



PROSECUTOR-BASED VICTIM ADVOCACY IN OHIO

A Resource Guide for the Field



Ohio Victim Witness
ASSOCIATION



2026

ACKNOWLEDGMENTS

The development of this publication would not have been possible without the dedication and expertise of the professionals that so diligently created the original guide published in 1999, *“Protocol for Prosecutor-Based Victim Assistance Programs”*. The Ohio Victim Witness Association (OVWA) and the Ohio Prosecuting Attorneys Association (OPAA) wish to give a special acknowledgment to the following individuals:

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SPECIAL THANKS

In addition to the expertise volunteered from the above individuals and organizations, the Ohio Victim Witness Association and the Ohio Prosecuting Attorneys Association gratefully acknowledges the U.S. Department of Justice, Office of Justice Programs for allowing us to reproduce, in part or whole, subject matter and formatting of the section “Program Standards” of this guidebook. The opinions, findings, and conclusions or recommendations expressed in this guidebook are those of the speaker(s) and do not necessarily represent the official position or policies of the U.S. Department of Justice.

This project was supported by Grant No. 2023-WF-VA1-81740 awarded by the Office of Criminal Justice Services. This is a federal grant from the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.

INTRODUCTION

This guidebook is the product of a combined effort between prosecutors and victim witness programs across the state of Ohio but is not intended as a legal mandate. The advisory committee recognizes that there are methods and practices already in place across the state of Ohio in existing victim assistance programs. Consequently, whenever possible, the material has been drawn together from recognized effective methods and incorporated into this document. This guide is specifically for those victim advocacy professionals working in a prosecutor's office, though the guiding principles of advocacy included throughout may certainly be utilized by any advocate working with victims of crime.

The creators of this publication keenly understand the varying levels of available funding and advocacy staffing levels in Prosecuting Attorney offices across Ohio and recognize that not all programs can incorporate every recommended service. The intent of this manual is to provide an outline for a "best-practice" approach, identifying those model services which can be utilized by prosecutor-based advocacy programs according to available funding and capacity.

Ohio law does not prescribe the manner in which victim assistance services should be delivered. This guide, however, describes a method of service delivery that is congruent with the standards of the Ohio Advocate Network, provides suggestions to meet the requirements of the Ohio Revised Code and the Ohio Constitution at the time this document was developed, and has the approval of the Ohio Prosecuting Attorneys Association and the Ohio Victim Witness Association.

A WORD ON LANGUAGE

The word "victim" is used throughout this guide. The term "victim" is a legal term used by members of law enforcement, prosecutors, advocates, and the courts within the context of the justice system. The use of empowering terminology such as "survivor" is also supported, when referring to individuals served by advocates and the courts. Ultimately, it is imperative to follow the lead of the person seeking support, as the journey from victim to survivor is personal.

Throughout this guide, the term "victim advocate" and "prosecutor-based advocate" are used interchangeably as the content has been developed specifically for prosecutor-based advocacy programs and advocates. Other terms used to refer to prosecutor-based advocacy programs may be "Victim Witness Division," "Victim Witness Unit," or "Victim Assistance Unit." This guide is specifically for those victim advocacy professionals working in a prosecutor's office.

JUSTICE IS SUBJECTIVE

Justice may mean different things to different people. Not all victims will choose to work with a prosecutor-based advocate and others may choose not to pursue criminal charges. Some victims make it clearly known during investigations of their tentativeness in pursuing criminal charges. Many victims choose to report their victimization and fully engage with the criminal justice process. There are some cases when a victim must reluctantly participate because a criminal prosecution has formally been initiated. As an identified witness, a victim may be under subpoena to appear and testify at certain court proceedings. The prosecutor-based victim advocate must be adept at engaging all victims within various scenarios, by offering accurate information, assistance, and support, and by focusing on the victim's desired outcomes. Like justice, the outcomes sought will vary from victim to victim and may or may not include a criminal conviction.

ACCESSIBILITY

The authors and partners of this publication believe in accessibility for all individuals. This document is available in alternative formats upon request to OVWA at info@ovwa.org. Please allow sufficient time to arrange such accommodations.

ELECTRONIC ACCESS

This guide can be downloaded from OVWA's website at ovwa.org/best-practices/.



TABLE OF CONTENTS

Purpose and Preface	5
Victim Advocacy – A History	6
Role of the Prosecutor-Based Advocate	7
Core Principles of Victim Advocacy	10
Avoiding Unauthorized Practice of Law	15
Building Resilience through Trauma-Responsive Advocacy	18
Advocacy within the Criminal Justice System	20
Advocacy with the Crime Victim	20
Crime Victim Rights	25
Advocacy with Criminal Justice Partners	29
Advocacy with the Prosecutor	34
Advocacy within the Court	35
Advocacy during Post Conviction Proceedings.....	37
Advocacy with Community Partners	41
Beyond the Courtroom	44
Community Crisis Response.....	44
Working with the Media	45
Ethics in Advocacy	46
Advocate Credentialing.....	48
Program Standards.....	49
Resources	57
References	62
Appendix A. Ohio Supreme Court Crime Victim Restitution Summary Form	64
Appendix B. Notification about Criminal Justice events	72
Appendix C. Victim Impact Statements	73
Appendix D. Self Regulation Tools	84
Appendix E. OCVJC Victim Rights Request Form	86



PURPOSE AND PREFACE

In 1999, the Ohio Victim Witness Association (OVWA) and the Ohio Prosecuting Attorneys Association (OPAA) partnered to develop the *Protocol for Prosecutor-Based Victim Assistance Programs*. Since the development of the original guide, the victim advocacy profession has and continues to evolve. The rights and services afforded to victims of crime have also greatly expanded. This growth spurred the need to develop an updated and refined guide for prosecutor-based advocates.

OVWA and OPAA have prepared this guide for prosecutor-based victim assistance programs with the understanding that services may vary significantly for prosecutor-based victim advocacy programs depending on the jurisdiction. With appreciation for all of the influencing factors, this guide illustrates and emphasizes the need for developing and maintaining services that are consistent, non-discriminatory, inclusive, and within the scope of the victim advocate's defined role.

The field of victim advocacy and the role of victim advocates in prosecutors' offices has grown exponentially since the original protocol was written in 1999. Through the hard work of prosecutor-based advocates and leaders in Ohio's victim advocacy movement, victim advocates quickly became a fully integrated part of the justice system, relied on by victims of crime, the prosecutor's office, and the court for essential information and input from the victim of crime and for the protection of victim rights. The original protocol, the first of its kind in Ohio, stands the test of time for many of the values, guidelines, expectations, and role definitions it created. Twenty-six years later, updates to the original protocol retain the original founding principles while comprehensively embracing the groundbreaking roles defined throughout Ohio since the original protocol was published.

The purpose of this guide is to:

- Recognize and support the responsibility of the prosecutor's office to represent the state of Ohio and their local communities with integrity, respect, and professionalism
- Provide a mechanism for implementation of Ohio's crime victims' rights laws
- Adopt a canon of expectations and ethics for prosecutor-based victim advocates
- Define the victim advocate's role in the justice system and the relationship of the advocate to prosecutorial staff
- Establish standards and guidelines for the provision of direct services to victims and witnesses
- Enhance current victim assistance programs
- Encourage interagency cooperation while avoiding duplication of services

VICTIM ADVOCACY – A HISTORY

“It often happens that only from the words of a good storyteller do we realize what

we have done and what we have missed, and what we should have done and what we

shouldn’t have. It is perhaps in these stories, oral and written, that the true history of

mankind can be found and that through them one can perhaps sense if not fully know

the meaning of that history.”

Ivo Andrić, Nobel Prize laureate



DR. MARLENE YOUNG – AN ADVOCACY VISIONARY

It can be said that the field of victim advocacy may look very different without the leadership of Dr. Marlene Young. The determination and innovation of Dr. Young defined and expanded the field of victim advocacy. Her dedication was the foundation of our very profession.

As a member of the founding board of the National Organization for Victim Assistance (now National Organization of Victim Advocacy) (NOVA), Dr. Young served as its President from 1979 to 1981 and as its Executive Director from 1981 until her retirement from that position in 2005. She is a past President of the World Society of Victimology (WSV), a past President of the International Organization for Victim Assistance (IOVA) and the chair of the 12th International Symposium on Victimology held in 2006 by the WSV.

During her travels throughout the United States, Europe, Africa, Asia, the Middle East, and Latin America, she shared her wisdom of victim-related issues and served as a consultant to six different U.S. Cabinet-level Departments and the United Nations. Her professional experiences led her to share her knowledge and expertise in over 200 publications.

Dr. Young’s high visibility and distinctions have led to numerous awards being named after her, including the Dr. Marlene Young Outstanding Leadership Award presented annually by the OVWA Past Presidents’ Committee to an Ohio advocate who has displayed exemplary leadership in the field of victim advocacy. *Biographical information adapted from publications by the National Organization for Victim Assistance, the World Society of Victimology, and the International Organization for Victim Assistance.*

Her iconic summary of the history of the victim rights movement, found in the [Resources section](#) of this guide, helps further define advocacy within the victims’ rights movement and within the victim advocacy field.

ROLE OF THE PROSECUTOR-BASED ADVOCATE

The prosecutor-based victim service provider plays a pivotal role in the justice system. At a minimum, advocates serve as liaisons for victims throughout their interactions in the justice system, provide support throughout the legal process, and help prosecutors and law enforcement communicate sensitively to victims. A clear understanding amongst all parties involved in the system of the role of the victim advocate must be identified.

Most importantly, prosecutor-based advocates provide trauma-informed services to victims of crime throughout the entire criminal case and post-conviction, helping to alleviate the re-traumatization that can happen within the justice system, providing much needed support and expertise to a victim of crime. This crucial service allows victims of crime to feel comfortable participating in the criminal justice process and provides assistance in understanding and exercising their victim rights. Victim advocates work to educate, empower, and listen to victims. They ensure that every victim's rights are upheld and that no victim walks alone during a time that can be very scary and confusing.

Prosecution-based victim advocates have become the pivotal partner within the justice system for the protection of crime victims' rights. For this reason, the prosecution-based advocate is frequently called upon by:

- law enforcement to involve advocacy before a case is filed.
- the prosecution to connect with the victim of crime at each stage of the process and to provide input on their behalf when requested.
- the court for hearings that have a victim of crime.
- post-conviction entities that may need to connect with a crime victim in a case.
- community advocates, victim service agencies, mental health services, schools and other service providers.

Prosecutor-based victim advocates have become integral in the system and advocates may provide services in the courtroom as often as within the prosecutor's office. Advocates may be relied on to ensure that victim rights are upheld in every stage of the criminal process.

A prosecutor-based victim advocate may have completed specialized training, or hold a college degree, professional certification, or licensure. Combining education, training, and years of experience, victim advocates often acquire an advanced skill set. Adept at problem-solving and defusing difficult situations, the advocate may be sought out to provide assistance or manage tasks outside the scope of a victim advocate's defined role. Expanded mandates, combined with shrinking budgets and staffing shortages may, at times, contribute to an atmosphere of ambiguous and blended roles.

As requests for an advocate to participate in non-traditional duties can be common, it is important to mention what the role of a victim advocate is NOT, before delving into appropriate roles and responsibilities. Maintaining a clear delineation of job duties supports a teamwork ethic and reinforces the important role each justice system professional contributes. In addition, for programs receiving grant funding, it is crucial to be aware of the limitations which restrict activities permitted by grant-funded personnel.

PROSECUTOR-BASED CRIME VICTIM ADVOCATES ARE NOT:

- Law Enforcement Officers or Investigators
- Attorneys or Paralegals
- Administrative Assistants/Clerical Support Personnel
- Social Workers
- Babysitters/Mediators/Therapists

Victim advocacy, at its basic level, includes the following primary roles and responsibilities in prosecutor-based victim advocacy programs. These goals include:

- The provision of accurate information, support, and advocacy services in a timely manner throughout the justice system to victims, witnesses, and their families.
- Victim-centered advocacy that enhances and ensures the victim's rights through consistent communication (and continuous re-assessment) with victims of crime.
- Balancing multiple priorities within a framework focusing on victims' rights.
- Continued training, with a special focus on best practices, cultural humility, and ethics.
- Fulfillment of all mandated responsibilities pertaining to the victim and the department.
- Consideration of victim safety while ensuring wrap-around services through informed consent.
- Collaboration with and serving as a liaison between the crime victim and other systems and providers within the community.
- Maintaining current knowledge about available community resources and providing this information to victims when needed
- Representing the prosecutor's office when requested in the development of integrated wrap-around services for crime victims.
- Notification of and assistance with the Ohio Crime Victim Compensation Fund and VINE (Victim Information and Notification Everyday).
- Upon request, advocacy for the victim with needs interrelated but outside the justice system including employment, housing, education, financial issues, etc., which help to empower the victim through the case and their recovery.
- The provision of information about and access to protection orders or other remedies that address the victim's safety.
- Collaboration with and fostering of a cooperative working relationship with all prosecutor office staff, courthouse staff, police and community agencies to benefit the victim in their recovery and secure successful outcomes for future cases.

Prosecutor-based victim advocacy, at the highest level of service, goes beyond the above requirements and expectations through several core principles in which the prosecutor-based advocate's role can be expanded upon and further defined.

COLLABORATIVE AUTONOMY WITHIN THE OFFICE OF THE PROSECUTOR

Effective and successful collaboration benefits the prosecutor, advocate, and victim, though at times their roles may diverge. Prosecutor-based advocates may have difficulties navigating working relationships with prosecutors or staff. Difficulties could arise when the victim's priorities, or foundational advocacy principles, are in opposition to decisions made by the prosecution team. While a prosecutor's primary role is to seek justice on behalf of the state and hold offenders accountable for criminal behavior, prosecutor-based advocates assist the victim through the prosecution of the case while offering assistance to mitigate the effects of victimization. Even though prosecutor-based advocates are embedded within the Office of the Prosecutor, an advocate requires a level of autonomy in their work with victims, particularly when a victim's wishes differ from the decisions of the prosecutor.

Collaborative autonomy is most effective when advocates and prosecutors work together within their respective professional roles, grounded in mutual respect, even when their perspectives or recommendations differ. Through intentional and collaborative relationship building, prosecutors and advocates have an opportunity to understand one another's role and learn from each other. There may exist factors which could impede the development of a collaborative relationship. One factor can be a lack of boundaries or clearly defined roles between the Office of the Prosecutor and the advocacy program. It is very important that advocates have a clear understanding of the prosecutor's role and capabilities, and in turn, that prosecutors have a clear understanding of the roles, abilities, and limitations of the advocacy program.

Victim advocacy programs are often considered to be specialized units within the Office of the Prosecutor. The services provided by a prosecutor-based advocacy program, which can be found throughout this guide, require specialized education and training not generally found within the Office of the Prosecutor in the absence of such a program. These services are unique to the role of the advocate and require some level of autonomy for the victim's benefit. This organizational culture and structure allows victims access to specialized advocacy services from professionals who are integrated and experienced in the very justice system they are navigating.

Collaborative autonomy also benefits the prosecutor. Results from studies show that assistance from services and victim witness advocates increases victim cooperation, which in correlation helps increase case prosecution. Victims were more willing to cooperate with the prosecution when they were given the opportunity to utilize social service resources and become more educated about the process (Bechtel et al., 2012). Advocate involvement can improve the potential for a successful prosecution by establishing trust and maintaining a successful working relationship with the victim. If advocates are provided internal support and are empowered to provide victims with comprehensive, victim-centered services, the process is less traumatic for crime victims and, directly or indirectly, benefits all system partners.

The need for collaborative autonomy does not diminish the close collaborative working relationship with the prosecutor. Successful adaptation of collaborative autonomy relies on mutual respect for both parties and the knowledge they hold; policies and procedures between the Office of the Prosecutor and the victim witness unit/division that are free from inherent conflicts (being assigned roles and duties that are outside of the scope of advocacy); a strict adherence to victim-centered advocacy services; and transparency with the Office of the Prosecutor.

The following is a non-exhaustive list of the collaborative and autonomous duties of an advocate:

COLLABORATIVE

- Providing trauma-responsive services beginning with the initial point of contact to minimize retraumatization, which may increase engagement throughout the criminal case.
- Informing crime victims of their rights, potentially fulfilling other legal obligations such as providing notification of court dates and times, on behalf of the prosecutor.
- Preparing victims for court by informing them of formalities, procedural steps, and options for participation, therefore paving the way for a smooth process for both the victim and the prosecutor.
- Facilitating communication between the prosecutor and the victim.
- Maintaining communication with the crime victim for both notification purposes and to maintain meaningful and accessible opportunities to exercise their rights, streamlining this process for the prosecution.
- Providing victims with accessible methods to access and exercise their rights and actively ensuring that the rights are upheld at each stage of the process.

AUTONOMOUS

- Facilitating communication between the victim and justice system partners, whether supporting a victim's direct participation or advocating on behalf of a victim to relay safety concerns, case input, a victim impact statement, and/or a restitution request.
- Empowering victims to engage in the process by promoting the means to know, access, and exercise their rights.
- Providing supportive and trauma responsive "wrap-around" services, not directly related to the criminal prosecution, such as crisis intervention, hospital advocacy, safety-planning, counseling referrals, and connection to other resources.

CORE PRINCIPLES OF VICTIM ADVOCACY

Core principles of victim advocacy are the fundamental beliefs and values that define how advocates support victims. Adopting these core principles shows a commitment to professional excellence and ethical services. Through the incorporation of these core principles, advocates can begin to foster healing, empowering victims towards resiliency.

VICTIM-CENTERED ADVOCACY

The principle of victim-centered advocacy recognizes that the rights, needs, and requests of victims are the first priority. A victim-centered approach always places the wishes of the victim and their access to victim rights at the forefront in all interactions, actions, and decision making in a compassionate and non-judgmental manner.

Adhering to this principle also encourages a holistic understanding of the strengths and barriers that face victims. Victim-centered is, in practice, trauma-informed and trauma-responsive advocacy. Recognizing that lived experiences and exposure to traumatic events are not isolated and affect the entirety of a person is just one part of this practice. Equally important is the provision of unbiased information and support so the victim has an opportunity to make informed choices concerning their participation in the criminal justice process and their recovery. Conducting services in an unbiased, informative, and fact based manner shows respect to the victim's experiences, identity, capabilities, and self-worth. In this manner, these choices may serve to empower the victim, aiding in recovery.

Ultimately, a victim-centered approach acknowledges that a victim's level of participation in the legal process, identity, personal history, or the perceived impact of their victimization should not be factors in the advocate's service provision.

CULTURAL HUMILITY AND EQUITY

Cultural proficiency and equity in advocacy first requires an understanding of how the positionality, perceptions, and experiences of victims and ourselves shape service provision. These three concepts—Positionality, Perception, and Experience—influence how people interact with one another and in society. As a rule, one will never become an expert of another's lived experience. Use of the term proficiency in this guide refers to continuing curiosity and education about the diverse and varied experience of victims of crime, rather than an apex of knowledge.

Positionality

Positionality is the social and political context that creates our identities in terms of race, class, gender, sexuality, and perceived ability status. Positionality describes how our identities influence our understanding and outlook on the world. Positionality directly influences our perception and experiences within the world around us and how we fit within that world.

Perception

Perception is our sensory experience of the world. It is the identification, organization, and interpretation of this sensory information that helps us understand our environment.

Experience

Our experiences directly shape our perceptions. Through our experiences, we gain information about the world that helps us form our perceptions. Our perceptions and experiences are, in turn, shaped by our positionality.

Positionality, perceptions, and experiences shape individual biases. Bias is defined as partiality, whether conscious or unconscious; an opinion; a feeling or influence that strongly favors a “side” or “view.” Biases can be favorable or unfavorable. Biases are embedded in all cultures and every person has personal bias. Biases can consciously and unconsciously affect perceptions about victims of crime, in turn impacting our advocacy and the experience of a victim throughout the process. A commitment to cultural humility includes a commitment to raising awareness of our own personal biases that are **barriers** to effective service and intentionally acting to **minimize or eliminate** those biases.

With the understanding of a victim’s positionality within the world, advocates can begin to understand the victim’s perception of their lived experiences. These concepts encourage the advocate to provide equitable services that are responsive to the individualized needs of the victim. Equity involves trying to understand and give people what they specifically need to enjoy full, healthy lives. In contrast, equality aims to ensure that everyone gets the same things in order to enjoy a full, healthy life. Equality can only work if everyone starts at the same place and has access to the same things. Unfortunately, we know this to not be true. Because of a victim’s positionality, their experiences will differ and what they have access to will differ as well. When providing culturally responsive services, advocates should strive to provide equal access to **equitable** services that meet the needs of each individual, while promoting fairness and justice.

A victim’s culture and lived experience plays a significant role in how they will perceive and experience advocacy services. Cultural awareness is the understanding that culture impacts an individual’s perspective and their experience of their victimization. Broadly speaking, culture includes race, ethnicity, gender, gender identity, sexual orientation, age, disability, social class, economic class, education, marital status, geography, family structure, religious affiliation, spirituality, and residency. An advocate’s cultural awareness will allow for responsible advocacy in service provision, while consequently, an advocate’s lack of cultural awareness can create barriers, misconceptions, and even misunderstandings when providing services to a victim of crime.

