during, and after the trial.
3. Input at various hearings and events, including the right to provide a victim impact statement at sentencing and at any parole release hearings.
4. Right to attend and participate in critical proceedings.
5. Restitution from a convicted offender.
6. Information about and referrals to victim assistance services.
7. Information about the right to apply for victim compensation (in cases involving violent crimes).
8. Information about how to enforce victims' right.

Some states offer clarify actions that can be taken if a victim's right – either by statute or by a state's victims' rights constitutional amendment – is not observed. This is often referred to as "compliance." In some states – including Alaska, Colorado, Connecticut, South Carolina and Wisconsin – compliance with victims' rights is clearly provided by law, with processes established to address any issues or concerns crime victims may have.

Compliance with victims' rights requires that *both* crime victims and justice officials are aware of provisions established by state law that clearly define and enforce victims'

rights. In most sessions of state legislatures, new crime victims' rights bills are introduced and, in many cases, passed into law. Knowledge of existing victims' rights statutes, and an understanding of what they mean and how they are implemented, are critical to their ultimate enforcement in accordance with the law.

### **Developing an Effective Dissemination Strategy for Information About Victims' Rights Compliance**

In order to ensure that new information about victims' rights compliance and enforcement reaches the widest possible audience in the most effective manner, the NVCAN Victims' Rights Education Project features a *Creating a Victims' Rights Public Education Strategy Guide*. This helpful tool provides guidance and useful tips to help you:

- Create a public education strategy team.
- Create strategy goals and objectives.
- Determine target audiences for victims' rights compliance information.
- Adapt and format this Tool to a specific jurisdiction.
- Effectively reach diverse populations.
- Enhance public policy and agency policy development.
- Disseminate victims' rights compliance and enforcement information through paper-based, electronic, and training and public education venues.
- Utilize the news media for dissemination of compliance and enforcement information.

## **Responsibility for Implementation of Victims' Rights**

### **Informing Victims of Their Rights**

Many states have specific requirements about who should inform victims about their rights, when and how that information should be given to victims, and what victims need to do to exercise those rights. For example, in many states, law enforcement officers, prosecutors, and some correctional officials are required to give victims information about what their rights are and how to exercise those rights. In some cases, a state's law will clearly identify the justice agency or official who is responsible for the implementation of a specific victims' right. However, there are other times in which a victim's right becomes law without *clearly stating* whom is responsible.

### **Implementation of Victims Rights**

Generally, the implementation of victims' rights relies on criminal or juvenile justice officials, who can include the following:

- Law enforcement (city, county, other municipality, or state).
- Prosecutors.

- Prosecution-based victim/witness programs.
- Judges.
- Courts (including administration and/or management).
- Probation (also called “community corrections”).
- Institutional corrections (state prison facilities).
- Parole (including Paroling Authorities and parole supervision).

For the implementation of victims’ rights in criminal cases that are appealed by the defense, often the state Office of the Attorney General will be involved.

## **Guidelines for Knowing and Implementing *Your* Rights As a Victim of Crime**

### **Compliance**

Despite making good-faith efforts to secure and exercise their rights to receive information about and participate in criminal justice processes, crime victims are frequently denied the opportunity to do so. Without timely and accurate information about what your rights are and how to implement them, you are not, as a practical matter, able to *choose* whether or not you wish to exercise your rights.

For example, if you are not told of your rights, you lack vital information to make informed decisions about your case, about your role in criminal justice processes, and how to access important services to assist you. If you are not told about when and where proceedings will be held, you are denied the opportunity to attend. If you are not informed that you have the right to provide the court with a victim impact statement, you cannot offer input that is important to the sentencing process, and that validates you as somebody who has been hurt by crime.

Virtually every state has some central agency or resource for victims to find out what your rights are. State Attorneys General Offices are a good place for information and, in many states, have victim assistance programs to help you understand and enforce your rights. Many prosecutors' offices, particularly those with victim/witness coordinators, are often knowledgeable about victims' rights. Some states also require that crime victims be told what to do if their rights are denied or violated.

### **Enforcement**

The enforcement of victims' rights in accordance with state law is an evolving area of legal practice. Without clear delineation of the enforcement of victims' rights – such as that provided to persons accused and convicted of crimes in the Sixth Amendment of the U.S. Constitution – it is much more challenging to ensure the full implementation of victims' rights.

