

Ask the Expert: What do Victim/Service Professionals Need to Know about Corrections

Presenters: Danielle Fagan & Denise Metz

Webinar Resources

Q&A Responses

Q: How did you go around the no contact Laws between victim and offender?

Danielle Fagan

A: *A victim can request a modification of the no contact order and Probation; the treatment provider and DA also get to have input and the Judge ultimately makes the ruling. If we are holding an RJ process, we request a onetime modification to accommodate for the dialogue. If we in Probation are offering a clarification letter from an offender to a victim, we do not need to request a modification.*

Q: As a law enforcement-based victim services professional, do you have any recommendations for how I can best provide a warm hand off for victims who are interested in speaking with a corrections-based victim service professional?

Danielle Fagan

A: *My recommendation would be to ask the victim if they would like you to share some background information with the corrections-based victim service professional and if so, perhaps create an email where all parties are on the email introducing the victim to the new advocate. That works well when the advocates I work with at the DA's Office warmly pass on a case to me. I then reach out to the victim.*

Q: How do we justify keeping someone on probation if they have completed all of their directives?

Danielle Fagan

A: *Every case is unique, we reach out to victims and see if they would like to provide input on an early termination of probation. Many victims feel that offenders already got a really good deal by receiving a probation sentence. Many victims really want that criminal protection order to stay in place as long as possible so if the case is terminated, so is the no contact. We have creative ways of keeping offenders on probation which can ensure the no contact stays in place but also put them on a less intense supervision level so it can be a win-win situation for both the victim and the client. Luckily, Judges get to make these tough decisions on early terms!*

(Cont.) Q: How do we justify keeping someone on probation if they have completed all of their directives?

Denise Metz

A: *Sentence lengths are often a part of plea agreements that are reached between the DA and the Clients' attorneys. Many of the DA's I have worked with over the years feel strongly that if a client agrees to be on Sex offender probation for X number of years, they need to fulfill that sentence. That said, as a PO, we don't work for the DA's office and there have been times where I have filed motions to early term a client's case against the DA's wishes. In those circumstances, I have felt the client did extraordinarily well, has taken full responsibility, was fully engaged in treatment and truly internalized treatment concepts and per risk assessment tools, have lowered their dynamic risk to very, very low. Early termination of a sex offense case is fairly uncommon where I work so I pick and choose wisely those that I file on. But your basic point also brings up the notion that we can make folks worse if we OVER supervise them. If someone is done with all of their court ordered terms and conditions and they have strong stability (protective factors) in place, you can argue for an early term based on those factors. If an early term isn't possible, I would adjust your supervision of the client as much as possible (some of our sex offender terms and conditions here in CO are up to the discretion of the Community Supervision Team or Probation so we can potentially relax some of the conditions if appropriate). And of course, see the client less often.*

Q: Why are risk assessment results not allowed to be reviewed by the victim for a parole hearing?

Danielle Fagan

A: *That is a great question! I would love to know the answer. I think it would be helpful if victims got to know risk assessment results in some fashion at each stage, not just for a parole hearing.*

Greg Brown

A: *General information about how we assess risk (all of the static and dynamic factors of the assessment) can be shared with anyone. Then you can describe generally supervision levels and talk about how the offender will be supervised. Also, if the offender signs a release (yes it can happen) you can share risk assessment, progress in treatment and compliance on supervision with victim/family as allowed on the release.*

Q: I was told burn out for PO was 6 years, 3 years for an advocate. When on job trauma, how will be address that with perhaps a "plan" I work in an office where not just compassion fatigue but moving towards burn out. I am just concerned.

Danielle Fagan

A: *I would encourage you to talk to your supervisor and management team about resources available to you including counseling, debrief opportunities, wellness ideas within your department, looking at and creating a personal self-care plan. Do you have trusted coworkers who you can talk to as well, maybe others are feeling similarly and you could create a committee or support group per se with your peers?*

Denise Metz

A: *I would add that "burn out" is something very individual specific. I know some PO's who got burnt out before that time and others who never have. So, it is truly different for everyone. I think I mentioned during the webinar the importance of building a network of trusted people you can process and debrief with as well as being attuned to your own self-care, early in your career, not just after you start feeling burnt out. I would also recommend seeking professional assistance if you are open to that. That was helpful to me when I was feeling burnt out around my 10-year mark (I'm now 22 years into my probation career).*

Q: What would be the best approach to deal with a victim who was sexually assaulted by an individual with mental health issues? It leaves a grey area for officers who supervise those ordered to the mental health unit with sex offender conditions.