Application of the above concepts is foundational to becoming culturally proficient. Cultural proficiency is based on a commitment to social justice and the elimination of barriers within the justice system. Cultural proficiency demands a commitment to organization-wide learning and connections to cultural communities. This results in victims of any culture feeling welcomed, safe, and supported when accessing services and when they see reflections of their culture in the organization’s environment, brochures, materials, staff, programs, and activities. Cultural proficiency is the ability to work with individuals or communities whose culture is different from one’s own or from the dominant culture of the agency. It is the knowledge that culture impacts an individual’s perspective—how they view the world and others, how they relate to others, and how they perceive themselves. Cultural proficiency involves respecting differences, relating to individuals as **individuals**, a genuine commitment to serving the individual, and a commitment to continuously learning about cultural differences, the culture of others, and how culture influences each of us and our work together (Minnesota Department of Public Safety, 2010). While we may be aware of possible cultural nuances, strengths, and weaknesses, we defer to the victim’s own experience of those nuances and don’t simply assume that if they have a certain background, they will therefore have certain feelings about their victimization. *For more information on how co-advocacy efforts can meet the cultural needs of victims, please see the section of this guide titled, [“Advocacy with Community Partners.”](#)*



ETHICAL AND PROFESSIONAL CONDUCT

Effective advocacy requires the establishment of a safe and trusting relationship with the victim of crime. To help guide these relationships, professional boundaries define what is appropriate in interactions with victims as well as other professionals that allow for safe and respectful connections. Ethical values exist to protect the person being served, as well as the advocate, their program, and the field of victim advocacy as a whole. Adopting ethical standards, either professionally or within an organization, identifies service and behavioral expectations for advocates based on core values within the field. Ethical advocacy promotes competency in the provision of direct services to victims and recognizes the interests of the victim as the advocate's primary responsibility.

Further in this guide, we will discuss the importance of adopting a code of ethics within an organization and/or individually as a professional.

For more information and guidance on ethical and professional conduct, please see the section of this guide titled, ["Ethics in Advocacy."](#)

TRAUMA-INFORMED AND TRAUMA-RESPONSIVE PRACTICES

"Individual trauma results from an event, series of events, or set of circumstances that is experienced by an individual as physically or emotionally harmful or life threatening and that has lasting adverse effects on the individual's functioning and mental, physical, social, emotional, or spiritual well-being." (SAMHSA's Trauma and Justice Strategic Initiative, 2014, p. 7)

The application of trauma-informed services recognizes that a victim is more likely than not to have a history of trauma; recognizes the presence of behaviors and responses to the environment as a result of the trauma; supports healing through a lack of re-traumatization; acknowledges the role that experiencing trauma has in an individual's life; and asks the ultimate question –

"What **HAPPENED** to you?" instead of "What is **WRONG** with you?"

Providing trauma-informed advocacy can improve engagement with victims in crisis by using intentional, safety-oriented communication, ensuring equitable access to services, and fostering trust through transparency and consistent communication. There are professional benefits to providing trauma-informed advocacy and working within a trauma-informed environment, too. Advocates and their colleagues develop a perceived sense of physical and emotional safety that leads to overall wellness—both personally and professionally. Having a thorough understanding of how a traumatic event shapes a person directly impacts the services advocates are able to provide, while maintaining a trauma-informed environment allows for a top-down consideration of the secondary trauma advocates are likely to experience.

The application of trauma-responsive services requires that programs intentionally and on a consistent schedule evaluate their programming, environment, language used, and values. Trauma-responsive advocacy is the practice of creating programs and environments that intentionally seek to avoid victim re-traumatization by empowering victims to positively influence their own lives. Trauma responsiveness at the organizational level utilizes the same values and principles for the staff, advocates and agency as a whole.

For an expanded explanation of trauma-informed and trauma-responsive advocacy, please visit the section of this guide titled, ["Building Resilience through Trauma-Responsive Advocacy."](#)

Examples of a trauma-responsive advocacy approach are:

Physical Environment

- Creating a safe space for victims to voice fears and discomfort, and accommodating those needs when possible
- Engaging victims in safety planning
- Being transparent with the victim, as much as able, so that they can actively participate in their case
- Being intentional with the placement and choice of furniture and décor within meeting spaces. For example, advocates should avoid placing themselves between the victim and the exit; victims may want to sit with their back towards a wall or where they can easily see the exit.
- Keeping parking lots, common areas, bathrooms, entrances, and exits well-lit
- Having a dedicated separate space just for victims and their support systems
- Keeping noise levels low and avoiding the slamming of doors
- Using welcoming language and signage
- Monitoring who is coming in and out of the building

Social-Emotional Environment

- Actively and intentionally welcoming victims, and ensuring they feel respected and supported through advocate actions and behaviors
- Adopting healthy interpersonal boundaries
- Keeping consistent schedules and procedures
- Planning for how the victim would prefer to learn about notifications/changes and what would be the most accessible method for them to be contacted
- Maintaining communication that is open, respectful, and compassionate
- Understanding how a victim's culture, abilities, and identity affects how they perceive trauma, safety, and privacy

TRANSPARENCY AND CONFIDENTIALITY

Prosecutor-based advocates have limitations to the information they can provide and what information from the victim can remain confidential. It is best to be transparent about the advocate's role and limitations. This transparency enables the victim to make the best decisions for themselves about what information to share. Trauma-responsive, victim-centered advocacy relies on both transparency and confidentiality as essential components while working with victims of crime. Victims may have experienced trauma, may feel overwhelmed, and have likely communicated with a number of agencies and professionals in the aftermath of their experience. In addition to the loss of control felt because of the crime, the justice system itself can instill a feeling of losing control. By intentionally explaining the advocate's role, being transparent about the process, and expressing the limits of confidentiality, advocates are supporting the victim in regaining control after the crime.

All possible information that can be held confidential should be, with disclosures to the victim about the limitations of confidentiality while working with a prosecutor-based advocate. It is important to remember that at all times, the victim is the "owner" of their information and can revoke any release of information at their discretion and determine with whom, when, and how they wish to share information. Anticipating and providing education on the many levels of information sharing within the justice system establishes a working relationship with the victim focused on "power-with" instead of "power-over." *Please also see [page 22](#) for more information on confidentiality and case documentation. To learn more about the concepts of "power-with" and "power-over," visit the website ["The Work of the People."](#)* (The Work of the People, n.d.)

PROTECTING CRIME VICTIM RIGHTS

Victim advocacy in the justice system inherently includes the protection of and adherence to crime victims' rights. Prosecutor-based advocates must be knowledgeable of the rights afforded to crime victims and competent to assist victims in accessing and exercising their rights. Advocates play a key role in informing victims of their rights and providing options for participation so victims may make informed choices. Advocates are in a pivotal position to facilitate communication between the victim, prosecution, and judiciary, ensuring that a victim's position is clearly understood and their rights are consistently recognized and upheld. This is especially crucial when a victim is not personally present for all proceedings.

Active participation throughout a criminal prosecution can be an integral component of a victim's recovery. However, for some victims the process may simply be too traumatic. Providing access to crime victims' rights in a variety of ways can allow victims of crime to participate in a manner that is comfortable for them. Many times, advocacy services that include acting as the voice for the victim (upon the victim's request) increase accessibility for victim participation, allowing flexible and equitable access to victim rights. This type of advocacy also increases interaction between the victim and advocate such that a victim may be more likely to have a positive experience in the justice system and feel comfortable engaging at some point in the future. Victim participation is crucial, and increasing opportunities to exercise crime victims' rights in a safe and comfortable manner allows for the continued engagement of victims of crime in the system.

CONTINUING EDUCATION

By actively participating in relevant and new educational opportunities, advocates can maintain and improve upon their knowledge base. Outside of the victim-advocate relationship, advocates can share their learned information with collaborative system partners including prosecution, law enforcement, advocacy organizations, and the judiciary.

Not only is continuing education highly beneficial to serving victims and in collaborative partnerships, some advocates require it to maintain credentialing. Regardless of outside requirements, all advocates should seek continued education to not only better themselves professionally but improve their provision of services. *For more information on advocate credentialing, please see the section of this guide titled, ["Ethics in Advocacy."](#)*

AVOIDING UNAUTHORIZED PRACTICE OF LAW

Unauthorized Practice of Law (UPL) can take many forms, some obvious and some less obvious. For instance, nonlawyers are not allowed to sign and/or file complaints, pleadings, or other legal documents. Nonlawyers are also prohibited from “holding themselves out” to be lawyers—or, in other words, pretending to be lawyers. Ultimately, the advocate’s role is that of an advocate and NOT legal counsel.

However, UPL is not always this black and white. Law practice is, essentially, taking the facts of a case and applying the law to those facts. Any time a nonlawyer reviews the facts of a case, applies the law to the facts, and gives a victim advice based on that application, it is UPL.

For example, a victim calls an advocate to inquire about getting a protection order against an offender. The advocate listens to the victim’s story, then says: “I think you would qualify for a civil protection order, since you used to be married to the offender and you share a child. That’s the protection order you should apply for.” This advocate has committed UPL in this very simple and seemingly harmless example. The advocate has taken the facts, applied the law, and given the client legal advice. While the advocate is not saying “I’m a lawyer” or going to court on behalf of a victim, the advocate is still, in essence, practicing law.

“The critical factor in determining whether legal advice or other legal assistance constitutes the unauthorized practice of law is whether the legal advice or assistance is tailored to the needs of a specific person. Application of the law to a client’s particular situation or circumstances, providing a legal analysis of the strengths and weaknesses of a person’s legal case, or the recommendation of a course of action for a particular person are examples of conduct which clearly falls outside the scope of permissible conduct by nonlawyers and constitutes the unauthorized practice of law. By contrast, providing general legal information, copies of statutes, or copies of standard court forms is permissible conduct by nonlawyers and does **not** (emphasis added) constitute the unauthorized practice of law.” (Ohio Family Violence Prevention Center, 2010, p. 9)

What are the penalties for UPL? UPL can carry very significant penalties. UPL is a crime, specifically, a misdemeanor of the first degree. ([O.R.C. § 4705.07](#)) UPL can also carry a fine of up to \$10,000.00 per incident. Nonlawyers may also face civil lawsuits for committing UPL. UPL can impact not only the advocate, but the victim, the advocate’s agency, and the field of victim advocacy as a whole.

For all of these reasons, nonlawyers must be very careful when victims or clients are seeking legal guidance. One easy way to avoid UPL is to speak with an attorney and relay that information to the victim. It is recommended that nonlawyers can also obtain legal opinions from attorneys that provide broad guidance to victims. For more specific information on what advocates and nonlawyers can and cannot do when it comes to unauthorized practice of law, please see the below chart. This chart, while not comprehensive, should help advocates in determining whether or not their assistance constitutes the unauthorized practice of law.

ROLES OF WHAT A NONLAWYER CAN AND CANNOT DO



CAN

Provide information contained in docket reports, case files, indexes, and other reports

Answer questions concerning court rules, procedures, ordinary practices, and the types of legal actions that victims of domestic violence can pursue. Such questions often contain the words, "Can I" and "How do I"

Provide examples of forms or pleadings for the guidance of victims

Explain how cases are generally managed

Explain the requirements to have a Civil Protection Order (CPO) or Temporary Protection Order (TPO) considered by a court

Provide legal definitions

Provide procedural definitions

Provide guidance on how to compute due dates and deadlines

Identify which court forms might meet a person's needs (Warning: There are no guarantees and an attorney's assistance should be sought)

Provide guidance on how to complete court forms (e.g., where to write particular information)

Tell people where they can get assistance filing court forms or other legal documents

Assist persons in completing court forms or other legal documents by reading aloud the questions

Define unfamiliar terms

Explain where on a form the person is to provide certain information

Fill the blanks in a court form (on paper or on a computer screen) as directed by the victim and by writing down their exact words



CANNOT

Disclose the outcome of a matter submitted to a judge for decision until the outcome is reflected in a journal entry

Answer questions regarding the merits of a person's case or regarding the types of legal actions that the person should pursue based on their particular circumstances

Draft or prepare forms or pleadings for parties or victims

Explain how that victim's particular case will be managed or give an opinion as to what will happen if the case goes to court

Tell someone whether or not to bring action or recommend specific course of conduct

Give legal interpretations

Give procedural advice

Speculate as to when a judge will make a decision on a particular matter

Suggest that a person must use a particular form, unless it is a court approved form (e.g., the standard domestic violence protection forms)

Answer questions on how to phrase particular responses on forms

Telling or suggesting to a victim what specific answers they should give to fill in the blanks on a court form (on paper or on a computer screen) or interpret the meaning of court rules, laws, and ordinances

ROLES OF WHAT A NONLAWYER CAN AND CANNOT DO



CAN



CANNOT

Read court- or lawyer-approved forms and instructions to a person	Change the forms or instructions and give and/or read the modified forms and/or instructions to the victim
Suggest that the victim contact a lawyer and provide them with information about legal aid and referral resources	Suggest a specific attorney or refer a person to a specific attorney
Provide copies of requested rules, laws, and ordinances. Show and/or tell people where copies of rules, laws, and ordinances can be found	Interpret the meaning of those rules, laws, and ordinances for a party or a victim
Educate yourself on domestic violence law by researching rules, laws, past cases, and ordinances	<p>Research which rules, laws, and ordinances apply in a particular person's situation and explain those rules, laws, or ordinances to that person</p> <p>Research cases and interpret or explain those cases to a party or a victim or advise a party or a victim as to how to apply those facts to their specific case</p>
Give someone the statutory definition of "domestic violence" or "family and household members"	Advise someone as to whether she/he/they fall within the definition of a "family household member" or whether certain conduct falls within the definition of the crime they experienced
Tell a party how the judge hearing the victim's case has ruled in past cases	Tell a party or a victim the likelihood of getting a civil protection order based upon the facts of their particular case
Conduct community education, operate a website, or otherwise provide GENERAL legal information to victims that would be considered appropriate for the general public	Give legal advice to a SPECIFIC person that is tailored to that person's needs and/or case
Provide people with basic information about the existence of legal rights and remedies	Provide any advice relating to a specific person's rights or remedies
Provide people with basic information about the manner in which judicial proceedings are conducted	Provide information as to how to present a case, call witnesses, introduce evidence, and the like
Sit with a victim in court, accompany the victim to court, act as the victim's identified victim representative	Present oral or written arguments to the court

Note. Adapted from Excellence in Advocacy (pp. 11–13) by the Ohio Family Violence Prevention Center, Office Of Criminal Justice Services, A Division Of The Ohio Department Of Public Safety, 2010

BUILDING RESILIENCE THROUGH TRAUMA-RESPONSIVE ADVOCACY

Trauma can profoundly alter an individual's life course and diminish innate resilience. As noted in the **Core Principles of Victim Advocacy**, trauma-informed care is the empathy and compassion that all victims deserve because anyone can have a traumatic history that impacts their encounter with justice systems. Training in trauma theories and practices is essential for advocates and their programs to fully integrate those methods within their services and work environment. Adopting and implementing trauma theories as an advocacy program is a trauma-responsive way of supporting advocates so they can in turn provide trauma-informed services to victims. Our responsibility to be trauma-informed and trauma-responsive is not just for victims but also for ourselves.

Trauma-informed care is grounded in an understanding of what trauma is, how it impacts individuals who have experienced it, and how trauma can affect brain functioning and consequently, the behaviors of the victims we serve. The collective understanding of trauma continues to evolve but it began with the results from a landmark study conducted by the Centers for Disease Control and Prevention (CDC) and Kaiser Permanente. The CDC-Kaiser Permanente Adverse Childhood Experiences (ACE) Study, conducted at Kaiser Permanente from 1995 to 1997, is one of the largest investigations conducted into the impact of childhood abuse and neglect and its long-term effects (Centers for Disease Control and Prevention, n.d.). This landmark study showed that adverse childhood experiences (ACEs) had a direct impact on the physical and psychological health of people in a graded fashion. In other words, the more ACEs one had as a child, the greater likelihood certain health concerns could occur as an adult. This study was the impetus of widespread change through the medical community and, soon after, the psychological, social services, and educational systems that are now known as **trauma-informed care**.

6 PRINCIPLES OF TRAUMA-INFORMED CARE

As identified through the Substance Abuse and Mental Health Services Administration (SAMHSA) and the CDC, the chart below highlights the six principles of trauma-informed care (Centers for Disease Control and Prevention, 2022):



1. SAFETY



2. TRUSTWORTHINESS & TRANSPARENCY



3. PEER SUPPORT



4. COLLABORATION & MUTUALITY



5. EMPOWERMENT
VOICE & CHOICE



6. CULTURAL,
HISTORICAL & GENDER
ISSUES

Adopting a trauma-informed approach is not accomplished through any single particular technique or checklist. It requires constant attention, caring awareness, sensitivity, and possibly a cultural change at an organizational level. On-going internal organizational assessment and quality improvement, as well as engagement with community stakeholders, will help to embed this approach which can be augmented with organizational development and practice improvement.

Note. Adapted from SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach [Report], the Substance Abuse and Mental Health Services Administration (SAMHSA) Trauma and Justice Strategic Initiative. (2014)

Trauma-responsive care is an expansion of trauma-informed care. Trauma-responsive care utilizes the understanding of the neurobiology of trauma as the foundation for creating organizational policies and procedures that anticipate and mitigate the effects of the trauma. For trauma-responsive care to be fully integrated within a program, its concepts must also apply to employees in the workplace. The organization must create an environment that fosters an attentiveness to everyone's safety and well-being.

Trauma-responsive care is rooted in the understanding that trauma impacts behavior; that behaviors during and after a traumatic experience are normal reactions to abnormal circumstances; and that those behaviors are dictated by the body's innate response to trauma and hold significant meaning and purpose. The graphic on the next page details key concepts in moving from a trauma-informed program to a trauma-responsive program.

Trauma-responsive care recognizes that advocates are exposed to secondary trauma through the understanding that the very trauma responses displayed by victims of crime may be the same trauma responses seen in advocates that serve them. A true trauma-responsive organization acknowledges the effects of trauma on advocates and subsequently takes the necessary steps to mitigate future exposure to trauma. One example of an advocate's exposure to secondary trauma can be from repeated exposure to the details of traumatic experiences, whether from the victims or by participating in the investigation and prosecution of criminal cases.

Fostering a feeling of safety for victims is a step towards **resilience**. A focus on a victim's resilience is essential in healing from victimization and trauma. Advocates can help victims identify and strengthen their personal resilience skills; remind victims that they currently possess the necessary tools to survive the traumatic experience; and encourage victims to access these tools and skills throughout their lives.

An advocate's ability to validate lived experiences and minimize re-traumatization within the justice system relies on establishing trusting and effective working relationships with victims served. In turn, this creates a space in which advocates and victims can openly and effectively communicate regarding the criminal court case and advocates can assist in the mitigation of potentially traumatic events within the criminal justice process.

So, what does the prosecutor-based advocate program need to do to implement trauma-responsive services? The following is an excerpt from *"Creating Trauma-Informed Services: A Guide for Sexual Assault Programs and Their System Partners"* developed by the Washington Coalition of Sexual Assault Programs (2012, p.7):



"What do advocates need to do to implement trauma-informed services? The specifics will depend on the advocacy role. However, there are some basic principles to remember:

A respectful, collaborative approach is more effective than a traditional provider-client relationship.

Remember that the survivor is the expert on her or his own life and feelings.

Do not expect instant trust, but do everything possible to be trustworthy.

Normalize and validate feelings that come from the trauma experience.

Ask! Ask the survivor what will help him or her to feel more comfortable and how you can best work with him or her.

Realize that behaviors that may seem difficult or obstructive have probably served the survivor well in the past. It is hard to give up a behavior that is believed to have kept one safe.

Maintaining appropriate boundaries is always important, but even more so with survivors, as it contributes to a sense of safety."

In summary, **trauma-informed care** creates a foundational understanding of how trauma impacts an individual, while **trauma-responsive care** incorporates this knowledge into the organizational structure of the services an advocate provides that focuses on **resilience** as a path to healing. Adopting a trauma-informed and trauma-responsive model within the prosecutor-based advocacy program ensures all aspects of the core principles and ethics are included in service delivery. This is simply an introduction to the concepts of trauma-informed and trauma-responsive care. It is **strongly** encouraged that advocates and their leadership complete training to effectively implement these strategies within all services and the overall program structure, remembering that trauma-responsive care includes ongoing learning and evaluation of programs. *Please refer to [Resources and References for more information available to help with this goal.](#)*

4 Rs OF TIC

1

Realize: All people at all levels have a basic realization about trauma, and how it can affect individuals, families, and communities.

2

Recognize: People within organizations are able to recognize the signs and symptoms of trauma.

3

Respond: Programs, organizations, and communities respond by practicing a trauma-informed approach.

4

Resist Re-Traumatization: Organizational practices may compound trauma unintentionally; trauma-informed organizations avoid this re-traumatization.

Note. Adapted from Trauma Informed Occupational Therapy, The OT Toolbox, 2022 based on SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach [Report], the Substance Abuse and Mental Health Services Administration (SAMHSA) Trauma and Justice Strategic Initiative. (2014).