However, efforts over the past decade at the Federal and state levels have focused greatly needed attention on victims' rights compliance issues. Every time a crime victim raises questions about compliance, it offers an educational opportunity for *all those* who are responsible for the implementation of victims' rights. Every time a crime victim pursues remedies for a failure to implement his or her right(s) as a victim, it reinforces the need for justice agencies and officials to be diligent in their roles and related responsibilities to victims. And every time a crime victim engages in a respectful, thoughtful and educated dialogue about the implementation of his or her rights under law, it contributes to a future where exercising victims' rights will be a *priority* for our criminal and juvenile justice systems.

## Guidelines for Knowing and Exercising Your rights

These guidelines can help ensure that you are aware of your rights as a crime victim; who can help you understand your rights; who is responsible for implementation; and any possible limitations to the implementation of these rights. They are designed to help you actively exert your rights, and to respectfully inform or remind justice officials of any obligations they may have under law to enforce your rights as a victim of crime.

- Create a file folder to help manage *all* information related to your rights as a victim of crime. You should:
  - Place materials in your file so you can track the information by date.
  - Include written information available from justice agencies about your rights as a crime victim for easy reference.
  - Include a paper on the inside cover of the file where you can record questions or issues that arise as your case proceeds (this “easy access” will help you better organize your questions and concerns).
  - Create a “telephone log” document to help you keep record of all phone conversations you have relevant to your rights. Include the date, time of the call, to whom you spoke, any actions you must take, and any outcomes. A “*Crime Victims’ Rights Record Keeping Log*” is included at the end of this Kit for your convenience.
  - Carefully document any interactions you may have with justice officials, victim service providers, attorneys, and others (including copies of written correspondence, e-mails, telephone calls, and other communications) using the “*Crime Victims’ Rights Record Keeping Log.*”
- Obtain a written copy of your rights as a victim of crime. These may include, but are not necessarily limited to:
  - Your state’s “victims’ bill of rights.”
  - Your state’s constitutional amendment for victims of crime (applicable in 32 states).
  - Specific statutes (i.e., state laws) that describe crime victims’ rights and, in many cases, who is responsible for implementing them.
- Know for a fact what your rights as a crime victim are:
  - Ask any justice official or victim advocate for written information about your statutory or constitutional rights as a victim of crime (this may include handbooks, brochures, or information featured on criminal justice and/or victim assistance agency web sites).
  - Ask if there is any specific language that addresses “compliance” with your rights (such as who is responsible for implementation, and whether or not anything will happen if your rights under law are *not* exercised).

- Determine who can help you better understand and implement your rights:
  - Criminal or juvenile justice officials.
  - Community-based (i.e., private non-profit organizations) or system-based professionals or agencies (law enforcement-based service provider or victim/witness coordinator in a prosecutor's office or correctional agency). You can identify your system- and community-based victim assistance programs through the Office for Victims of Crime *On-line Directory of Victim Services* at: <http://ovc.ncjrs.org/findvictimservices/> or your state-specific information and referral resource.
  - Legal professionals.
  - Other allied professionals.
- Ask specific questions about your rights, such as:
  - “What does this right mean to me, and to my case?”
  - “Who do I need to inform about my current contact information so I can receive notices and other information about the case?”
  - “How will I know when to exercise any of my specific rights?”
  - “*What* will happen, and *when* will it happen?”
  - “Who can help make sure that my right is exercised?”
  - “What is my role (if any) in making sure this right is exercised?”
  - “What can I do if I believe my victims’ rights under law have been violated?”
- Ask whom within the criminal or juvenile justice system is responsible for implementing your right(s) as a victim of crime:
  - If the law does not clearly state who is responsible, ask for clarification.
  - Ask if there are any agency policies, or inter-agency policies, that clarify who is responsible for implementing your right(s) as a victim of crime.
- (In cases involving a prosecution) Identify the prosecutor who will be handling your case:
  - As soon as a prosecution is initiated, you should contact the prosecutor assigned to your case.
  - Have a meaningful dialogue about your basic rights, and the anticipated timetable of the case (the timing of key events and hearings may fluctuate, based upon a variety of issues such as the court’s schedule, availability of witnesses, etc.).
  - In addition to seeking information about your basic rights, you can ask the prosecutor about other services that can help you cope with the physical, emotional and financial impact of the crime on you and your family.