Danielle Fagan

A: *I would approach that victim using victim centered practices and a trauma informed approach. Offer resources, Victim's Compensation, offer appropriate referrals to your local sexual assault community agency (many offer great support groups, art therapy, yoga, counseling, etc.), find out what her needs and wants are. Offer what information you can about the case that might be helpful for her to stay informed and let her know how that client will be supervised, talk to her about any safety concerns, involved, empower and engage her.*

Q: Thoughts on minor victims feeling that they do not get enough information about their case directly due to legal guardianship constraints? Also, how common are plea agreements for sex crime charges? Do you think these are more of hurt or a help to victims?

Danielle Fagan

A: *I wonder if you can have a conversation with the victim in finding out what more information would be helpful for them and perhaps offer a meeting where you, the legal guardian and victim could all meet to discuss concerns and frustrations? Perhaps you could help empower the victim to share those concerns with their parent? Plea agreements are very common in all cases. I think it's a case by case basis as far as how a victim feels about a plea. It saves a victim from going through a trial which can be very difficult. I think many victims want to avoid having to testify. Plus, with a plea, you have a definite conviction and can avoid the lengthy appeal process.*

Q: Have you found a particular educational background is more favorable in this work?

Danielle Fagan

A: *I think generally people that have studied mental health, sociology, criminal justice, and psychology are likely the folks that are more drawn into this line of work but the passion can really come from anyone. People can volunteer, intern and gain experience in many ways.*

Denise Metz

A: *I may not be a great person to ask with this....my bachelor's degree is in international relations and my master's is in international policy studies! I eventually went into the criminal justice educational field but don't have a degree in that area at all! I wouldn't change a thing about my college and grad school years though, I feel my schools prepared me and made me a good writer, and a very good critical thinker which I think are both valuable traits in this field.*

Q: Have you seen Restorative Justice move into any of the space where you operate to help provide better healing for victims and better accountability for perpetrators? If so, what avenues have you seen these offerings?

Danielle Fagan

A: *Yes, we offer restorative opportunities in all of our cases. We have seen lots of healing take place for victims as well as offenders. Lots of accountability from clients and repair of harms. We offer restorative options through victim offender dialogues, high risk victim offender dialogues, family group conferences, community accountability meetings, meaningful community service, apology letters, COSA's and through clarification letters in our SO cases.*

Q: If you can go back to the earlier stages of your career just starting off in this work what is something you know now that you wish you knew back then?

Danielle Fagan

A: *I wish I had learned about restorative options when I first started my career and that we were focusing more on victim's needs and concerns. I have seen the transformation and healing that restorative options offer and I think so many more victims/survivors as well as offenders could have benefited from all of those opportunities 20 plus years ago.*

Denise Metz

A: *Again, I would say don't wait on having a self-care plan in place. Self-Awareness is CRUCIAL. there are so many interesting and fun self-assessment tools out there. I love that stuff and have taken a lot of them to help learn about myself more. I also have had trusted friends and colleagues who tell me the truth.... when I am messing up and in the wrong or when I'm absolutely on point. Making sure you have people in your life with whom you can process and debrief work related topics. I also have learned over the years, that I definitely didn't know early on, that there are very few real EMERGENCIES in this work So just breathe.*

Q: How do they balance confidentiality with victims?

Danielle Fagan

A: *As the Victim Coordinator, I let victims know up front that information shared with me can be shared with the Probation Officer and that our relationship isn't confidential. I also let them know that there are community-based advocates where they can have a confidential relationship. We do not share information from victims to offenders and I let them know that as well.*

Q: Some victims have an expectation of a speedy investigation. How do we help them understand it may take more time without sounding condescending?

Danielle Fagan

A: *I think setting the expectations from the beginning with victims is super important. By letting the victims know that an investigation can take longer than any of us want, it doesn't mean we don't care, it just means that we want to get it done right. Validating that it could be frustrating waiting for the investigation to be complete but that you will keep them informed the best you can as you progress through the process.*

Q: How does your process address victims of human trafficking where the offender is either the buyer or the trafficker?

Danielle Fagan

A: *In Boulder, we do not see many of those types of offenders but if we did, we would treat those victims as we treat any victims by upholding the VRA, offering resources, Victim's Comp, talk through safety plans, offering appropriate information about the offender's probation, listening to their concerns and needs, and informing them about opportunities available.*