ADVOCACY WITHIN THE CRIMINAL JUSTICE SYSTEM

In addition to the [Core Principles of Advocacy](#), effective victim advocacy involves being adaptable, working cooperatively, and facilitating communication on the behalf of the victim being served. There are distinct nuances and responsibilities within the various roles found within the justice systems. Advocates must tailor their collaboration to the distinct roles of victims, external advocacy programs, law enforcement, prosecutors, and the courts. In the subsequent sections, it will highlight how advocates can work cooperatively and ensure access to crime victims' rights with each of these roles.

Each part of the justice system works together yet each has very different duties and goals. For example, law enforcement are mainly objective fact finders in terms of investigations and the resolution of their duties is to determine if a crime has been committed and if so, charge the offender with criminal offenses. The prosecutor is responsible for the prosecution of these criminal offenses and the resolution of their duties is the resolution of the criminal case or sentencing. The judiciary is the trier of fact and the resolution for the judiciary is the closing of a case, which could be after a term of probation or a jail sentence for offenders. It is vital to recognize that the focus and duties of these branches of the justice system are NOT always where victims find resolution. While victims may find some resolution in the sentencing of the offender, victims may also find resolution in the exercising of their constitutional rights, procedural justice, and participation within the criminal justice process.

Systems advocacy—working on behalf of crime victims in partnership with justice system professionals—is essential to ensuring victims have access to their rights and to promoting procedural justice, regardless of the outcome of the criminal case.

According to the International Association of Chiefs of Police (2023), “Access to procedural justice—which involves promoting a sense of fairness by establishing and maintaining unbiased resource allocation and transparency of the processes by which decisions are made—may be the only form of justice that victims receive through their interactions with system processes and professionals” (p. 5).

ADVOCACY WITH THE CRIME VICTIM

Victim-centered holistic advocacy throughout the criminal justice process relies on a myriad of trauma-responsive services in addition to extensive knowledge of crime victims' rights as they intersect with the prosecution of a case. An advocate's primary role is to support and assist the victim. This role supersedes all other collaborative efforts with justice system partners. This responsibility can place prosecutor-based advocates in a difficult position especially if the victim does not agree with the decisions of other system partners. Through the maintenance of victim-centered advocacy, in which the best interests of the victim are the primary focus, many of these natural conflicts can be resolved. Below, we will outline the various standard services provided by prosecutor-based victim advocates and how these services can best be delivered.

While there are common threads which run through all prosecutor-based victim advocacy programs, there may be significant differences. Each program's unique policies may be influenced by numerous internal and external factors, and ultimately are determined by the appointing authority. There can be no one-size-fits-all approach to replicating a best practice model. It is possible, however, for programs to focus on incorporating foundational direct services, developed and sustained through the lens of crime victims' rights. Those services may include:

- Crisis intervention response
- Crisis line counseling
- Notification of crime victims' constitutional rights
- Information about the criminal justice process
- Notification of criminal justice events/accompaniment
- Notification of case status/updates
- Advocacy with system partners
- Court hearing accompaniment
- Assistance with Crime Victim Compensation
- Assistance with a restitution request
- Assistance with a victim impact statement
- Post-conviction advocacy
- Personal advocacy
- Community resource referral/linkage

Crisis Response

Twenty-four hour crisis response is a service primarily provided by community-based advocacy programs. However, some prosecutor-based victim witness programs also provide such services. These services may include providing immediate referrals and resources to the victim in the aftermath of the crime, providing crisis response, conducting short-term safety planning, and relaying important information related to the criminal justice process. Safety planning and providing the victim with information related to the criminal justice process may include information about protection orders. Providing the victim with information about available resources—including general education on protection orders—is firmly within the scope of advocacy. ***For more information on how advocates can provide victims with information about protection orders, please see the section of this guide titled, “Avoiding Unauthorized Practice of Law.”***

Additionally, it is important to note that crime victims’ rights begin at the initial report and/or hospital visit. For instances of sexual violence, hospitals providing emergency services are required to provide SAFE exams (29 Ohio Rev. Code, 2012). It is also important to note that beginning with the initial contact with a victim of crime, victims have the right to accessible services including interpreters and accessible services for the Deaf, Blind, Deaf/Blind or hard of hearing populations. Individuals providing interpretation and translation services should not be a friend or family member, as many times friends and family are not trained to interpret or translate for criminal victimization or criminal justice purposes. It should also not be the victim’s advocate, but rather a neutral third party who is qualified to provide such services. ***Please refer to page 50 for both legal requirements in language access and for serving victims with disabilities.***

It is important to note that when providing crisis response or services to someone in a crisis situation, the lack of, or fear of losing, basic necessities may impede a victim’s ability to both understand and participate in the criminal justice process. While providing housing, financial support, or other basic needs is not the role of a prosecutor-based victim advocate, it is vital to be able to share resources that may meet those needs for the victim of crime. The process of assessing basic needs may start during the initial crisis response, but could occur at any time throughout the advocate/victim relationship. Assisting victims of crime by connecting them with needed resources helps to remove obstacles that may inhibit a victim’s access to their victim rights or case participation. Some factors to consider when assessing for basic needs are:

- Housing concerns
- Childcare
- Pet ownership and safety
- Transportation
- Access to personal belongings and affects
- Disability accommodations
- Access to school/education/employment

Additional information about connection to resources can be found in the section [Collaboration with Community Partners](#).

Confidentiality Requirements

Confidentiality requirements differ for community-based advocates and prosecutor-based advocates. The differences may be nuanced, but it is crucial they be clearly understood. With some limited exceptions, the information provided to a prosecutor-based victim advocate by a crime victim may not be deemed protected or confidential. Prosecutor-based advocacy professionals must clearly understand the limitations regarding the retention and/or sharing of information disclosed to them by a victim. This includes the types of information which can and/or must be shared, with whom, and under what circumstances. Pending criminal investigations and ongoing prosecutions can be very sensitive, and improperly sharing or withholding certain types of information disclosed by a victim can alter the integrity of a case or damage the ability to move forward with a prosecution.

Advocates have a responsibility to understand and adhere to the guidelines governing which information received from victims can be kept confidential, which may be shared, and which must be disclosed. It is essential to clearly explain the victim's right to privacy and confidentiality, including the limits of that confidentiality, at the earliest possible opportunity. This empowers victims by allowing them to make decisions for themselves as to what information they may share, knowing that it may become part of their case file and therefore discoverable by a defense team. When making case notes, advocates should take care to document only objective facts, rather than subjective observations, speculations, or direct victim quotes (in most cases). Case files should contain only the minimal details required to provide ongoing advocacy in the case of the primary advocate's absence or case transfer.

Below are some examples of case documentation dos and don'ts. However, there are reasons that documentation standards may vary by agency, and advocates should defer to their agency's documentation standards. Additionally, if not documenting within a database that has a separate space to document the services provided, those may be added for the purpose of grant documentation, if in alignment with agency policy.



INSTEAD OF ...

"Ms. Doe seems scared, she said, 'He told me he would make me feel like I made him feel.' The prosecutor was made aware and has requested additional patrol outside of her home. Advocate provided the resource of ABC Domestic Violence Shelter."

"Sarah is having flashbacks of the incident, which may be consistent with PTSD. She is receiving EMDR therapy from Jane Doe at ABC Agency and her next appointment is tomorrow."

"John seems apprehensive about the upcoming court date. He stated he has been corresponding with his partner in jail, and his partner has been pressuring him to drop the charges for the sake of their children. He seems ambivalent and I'm worried he will recant his statements."



TRY ...

"Ms. Doe reported fear of the offender. Safety plan updated and prosecutor alerted of concerns and requested extra patrol. Ms. Doe was provided resources to address safety."

"Sarah reported distressing, intrusive memories of the incident, and has already been linked with care."

"John reported worry about the upcoming court date. Concerns were shared with the prosecutor with John's permission."

The United States Supreme Court and state laws impose on the prosecutor's office—and by extension on other governmental agencies such as law enforcement—legal obligations to disclose information to the accused and their lawyer. These obligations are sometimes called Brady Obligations or Discovery Obligations.

- Brady/Discovery Obligations generally attach to prosecutor-based advocates, and these obligations can override an advocate's ability to keep something confidential. That means anything shared with a prosecutor-based advocate may have to be disclosed to law enforcement, prosecutors, and eventually the accused and their lawyer.
- Community-based advocates are generally not directly linked to a government actor, and therefore not subject to Brady/Discovery Obligations. This means that they can or must hold more things confidential, and depending on local law, may also be bound by privilege (which is an even stronger privacy protection than confidentiality).

(National Crime Victim Law Institute, 2021, p. 3)

Unfortunately, there are no specific guidelines for advocates in Ohio on what should or should not be shared with a prosecutor or a victim of crime. The prosecutor provides both the interpretation of the law and guidelines for what information is necessary to share, and any questions or policy clarifications should be brought to and answered by the prosecutor overseeing the program.

Restitution and Financial Remedies

Systems-based advocates play an essential role in ensuring victims are informed of available financial remedies following a crime. Under the Ohio Constitution, victims have the right to seek restitution for economic losses that are a direct and proximate result of the commission of the offense. Restitution is typically ordered by the court at the time of sentencing.

The Ohio Crime Victim Justice Center (2025) explains that a victim must assert the right to restitution in the trial court because failure to do so will be considered a waiver of the victim's right. While the restitution statutes allow a victim to demonstrate restitution losses by documentary or testimonial evidence, many courts will expect a victim to testify to "connect the dots" for the court and demonstrate victim losses. The Ohio Supreme Court has developed a restitution guide (see [Appendix A](#)) that allows a victim to calculate their losses and also provides guidance on how to submit restitution evidence to the court. If a victim's right to restitution is violated, the victim must appeal the violation within 30 days of the date the trial court files the sentencing entry.

Pursuant to the Ohio Revised Code, a criminal restitution order may be converted to a civil judgment in favor of the victim, allowing the victim to pursue lawful collection methods independent of the criminal case. Advocates should also provide information about the Ohio Attorney General's Crime Victim Compensation Program, a separate administrative process through which eligible victims may apply for financial assistance for certain crime-related expenses regardless of whether restitution is ordered or successfully collected. In addition, advocates may inform victims of the potential availability of civil remedies, including the option to pursue a civil action against the offender or other responsible parties, while remaining neutral and avoiding the provision of legal advice.

Providing accurate, timely information about these options supports informed decision-making and meaningful participation in the justice process. It is recommended that victims of crime file a Crime Victim Compensation claim (for compensable losses) in addition to seeking restitution through the criminal case, as the Ohio Crime Victim Compensation Program is independent of the criminal justice process and may be able to provide reimbursement for those costs not already covered by insurance and/or a restitution order. Many times, an approved claim through the Ohio Crime Victim Compensation Program will be issued faster than a restitution order, which may not be ordered until the end of the case and may be reimbursed through a payment plan over time.

Justice System Information and Notifications

Many victims of crime are unaware that prosecutors represent the interests of the state, not the individual victim, and that crime victims' rights exist to provide constitutional protections that support meaningful participation in the justice process. Many crime victims do not have a prior understanding of the justice system terminology, procedures, or events. This lack of knowledge can be overwhelming and can create a barrier for victims to fully engage in the process. To help victims participate and access their rights, advocates must involve the victim by providing explanations in a format they can understand. Because trauma can inhibit a person's ability to retain information, these details may need to be provided more than once to a victim. As a victim gains understanding, they become more confident in the process which may aid in their resiliency and recovery.

Providing accurate, detailed information and reasonable expectations may serve to ease a victim's anxiety while navigating an unfamiliar system. This approach also helps build a trusting relationship between the advocate and victim. Initiating open and frank discussions about role limitations, privacy expectations, confidentiality considerations, and options for participation is an important step for building trust and credibility. The possibility of re-traumatization during the criminal justice process may be minimized with transparent, consistent, and trauma-informed communication.

When explaining available options, advocates must remain neutral and nonjudgmental. Victims should be supported in deciding whether and how to participate in the criminal justice process and informed that they can modify their choices at any point during the case. Although changing decisions may feel difficult, these choices can be influenced by many factors, including the victim's emotional readiness at a given time.

Prosecutor-based advocacy services should be offered as a choice—not a mandate. Ultimately, assistance should never be forced upon a victim. Advocates working within the system can be seen as just that—a part of the system. This position holds, for some crime victims, an air of knowledge and authority. This requires the advocate to help the victim feel comfortable by demystifying the process and emphasizing that working with an advocate is entirely voluntary. Any referrals or resources provided by the advocate are offered for the victim's consideration, and accessing them is solely the victim's choice.

An individual may be identified as a crime victim, and in that capacity have the opportunity to weigh options and make choices regarding participation and acceptance of advocacy services. However, they may also be identified as a witness in the criminal case. In that capacity, they may be subject to court-ordered appearances for certain criminal justice proceedings. It is important to highlight this distinction for victims of crime.

Some programs are tasked with providing notification to victims of crime on behalf of the prosecutor, some programs may send informational communication about specific hearings or victim participation, while some combine both. Please see [Appendix B](#) for example notification letters, as well as other informational documents that may supplement letter notifications.

Victim Impact Statements

Preparing a Victim Impact Statement (VIS) can be one of the most challenging steps in the criminal justice process for victims. Advocates can provide meaningful support by offering guidance, options, and preparation.

Court Procedures

- Who will be present in the courtroom
- Where the victim will stand or sit when delivering the VIS
- Court-specific rules or expectations for presenting a VIS (e.g., speaking directly to the judge rather than addressing the defendant)

Offering choice in the manner of presentation

- The victim reading the statement aloud
- An advocate or support person reading the statement on the victim's behalf
- Delivering the statement verbally without a written version
- Submitting the statement in writing without speaking at sentencing

Helping the victim plan for emotional or trauma-related responses

- Discussing the possibility that stress or trauma may arise in the moment
- Identifying a backup plan if the victim is unable to complete the statement (e.g., designating someone to step in)

Providing guidance while maintaining boundaries:

- Advocates may not write the statement for the victim
- Advocates may answer procedural questions, offer feedback, and clarify what information is appropriate to include
- Providing gentle reminders of the impacts the victim has previously shared, to help identify themes they may wish to include in their statement
- ([Appendix C](#) includes prompts and sample statements that may assist victims in organizing their thoughts)

Offering supportive ideas to manage stress in the courtroom (while adhering to rules of the court)

- Fidgets
- Calming techniques before entering the courtroom
- Tips to maintain regulation
- ([Appendix D](#) includes examples of calming techniques that may be helpful both inside and outside of the courtroom)

CRIME VICTIM RIGHTS

In Ohio, the first constitutional amendment for crime victims' rights was passed in 1994 and legislation creating Chapter 2930 of the Ohio Revised Code (O.R.C.) followed starting in 1996. This chapter acknowledged that crime victims had certain rights and assigned responsibility to various justice system partners for carrying out the notifications required by the statute. In 2017, Ohio voters passed a statewide amendment, commonly referred to as Marsy's Law, which enshrined comprehensive rights for crime victims into the Ohio Constitution. It would be nearly six years before language to implement the constitutional amendment was codified in a revision of O.R.C. 2930. Since that codification, the statute has been amended several times to correct and clarify. The Constitutional Amendment and an overview of the sections contained in O.R.C. 2930 are detailed below. Statutory language is not static, and it should be noted this Guide reflects Chapter 2930 as it appeared in 2025.

All prosecutor-based victim advocacy professionals in Ohio must be familiar with the language of the Marsy's Law amendment and O.R.C. 2930 to maintain a working knowledge of crime victims' codified rights as well as the mechanisms for practical day-to-day application.

Ohio Constitution | Article I, Section 10a | Rights of Victims of Crime

Effective:2018

(A) To secure for victims justice and due process throughout the criminal and juvenile justice systems, a victim shall have the following rights, which shall be protected in a manner no less vigorous than the rights afforded to the accused:

- (1) to be treated with fairness and respect for the victim's safety, dignity and privacy;
- (2) upon request, to reasonable and timely notice of all public proceedings involving the criminal offense or delinquent act against the victim, and to be present at all such proceedings;
- (3) to be heard in any public proceeding involving release, plea, sentencing, disposition, or parole, or in any public proceeding in which a right of the victim is implicated;
- (4) to reasonable protection from the accused or any person acting on behalf of the accused;
- (5) upon request, to reasonable notice of any release or escape of the accused;
- (6) except as authorized by section 10 of Article I of this constitution, to refuse an interview, deposition, or other discovery request made by the accused or any person acting on behalf of the accused;
- (7) to full and timely restitution from the person who committed the criminal offense or delinquent act against the victim;
- (8) to proceedings free from unreasonable delay and a prompt conclusion of the case;
- (9) upon request, to confer with the attorney for the government; and
- (10) to be informed, in writing, of all rights enumerated in this section.

(B) The victim, the attorney for the government upon request of the victim, or the victim's other lawful representative, in any proceeding involving the criminal offense or delinquent act against the victim or in which the victim's rights are implicated, may assert the rights enumerated in this section and any other right afforded to the victim by law. If the relief sought is denied, the victim or the victim's lawful representative may petition the court of appeals for the applicable district, which shall promptly consider and decide the petition.

(C) This section does not create any cause of action for damages or compensation against the state, any political subdivision of the state, any officer, employee, or agent of the state or of any political subdivision, or any officer of the court.

(D) As used in this section, "victim" means a person against whom the criminal offense or delinquent act is committed or who is directly and proximately harmed by the commission of the offense or act. The term "victim" does not include the accused or a person whom the court finds would not act in the best interests of a deceased, incompetent, minor, or incapacitated victim.

(E) All provisions of this section shall be self-executing and severable, and shall supersede all conflicting state laws.

(F) This section shall take effect ninety days after the election at which it was approved.

Ohio Revised Code Chapter 2930 | Victim's Rights

[Section 2930.01 | Definitions.](#)

[Section 2930.011 | Constitutional rights of crime victims.](#)

[Section 2930.02 | Victim's representative.](#)

[Section 2930.03 | Methods of giving notice.](#)

[Section 2930.04 | Information provided to victim by law enforcement agency.](#)

[Section 2930.041 | Victim right to interpreter.](#)

[Section 2930.042 | Notice for inactive cases.](#)

[Section 2930.044 | Self identification by victim.](#)

[Section 2930.05 | Notice of arrest or detention of offender.](#)

[Section 2930.051 | Custodial agency notification of law enforcement agency.](#)

[Section 2930.06 | Prosecutor to confer with victim - court to give notice of proceedings to victim.](#)

[Section 2930.061 | Notice of charges to department of developmental disabilities.](#)

[Section 2930.062 | Notification of victim's injuries.](#)

[Section 2930.063 | Copies of case documents.](#)

[Section 2930.07 | Privacy of victim's information.](#)

[Section 2930.072 | Victim interviews.](#)

[Section 2930.08 | Notification of substantial delay in prosecution; victim objection to delay.](#)

[Section 2930.09 | Victim's presence at trial.](#)

[Section 2930.10 | Minimizing contact between victim and defendant - separate waiting areas.](#)

[Section 2930.11 | Returning or retaining victim's property.](#)

[Section 2930.12 | Notice of the defendant's acquittal or conviction.](#)

[Section 2930.121 | Victims rights on dismissed counts.](#)

[Section 2930.13 | Victim impact statement.](#)

[Section 2930.131 | Presentence investigation report copies](#)

[Section 2930.14 | Victim's statement.](#)

[Section 2930.15 | Notice of appeal.](#)

[Section 2930.16 | Notice of incarceration and release date.](#)

[Section 2930.161 | Victim notice.](#)

[Section 2930.162 | Notice prior to pardon, commutation of sentence, or reprieve for offense of violence.](#)

[Section 2930.17 | Statement of victim prior to judicial release or early release.](#)

[Section 2930.171 | Victim rights prior to sealing or expunging records.](#)

[Section 2930.18 | No employee discipline for court attendance necessary to protect rights of victim.](#)

[Section 2930.19 | Victim standing to assert rights or challenge denial of rights; right to appeal.](#)

[Section 2930.191 | Pro se victims and victims' attorneys served notices same as parties.](#)

[Section 2930.20 | Protects victim from reimbursing law enforcement costs.](#)

O.R.C 2930 specifies the rights-related responsibilities placed on law enforcement, prosecution, courts, probation, and corrections, to ensure crime victims have notice of, and access to, their rights. Statutes are clear regarding the assigned responsibilities. However, it is up to each justice system partner to determine how the duties will be carried out. It is not uncommon for prosecutor-based victim advocates to be tasked with fulfilling certain prescribed duties on behalf of their organization. Advocacy professionals must always adhere to the foundational principle that any decision or action undertaken should be approached in a manner which protects and improves access to victims' rights and prioritizes a trauma-informed response.

This best practice guide focuses specifically on prosecutor-based victim advocacy, both from a rights-related perspective as well as a holistic approach. Accordingly, it is important to consider how the advocate interacts/collaborates with both systems- and community-based partners. It is also crucial to acknowledge that justice systems, and all associated partners, operate differently, with varying levels of staffing, capacity, and funding. There are many iterations of prosecutor-based victim advocacy across Ohio's county jurisdictions and municipalities. Not all programs are equipped to engage in all of the practices mentioned. Rather than attempting to lay out a one-size-fits-all blueprint, the Guide is designed to provide accurate information, general guidelines, and practical examples which may be adapted for use wholly or in part.

Perhaps the most important mandate for crime victims' rights is notifying each victim of crime of their rights and how to access them. The Victim Rights Request Form (VRR) serves both as notification of rights and also to legally direct systems partners on how victims would like to receive this notification. Advocates may be in a position to ensure the form is accessible, understood, and properly submitted by the victim of crime.