## Communicating with Justice Officials

While it is important to be aware of your rights and how to exercise them, and to carefully document all information you receive and give relevant to your case and rights, it is also very important to have *respectful communications* with justice officials and others who may have full or partial responsibility for victims' rights implementation. Despite the specific described mandates of victims' rights laws, criminal justice officials often retain a great deal of discretion with respect to implementation of those rights. Adopting an adversarial or confrontational stance toward criminal justice officials, particularly as an initial approach, can often prove to be counter-productive to a victim's short- and long-term interests with respect to their rights.

Even though a criminal justice official may have a specific duty to implement a right to which you are entitled, the law generally allows such officials considerable latitude with regard to the way in which they carry out their responsibility. As such, officials can choose to do the minimum required by the letter of the law, or they can go beyond their "call of duty" and be very helpful. The approach they adopt may depend upon how they view the victim's attitude and reasonableness.

In addition, such officials often have large caseloads and are extremely busy, which can affect the timeliness of their responses to your questions and concerns. Sometimes, there are other professionals – such as system- or community-based victim service providers, or legal aid attorneys – who can also help you better understand your rights.

It is helpful to have a meaningful and respectful dialogue in your initial interactions with justice officials – in person, in writing or over the telephone – about *why* it is important to you to exercise your rights. By "personalizing" your case, you put a "human face" on a case file filled with paper, and help justice officials better understand your feelings and concerns.

Once you've identified your rights, and who can help you implement them, these tips can help facilitate two-way communications that are most helpful to you, to your case, and to the justice officials with whom you are working:

- Identify the name, title, agency, and all relevant contact information for the officials (mailing address, agency telephone number, direct telephone number [if applicable], e-mail address, and agency web site [if applicable]).
- Initiate a respectful discussion about your *expectations* as a crime victim. This can help the justice official tell you if these expectations are *realistic* in terms of your legal rights, and also give him or her the opportunity to provide you with relevant information about and referrals to services that can further assist you. Ask that they provide this information in writing, if possible. If this is not practical or possible, send a follow-up letter stating your understanding of what was said and agreed to during your discussion, and ask him/her to let you know whether or not their view is consistent with yours.

- Utilize the “Guidelines” above to frame your questions and concerns (and if you have other issues to address, make sure you bring them up).
- Respectfully let them know that you are aware of how busy they are, and try to identify the best time to reach them if you have questions or concerns (for example, evenings or early mornings, or a designated day when they don’t have hearings or other activities, may be best).
- Let them also know that you are fully aware of your rights, and have an expectation that they will help you implement them, in accordance with the law.
- Determine if there is another staff person or liaison (often a victim assistance professional within the agency) who can help you if they are busy, or unable to immediately answer your questions.
- As mentioned in the “Guidelines,” carefully document all interactions in your personal case file. Record keeping is very important to make sure you track key issues and activities related to your case and your rights as a victim of crime.

### **If You Think Your Rights Have Been Violated**

Once you have become educated about your rights, and have had a meaningful dialogue with any justice officials who are responsible for their implementation, you have laid a strong foundation to enhance the implementation of your rights.

There may, however, be times when you feel one or more of your rights has not been exercised in accordance with the law. It is important to first directly communicate with the specific justice official whom you believe did not effectively exercise your right(s).

It is also helpful to find out if there are venues available from state or local associations that represent justice officials (i.e., law enforcement, prosecutors, judges, probation, parole and/or institutional corrections) that review complaints, or that seek to enforce compliance with the highest ethical standards of practice. A system- or community-based victim advocate can help you identify any such processes if they exist.

The following suggestions can help you initiate efforts to determine if your rights were, indeed, violated, and what (if anything) you can do to remedy the situation.

- Talk directly to the justice official whom you believe has responsibility for implementing a right that was not exercised. Be very clear about your concerns, and respectful in all communications.
- Inform the justice official that you will also be documenting your concerns in writing. Do so, and retain a copy of any documentation and/or correspondence.
- Listen to what he or she has to say. Ask questions, obtain more information, and document the response you receive.
- If you are not satisfied with the response to a perceived violation of your right(s), respectfully inform the official that you will speak to his or her supervisor about your concerns, and about their response.

- Follow-up with a letter or e-mail that thanks the official for taking time to speak with you, and documents your continued concerns, as well as your plans to seek further remedies.
- Identify the justice official's supervisor:
  - Contact him or her by telephone, in writing, or schedule an appointment to visit in person.
  - Provide documentation of all relevant information you have obtained to date, including a copy of your rights as a victim, any correspondence or information related to telephone contacts about your concerns, and other relevant information.
  - Make sure the supervisor knows that you have *first* communicated directly with the official whom you believe did not exercise your rights in accordance with the law, and that you are not satisfied with his or her response to your concerns.
  - Ask specifically about any remedies you may have in accordance with:
    - State law.
    - Justice agency policies.
    - Other sources (such as ethics or official complaint venues sometimes provided through state and local associations that represent justice officials).
- Carefully document any remedies that are offered, and pursue them with vigor.