Victim Rights Request Form compliance includes but is not limited to:

Attorney General Compliance

Requires the Attorney General to provide access to a sample victims' rights request form. Any organization or entity may use the Attorney General's sample form or a similar form that, at a minimum, contains all the required information. The form may be in print or electronic format.

Law Enforcement Compliance

Law enforcement (LE) agencies are required to collect and retain a completed copy of the victim's rights request form if the offense for which a report is generated is violating a protection order, an offense of violence, or a sexually oriented offense at the time of initial contact with the victim.

Victims of the above offenses who do not complete the form are opted into all rights until the form is completed or until the victim is contacted by the prosecutor and provided the opportunity to complete the form.

If no form is completed, the victim is opted into rights until first contact with the prosecutor. In this situation, LE must:

1. Note the victim's noncompletion on the form OR police report.
2. Give the victim arraignment information.
3. Provide the victim's name, contact information, and opted-in status to any custodial agency housing the defendant and the LE records department.

If a form is completed, LE must provide the form to the prosecutor. Once the prosecutor's office has contact with the victim, the victim must affirmatively opt into rights.

If the offense for which a report is generated is not violating a protection order, an offense of violence, or a sexually oriented offense, LE may **either**:

1. Review and complete the form with the victim.
2. Provide the victim access to the form (through a copy of the form, a website link to the form, or a QR code to the form).

If the VRR form was not completed, law enforcement shall provide a copy of the police report that contains the name/contact information of the victim or victim's representative, when applicable, and indicates the victim's noncompletion of the form.

O.R.C. 2930.04: "(F) If a suspect is arrested, the law enforcement agency shall submit a copy of the victim's rights request form if one was completed upon initial contact with law enforcement, or the name and contact information for the victim and victim's representative, if applicable, to the **custodial agency** as soon as practicable once the law enforcement agency learns of the suspect's arrest."

Custodial agency is defined in O.R.C. 2930.01(B):

(B) "Custodial agency" means one of the following:

(1) The entity that has custody of a defendant or an alleged juvenile offender who is incarcerated for a criminal offense, is under detention for the commission of a delinquent act, or who is detained after a finding of incompetence to stand trial or not guilty by reason of insanity relative to a criminal offense, including any of the following:

- (a) The department of rehabilitation and correction or the adult parole authority;
- (b) A county sheriff;
- (c) The entity that administers a jail, as defined in section [2929.01](#) of the Ohio Revised Code;
- (d) The entity that administers a community-based correctional facility and program or a district community-based correctional facility and program;
- (e) The department of mental health and addiction services or other entity to which a defendant found incompetent to stand trial or not guilty by reason of insanity is committed.

(2) The entity that has custody of an alleged juvenile offender pursuant to an order of disposition of a juvenile court, including the department of youth services or a school, camp, institution, or other facility operated for the care of delinquent children.

O.R.C. 2930.16 Notice of incarceration and release: <https://codes.ohio.gov/ohio-revised-code/section-2930.16>

O.R.C. 2930.07 Privacy of victim's information

If the victim or victim's representative uses the victims' rights request form to request redaction, that redaction request applies only to the case or cases to which the form pertains. If the victim requests redaction using some other manner than the victims' rights request form, that written request shall specify the cases or matters to which the request applies.

Prosecutor Compliance

Prosecutor to review the victim's rights request form with the victim or victim's representative and file the form with the court within seven days after initiation of a criminal prosecution.

Prosecutor to provide a copy of the completed VRR form to the arresting agency.

A victim may elect not to receive notifications, in which case the prosecutor shall document the refusal.

Custodial Agency Compliance

O.R.C. 2930.051

If a jail that is holding a defendant knows which law enforcement agency is investigating the case, the jail must inform that law enforcement agency that the defendant is in their custody. (There could be scenarios where the arresting agency is not the investigating agency).

Court Compliance

Upon sentence of incarceration, the court must ask the victim if they wish to update the VRR form.

O.R.C. 2930.04(I)(4). If a defendant is convicted and sentenced to the Department of Rehabilitation and Correction or the Department of Youth Services, **the court must** forward a copy of the most recently filed victim's rights request form to the custodial agency to which the defendant is sentenced and to the probation department, if applicable.

[Appendix E](#) includes a VRR form developed for use by the Ohio Crime Victim Justice Center

Designation as a Victim Representative

Prior to discussing the intersection of justice-based advocacy and crime victims' rights, it is important to consider the designation of victim representative. As a routine function of assigned duties, many prosecutor-based advocates regularly facilitate the flow of information back and forth between the victim, the prosecutor, and the court. This often occurs without the advocate formally being named as a designated victim representative. Though care must be taken to avoid the unauthorized practice of law, this is an essential role for prosecutor-based advocacy professionals because it affords the victim the opportunity to access their right to be heard and to provide input without having to attend multiple court hearings.

Crime victims have the constitutional and statutory right to designate another individual to exercise their rights, and this is a specific designation on the VRR form. A designated victim representative may participate along with the victim, or on their behalf. With the prosecuting attorneys' consent, a victim advocate may lawfully be designated as a victim representative, an important role that requires extra diligence.

Advocates acting as a victim representative will have all of the responsibilities delineated in the law, and likely all of the responsibilities of the victim advocate role. Prior to accepting this designation, prosecutor's office and victim advocacy program policies should address this potential designation, providing clear guidance for managing both roles. Further, advocates must be completely transparent with both the victim and systems partners about the professional role(s) they must fulfill. Circumstances may arise which result in inherent conflict when a victim's position regarding charging, resolution, disposition, and/or supervision is not aligned with that of law enforcement, the prosecutor, the court, or probation. While this is not necessarily always problematic, a victim advocate may potentially be put into an adversarial position with their professional colleagues. Successfully balancing the duties of a designated victim representative with the responsibilities of a prosecutor-based victim advocate demands these two roles remain well defined, purposely delineated, clearly communicated, thoroughly understood, and respected by the victim and all justice system partners.

If, upon request of the victim and within the agency's guidelines, an advocate is designated to be the official representative for a crime victim's constitutional rights, the advocate has sole responsibility to receive all notifications of court dates and times, and will be expected to attend hearings or otherwise communicate the victim's wishes to the prosecutor, the court, and other criminal justice partners. Speaking in court on behalf of a victim is a privilege and extensive care must be taken to avoid unauthorized practice of law. ***For more information on unauthorized practice of law, please see the section of this guide titled, "[Avoiding Unauthorized Practice of Law.](#)"***

ADVOCACY WITH CRIMINAL JUSTICE PARTNERS

The Ohio Constitution and enabling statutes provide a framework and assign responsibility to justice system professionals for upholding and protecting the rights of crime victims throughout the criminal justice process. The established rights provide a foundation for victims of crime to be informed, to be heard, to be afforded access for meaningful participation, and to seek recourse if rights are violated. Educating crime victims of their statutory rights is one of many important services prosecutor-based victim advocates provide. They often serve as the bridge between the victim and the justice system, so effective victim advocacy begins by cultivating and maintaining professional relationships with all justice system partners.

The work of justice-based advocates to educate and assist victims of crime as they navigate the justice system is of great importance. Effective advocacy is not based solely on one aspect of the victim's experience, but rather is driven by a holistic approach to support and advocate for victims of crime in a comprehensive manner. This approach seeks to minimize revictimization, promote resiliency, improve outcomes, and assist in recovery from trauma.

Survivors of sexual violence who work with a victim advocate report higher levels of satisfaction, increased participation, and improved resiliency than those who do not. Research also shows that such support increases the willingness of crime victims to engage during the prosecution process.

- When assisted by an advocate, victims filed police reports 59% of the time compared to 41% without advocates
- Law enforcement told victims the case was not serious enough to pursue 57% of the time, compared to 29% of the time when a victim advocate was involved and providing assistance
- Victims without advocates reported self-blame, episodes of depression, and general negative feelings about themselves twice as often as those with advocates

(Campbell, 2006)

Advocacy vs. Activism

Advocacy is often regarded as working from “within a system” to accomplish a specific goal or modify policy/procedure, whereas activism is viewed as working “outside of a system” to generate such change. Maintaining a commitment to educate justice system partners, from a place of respect, mutual understanding, and support, on issues of victims’ rights and trauma responsive practices can create positive change for crime victims who must navigate the criminal justice process. When advocating for change within the justice system, displaying anger, acting out of frustration, openly shaming partners, or demanding a certain outcome will surely foster resentment and ultimately hinder an advocate’s ability to effectively work on behalf of victims. By nature of their roles, each justice system partner has different objectives, goals, and perspectives than that of a victim advocate. Working to bring about systemic improvements for crime victims requires an approach which respects these differences, and is positive, collaborative, fact-based, non-judgmental, and anticipates a “win-win” outcome.

Clearly Defined Roles

Advocates are not investigators, attorneys, probation officers, etc. However, victim advocates often partner with law enforcement and/or participate on collaborative/multi-disciplinary teams with both system and community-based professionals. Prosecuting attorney offices commonly employ a team approach, pairing a victim advocate with a prosecutor or a court docket. Having clearly defined roles supports team structure respectful of team member roles and responsibilities, and promotes clarity so a crime victim can understand who is best suited to provide needed information, facilitate resource referrals to address needs, and assist in the exercising of rights. Maintaining clear boundaries when engaged in such teamwork is essential. Prosecutor-based victim advocates must be consistently mindful to be transparent with victims and system partners regarding the parameters and limitations of their assigned role.

Knowledge and Respect for Policies and Procedures

Depending on program policies and MOUs (Memorandum of Understanding) with other organizations, prosecutor-based advocates may respond to the scene of a crime or a medical forensic exam. The prosecutor-based advocate may sit in on victim interviews at a law enforcement agency, participate in meetings with the prosecution team, and/or attend court proceedings (public and/or in-chambers). It is critical for advocates to learn, respect, and follow the policies and procedures of internal and external partner agencies at all times. It has taken hard work, dedication, and consistent professionalism, over the course of several decades, for the victim advocacy field to integrate advocacy services into all aspects of the criminal justice process. Successful collaboration was built through an understanding and acceptance of the general policies which govern advocacy involvement with system partners. It is the advocate’s responsibility to know what they can/cannot do, where they can/cannot go, and what the policies are for participation with each system partner, and in each venue.

Confidentiality

Maintaining confidentiality of victim information to the fullest allowable extent is important with both internal and external partners. The proper management of information disclosed by the victim requires due diligence, as well as clear and transparent communication with the victim and with all systems partners. Utilizing prepared confidentiality and/or release of information forms can help ensure proper documentation for the disclosure and sharing of information between prosecutor-based advocates and community-based organizations. *For more information on confidentiality in advocacy, please see refer to [Advocacy with the Victim on page 20](#).*

Mutual Trust and Engagement

Trust and mutual engagement between victims, advocates, and system partners must be viewed as an ongoing process, which continues to build and develop over time. Utilizing a commonly shared language enhances communication, helps to establish credibility, and promotes respect in relationships between the advocate and the victim, and between the advocate, victim, and system partner. As previously mentioned, victim advocates often serve as a bridge, linking the victim to the “system” and vice versa. This positions the advocate to be the primary two-way conduit for sharing information, providing updates, and facilitating rights-related notifications. Building trust with a victim can form the basis for more positive and robust engagement during the criminal justice process. Further, when trusting relationships are established between an advocate and system partners, advocates can more effectively educate those individuals to expand their understanding of the impact of trauma and how it can substantially alter normal behaviors, perceptions, reactions, decision-making, and ability to engage. This may encourage system partners to assume a more trauma-informed approach in their interaction with crime victims.

Team Approach and Cross Training Opportunities

It can be common for victim advocates to participate on a multi-disciplinary team (MDT), or to partner with law enforcement and/or a prosecuting attorney. Many Ohio counties utilize MDTs. These teams are comprised of various systems and allied professionals that collaborate for the purpose of sharing information on sensitive and/or challenging cases. The MDT model is widely used with Ohio's Children's Advocacy Centers. It decreases the chances of re-traumatization by avoiding multiple interviews, while providing all team members the opportunity to obtain needed information to carry out their respective duties. When disciplines work together, they develop a better understanding of the roles, responsibilities, and limitations of other team members. This shared knowledge is helpful when collaborating to serve all victims of crime, as it can increase trust between professionals and decrease chances of misunderstanding, which may lead to improved services.

As victim advocates and their partners/team members interact with the same populations, they can benefit from attending multi-disciplinary training opportunities. Providing space for advocates, law enforcement, prosecutors, and other MDT members to learn together strengthens the professional working relationships and offers an opportunity to engage with team members in a neutral, supportive environment.

Victim advocates can contribute to positive, productive working relationships with victims, criminal justice partners, and allied professionals by maintaining a general working knowledge of the policies and procedures of partner agencies, operating within the parameters of their designated role, maintaining confidentiality, and providing prompt and supportive responses.

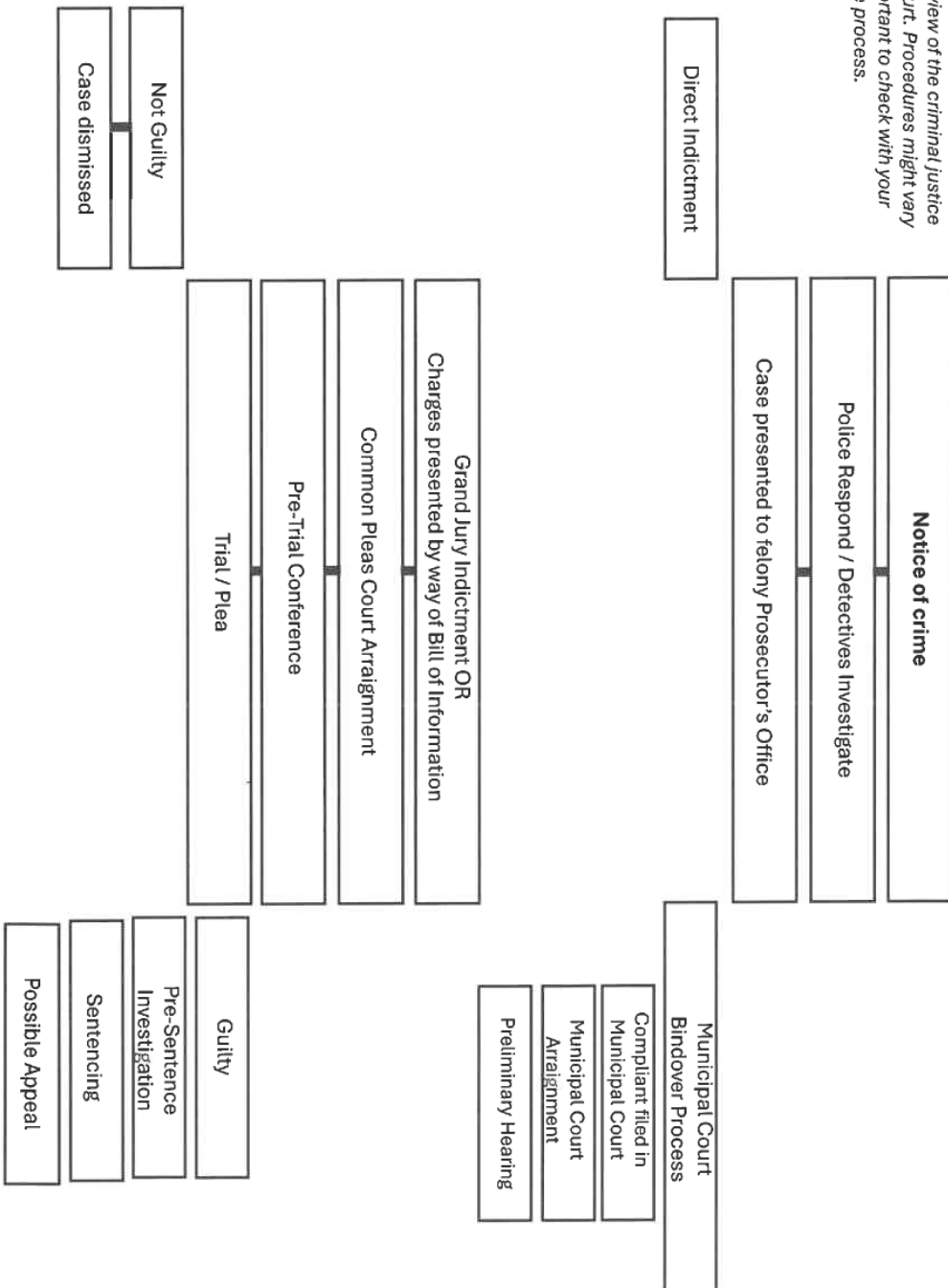


The Criminal Justice Process

Though not all encompassing, the flow charts included on this page and the next represent the typical criminal justice process in Ohio. Please note that other hearings may be common that are not listed on these charts (for example protection order hearings at the municipal level).

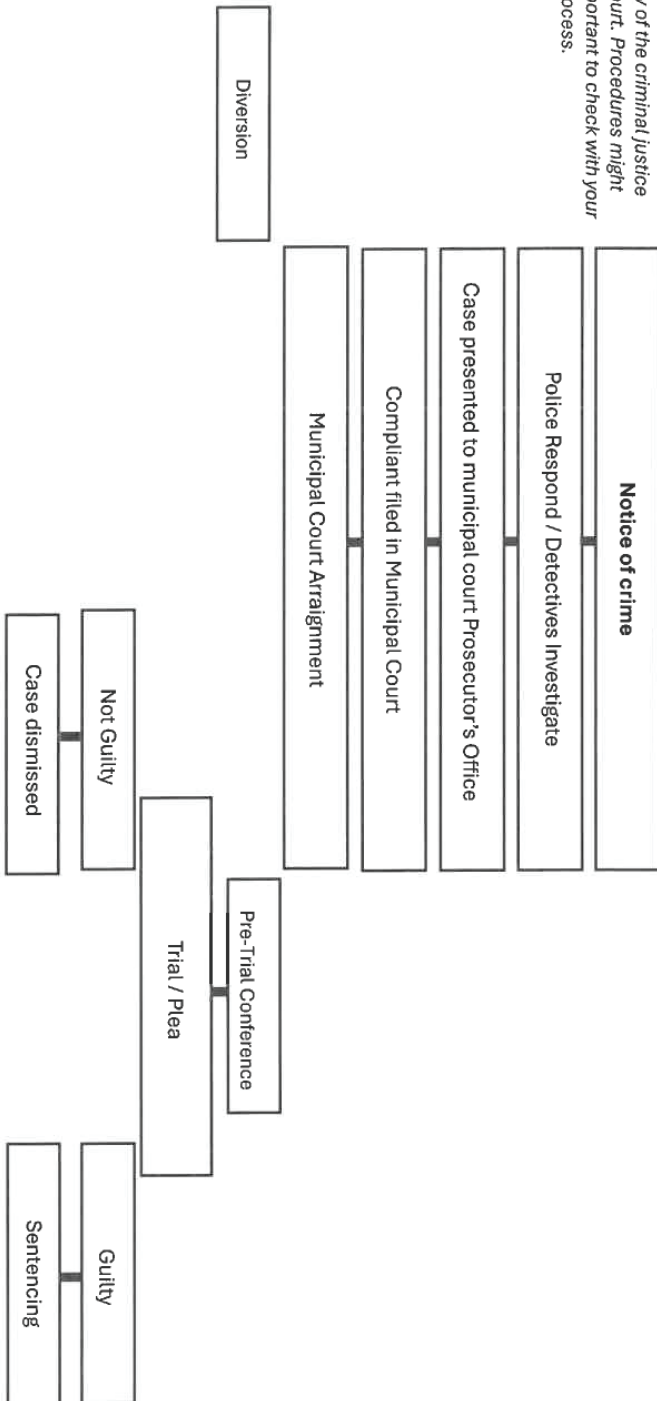
Felony Case Flow Chart

This flow chart is a simplified view of the criminal justice process in the adult felony court. Procedures might vary across jurisdictions – it's important to check with your jurisdiction for the steps in the process.



Municipal Court Flow Chart

This flow chart is a simplified view of the criminal justice process in the adult municipal court. Procedures might vary across jurisdictions – It's important to check with your jurisdiction for the steps in the process.



ADVOCACY WITH LAW ENFORCEMENT

Pursuant to individual program policy, prosecutor-based victim advocates initiate services to crime victims at various stages after a crime has been reported. Some advocacy programs are designed to serve victims after formal charges are filed and/or a felony indictment has been returned. Other programs may accept referrals from law enforcement and begin serving victims while an investigation is pending. Victim advocates can work collaboratively with law enforcement to provide wrap-around services to crime victims, offering access to accurate information and available resources, and ensuring a smooth implementation of crime victims' rights. An advocate, knowledgeable in police and court procedures, can assist both the victim and law enforcement officers by helping to establish clear expectations and providing emotional support to encourage participation.

ADVOCACY WITH THE PROSECUTOR

Prosecutor-based victim advocates have a unique opportunity to assist crime victims while criminal cases are being investigated and prosecuted. Effective advocacy can serve to empower victims, assist victims with access and work with systems to ensure the compliance of victims' rights, and positively impact the ability of a prosecutor to successfully prosecute cases. To be truly impactful, advocates must have the support to fulfill their role. The essential relationship between advocate and prosecutor should be clearly defined, valued, and respected by all members of the prosecutor's office.

The roles of the prosecuting attorney and the victim advocate complement each other in pursuing the shared goal of achieving successful outcomes for both the criminal case and the crime victim. In fulfilling their respective duties, both must ensure that the victim is well-informed of their constitutional rights and supported in exercising them.

Some crime victims are actively involved throughout the entire criminal justice process and participate to the full extent allowable. Other victims may be more comfortable having a victim representative and/or a victim advocate speak on their behalf. Some may be hesitant to participate due to fear, distrust, family or work obligations, physical or mental health barriers, or even ambivalence towards the offender or the criminal case. Regardless, it is quite common for a victim to have much more interaction with their victim advocate than they do with the prosecuting attorney assigned to their case. The advocate is often the primary person with whom a victim will share information, and accordingly, the one who will relay information back to the prosecutor. The advocate has the ability to listen to concerns and barriers a victim may be facing and provide education and resources when needed. Some forms of information must unequivocally be shared with the prosecutor. To build trust and ensure transparency, the advocate should make it standard practice to discuss with a victim the parameters of information to be shared. These parameters should be set at the beginning of services, and addressed throughout the case when necessary, such as instances in which an advocate believes a victim of crime may disclose something that will then need to be disclosed to the prosecutor. This will serve to clarify general consent and empower a victim to remain engaged with the process.

Victim advocates have always played a crucial role in ensuring that victims' rights are acknowledged and upheld. The prosecuting attorney has been assigned statutory responsibility for victim notification for decades. Prosecutor-based advocates continue to be in a key position to serve crime victims and promote access to their rights. Working collaboratively with the prosecuting attorney, advocates can help ensure a smooth implementation of crime victims' rights during the course of a criminal prosecution.

Advocates can work with the prosecuting attorney to develop procedures for informing crime victims of their constitutional rights, while ensuring the process is designed to promote equity of access. Notification should be in written form, and provided in a method/format which can be understood. This may include offering an accommodation so that victims with a disability or language barrier have equitable access to information as well as the appropriate support to follow through. Information about victims' rights can also be posted in public areas of the office, reflected in the victim advocacy program's literature, and included in social media and websites established for the prosecutor's office. *For more information on accessible formats for notifications, please see OVWA's publication ["Serving Survivors with Disabilities: An Advocate's Guide."](#)*

Although the right to notification is “upon the request of the victim,” it is best practice to provide notification to victims of crime at key points during a criminal prosecution that impact their rights, unless the victim has specifically waived this right. Trauma can impact an individual’s ability to comprehend and/or retain information, follow instructions, or adhere to a given timeline. The victim advocate can be instrumental in fully explaining this right to a victim, the options available, and the necessity to affirmatively request/waive notification. Checking in regularly with a crime victim as the prosecution progresses will further support the victim’s ability to make informed choices and may increase engagement with the criminal justice process.

While the right to notification requires an affirmative response, the right of a crime victim to be present during all public proceedings does not. By recognizing and taking steps to mitigate the common barriers, prosecutor-based victim advocates can assist crime victims by confirming date, time, and location for court hearings; providing information regarding common practices within the court setting; explaining courtroom etiquette; and arranging accompaniment. Following up after key hearings to explain the outcome and prepare the victim for next steps is a natural extension of best practice advocacy services.

As a prosecution moves forward, it may be necessary for the prosecutor to meet with the victim. This may be to confer on proposed resolutions, discuss specific issues, or prepare for trial. As a liaison between the victim and the prosecutor, advocates have a responsibility to facilitate communication on matters related to a victim’s safety, dignity, and privacy. This may involve issues such as the request for a protection order/no contact order, or concerns related to protecting a victim’s identifying information in court records. Establishing clear lines of communication and delineating each party’s responsibilities are best practices for anticipating and resolving potential breakdowns in coordination.

Advocates should also facilitate communication between the victim and the prosecutor if a victim believes a violation of their rights has occurred. Advocates can provide the prosecutor with preemptive notice that a constitutional right may be impacted by a proposed action of the court. The prosecuting attorney can be instrumental in addressing a rights-related issue on behalf of the crime victim. If the alleged violation specifically involves a prosecutor, the advocate can recommend the victim seek assistance from a victims’ rights attorney or the [Ohio Crime Victim Justice Center](#).



“When it comes to plea negotiations, victims generally have ‘the right to object to a plea bargain in open court at the entry of a plea hearing’ (NCVLI, 2005, p. 40). However, even if this legal right exists, victims often have a difficult time evaluating the advantages and disadvantages of a plea agreement. Also, because of the power differential between victims and prosecutors, it is not uncommon for victims to ‘agree’ to a plea agreement when it is explained by the prosecutor but later express regret or dissatisfaction when the terms of the agreement are fully understood. It is therefore essential for victims to have an advocate present to help them fully comprehend the terms of the plea agreement and feel comfortable expressing their true thoughts and feelings.”(Lonsway & Archambault, 2023, p. 99)

ADVOCACY WITHIN THE COURT

Prosecutor-based advocates often share a professional working relationship with court personnel. This collaboration, when defined by clear role expectations, can contribute to positive outcomes for crime victims. To effectively and ethically interact with the court, a victim advocate should possess a thorough understanding of court procedures, courtroom etiquette and conduct, role expectations, and legal limitations.

The extent of a victim advocate’s participation (active and/or passive) in court hearings is largely determined by the presiding judge in each courtroom. Even within a single jurisdiction, each judge may have a different preference regarding how victim advocates will be incorporated into the day-to-day activities of the court. Some judges permit (and actively encourage) advocates to be present at every court event which involves the interests of a crime victim, including closed door conferences, while other judges only allow advocates to appear, and be heard, during public hearings in the courtroom. Whatever the “norm” may be for a given court, victim advocates must always avoid engaging in the unauthorized practice of law when providing information to the court and/or exercising a victim’s right to be heard, at the request of the victim, during a court hearing.

A victim advocate may be asked by the victim to provide input to the court at any stage in the criminal proceedings, including bond hearings, arraignments, pretrial hearings, change-of-plea hearings, final disposition hearings, or any other hearing which implicates a victim’s constitutional right. Ethically, the advocate is limited to offering only the victim’s input, without adding personal comments, assumptions, and/or opinions. Such actions are not only unethical, they erode the victim’s trust, and can seriously damage the advocate’s credibility with the prosecution team, the judge, and court staff. Speaking in court on behalf of a victim is a privilege and extensive care must be taken to avoid unauthorized practice of law. ***For more information on unauthorized practice of law, please see the section of this guide titled, “Avoiding Unauthorized Practice of Law.”***

Effective advocacy within the courtroom will require the following of the victim advocate:

Understanding Courtroom Protocols and Procedures

Advocates should familiarize themselves with the court's operational guidelines and rules of procedure. This knowledge is crucial to provide realistic expectations and to prepare a victim of crime for the courtroom experience. Court hearings can be quite overwhelming and intimidating for a crime victim (and at times, even for an advocate). Proper preparation can serve to demystify the process, build confidence, and enhance the level of comfort.

It is best practice to provide advance notice to court staff when a crime victim with a disability or language access/limited English proficiency will require an accommodation to participate. As criminal courts are required under federal law to provide equal access to victims with disabilities, advocates can promote inclusivity and equity for the victim in the courtroom by ensuring court staff have the necessary information to prepare for requested accommodations.

Adherence to Courtroom Etiquette

Advocates are required to know and abide by the same etiquette standards expected of attorneys and/or other professionals who appear in court. Some common rules of etiquette pertain to appropriate courtroom attire, when and how to enter and exit the courtroom during hearings, when and how to appropriately address the Judge during any proceeding, and when and how to properly correct a procedural error during a hearing (e.g., a victim is present in the courtroom and intends to make an impact statement, but this step has been overlooked). Such knowledge guides the advocate in their professional behavior, and is also extremely important when preparing victims for attendance at court hearings.

Courtroom Security and Pre-planned Strategies for Victim Protection

Being physically present in the courtroom with an offender can be a stressful situation for a crime victim, and is one of the reasons many victims decide not to participate in the criminal justice process. Advocates can help victims navigate the process so they can exercise their rights in a way which is emotionally safe for the victim. While advocates cannot remove all of the anxiety and fear that victims may experience, they can facilitate a sense of felt safety for the victim. This can be accomplished in the following ways:

- Taking the victim on a tour of the court building and the actual courtroom where hearings will be held. Touring provides an opportunity for the victim to see what the facilities look like, where they will enter and exit, what security procedures are in place, and where court staff will be located. Planning ahead alleviates some discomfort and anxiety that can inhibit a victim from actively participating.
- Safety planning with the victim prior to a court appearance. Safety planning allows the victim to share fears and concerns so that a plan can be developed and implemented if necessary. If a safety concern exists, take steps to ensure the victim can be safely escorted out of the courtroom and court building after the hearing concludes.
- Using proper channels of communication, advocates can share information with court staff and the judge about threats to safety or privacy concerns in order to mitigate the potential for problems occurring during a court hearing.

Preparing the Victim to be Heard in the Courtroom

Prior to appearing in court, the advocate should find out what information is allowed to be discussed in each hearing and explain these parameters to the victim when preparing a statement of any kind. The victim being present and making the statement themselves is ideal, with advocate accompaniment. If the victim requests that the advocate speak on their behalf, take care to only say the words the victim has asked to be said, verbatim if possible. Additionally, offer the statement only when the judge requests the advocate to speak. The advocate should not interrupt any other court member, participant, or the judge. Advocates are not to argue in court for any reason. Referencing any laws within victim statements would be considered unauthorized practice of law.

If the judge presiding over the case is seeking additional information from the advocate, the advocate may answer questions from the judge ONLY. When preparing the victim for the courtroom appearance, the advocate should discuss this possibility in advance with the victim and confirm what information the victim would like the advocate to share. If the judge asks the advocate a question and they are unsure of the answer, advocates should not guess. Instead, they should make it clear to the judge that they will need to consult with the victim prior to providing the information.

Preparing the Victim for Case Events

Prior to any court appearance, advocates should prepare the victim for what information may be discussed or presented in the hearing, carefully considering the possibility of potentially traumatic discussions, evidence, testimony, or oral statements. If pictures and/or videos are to be shown in the victim's presence, in collaboration with the prosecutor, the advocate may spend time explaining the evidence and offering to first describe what may be shown or heard, allowing the victim to choose what they would like to review in advance. Alternatively, a victim may choose to leave a hearing if potentially traumatic information could be disclosed, and advance preparation for quietly exiting the courtroom is essential.

If there are court rules regarding memorabilia being displayed during a hearing, safety/privacy concerns, or other concerns that may implicate a victim's constitutional right, it is important to discuss this with the victim or victim's family well in advance so that the prosecutor has an opportunity to address any concerns prior to the hearing. ***For more information on restitution requests, victim impact statements, or letter notification, please refer to the section entitled "[Advocacy with the Victim.](#)"***

ADVOCACY DURING POST-CONVICTION PROCEEDINGS

Though comprehensive victim advocacy services are routinely delivered while a criminal investigation and prosecution are pending, there are also significant responsibilities for the prosecutor-based victim advocate during the post-conviction phase. Prosecutor-based victim advocates may continue providing services to victims of adult and/or juvenile offenders who have been prosecuted and sentenced in a municipal court, a court of common pleas, or a juvenile court system. Depending upon the unique circumstances of a criminal case, the advocacy relationship with a crime victim can span weeks, months, or years, and sometimes even extend decades beyond the final disposition in a criminal prosecution.

Statutory notification responsibilities assigned to the office of a prosecuting attorney may be shared, in part, with the victim advocacy staff. During post-conviction proceedings, other justice system partners are also tasked with notification responsibilities. Victim advocates can play a key role in ensuring smooth transitions with the exchange of vital information. Some information (e.g., last known address) will be available in the public domain. However, it is important to note that the sharing of personal opinion, such as whether a crime victim does or does not oppose a judicial release, should only occur with the express authorization of the victim. In addition to notification duties, advocacy services provided during the post-conviction period include the dissemination of accurate information, encouragement to exercise victims' rights, and on-going emotional support. Cultivating collaborative relationships with essential post-conviction program partners can be beneficial for prosecutor-based advocacy programs, and will enhance the ability to better serve crime victims through an informed and fact-based lens. In the event an advocate is tasked with the responsibility to provide notification of criminal justice events, those responsibilities are discussed below. If an advocate is not responsible for providing notifications, it is still important to monitor the case post-conviction to ensure crime victims' rights are upheld.

Final Disposition

Upon conviction or adjudication, an offender may be ordered to serve a term of probation or community control, a period of incarceration in a local county jail, or a prison sentence in an adult facility under the Ohio Department of Rehabilitation and Correction (ODRC), a regional juvenile rehabilitation facility, or a juvenile correctional facility under the Ohio Department of Youth Services (ODYS). Crime victims must be notified of the final disposition and accompanying sanctions. Victims must also be notified of requests to modify the terms of a final disposition (i.e., a request for a judicial release).

Community Control

When imposing a term of probation/community control, a judge will order the offender to complete a variety of sanctions. Some sanctions are general and apply to all individuals on community control, while other sanctions are specific to each offender and are based upon circumstances unique to the case. There is an extensive variety of sanctions which may be imposed. As a part of community control, the court may impose a local jail term or order the offender to participate in a community-based treatment program. Some jurisdictions operate a specialized court docket (e.g., Drug, Domestic Violence, Human Trafficking). Such dockets oversee the cases of certain offenders and employ specialized community control sanctions to address the issues which brought the offender into the justice system. The sentencing judge will determine the length of time an offender must remain under supervision. During the period of probation/community control, sanctions may be increased, decreased, modified, or terminated by the judge, often in consultation with a supervising probation officer. Offenders who violate the terms and conditions of their supervision may face additional sanctions, stricter sanctions, or revocation of their probation.

Below are the statutory provisions that are specific to the court and/or the probation department:

O.R.C. 2930.09 Right to be Present and Heard

Right to be Present

Victims have a right to be present at any hearing to terminate probation or community control and any hearing to modify the terms of probation or community control.

Right to be Heard: Pre-Sentence Investigations

Probation must contact the victim to request a written victim impact statement to include in the pre-sentence investigation (PSI).

O.R.C. 2930.131 Right to View Pre-Sentence Investigation Report

If a PSI is available to the defense, the prosecutor must be given a copy. If any portion of the PSI is redacted, the court must explain this on the record. The victim also has the right to a copy, and a request to review a PSI is only effective prior to or during sentencing

O.R.C. 2930.161 On request of victim or representative who provided contact information, a court must provide notice of:

- Probation termination hearing
- Probation modification hearing
- Arrest for any probation violation
- Failure to complete diversion

On request of victim or representative who provided contact information, probation must provide notice of the following, as soon as it becomes known to probation:

- Any proposed modification of probation that impacts restitution, detention status, or victim safety.
- Victim's right to be heard at any probation hearing.
- The violation that led to any revocation hearing.
- Following a risk assessment, any probation terms, including restricted locations, and other conditions impacting victim safety.

This notification must include an advisement as to the victim's right to be heard at a hearing that is set to consider any modification as to any term of probation or community control. O.R.C. 2930.161(B)(2). The probation department must notify the victim of any violation of supervision that results in the filing of a petition for the revocation of probation or community control. O.R.C. 2930.161(B)(3). The victim must also be notified when there has been a risk assessment of the terms of probation or community control that impact victim safety. O.R.C. 2930.161(B)(4). Current victim contact information can be found on the VRR.

Victim advocacy services don't necessarily end with a final disposition, and support for crime victims is often extended during a period of community control. Below are examples of post-conviction issues a victim advocate may encounter when an offender has been placed on community control.

- Upon sentencing to a term of probation or community control, victims may rely on their advocate to provide a more detailed explanation for the conditions ordered as part of supervision.
- Though the court and probation department maintain authority for the supervision of offenders who have been placed on community control, it is common for crime victims to report issues of non-compliance to their victim advocate and request assistance from the prosecutor's office to compel enforcement of sanctions (e.g., payment of restitution, adhering to a no-contact order).
- Conversely, some victims may seek minimal sanctions and may appeal to their advocate for help in requesting sanctions be modified or terminated by the court. This dynamic may present a challenge for the advocate, especially when safety issues—for the victim and/or immediate family members—are an ongoing concern.
- In either situation, victims will require accurate information for seeking recourse or relief as ongoing supportive services remain a critical component of recovery.

Incarceration

Upon conviction, adult offenders may be ordered to serve a term of incarceration in a county jail or in a prison facility operated under the Ohio Department of Rehabilitation and Corrections (ODRC). Upon an adjudication of delinquency, juvenile offenders may be remanded to a county detention center, regional juvenile rehabilitation facility, or juvenile correctional facility operated by the Ohio Department of Youth Services (ODYS). The sentencing judge will initially determine the custodial agency and the length of time an offender will be incarcerated. The sentence may be a definite period of months/years, or an indefinite range of years with fixed minimum and maximum parameters. Once an offender has been sentenced, there are a variety of sentence-reduction mechanisms which may serve to shorten the stated sentence. For example, an offender may earn credit for positive behavior or participation in programming. Those determinations will be made by the custodial agency. It can become a challenge for a victim to know, with certainty, when an offender will be released from confinement. A best practice approach is to encourage crime victims to register for notification of offender status with either the ODRC or ODYS Office of Victim Services, and keep their information updated should they have a change of address. Responsibility for victim notification of offender release is placed on the custodial agency. ODRC and ODYS Office of Victim Services have specific victim notification protocols in place. Some local jurisdictions have also developed specialized protocols for providing victim notification when an offender is released from a county jail or a juvenile detention/rehabilitation facility.

Responsibility for notifying a victim that a term of the incarceration has been imposed is assigned to the prosecutor. Notification must include the length of the sentence, the custodial agency (e.g., local jail, ODRC, ODYS), and instructions for how the victim may contact the custodial agency. Advocates should be knowledgeable of this process and available to answer more detailed questions and provide support. Below are examples of post-conviction issues a victim advocate may encounter when an offender has been ordered to serve a term of incarceration/commitment.

- The Victims' Rights Request Form (VRRF) is designed to be forwarded to the custodial agency when a term of incarceration is imposed. The victim advocate can encourage/assist the crime victim to complete (or update) the VRRF, if one has not previously been submitted.
- Victims of offenders who are serving a term of incarceration may register to receive notifications, referrals, and advocacy services from the Office of Victim Services (OVS) at ODRC or ODYS.
- Advocates may assist victims by facilitating the registration process for VINE (Victim Information & Notification Everyday) or with the appropriate Office of Victim Services. Options for completing the OVS registration process include submitting a form by postal mail or registering electronically. Advocates should **not** automatically register a victim for notification. This action must be initiated by the victim.
- Juvenile offender information and registration through VINE is only available through the Ohio VINE toll-free phone number. Advocates can assist victims in making these calls and registering for these notifications specific to juvenile cases. NOTE: A victim registered with VINE may receive a notification when an offender is transferred between institutions within the correction system or is temporarily transported away from the institution for a court hearing. At times, this can be confusing and/or frightening for some victims. It is important to educate victims so they are aware that a VINE alert will not necessarily mean the offender has been released from confinement.
- Roberta's Law provides for mandatory victim notification of inmate release or transfer for offenders convicted of certain felony offenses of violence. This notification is made by OVS and is automatic regardless of whether the victim has registered for notification. However, victims may elect to opt out of receiving notifications. Opting out requires the victim to take affirmative action. Should a crime victim choose to opt out of receiving notification, advocates can assist by facilitating completion of the required opt-out documentation. It is important for victim advocates to know that, under Roberta's Law, offenses of violence for notification do NOT include Aggravated Vehicular Homicide, Aggravated Vehicular Assault, Violation of Protection Order, or any felony of the 4th or 5th degree. For those offenses, victims will not be notified unless they are registered through ODRC for notifications.
- To comply with the mandatory notification requirements, ODRC staff will often make outreach to prosecutor-based advocacy programs, seeking information (e.g., name, date of birth, social security number, last known address, etc.) for victims who are not currently registered but have not formally opted-out of notification.
- When an offender is released from confinement with ODRC, they may be placed on a form of supervision called Post-Release Control (PRC). PRC is mandatory for some offenders and discretionary for others, and is based upon the type and nature of the conviction. When imposed, the supervision can last for varying lengths of time, up to a five year maximum, with the specific

term of PRC determined by the Parole Board at the time of release. Offenders placed on PRC status are supervised by the Adult Parole Authority, and will have certain rules and restrictions to abide by. Offenders who violate the terms and conditions of their PRC status may face stricter sanctions, and can potentially be returned to ODRC for an additional period of incarceration. The maximum term of additional incarceration is based on the original sentence received by the offender.

- Offenders who are deemed eligible may participate in the Transitional Control Program during the final 180 days prior to release from prison. They are placed in Halfway Houses and are monitored closely. The Parole Board screens offenders to determine if they are suitable for the Transitional Control Program, and after reviewing the case, they will either recommend or deny the offender. Prosecutor's Offices do not have authority over these decisions and cannot object. The Bureau of Community Sanctions oversees the program and placement of participants in DRC-licensed halfway houses. Victim advocates should be aware that VINE is not connected to these halfway houses. For more information, see: <https://drc.ohio.gov/systems-and-services>.