### **Current Victims' Rights Compliance Initiatives**

In recent years, a number of states and private groups have taken steps to help crime victims' exercise their statutory and constitutional rights, and to seek compliance or remedies when those rights may be violated or denied.

Several states – such as Colorado, Wisconsin, South Carolina, Connecticut and Alaska – have formal programs and procedures to investigate and act upon complaints by crime victims who believe their legal rights have been violated.

- The Office of Victims' Rights in Alaska has authority to investigate complaints from crime victims and issue a report and recommendations. The Office may present its findings, opinions and recommendations to the Governor, Legislature, a grand jury and the public.
- In Colorado the Governor's Victims' Compensation and Assistance Coordinating Committee investigates complaints. The Coordinating Committee will attempt to resolve the complaint and, if unsuccessful, can refer the matter to the Governor who can request the Attorney General to file suit to enforce compliance.
- Connecticut's Office of the Crime Victim Advocate is an independent state agency that evaluates and monitors how victims are treated by the criminal justice system in

Connecticut. The Office provides oversight and advocacy when the criminal justice system fails to enforce victims' rights in accordance with the law.

- South Carolina has a Crime Victims' Ombudsman who acts as a liaison between crime victims, victim assistance programs and criminal justice agencies. The Ombudsman can receive and review complaints of violations and, after an inquiry, issues a report and recommendations to assist all parties. Agencies that are the subject of an Ombudsman's report are required to respond on the actions taken within a reasonable time.
- In Wisconsin, complaints of violations of victims' statutory or state constitutional rights are first referred to the Victims' Resource Center in the Wisconsin Department of Justice. If the Center is unable to resolve the problem, the victim may file a formal complaint with an independent Crime Victims' Rights Board that has authority to reprimand violators, seek equitable relief on behalf of the victim, and/or go to court to obtain a civil forfeiture against the violator for intentional violations.

## **Legal Actions for Victims' Rights Compliance**

There is a great deal that victims can do to assure that criminal justice officials observe their statutory and constitutional rights as victims, as previously described. Most of these approaches relate primarily to unofficial "self-help" strategies available beyond the confines of the actual criminal justice legal process. Most of them focus on what victims can do to ensure compliance with victims' rights before the fact. But what can victims do if their rights are violated? Do victims in fact have any legal recourse or, in other words, can victims take legal action against criminal justice officials if they fail to implement their rights as required by law? The answer is — *maybe*.

### **Standing and Legal Action in Enforcement**

In most cases, legal recourse must be pursued through the courts. However, because victims are generally not considered to be "parties" in the trials of their accused offenders (i.e., only the defendant and the state, through the prosecutor, are considered parties), victims in a legal sense do not have the right to even address the court in order to raise their legal issues. In short, they lack the "standing" necessary to demand the right to be recognized and address the court during the trial. This lack of standing has historically prevented victims from taking legal action to enforce their own rights as victims. Yet, with the advent of recent victim-related statutes and even state constitutional amendments, the law regarding victim standing and, thus, legal enforcement of victims' rights is beginning to change.

In a very real sense, the law regarding standing is changing one case at a time, as individual victims and their attorneys are beginning to assert their standing rights in their own particular cases. For example, several courts have ruled that a victim's right to attend and provide an impact statement at sentencing, as required by state victim statutory and (where applicable) constitutional law, gave the victim standing to object when those rights were not carried out.

In several such cases, courts have invalidated the proceeding in question and ordered a new hearing so that the victim could exercise their right to attend and be heard <sup>(1)</sup>. In other cases the courts have ruled that the victim may have limited standing to object to court decisions that directly affect a specific right. For example, in one case, the court ruled that the victims had standing to object to the court's decision to cancel the victim's restitution order since they had not been informed of the decision and were not given the opportunity to object <sup>(2)</sup>.

It is important to note that these cases occurred in specific jurisdictions and, as such, may or may not necessarily control whether or not victims will have similar enforcement rights in any other jurisdictions. However, this does not preclude, in any way, the right of any victim to test the law by asserting their right to standing in any case where they feel their right is being violated. It is only through such "test cases" that the rights of victims to enforce their rights are established and expanded for the benefit of all crime victims.