Judicial Release

Adult offenders who have been convicted of a felony crime and ordered to serve a term of incarceration with ODRC may be eligible for consideration—by the court of original jurisdiction—for a judicial release or an early release from their prison term. Within the municipal court and juvenile court systems, there are sentence-reduction options which have some similarities, but are procedurally much different.

There are specific procedures for requesting a judicial release. The process may be initiated by the convicted offender and consists of filing a motion in the court of common pleas with the original jurisdiction over the case. The filing may occur with or without the assistance of legal counsel. For certain offenders, a request for judicial release may be initiated after the offender has served 80% of their stated sentence. Once filed, a motion for judicial release may take a few weeks or many months to be ruled upon. The offender may provide documentation in support of rehabilitation efforts, and the sentencing judge may request additional investigation be conducted by the probation department. The prosecutor may submit a response supporting, opposing, not opposing, or taking a neutral position on the request for an early release. Any identified victim in the case also has an opportunity to submit input to the court regarding the request.

When responding to a motion for judicial release, the judge with original jurisdiction may issue a denial with no hearing or may schedule a hearing to accept input from defense counsel and the prosecutor as to the merits, or lack thereof, of the motion, alongside input from the victim, before issuing a ruling. If a judicial release request is denied, the offender may be eligible to continue filing subsequent motions for an early release. While generally consistent, the actual process varies across jurisdictions, so it is crucial for prosecutor-based victim advocates to know the specific policy and procedures in place within their local court system.

The office of the prosecuting attorney is responsible for victim notification when a judicial release hearing is scheduled, and a victim has requested notification. To assure prompt notification, the victim must provide updates for their address and phone number should a change occur. Victims must be notified of the hearing date, time, and location, and their applicable constitutional rights. Advocates can be instrumental in offering victims a general explanation of the judicial release process, providing emotional support, and encouraging active engagement.

Pursuant to Roberta's Law, if an offender requesting a judicial release has been convicted of a felony offense of violence (1st, 2nd, or 3rd degree) as defined in O.R.C 2909.01, the attempt to notify the victim must be made regardless of whether the victim has requested notification. The prosecutor must make three separate attempts to effect notification, and the victim advocate may be asked to assist in this effort. As with notification from ODRC/ODYS, a victim may choose to affirmatively opt out of this mandated notification.

Offenders serving a local jail term may also request an early termination by submitting a motion to the court of original jurisdiction.

Notice of Appeal

Following a criminal conviction or adjudication, the offender may file a notice of appeal, challenging a wide range of issues, such as the effectiveness of their legal representation, some aspect of the criminal proceedings, and/or the final disposition ordered. It is also possible for an offender to file a notice of appeal regarding a post-conviction issue. Some appellate issues are resolved rather quickly, but it is also common for the appeals process to be multi-faceted and last for years when the criminal prosecution was for a most serious offense (i.e., homicide cases) or involved complicated litigation.

The prosecutor is assigned responsibility for victim notification when a notice of appeal is filed and the victim has requested

notification. While responsibility for notification is placed upon the office of the prosecutor, prosecutor-based victim advocates also play an important role in maintaining supportive services throughout the appellate process. In addition to providing emotional support and status information, advocacy staff can serve as important liaisons to facilitate the flow of information with accuracy and compassion. To assure prompt notification of appellate status, court hearing dates, and applicable constitutional rights, the victim must provide updates for their address and phone number should a change occur.

During the post-conviction period, there are numerous legal proceedings which potentially may occur, and all include a mandate for victim notification and/or provide an opportunity for victim input. Victims process trauma in different ways and on different timelines. Notification may be received as welcome information, be a reminder of the trauma experienced, or both.

Prosecutor-based victim advocates must be prepared to offer ongoing emotional support, accurate status information, and guidance on procedure, court accompaniment, and resource referral at all key points throughout post-conviction proceedings. Prosecutorial, court, and probation staff members will often rely on victim advocates to gather information and feedback from victims to assist in compliance with their statutory mandates.

Being placed into such a pivotal position may benefit crime victims and greatly increase the likelihood of timely access to information. However, when carrying out post-conviction duties, maintaining a victim-focused advocacy perspective is crucial. *Examples of victim notification letters and supplemental information may be found in [Appendix B](#).*

ADVOCACY WITH COMMUNITY PARTNERS

The primary function of the advocate is to advocate for the victim's rights, needs, and wants with criminal justice partners. To this end, providing education on crime victimization issues, trauma responses, socioeconomic barriers, and barriers to equitable services can increase understanding of a victim's experience. Providing such education to external partners about issues that impact a victim's ability to participate in the process, heal, or access their rights may help to change perspectives regarding trauma and crime victimization.

Collaboration with Other Victim Service Providers

In an effort to avoid duplication of services and be respectful of the various forms of advocacy a victim might have within their support system, victim advocates should maintain the boundaries of their defined roles. The expectation is then created that prosecutor-based advocates will work collaboratively with other victim service providers for the benefit of the victim. Successful collaboration ensures that a victim has access to all services available to them. Advocates should maintain friendly and professional working relationships consisting of healthy conflict resolution, cross-educational opportunities, and a shared understanding of the victim's needs and wants. Understanding the strengths and limitations of a community partner can reduce frustration and confusion for the advocate, the victim, and the community partner. Get to know community partners—their services, eligibility requirements, as well as their program policies and procedures, especially related to confidentiality.

Prosecutor-based victim advocates and community-based victim advocates both provide victims with much needed services, and both roles have similarities and differences, as well as strengths and limitations. Prosecutor-based victim advocates are frequently the main point of contact for victims navigating the justice system. This role has evolved over the years, resulting in efforts to fill gaps in services and to limit retraumatization. Prosecutor-based victim advocates incorporate trauma-responsive services to ensure victims have the ability and choice in case participation.

Community-based victim advocates typically work in an independent organization and provide comprehensive services to victims, whether or not they choose to report the crime and/or participate in the criminal justice process. Community-based advocates may work in nonprofit organizations; in hospitals, healthcare systems, or mental health agencies; in domestic violence or trafficking shelters; or in a myriad of other organizations. Community-based advocates are sometimes the first point of contact for victims as they may provide services before entry into the justice system and continue to provide services during and after the victim's justice process involvement.

This co-advocacy provides victims with comprehensive, wrap-around services that meet the needs of the victim(s) being served. Resiliency outcomes for the victim can be positively influenced by the strength of the relationship and collaborative efforts between advocacy organizations. This places an important level of responsibility on victim advocates to ensure collaborative and cooperative working relationships with each other. Co-advocacy is also a recommended approach when serving the specific cultural needs of victims who seek services from prosecutor-based victim witness programs. In this partnership, the victim benefits by receiving services that are culturally relevant for their healing and recovery, while the prosecutor-based program gains cultural education and knowledge of cultural community resources.

Listed below are examples of external advocacy programs that prosecutor-based advocates may collaborate with. This list is not exhaustive, rather it is intended to provide examples of the types of organizations that offer supportive and critical services to victims.

- Domestic Violence and/or Human Trafficking Shelters
- Rape Crisis Centers
- Housing Assistance
- Crisis-response organizations
- The American Red Cross
- Local and state disability-focused services
- Culturally-specific programs and resources
- Local food pantries and other social services organizations
- Legal aid
- County Departments of Job and Family Services
- County Boards of Developmental Disabilities
- County Alcohol, Drug, and Mental Health Boards
- Older Adult Support Services
- Children’s Advocacy Centers
- Hospitals, healthcare systems, and mental health agencies
- Violence reduction programs

Personal Advocacy

Often, a victim may have difficulties outside the criminal case that could impact their ability to participate. In some cases, an advocate may be able to assist with these barriers. Advocates may rely on external partners when victims have concerns about employment, housing, transportation, discrimination, school or childcare, accessibility, medical care, and/or food availability. Advocates may be asked by the victim to provide information regarding the victimization or criminal case to outside organizations. An advocate’s knowledge of available resources and their professional relationships with those entities may be of benefit as it can assist the victim in removing barriers and solving problems that may or may not have been in relation to the victimization. Advocacy of this nature should be provided freely if the need arises and only with the express permission of the victim through a signed release of information, if applicable.

Knowledge of Resources

Advocates should have knowledge of the resources available locally and statewide for a victim, including some general information about the purpose of the program and who the program serves. Advocates can minimize the chances of the victim having to make overwhelming, and often erroneous, phone calls to programs for assistance by compiling comprehensive knowledge of supportive programs. It is important to maintain current information on eligibility and availability of resources as changes may occur frequently depending on the resource.

Providing a list of three qualifying programs is preferable to providing a list of 10 non-qualifying programs.

Effective collaboration helps community agencies to understand the role of a victim advocate and the process of the justice system, possibly dispelling miscommunication and frustrations for the victim. Working collaboratively with other service providers enhances organizational resources and knowledge, leading to a more frequent utilization of outside service agencies. Conversely, lack of collaboration or knowledge about other programs available to assist victims can be detrimental. Providing misinformation, or no information, about services available to them may lead to the erosion of trust in the process.

Community Education and Outreach

Community education and outreach is essential in promoting advocacy services, expanding knowledge about crime victims' rights and issues, and can bring awareness to the unique manifestations of trauma. Community knowledge of services available for victims of crime in the justice system can help break down barriers for victims seeking services. Community education on trauma-informed and responsive care has a broad impact, as trauma extends beyond crime victimization, and it helps reduce the stigma faced by individuals experiencing trauma.

The following are best practices meant to enhance co-advocacy efforts on behalf of a victim.

Maintain a current list of community resources that provide victim-centered services.

- Include eligibility requirements.
- Initiate a warm hand-off by contacting the program first, with the victim's consent, to ensure a smooth transition when possible.

Develop and maintain ongoing partnerships with programs that serve specific cultural communities and individuals with disabilities.

- Interpretation and translation services for victims with limited English proficiency and/or who are d/Deaf, blind, and/or hard of hearing
- Programs specific to culture, race, LGBTQ+, lived experiences, etc.
- Ensure any contracts for services or MOUs are in place before they are needed and that advocates have the information on how to initiate these services within the organization's procedures and policies. Remember that MOUs are generally not a replacement for signed releases of information, which are generally required for each individual victim.

Strategize to leverage existing/available resources.

- Share resources between programs when possible.
- Create MOUs delineating and assigning roles and responsibilities between agencies to provide comprehensive services.

Establish and maintain a referral procedure in cooperation with community agencies.

- Ensure confidentiality of victim information with specific, time-limited, and fully informed releases of information.

Collaborate to develop new ways of integrating and delivering victim-centered services.

- Identify gaps in current services.
- Identify partnerships that will contribute to streamlining services for victims.

Participate in task forces, committees, and work groups to increase response effectiveness.

- Consider creating a city or county group, if one does not already exist, that is focused on sharing experiences and developing relationships between programs.
- Get to know referral partners—understand what resources they offer, eligibility for their services, and the strengths and limitations of their services.

When practical, become a member of local, state, and national victim assistance groups and coalitions.

Provide education and outreach to the community about the program's services, crime victims' rights, issues facing victims, and the impact of victimization on the community through:

- Presentations to community groups.
- Developing and distributing educational materials during awareness months (e.g., National Crime Victims' Rights Week, Sexual Assault Awareness Month, Domestic Violence Awareness Month, etc.).
- Staffing a table at a community event.
- Using the media to distribute messaging (e.g., newspaper op-eds, television spots, radio, social media, and podcasts).

BEYOND THE COURTROOM

COMMUNITY CRISIS RESPONSE

Victim advocacy is a specialized field that uniquely intersects with services provided to communities in the aftermath of traumatic events. Historically, many Ohio advocates have participated on local, state, and national crisis response teams. While some advocacy programs consider this service to be voluntary, many programs throughout Ohio integrate this service into program policies and procedures. Unfortunately, with mass casualties rising significantly over the years, advanced planning and training for these unexpected events becomes necessary.

Crisis response teams can be extremely beneficial in providing trauma-responsive crisis services while promoting community resilience. Participation on a crisis response team can be seen as an extension of advocacy services, and training in certain crisis response models enhances an advocate's skills. Teams can be within an organization, field specific, or collaborative including members from various professions. Some examples of community crisis response teams include, but are not limited to:

Agency/Field Specific

- Local mental health crisis teams
- Red Cross and Salvation Army
- Hospital response
- Law Enforcement Crisis Response Teams
- Critical Incident Stress Management Teams

Collaborative

- Combined law enforcement and mental health teams
- Combined law enforcement and advocacy teams
- The Ohio Crisis Response Team (OCRT)
- The National Organization for Victim Advocacy (NOVA)
- Local Emergency Management Teams
- Incident Command System
- National Incident Management Systems

The following are considered best practices in preparation for incidents of mass violence or disasters:

1. Determine if an Emergency Management Protocol currently exists, and if so, consider the inclusion of services to victims.
2. Alternately, consider the creation of a local emergency plan for provisions of service to victims in the event of an incident of mass violence or natural disaster.
3. Retain a list of resources to share with community leaders in the event of a disaster.
4. If practical, encourage staff to receive training from a reputable organization in order to provide crisis response as part of a local or statewide team.



Working with the Media

Prosecutor-based victim advocates may, at times, find themselves in contact with the media. Three common interactions may occur:

- Assisting a victim of crime in understanding and navigating the media
- Collaborating and working with the media for education and crime victimization subject matter
- Responding to requests from the media for interviews regarding a particular circumstance or case

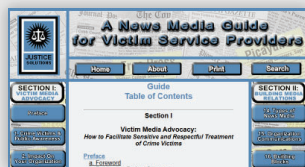
A number of "Advocacy and the Media" guides outline details for varied circumstances. Important practices specific to prosecutor-based advocates and programs are highlighted below. The integration of best practices in working with media into program policy ensures that all staff are aware of and trained on how to work with the media.

Victims may wish to grant interviews to the media, or conversely choose to avoid the media. Advocates may be extremely helpful to victims in either facilitating or interceding in these circumstances. There may be potential implications, positive or negative, to an open criminal case when a victim or family member grants an interview to the media. Though it is always a victim's choice, it is important to provide clear explanations to identify the potential implications media involvement may have on a criminal case. Advocates can assist the victim in preparation for media involvement and provide guidance on how victims can manage media interference.

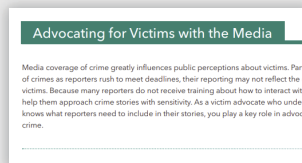
The media can be a very effective tool in highlighting crimes while promoting access to program services, and/or in recognition of annual awareness events. The media can bring attention to issues facing crime victims for purposes of public education. Victims may learn about service providers through the media, and community awareness can destigmatize the trauma associated with victimization. Engagement should be intentional, with a specific goal in mind, and within program policies.

The media may contact a program for a response to specific crime, or for an interview regarding particular crime victimization subjects. Policies should be in place for such requests. Prosecutors may decline to provide interviews during an open case, and professional decisions regarding media interviews can involve differing levels of consideration that ideally involve criminal justice partners or community-based advocacy programs. For example, it may not be wise for a prosecutor-based program or advocate to discuss, even generally, a situation that involves an open case in which the program is actively working with the victim. However, community-based advocacy partners may be able to provide media with interviews that are not compromising to a current case. Ultimately, victim advocates should never speak independently to the media without conferring with the prosecutor.

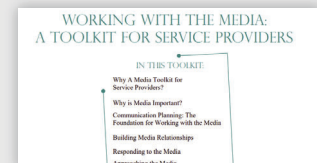
Media Guides



Justice Solutions
[A News Media Guide for
Victim Service Providers](#)



*2018 National Crime
Victims' Rights Week
Resource Guide*
[Advocating for Victims with
the Media](#)



*Michigan Coalition
Against Domestic and
Sexual Violence*
[Working with the Media:
A Toolkit for Service
Providers](#)



ETHICS IN ADVOCACY

Effective advocacy requires a safe and trusting relationship between an advocate and victim of crime. To help guide these relationships, professional ethics define what is appropriate in interactions with victims and colleagues to allow for safe and respectful connections. Boundaries exist to protect both the victim advocate and the person being served. Ultimately, the importance of maintaining ethical standards in advocacy work cannot be overstated.

The adoption of professional ethics dates to the 4th century in ancient Greece when Hippocrates initiated a movement calling for physicians to exhibit a high level of professional and ethical behavior resulting in the Hippocratic Oath. (Hippocrates, ca. 400 B.C.E./1923) or (Hippocrates, n.d.). This continues to serve as the inspiration for modern codes of ethics in various professional fields. As victim assistance programs continue to evolve as an established profession, there exists the need for programs and individuals to adhere to ethical principles meant to guide the practice of victim advocacy.

“When a profession establishes a code of ethics, it safeguards the reputation of the profession, protects the public from exploitation, and furthers competent and responsible practice. The victim assistance ideals of *do no harm, care for others, eliminate injustice, and treat others as one wishes to be treated* (emphasis added) are all rooted in centuries of ethical reasoning and inform most ethical codes in the helping professions.” (Hook, 2005)

Victim services are, at their core, about relationships between the advocate and the victim. As such, the personal values of the advocate and the ethical codes that support these values will directly influence interactions. As profoundly stated in Melissa Hook’s book, *Ethics in Victim Services*, “Providing quality service to victims of crime depends on many factors but begins with the personality, moral orientation, and subjective beliefs and opinions of the victim service provider. Moral principles are the foundation of ethics, which is the professional discipline dealing with standards of right and wrong that serve as a guide for human behavior. Ethics are usually stated in terms of obligations, benefits to society, fairness, or specific virtues.” (Hook, 2005, p. 27)

- ” Values = Ideals or beliefs to which an individual or group aspires
 - ” Morals = Making decisions between right and wrong
 - ” Ethics = The articulation of standards of behavior that reflect those values and/or morals
- (Hook, 2005, p. 27)

Advocates should seek to understand how personal values may influence responses in challenging situations, how personal beliefs may influence judgments, and how the attitudes towards the rights of individuals may come into conflict with the principles of justice. Any conflict between an advocate’s personal and professional values could affect ethical decision-making and therefore compromise the advocate’s ability to serve the victim.

Adopting a Code of Ethics

Adopting ethical standards identifies service and behavioral expectations for advocates based on core values within the field. A code of ethics is designed to be a guide that can be applied to a wide range of issues that may be experienced in the daily work of serving victims of crime. Adopting such ethical standards can help the program in the following ways:

- **Accountability** – Having uniform standards for service provision ensures accountability of individual victim advocates as well as an entire program. Victims should be able to expect the highest level of service from a victim advocate and a code of ethics can ensure that an advocate is held accountable to this high standard. Adopting ethical standards provide programmatic foundations to ensure a high level of service delivery. Agency-wide ethical standards are also very important when seeking funding for advocacy services, as potential funders will review qualities that impact the efficacy of the program.
- **External Relationships** – Collaboration with other system partners and victim service providers is a critical component of service provision for victims and their support systems. Through the adoption of ethical standards, respectful collaborative efforts are not only encouraged but considered an integral part of successful outcomes and professional growth.
- **Professionalizing the Field** – For any professional field, ethical standards establish a high standard of conduct that exceeds general knowledge, safeguards the reputation of the profession, and protects others from exploitation. Having such a professional status provides advocates with greater authority as they conduct services. Adopting such ethical standards values continuing education and professional growth within the victim advocacy field.

Efforts to adopt a code of ethics should involve careful considerations such as:

- The capabilities of the victim assistance program to implement the standards within current service provision
- Incorporation of the standards within hiring and employment practices
- Resources available to conduct ongoing staff education on the standards
- Ability to provide oversight and accountability to ensure that the standards are being implemented in an ethical and trauma-informed manner

Multiple codes of ethics exist for victim advocates and allied professionals. Many of these ethical standards are focused on relationships with victims, colleagues, other professionals, the public, and on the advocate's overall professional conduct. While this publication does not cite any one code of ethics as the ultimate authority, it does recognize that there have been great strides in professionalizing the advocacy field that have resulted in the development of several progressive ethical codes. *The below standards can be found in the [Resource](#) pages of this guide.*

- **National Advocate Credentialing Program (NACP), *Code of Professional Ethics for Victim Assistance Providers***
- **U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime, *Achieving Excellence: Model Standards for Serving Victims and Survivors of Crime***
- **Prosecuting Attorney's Council of Georgia, *Code of Professional Ethics for Victim Witness Assistance Providers***

Instead of adopting a code of ethics on the program level, many advocacy programs agree to support their advocates in seeking individual credentialing through a state or national credentialing body, which requires compliance with a code of ethics. In the next section, we will discuss advocate credentialing, registration, and the options available to Ohio's advocates.



“When providing services to victims of crime, it is the professional values that must be the key determinants in the ethical decision-making process.” – M. Hooks, *Ethics in Victim Services*, 2005, pg. 33

ADVOCATE CREDENTIALING

Credentialing, while not required of victim advocates to adhere to a code of ethical standards, is encouraged in the field of victim advocacy. Two credentialing options specific to victim advocates in the state of Ohio currently exist:

The Ohio Advocate Network for Training & Registration

Since 1994, the Ohio Advocate Network (OAN) has been a statewide and national leader in professionalizing the field of victim advocacy. Recognizing the need to publicly affirm the field of victim advocacy, establish ethical professional standards, and encourage continuing education and specialized training, OAN developed a registration protocol to benefit victim advocates and allied professionals working to assist victims of crime in the state of Ohio. Acquiring and retaining the OAN Registered Advocate credential attests that an individual has achieved a defined level of service experience and training in the victim assistance profession and maintains a commitment to the NACP Code of Professional Ethics for Victim Assistance. OAN also proudly served as the model for the National Advocate Credentialing Program (NACP), established in 2003 (OAN, n.d.).