### **Court Orders to Enforce Victims' Rights**

Apart from the issue of standing, which allows victims to take legal action *within* the context of the pending legal proceedings, victims may also have the option of pursuing legal action with courts other than the one that is conducting the criminal trial. There are at least two kinds of legal actions that have traditionally been brought to compel government officials to comply with the law.

The first legal action is to obtain what is called a "writ of mandamus." This is a legal name for a court order that forces a government official, in this case a criminal justice official, to "carry out his or her duty" as mandated by law. When used in the context of victims asserting their rights, obtaining such a writ could compel, for example, the court or prosecutor's office to provide the victim with notice of a pending sentencing hearing, assuming the court or prosecutor has been specially relegated that duty by statute. If the criminal justice official responsible refuses to comply with the court order, he or she is subject to being held in "contempt of court." The court issuing the violated order can, in principle, fine and/or jail the offending official.

The second legal action that victims may have the option to pursue is to obtain an "injunction" against a criminal justice official, including a judge, which in practical effect "prevents him or her from engaging in some specified action." Again, applied as a tool of enforcement of victims' rights, this approach would allow a victim to ask a court to issue an order preventing a law enforcement officer, prosecutor, judge, or probation or parole, or correction official from failing to implement a specific victims' right.

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<sup>1</sup> See State ex rel Hance v. the Board of Pardons Paroles, 875 P. 2d 824 (AZ CT APP 1993), where the Arizona Supreme Court invalidated the results of a parole hearing held without notice to the victim and People v. Stringham, 253 Cal. Rptr. 484 (1988), where the court held that the victim had the right to make a statement at the hearing to consider a plea agreement, based on the victim's statutory right to make a statement at sentencing.

<sup>2</sup> See Melissa J. v. Superior Ct., 237 Cal. Rptr. 5 (1987).

However, injunctions and, to some degree, writs of mandamus have one serious limitation — they can only be applied prospectively. This means that in most cases they can only be issued to prevent a criminal justice official from violating a right *before the fact*. Unfortunately, most victims learn their rights have been violated only *after the fact*. As a practical matter, this makes it difficult to order a criminal justice official not to violate a victim’s right until they have already violated it — at which point, it may be too late.

For example, it is difficult to force a jailer to give a victim a useful notice of the offender’s release on bail if they have already been released. Such notice would have no practical value to the victim and, thus, would be irrelevant. Such factual circumstances have important legal relevance in a case where injunctions are being requested. Courts will not issue orders that can have no practical effect. Thus, if the injunction requested is for notice of a hearing that has already passed, courts will refuse to issue the order since it can not have any retroactive impact. The court refers to such cases as being “moot.” Unless victims are able to show in advance that a particular criminal justice official will violate their rights without an injunctive order, courts will not generally issue such orders. This likelihood represents a fairly serious limitation to injunctions as a broad solution to the non-compliance issues most victims face.

If victims are interested in pursuing any legal action to enforce their rights, they are advised to consult with an attorney or other legal expert to explore the options in their particular case. To find such legal expertise, see the referral list in the “Contact Information for Compliance and Legal Assistance Programs” below or review the section on “Finding Legal Expertise” in the *“Frequently Asked Questions (FAQs) Kit.”*

In addition to public agencies charged with helping victims secure their rights, there is an ever-growing number of private, non-profit agencies and programs that can help victims exercise their rights and ensure compliance with such rights.

- The National Crime Victim Law Institute (NCVLI), operated by the Lewis and Clark Law School in Portland, Oregon is a research and education organization that assists attorneys who provide direct legal services to crime victims. It also serves as a national depository for victims’ rights legal materials. NCVLI will review inquiries from attorneys and the general public seeking assistance or advice on crime victims’ rights issues. Through a grant from the Office for Victims of Crime, NCVLI is helping to establish non-profit victim legal service programs in other states to provide representation to crime victims whose rights have been violated. For example, the Victims’ Legal Assistance Project is a collaborative effort between Arizona’s Voice for Victims and the Arizona State University Law School to provide crime victims with free legal representation during criminal trials to ensure that they can exercise their rights articulated in Arizona’s state constitution.

Other nonprofit programs that can provide legal assistance to crime victims include:

- The Maryland Crime Victims' Resource Center (MCVRC) Compliance Project, funded through the Office for Victims of Crime, U. S. Department of Justice can help victims not only with enforcement of their rights, but with other legal issues, such as financial or credit losses, custody, issues or estate problems. This project operates in partnership with the Governor's Office of the State of Maryland.
- New Jersey Crime Victims' Law Center provides crime victims and their families with free legal and personal support, and advocates for their rights in the justice system.
- The National Crime Victim Bar Association sponsored by the National Center for Victims of Crime provides technical support to attorneys, refers crime victims to civil attorneys in their local area, and increases general awareness about the availability of civil remedies for victims of crime.

## Contact Information for Compliance and Legal Assistance Programs

- Colorado Office for Victims Programs  
(303) 239-5719  
Website: [www.dcj.state.co.us/ovp/ovp.htm](http://www.dcj.state.co.us/ovp/ovp.htm)
- Wisconsin Victim Resource Center  
(608) 264-9497; Toll-free: (800) 446-6564  
E-mail: [vrc@doj.state.wi.us](mailto:vrc@doj.state.wi.us)  
Website: [www.doj.state.wi.us/cvs/programs/vrc.asp](http://www.doj.state.wi.us/cvs/programs/vrc.asp)
- South Carolina Crime Victims' Ombudsman  
(803) 734-0357  
E-mail: [cvo@govoepp.state.sc.us](mailto:cvo@govoepp.state.sc.us)  
Website: [www.govoepp.state.sc.us/cvolinks.htm](http://www.govoepp.state.sc.us/cvolinks.htm)
- Connecticut Office of the Victim Advocate.  
(860) 550-6632; Toll-free within the state: (888) 771-3126  
E-mail: [james.papillo@po.state.ct.us](mailto:james.papillo@po.state.ct.us)  
Website: [www.ova.state.ct.us/](http://www.ova.state.ct.us/)
- Alaska Office of Victims' Rights  
(907) 272-2620; Toll-free within the state: (866) 274-2620  
E-mail: [officeofvictimsrights@legis.state.ak.us](mailto:officeofvictimsrights@legis.state.ak.us)  
Website: [www.officeofvictimsrights.legis.state.ak.us/ovrhome.htm](http://www.officeofvictimsrights.legis.state.ak.us/ovrhome.htm)
- National Crime Victim Law Institute  
(503) 768-6600  
E-mail: [ncvli@lclark.edu](mailto:ncvli@lclark.edu)  
Website: [www.lclark.edu/org/ncvli/](http://www.lclark.edu/org/ncvli/)
- Maryland Victim Resource Center Compliance Project  
(877)-VICTIM-1  
Website: [www.stephanieroper.org/legalhelp.htm](http://www.stephanieroper.org/legalhelp.htm)
- Maryland Compliance Initiative, State Board of Victim Services  
(877) 687-9004  
E-Mail: [annemarie@goccp-state-md.org](mailto:annemarie@goccp-state-md.org).
- New Jersey Crime Victims' Law Center  
(973) 729-7337  
E-mail: [NJ-VLC@nac.net](mailto:NJ-VLC@nac.net)  
Website: [www.nj-vlc.com/](http://www.nj-vlc.com/)
- National Crime Victim Bar Association  
(202) 467-8753

E-mail: [victimbar@ncvc.org](mailto:victimbar@ncvc.org)  
Website: [www.victimbar.org](http://www.victimbar.org)

- Arizona Voice for Victims  
(480) 600-2661  
E-mail: [scox@voiceforvictims.org](mailto:scox@voiceforvictims.org)  
Website: [www.voiceforvictims.org](http://www.voiceforvictims.org)
- Minnesota Crime Victim Justice Unit  
(651) 282-6256; Toll-free (800) 247-0390  
E-mail: [dps.justiceprograms@state.mn.us](mailto:dps.justiceprograms@state.mn.us)  
Website: [www.ojp.state.mn.us/MCCVS/CVJU/index.htm](http://www.ojp.state.mn.us/MCCVS/CVJU/index.htm)

The National Association of VOCA Assistance Administrators (NAVAA) maintains a list of links to websites relating to crime victims' rights and services, including victims' rights' compliance and legal assistance programs. This is available at: [www.navaa.org/links.html](http://www.navaa.org/links.html).

**Crime Victims' Rights Record Keeping Log**

<b>Date of Contact</b>	<b>Contact Made With (Name/Title/Agency)</b>	<b>Contact Information (Telephone, Address, Email, etc.)</b>	<b>Topics Discussed</b>	<b>Any Response Sent by Me</b>	<b>Any Response Received by Me</b>	<b>Notes</b>