OAN operates with a multidisciplinary Review Committee comprised of qualified professionals representing local and statewide victim advocacy organizations in Ohio. The OAN Review Committee is dedicated to maintaining a best practice approach to credentialing and supports a variety of training initiatives to benefit Ohio's victim advocacy community. **For more information on becoming a Registered Advocate through OAN, please visit <http://ovwa.org/oan/>.**

The National Advocate Credentialing Program (NACP)

The National Organization of Victim Advocacy (NOVA) has been a leader in establishing ethical standards for victim assistance professionals, including the development of the Code of Professional Ethics for Victim Assistance Providers in 1995 (NOVA, n.d.). As the field of victim advocacy progressed, so did the need for a national credentialing program (NOVA, n.d.). In 2000, NOVA invited representatives from state, federal, and national victim assistance organizations to discuss the implementation of a national credentialing program. In 2002, the National Advocate Credentialing Program (NACP) was born and officially launched in 2003 (NACP, n.d.). The development of NACP was a monumental landmark event in the professionalization of the field.

Today, the NACP Review Committee, comprised of a Committee Chairperson and members who serve as Subject Matter Experts (SMEs), oversees the credentialing process, revisions, and standards for the program that seek to meet the needs of those working in victim advocacy (NACP, n.d.). **For more information on becoming a Credentialed Advocate through NACP, please visit <https://trynova.org/credentialing/nacp/>**



PROGRAM STANDARDS

Prosecutor-based victim assistance programs vary across Ohio as both city and county government policies and procedures differ. The purpose of this section is to provide prosecutor-based victim assistance programs with standards for quality victim services. These standards describe the minimum services that programs should provide and allow wide discretion on how programs can achieve these standards. These program standards are not a mandate, but rather standards compiled by the Ohio Victim Witness Association and the Ohio Prosecuting Attorneys Association (Ohio Victim Witness Association & Ohio Prosecuting Attorneys Association, n.d.). Prosecutor-based advocacy programs are encouraged to adopt program standards, ensuring the continuity and consistency of services throughout the state.

Additionally, many prosecutor-based advocacy programs are funded through various grants that have specific grant rules and expectations that may inform program standards. Standards are not only required by grant funders but can be helpful in guiding office policy and procedures at the organizational level.

In addition to the standards, the following reports and publications offer great detail with regard to business practices and progressive victim services:

[*Achieving Excellence: Model Standards for Serving Victims and Survivors of Crime*, U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime](#)

[*Ethics in Victim Services*, Melissa Hook, Sidran Institute Press](#)

[*Best Practices Guidelines: Crime Victim Services*, Minnesota Department of Public Safety, Office of Justice Programs](#)

[*Effective Victim Advocacy within the Criminal Justice System*, End Violence Against Women International \(EVAWI\)](#)

Emulating the model set forth by the National Victim Assistance Standards Consortium (NVASC), (National Victim Assistance Standards Consortium [NVASC], n.d.). each standard has two components: a standard statement and standard commentary. The standard statement is a declarative sentence outlining the clear expectation for the program. The standard commentary clarifies the intent of the standard by providing examples, including suggestions, and non-binding recommendations for achieving the standard. (DeHart, 2003). *The below program standards are in addition to the Core Principles of Advocacy found earlier in this guide.*

SECTION I – SCOPE OF SERVICES

PROGRAM STANDARD 1.1 - A WRITTEN GUIDELINE THAT DESCRIBES THE PROGRAM'S MISSION, GOALS, AND OBJECTIVES

COMMENTARY – Programs should have a short, succinct statement of purpose, including clearly written goals and objectives. The stated mission and goals should be global and general, describing the program's desired conditions or results. The program objectives should be specific, measurable statements of desired achievements, and be derived from the mission and goals. Objectives should reflect the program's design and functionality, and its desired program and staff achievements. The objectives should also specify the intended outcome of program activities and state the desired changes in behavior, skills, and knowledge that the program will work to achieve.

PROGRAM STANDARD 1.2 – A WRITTEN GUIDELINE THAT REQUIRES THAT ALL PROGRAM PROCEDURES OPERATE IN ACCORD WITH APPLICABLE GOVERNMENT LAWS AND REGULATIONS, AS WELL AS WITHIN POLICY GUIDELINES OF THE OFFICE OF THE PROSECUTOR.

PROGRAM STANDARD 1.3 – A WRITTEN GUIDELINE THAT REQUIRES ALL PROGRAM STAFF, WHILE SERVING IN THEIR PROFESSIONAL ROLE, TO ABIDE BY LOCAL, STATE, AND FEDERAL LAWS.

COMMENTARY – Examples of laws and regulations include federal, state, and local civil rights laws; federal, state, and local funding statutes; privacy protections; grantor requirements; and federal and state victims' rights laws. Prosecutor-based programs housed within the office of the prosecutor should ensure that procedures do not conflict with those of the prosecutor's office. For many programs, this information would be included in the city or county policies and procedures and can be easily added to the program's guidelines.

PROGRAM STANDARD 1.4 – A WRITTEN GUIDELINE THAT REQUIRES ALL PROGRAM STAFF, WHILE SERVING IN THE PROFESSIONAL ROLE, TO ABIDE BY A CODE OF ETHICS ADOPTED BY THE PROGRAM.

COMMENTARY – When working directly with victims and criminal justice partners, advocates will inevitably encounter situations that are sensitive and uncertain. Ensuring complete, transparent, and specific ethical guidelines is foundational in assisting advocates in navigating difficult scenarios. Adopting a code of ethics in addition to ongoing education and supportive supervision empowers advocates to feel comfortable in performing their roles safely and ethically. *For more information about adopting a code of ethics, please see the section of this guide titled, [“Ethics in Advocacy.”](#)*

SECTION II – ACCESSIBILITY AND SAFETY OF SERVICES

PROGRAM STANDARD 2.1 – A WRITTEN GUIDELINE THAT DESCRIBES THE PROGRAM’S METHOD FOR MAINTAINING ACCESSIBILITY OF SERVICES.

- **ACCESSIBILITY OF LOCATION OF SERVICES**
- **ACCESSIBILITY OF SERVICES TO PERSONS WITH DISABILITIES**
- **ACCESSIBILITY OF SERVICES TO PERSONS WITH LIMITED ENGLISH PROFICIENCY**
- **USE OF ASSISTIVE TECHNOLOGY WHEN PROVIDING SERVICES**
- **PROVISION OF PUBLIC INFORMATION ON HOURS OF PROGRAM OPERATION AND TYPES OF SERVICES PROVIDED**

COMMENTARY – When establishing program space, programs should consider accessibility of services to persons with disabilities and persons with limited English proficiency. Every attempt, including but not limited to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Americans with Disabilities Act of 1990; Rehabilitation Act of 1973, § 504) as applicable, should be made to ensure that offices and services are free of barriers for meaningful program participation.

Programs should have a Language Access Plan for in-person, telephone, and/or video interpretation for advocacy services. Programs should also utilize qualified services to translate vital written documents into frequently encountered languages in order to establish linguistic access to services for limited English proficient persons in compliance with federal and local laws including Title VI of the Civil Rights Act of 1964 (Civil Rights Act of 1964, Title VI). Websites and other forms of communication should not be excluded from this standard and should also be made accessible.

Programs should strive to use qualified professional interpretation and translation services for individuals with limited English proficiency. Children and family members should not be used in place of qualified professional interpretation services. Hiring bilingual and bicultural advocates in an advocacy program can increase justice system access for victims with limited English proficiency, but these advocates should not also serve as interpreters or translators on their clients’ cases, as this can create role, ethics, and job duty confusion. Programs should strive to communicate effectively with individuals who are Deaf, Blind, Deaf/Blind or hard of hearing by providing auxiliary options such as qualified American Sign Language (ASL) interpreters, relay services, qualified note takers, speech interpreters, written materials, and email and texting capabilities. It is essential not to assume what accessibility aids a victim may need, but rather to allow them to assert their needs and preferences. It is also essential to never assume that a Deaf or hard of hearing individual can utilize ASL, as the individual may not have learned ASL or may be Late-Deafened and does not know ASL. In addition, note that writing or typing to an individual who is Deaf or hard of hearing may not be preferred. For many individuals who have been Deaf or hard of hearing from childhood and learned to communicate through ASL, English may not be considered their first language.

Assistive technologies and auxiliary aids and services include mobility devices, voice synthesizers, speech recognition, point-of-gaze software, screen readers, telecommunication relay services, audio and video remote interpreters, vibrating or flashing alarms, and other methods or devices to ensure that program services are accessible to persons with disabilities including persons who are Deaf, Blind, Deaf/Blind or hard of hearing. Program staff should understand the compliance with federal laws, regulations, and ethical requirements including the ADA and Section 504 of the Rehabilitation Act of 1964 and should know how to access necessary technologies. Precautions should be taken to promote proper use and prevent intentional misuse of such technologies. *For more information on serving victims with disabilities, please see OVWA’s publication, [“Serving Survivors with Disabilities: An Advocate’s Guide.”](#)*

Information should be available to the public regarding hours of service, including hours for basic services and for crisis on-call response, and response times for electronic communication. Regular weekday hours (e.g., 8:00 am – 5:00 pm) should be

considered the minimum, but additional alternative hours may be needed for the scheduling and safety needs of victims. For example, victims may need to meet when their children are in school. Victims who are employed may have difficulty with their employers and may require assistance so that they can participate in the processes.

Weekend, evening, and on-call 24-hour response may be provided by some programs. If a program's crisis intervention is limited (e.g., limited hours or limited responders), program staff should be knowledgeable of other available providers and have those contacts ready for referrals. During hours of unavailability, programs may consider leaving recorded messages informing callers how to contact other crisis intervention services. Providers should clearly explain to callers that the use of electronic technology does not imply 24-hour availability for consultation or case handling.

Crisis response times should be reasonable given the geographic traveling distance (e.g., 15-20 minutes in urban areas, as soon as possible in some rural areas). For some crises, advocates may be dispatched directly to the crime scene or to hospitals. In these cases, program procedures should be assessed to ensure both safety and ethical foundations are met.

Information should be available to the public regarding methods for accessing services (e.g., scheduling appointments, walk-in basis, crisis response, etc.). This information may also describe any limitations in receiving services. Some programs publicize information on service availability in letters sent to victims or phone calls made to victims when notifications are made.

PROGRAM STANDARD 2.2 – A WRITTEN GUIDELINE SPECIFICALLY DESCRIBING THE PROGRAM'S POLICY ON NON-DISCRIMINATION IN SERVICE PROVISION

COMMENTARY – This guideline is intended to promote equal service access to all victims and adhere to requirements of grants received by the program. Programs should be aware of and in compliance with applicable federal, state, and local civil rights laws that prohibit discrimination based on certain characteristics. Victims must be provided equitable access to services. Protected characteristics are generally: age, disability, race and color, religion, sex (including pregnancy, childbirth, etc.), national origin, sexual orientation, gender identity, genetic information, and sometimes marital status, military status, or veteran status.

PROGRAM STANDARD 2.3 – A WRITTEN GUIDELINE THAT DESCRIBES THE PROGRAM'S PROCEDURES FOR ASSESSING AND MAINTAINING EQUAL ACCESS TO SERVICES

COMMENTARY – Programs may want to assess whether the extent of their services that victims use varies for different populations (e.g., whether some victims discontinue services more quickly than others). Programs that notice marked disparities in service use by different populations may examine ways to provide equitable access to services for those underserved groups. Evaluating a program's service is most effective when obtaining the information directly from the clients of the program.

If a program receives grant funding, this may be required. If not, the information gained will serve not only future victims of crime by improving upon identified shortcomings but will compile data that can be used to secure funding in the future.

PROGRAM STANDARD 2.4 – A WRITTEN GUIDELINE THAT DESCRIBES THE PROGRAM'S PROCEDURES FOR ASSESSING SAFETY AND SECURITY OF VICTIMS, PROGRAM STAFF, AND COMMUNICATIONS WITH PEOPLE SERVED.

COMMENTARY – Programs should consider the emotional safety of victims when assessing the premises and physical space—as well as their policies and procedures—through a trauma-informed lens to identify and avoid situations that could retraumatize victims. Programs may want to solicit input from victims that have already been served regarding their impressions of the physical space, safety and security measures, and aesthetics used to promote services.

This guideline also addresses measures taken by the program to reasonably ensure that staff and victims are protected from intimidation, threats, and physical harm on service premises or while working in the community. These measures might include drafting procedures for handling incidents where victims are stalked by offenders, or when victims or offenders threaten staff.

Special consideration should be given to the safety and security of communications with people served. Services should be provided to victims in a manner which is comfortable and easy to connect with the program and service providers. Technology is quick to evolve and service ability should follow to the extent that is practical. Review for technology safety should occur on a regular basis to ensure the confidentiality and safety of victim information, and means of communication should be the choice of the victim. For instance, messages left on voicemail or electronic communications may be intercepted by those who share a phone or account with a victim. Any use of such forms of communication should include added security measures and minimal disclosure of information about the nature of the case or program. Prior to initiating services, and throughout provision of services, program staff should confirm with the victim which methods of communication they prefer. Victims should be given adequate information as to the benefits and risks associated with all forms of technology so that they can make an informed decision.

Education and training on cyber and technological safety is recommended at an agency level to ensure that advocates and staff have pertinent knowledge of current standards for assisting a victim to achieve safety through technology, and that advocates can assist victims in retaining potential evidence through technology if needed for a victim to pursue criminal charges. *For more information on security and confidentiality of communications with victims, please refer to OVWA's guidebook, "Cybersafety for Advocates and Allied Professionals."*

SECTION III – OUTREACH, COORDINATING, AND COLLABORATING WITH OTHER PROVIDERS

PROGRAM STANDARD 3.1 – A WRITTEN GUIDELINE THAT DESCRIBES PROGRAM PROCEDURES FOR COMMUNICATION AND COLLABORATION WITH OTHER PROVIDERS

COMMENTARY – No single service provider is capable of meeting the comprehensive needs of all victims. Therefore, it is important to establish and maintain ongoing relationships with other programs and service providers at the local, state, and national levels to ensure access to services that meet the full range of victims' needs. Establishing formal policies, procedures, and interagency agreements outlining which individuals and organizations can provide particular services, and when, where, and under what circumstances, can enhance the effectiveness of these partnerships.

In addition to working with the agencies responsible for directly providing the full array of victim services, programs are encouraged to initiate and maintain regular planned exchanges with representatives of educational institutions, justice agencies, and other organizations regarding the program's goals and objectives, training services, direct services, and other topics as they arise. Collaborative networks could include state coalitions (e.g., domestic violence, sexual assault, general victimization); victim assistance groups; crisis responders; medical providers; Forensic Nurse Examiner, Sexual Assault Nurse Examiner, and Sexual Assault Response Team (FNE/SANE/SART) programs; mental health services; peer support groups; social services; child and adult protective services; campus victim services; school-based programs; tribal programs; substance abuse counseling services; faith-based entities; military programs; employment assistance programs; housing programs; programs for victims of trafficking; disability service providers; programs for individuals who identify as lesbian, gay, bisexual, transgender, or queer; community-based organizations that provide culturally- and linguistically-appropriate services; and other groups in the community. Other programs may include attorney generals' offices, state compensation offices, law enforcement victim service programs, legal service providers, prosecution-based programs, corrections, probation and parole, and juvenile justice programs. Cross-training is especially encouraged for individuals who work closely with one another or who share a work area (e.g., when a victim assistance provider visits a police crime scene or a hospital emergency room). *For more information on advocacy with collaborative partners, please see the section of this guide, "Advocacy with Community Partners."*

PROGRAM STANDARD 3.2 – THE PROGRAM HAS WRITTEN GUIDELINES THAT OUTLINE THE DUTIES AND RESPONSIBILITIES OF STAFF CONDUCTING ANY ONGOING EDUCATION OR COMMUNITY OUTREACH. ELEMENTS MIGHT INCLUDE THE FOLLOWING:

- **PREVENTION/EDUCATION**
- **TRAINING FOR OTHER PROFESSIONALS**
- **PUBLIC RELATIONS**
- **SOCIAL CHANGE ADVOCACY**

COMMENTARY – Programs are more effective when they are visible in the community and show a commitment to the welfare of community members. Therefore, beyond interventions to address victimizations that have already occurred, consider disseminating information on primary prevention and risk reduction techniques, as well as how to identify victims, report a crime or victimization, and access services.

Prevention and education efforts might include planning and hosting awareness events (e.g., vigils, walk-a-thons) or delivering public presentations on issues such as risk reduction, how to report crime, services available to crime victims, and responding to and coping with trauma. Consider, in particular, providing educational events at schools and for vulnerable or underserved populations (e.g., older individuals, ethnic minorities). Prevention and education efforts may also focus on potential perpetrators and bystanders.

Training for other professionals Educating other service providers about the scope and impact of victimization helps to enhance the capacity of those whose work affects victims of crime (e.g., dispatchers, police, medical providers, clergy, funeral directors, psychologists, social workers, marriage and family therapists, substance abuse counselors, disability service providers) to understand and meet the needs of victims and their loved ones.

Public relations may include social media, press releases, public service announcements, media interviews, and meetings with reporters, producers, and editorial boards.

Social change advocacy can be used to effect change within the organization or other systems (e.g., to improve an agency or institution's response to crime victims). Social change advocacy, for instance, can be used to encourage justice systems to respond consistently to the needs of those victimized by violence.

The development of education and outreach methods should be guided by and reflect the diversity and character of the community and victims served. For example, in communities with large populations of persons with limited English proficiency, written and electronic broadcast service information should be made available in frequently encountered languages. Outreach efforts should also be strategic in their timing and placement in order to be effective. Victims' input can assist greatly in these efforts.

Carefully review the terms of the program's grant agreements and consult all funding parties to ensure compliance with any restrictions related to program activities, including outreach, prevention, training, travel, and lobbying.

SECTION IV – DIRECT SERVICES

PROGRAM STANDARD 4.1 – A WRITTEN GUIDELINE THAT GIVES A GENERAL LIST OF INDIVIDUAL VICTIM SERVICES PROVIDED BY THE PROGRAM, INCLUDING DESCRIPTIONS OF ANY GUIDELINES ON THE TIMING AND DURATION OF SERVICES

COMMENTARY – Individual victim services are those services and interventions offered to a victim to address expressed needs, concerns, and to promote feelings of hope, healing, and justice in the aftermath of a crime. Some programs may have guidelines for the onset of services and limitations on the duration of services. Guidelines may also address transition planning for phasing out or transferring services to another program or individual. While such guidelines can be helpful, they can also be problematic if rigidly enforced or viewed as replacements for services.

Victims most frequently need and use the following:

- Information on victims' rights
- General information on victimization
- Information on protection orders
- Notifications of legal proceedings
- Safety planning, including safe and secure use of technology
- Advocacy and support
- Assistance with victim compensation and restitution (Ohio Crime Victim Compensation Program)
- Negotiations with creditors, landlords, and employers
- Medical services
- Protective relocation, address confidentiality (Safe at Home Program), or shelter
- Crime scene cleanup
- Assistance with funeral arrangements after a homicide
- Information on administrative or justice-related case proceedings
- Information about automated victim notification (VINE)
- Available mental health services, counseling, and support groups
- Substance abuse services
- Connection to faith groups and cultural communities
- Social services
- Legal services including immigration, family law, employment law, public benefits access, victims' rights enforcement, domestic violence/sexual violence law, and housing law
- Housing assistance
- Educational services and accommodations
- Childcare
- Assistance with document replacement
- Assistance with property repair and return
- Interpretation and translation services
- Accompaniment to interviews, court hearings, hospital visits, etc.
- Advocacy within the justice system

Each of the services should include a description of the responsibilities of the advocate when providing each service within the rules and procedures of the prosecutor's office. *More information for how advocates can conduct these activities with victims within the justice system can be found in the section of this guide, ["Advocacy within the Justice System."](#)*

PROGRAM STANDARD 4.2 – A WRITTEN GUIDELINE OUTLINING RESOURCES AND PROCEDURES FOR PROVIDING INFORMATION ON JUSTICE INTERVENTIONS

COMMENTARY – Crime victims often need information about criminal or juvenile justice interventions and court processes. Programs should have in place basic guidelines for providing information and referrals regardless of the extent of the program’s involvement in criminal, juvenile, civil, or other justice proceedings. To conduct efficient and accurate assistance, programs should maintain knowledge and/or lists of contacts, both local and state, that could be provided to a victim in need.

Victim advocates can help victims locate and connect with appropriate resources. If information provided to the victim is legal in nature, it is critical that advocates outline the difference between legal advice and legal information. Programs should strictly monitor how legal information is presented and prohibit non-attorney staff from practicing law or providing legal representation. *For more information on the unauthorized practice of law, please see the section in this guide, [“Avoiding Unauthorized Practice of Law.”](#)*

PROGRAM STANDARD 4.3 – A WRITTEN GUIDELINE OUTLINING RESOURCES AND PROCEDURES FOR ADDRESSING VICTIM CRISIS SITUATIONS

COMMENTARY – Crisis intervention services should be directed toward calming a situation, establishing physical and emotional safety, and, when appropriate, reinforcing the victim’s ability to make choices regarding possible courses of action. Relevant crisis situations may include victim intimidation, threats to victim safety, inmate escape, death notification, mass violence events, acts of terrorism, or natural disasters.

Procedures for responding to crisis situations will vary depending on the program, the type of crisis, the setting, and the staff’s expertise. Guidelines may include procedures for arranging emergency support services, reporting situations to appropriate responders, or taking other actions to provide immediate aid to the victim/survivor. If the individuals providing crisis intervention are not licensed mental health professionals, they must be aware of mental health consultation resources. In addition, procedures for staff responding to crisis situations may include the following:

- Identification of issues surrounding the crisis
- Identification of physical and psychological barriers to safety
- Assistance with identifying and evaluating options
- Assistance with developing an action or safety plan
- Provision of resources and referrals for ongoing support and services

PROGRAM STANDARD 4.4 – A WRITTEN GUIDELINE THAT DESCRIBES PROCEDURES FOR ADDRESSING IMMINENT DANGER, STALKING, AND INTIMIDATION OF VICTIMS AND/OR WITNESSES

COMMENTARY – Programs should implement strong protocols for directly addressing or providing referrals to address imminent danger, stalking, or intimidation of people served or program staff. Responses might include arranging appropriate assistance for those who have been threatened or who, in the judgment of the program, express specific, credible reasons for fearing intimidation or further victimization. Appropriate assistance may include relocating the victim, arranging for protective custody by law enforcement, securing shelter, safety planning, or assisting with stalking diaries. The established safety plan should be reviewed or changed whenever an incident involving danger, stalking, or intimidation occurs, and should comply with the policies and procedures of the prosecutor’s office.

These guidelines should be discussed with victims when appropriate so that advocates can obtain consent to contact law enforcement, prosecutors, and/or probation and parole officers who can take the necessary steps to address the victim’s safety. Programs should also work with the appropriate authorities when contacting victims, informing them of danger, and discussing available options. Advocating for victims across agencies increases the likelihood that reasonable precautions will be taken to protect them from intimidation or harm.

PROGRAM STANDARD 4.5 – A WRITTEN GUIDELINE OUTLINING INFORMATION TO BE PROVIDED TO VICTIMS ON INITIAL CONTACT AND/OR THROUGHOUT THE SERVICE PROCESS

COMMENTARY – This guideline should define all materials that are required to be provided to or may be provided to a victim in such forms as letters, brochures, checklists, reference cards, and other written or electronic documents. Because it may be difficult for traumatized individuals to retain information, service providers should be judicious when determining how much information to provide at a given time. Information should be provided in a language and format that is preferred by the client (e.g., written

English, recorded spoken English, written foreign language, spoken foreign language, recorded ASL, Braille). *In an effort to communicate effectively with all victims, to the extent possible, written materials should be developed in plain language. To learn more about using plain language in written materials, please visit <https://www.plainlanguage.gov/guidelines/>.*

If an individual is not literate, the information may need to be explained in person or via other auditory methods. A qualified professional interpreter can assist individuals with limited English proficiency, while qualified ASL interpreters and/or Certified Deaf Interpreters (CDI) can present the information to individuals who are Deaf and/or Hard of Hearing .

SECTION V – PROGRAM CULTURE, SUPERVISION, AND TRAINING

PROGRAM STANDARD 5.1 – TRAUMA RESPONSIVE ORGANIZATIONAL POLICIES AND PROCEDURES

COMMENTARY – Prosecutor-based victim advocacy programs are usually bound by the policies and procedures of the city or county they are affiliated with. However, these policies likely do not include specific advocacy programmatic details nor are they necessarily trauma-responsive. As victim advocacy is a specialized field, it is important to outline detailed policies and procedures that are specific to the victim assistance program.

An agency’s policies and procedures manual provides a blueprint for both administrators and staff for effective advocacy and leadership, provides an avenue for accountability, and serves to create consistent and professional guidelines within a program. Most employees feel more prepared in their roles with such a framework of operating guidelines. Fundamental to the development of trauma responsive policies and procedures is the knowledge that advocates experience vicarious and/or secondary trauma from the victims they serve. Programs have a responsibility to develop programmatic policies to mitigate this trauma. When implemented, these practices can benefit the program through longevity of staff, staff satisfaction, staff health, and ultimately better services for victims.

Developed by the Survivor Advocacy Outreach Program (SAOP) in Athens County, Ohio, the “5 D’s” are a simple but effective way to implement trauma-responsive practices within a program.

THE 5 D’S:



DISCOVER

Take time to assess staff and the environment, culture, beliefs, systems, and values of the workplace.



DEVELOP

Identify strategies to address trauma to build resilience within staff and clients.



DEPLOY

Enact and integrate trauma-responsive strategic plans and goals within the program to address the identified areas of concern.



DISCIPLINED

Make sure that the plan is systematic, consistent, and measurable.



DIVERSION

Effective trauma-responsive practices will reduce staff and client trauma and build resiliency.

For more information on trauma responsive care, see the section of this guide, “[Core Principles of Victim Advocacy](#).” For trauma responsive organizational self-assessments, please see the [Resources](#) section of this guide.

PROGRAM STANDARD 5.2 – A WRITTEN GUIDELINE THAT DESCRIBES PROCEDURES FOR SUPERVISION OF STAFF INCLUDING, AS APPLICABLE:

- **STAFF RESPONSIBLE FOR SUPERVISION**
- **HOURLY/WEEKLY REQUIREMENTS**
- **LENGTH OF SUPERVISION**
- **NATURE OF SUPERVISION**
- **PROCEDURES FOR STAFF REVIEW**

Supervisory duties include direct oversight and support of staff as well as assessing staff workload, promoting self-care practices, and supporting routine use of stress reduction techniques by program staff. Supervisors should assess staff for burnout, compassion fatigue, and secondary or vicarious trauma, and arrange for support when these conditions are detected. Supervisors should also work to encourage teamwork when appropriate, as advocates can learn from and support each other through difficult situations.

In terms of direct supervision, it is recommended that advocates have regular case consultation supervision. Effective, regular supervision allows advocates to learn new skills and resources, problem solve, identify areas for professional growth, and gain perspective. It also allows supervisors to rebalance advocate workloads, determine recurrent areas of need or frustration, and identify training needs both for advocates and service partners. Additional supervision may be required if the advocate has encountered difficult issues while delivering services or if the supervisor perceives ethical or performance concerns. These staff meetings and individual consultations should be scheduled on a regular basis, preferably no less than twice a month.

PROGRAM STANDARD 5.3 – GUIDELINES DESCRIBING TRAINING AND CONTINUED EDUCATION OF STAFF

COMMENTARY – Program standards for prosecutor-based victim advocacy programs should include an emphasis on ongoing staff development. Programs should require that advocates receive a minimum number of training hours annually and should provide staff with the time away from direct services to obtain such training and education. Supporting ongoing staff education on a range of topics will help advocates build the knowledge and skills necessary to deliver comprehensive direct services and to coordinate service networks. Numerous state and national training programs have provided feedback and developed hourly training recommendations for victim service providers. *Continuing education recommendations can be found within Section V: Administration and Evaluation of the Program Standards of [“Achieving Excellence: Model Standards for Serving Victims and Survivors of Crime.”](#)*

Ideally, programs should clearly designate pre-service training designed to assist new staff in assessing their aptitude and motivation for working in victim assistance. Additionally, a period of supervised performance (on-the-job training, job shadowing) as new advocates begin delivering services may follow this pre-service training period. This supervision is different from pre-service training in that on-the-job training focuses more on rehearsing, applying, and refining skills.

Advocates who maintain credentials with the Ohio Advocate Network, the National Advocate Credentialing Program, or through a professional licensing body already have required continuing education hours that they must complete to maintain these credentials and will be motivated to seek out and complete training applicable to their role. *For more information on advocate credentialing in Ohio and nationally, please see the section of this guide titled, [“Ethics in Advocacy.”](#)*

RESOURCES

The below resources are non-exhaustive and do not fully encompass the breadth of information available for victim advocates. We encourage the exploration of these options and other available resources to deepen understanding of these topics. The resources below are categorized according to the sections of this guide for easy reference.

HISTORY OF THE VICTIMS' RIGHTS MOVEMENT

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime

[*The History of the Victims' Rights Movement in the United States*](#)

[OVC Landmarks in Victims' Rights and Services - Crime Victims' Rights in America: A Historical Overview](#)

National Crime Victim Law Institute

[*Fundamentals Of Victims' Rights: A Brief History of Crime Victims' Rights in the United States*](#)

TRAUMA-RESPONSIVE CARE

OVWA Webinars and Best Practices

Some of the OVWA resources listed below may not be accessible without OVWA membership. To learn more about OVWA membership, visit our [website here](#).

[Trauma 101 for Advocates](#)

[Introduction to the Social Resilience Model \(SRM\)](#)

[Trauma Responsive Leadership](#)

[Trauma-Informed Safety Planning and Lethality Assessments](#)

[How to Quickly and Effectively Assist Domestic Violence Survivors in Assessing Personal Safety](#)

[Trauma-Informed Services for Homicide Co-Victims](#)

[Trauma, ACES, PACES, & the Resiliency of Survivors](#)

TRAUMA-INFORMED SERVICES FOR CO-VICTIMS OF HOMICIDE

[*A Best Practice Guide for Criminal Justice Professionals and Allied Partners*](#)

[Ohio Alliance to End Sexual Violence](#)

Ohio Domestic Violence Network Downloadable Resources - The following resources can be found [here](#):

Trauma & Domestic Violence Affects Youth and Resilience-Focused Youth Support
(Families of Color)

Trauma & Domestic Violence Affects Youth and Resilience-Focused Youth Support
(Families who are Spanish)

Trauma & Domestic Violence Affects Youth and Resilience-Focused Youth Support
(Families who are White)

Trauma-Informed Approaches: Promising Practices and Protocols for Ohio's Domestic Violence Programs

SAMHSA

[*Concept of Trauma and Guidance for a Trauma-Informed Approach*](#)

The Work of the People

[*Power With, Brené Brown*](#)

National Sexual Violence Resource Center

[*Building Cultures of Care: A Guide for Sexual Assault Services Programs*](#)

Campaign for Trauma Informed Policy and Practice (CTIPP)

[*Trauma-Informed Workplaces*](#)

National Center on Domestic Violence, Trauma, & Mental Health

[*A Systematic Review of Trauma-Focused Interventions for Domestic Violence Survivors*](#)

Office of Victims of Crime

[*Introduction to Trauma Informed Victim Advocacy*](#)

[*The Vicarious Trauma Toolkit*](#)

[Trauma Transformed Agency Self-Assessment](#)

The Anna Institute

[*Creating Cultures of Trauma-Informed Care \(CCTIC\): A Self-Assessment and Planning Protocol*](#)

NATIONAL ADVOCACY ORGANIZATIONS

[National Organization of Victim Advocacy](#)

[National Center for Victims of Crime](#)

[Office of Victims of Crime](#)

[Ending Violence Against Women International](#)

[National Network to End Domestic Violence](#)

SERVING D/DEAF AND DISABLED VICTIMS

[Ohio Association of County Boards](#)

Ohio Victim Witness Association

[*Serving Survivors with Disabilities: An Advocate's Guide*](#)

[Deaf Phoenix](#)

[Deaf World Against Violence Everywhere \(DWAVE\)](#)

[Plain Language](#)

DIVERSITY, EQUITY, AND INCLUSION

[Asian Pacific Institute on Gender Based Violence](#)

[Visibility Project](#)

[Caminar Latino](#)

[Latinos United for Peace and Equity](#)

[Esperanza United](#)

[Women of Color Network](#)

[National Indigenous Women's Resource Center \(NIWRC\)](#)

[Anti-Oppression Resource and Training Alliance \(AORTA\)](#)

[Disability Visibility Project](#)

Center for Survivor Agency & Justice

[*Showing Up: How we see, speak, and disrupt racial inequity facing survivors of domestic and sexual violence*](#)

[National Coalition of Anti-Violence Programs](#)

VICTIM RESOURCES

[Ohio Department of Rehabilitation and Corrections \(ODRC\)](#)

[ODRC Office of Victim Services](#)

[Ohio Crime Victim Justice Center](#)

[Ohio Crime Victim Rights Legal Guide](#)

[Ohio Crime Victim Justice Center Victim Rights Toolkit](#)

[Ohio Crime Victim Compensation Program](#)

[VINELink Ohio](#)

[Victim Connect Resource Center](#)

PROGRAM STANDARDS

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime

[*Achieving Excellence: Model Standards for Serving Victims and Survivors of Crime*](#)

Ethics in Victim Services

[Melissa Hook, Sidran Institute Press](#)

MEDIA GUIDES

Justice Solutions

[*A News Media Guide for Victim Service Providers*](#)

2018 National Crime Victims' Rights Week Resource Guide

[*Advocating for Victims with the Media*](#)

Michigan Coalition Against Domestic and Sexual Violence

[*Working with the Media: A Toolkit for Service Providers*](#)

National Center for Victims of Crime

[*Privacy & Dignity: A Guide to Interacting with the Media*](#)

[*Navigating Media in the Wake of Tragedy: How survivors of crime, victim advocates and supporters can engage - or not - with news media and 'true crime' content creators*](#)

CREDENTIALING

[Ohio Advocate Network \(OAN\)](#)

[National Advocate Credentialing Program \(NACP\)](#)

ETHICS

Ethics in Victim Services

[Melissa Hook, Sidran Institute Press](#)

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime

[Achieving Excellence: Model Standards for Serving Victims and Survivors of Crime](#)

National Advocate Credentialing Program (NACP)

[Code of Professional Ethics for Victim Assistance Providers](#)

Prosecuting Attorney's Council of Georgia

[Code of Professional Ethics for Victim Witness Assistance Providers](#)

TECHNOLOGICAL SAFETY

Ohio Victim Witness Association

[Cybersafety for Professionals](#)

[Cybersafety for Victims](#)

National Network to End Domestic Violence

[Safety Net Project](#)

Exploring technology safety in the context of intimate partner violence, sexual assault, and violence against women.

Justice Clearinghouse

[GPS and Tech Safety for Victim Advocates](#)

National Domestic Violence Hotline

[Internet Safety](#)

VICARIOUS TRAUMA AND SELF-CARE

[The Trauma Stewardship Institute](#)

[Self Care for Advocates](#)

[Facebook](#)

[YouTube](#)

Northeastern University's Institute on Urban Health Research and Practice

[Vicarious Trauma Organizational Readiness Guide for Victim Services](#)

U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime

[The Vicarious Trauma Toolkit](#)

[Brené Brown, "Unlocking Us" Podcast](#)

[Self-Care Assessment Worksheet](#)

[Mindful Self-Compassion](#)

UCLA Mindful

[UCLA Health's Mindfulness Education Center](#)

UCLA Mindful, the mindfulness education center at UCLA Health, is dedicated to advancing mindfulness education to promote individual and cultural well-being and resilience world-wide.

[Headspace](#)

[Keeping Your Cup Full: Self-Care is Essential to Trauma-Informed Advocacy](#)

[The Tapping Solution](#)

STATE RESOURCES

[Ohio Victim Witness Association \(OVWA\)](#)

[Ohio Prosecuting Attorneys Association \(OPAA\)](#)

[Ohio Crime Victim Justice Center \(OCVJC\)](#)

[Ohio Crime Victim Rights Legal Guide](#)

[Ohio Crime Victim Justice Center Victim Rights Toolkit](#)

[Ohio Attorney General's Crime Victim Services](#)

[Ohio Crime Victim Compensation Program](#)

[Ohio Department of Rehabilitation and Correction, Office of Victim Services](#)

[Ohio Department of Youth Services, Office of Victim Services](#)

[Ohio Domestic Violence Network \(ODVN\)](#)

[Ohio Alliance to End Sexual Violence \(OAESV\)](#)

[Ohio Network of Children's Advocacy Centers \(ONCAC\)](#)

[Ohio Crisis Response Team \(OCRT\)](#)

[Deaf World Against Violence Everywhere \(DWAVE\)](#)

[Buckeye Region Anti-Violence Organization](#)

[Disability Rights Ohio](#)

[Ohio Department of Developmental Disabilities](#)

[Ohio Department of Mental Health and Addiction Services](#)

[Ohio Association of County Boards of Developmental Disabilities](#)

[Ohio Association of County Behavioral Health Authorities](#)

[Ohio Secretary of State Safe at Home Program](#)

Advocates: [Safe at Home - Advocates - Ohio Secretary of State](#)

Victims: [Safe at Home - Survivors - Ohio Secretary of State](#)

The Supreme Court of Ohio

Marsy's Law and Crime Victim Rights

[Marsy's Law and Crime Victim Rights » Supreme Court of Ohio](#)

Protection Order forms

[Protection Order Forms » Supreme Court of Ohio](#)

Crime Victim Rights Forms

[Crime Victims "Marsy's Law" Rights Forms » Supreme Court of Ohio](#)

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APPENDIX A

[OHIO SUPREME COURT CRIME VICTIM RESTITUTION AMOUNT SUMMARY FORM](#)

Please use the above link to download the original document



CRIME VICTIM RESTITUTION AMOUNT SUMMARY FORM

This form is not intended to be filed with the court.

Victims of a criminal offense have a constitutional right to receive full restitution from the person who committed the criminal offense or delinquent act against them.ⁱ Victims may choose to seek restitution, but do not have to. Restitution may be awarded to the victim's estate if the victim is deceased. This form is designed to assist you in gathering information to present at a restitution hearing after the offender has been found guilty or adjudicated delinquent. Restitution does not necessarily cover every loss suffered by the victim. The victim retains the ability to seek damages from the offender in a civil action if necessary.

WHAT IS RESTITUTION?

Restitution is compensation for "economic loss" due to the criminal offense. Victims can be reimbursed for "economic loss" they had or will have because of the crime, including but not limited to:

- Full or partial payment for the value of stolen or damaged property (the replacement cost of the property or the actual cost of repairing the property if repairs are possible);
- Medical expenses;
- Mental health counseling expenses;
- Wages or profits lost due to injury or harm, including lost commission income and base wages; and
- Expenses related to making a vehicle or residence accessible if the victim is permanently disabled as a result of the offense.ⁱⁱ

HOW DO I REQUEST RESTITUTION?

To receive restitution, you, your victim's representative, or your attorney should let the prosecutor assigned to your case know that you are requesting restitution. This request may be made any time before the defendant is sentenced or the court approves a plea agreement. Make sure the court has enough time to schedule a restitution hearing if one is necessary.

HOW IS THE AMOUNT OF RESTITUTION DETERMINED?

The court will determine how much the offender pays in restitution. A hearing may be held where you, your victim's representative, your attorney, if applicable, and the prosecutor provide information to show the amount of economic losses you have or will suffer. The court cannot give you more than your economic loss from the criminal offense, so the court will ask if you have received any insurance or governmental assistance. This amount will be subtracted from the court's restitution order. The offender may also provide information.ⁱⁱⁱ

WHAT DO I NEED IN ORDER TO SHOW MY LOSSES?

You, your victim's representative, your attorney, or the survivor of the victim should keep records of all expenses that have been or will be incurred because of the crime to show the amount of your loss (documentation such as invoices, receipts, medical bills, etc.) This documentation is used by the court to determine the amount of restitution the offender is ordered to pay.

WHAT IF YOU OR THE OFFENDER DISAGREE WITH THE RESTITUTION AMOUNT?

You, your victim's representative, your attorney, the survivor of the victim, or the offender may dispute the amount of restitution ordered by the court. The court will then conduct a hearing to discuss the restitution amount and provide you with the opportunity to show why you disagree with the court's determination. You or your victim's representative may be asked to testify at the court hearing.^{iv}



WHAT HAPPENS IF THE OFFENDER DOES NOT PAY?

The court ordering the restitution retains the authority to enforce the order until the amount is fully paid. If the offender is a juvenile, the juvenile court will enforce the order until the offender turns 21 years old. After that, the restitution order turns into a civil judgment and can be enforced by the county or municipal court where the offender or victim resides.

DOES THE RESTITUTION ORDER EXPIRE?

No. The offender's obligation to pay restitution lasts until the amount is fully paid^v, and the amount of restitution, once ordered, cannot be reduced or suspended if you or your attorney objects.^{vi} If you request it, the court may allow you to accept a settlement amount that is less than the full restitution order, if the court determines that you were not coerced to agree to the lower amount.

ⁱ Ohio Constitution Article I, Section 10a(A)(7)

ⁱⁱ R.C. 2152.203(B) and R.C. 2929.281(A)

ⁱⁱⁱ R.C. 2152.20(A)(3) and R.C. 2929.28(A)(1)

^{iv} R.C. 2152.20(A)(3) and R.C. 2929.28(A)(1)

^v R.C. 2152.203(F) and R.C. 2929.18(A)(1)

^{vi} R.C. 2152.203(E) and R.C. 2929.281(D)



HOW TO USE THIS FORM

This form is intended to assist you or a victim's estate with gathering information necessary for determining the economic losses suffered for purposes of calculating restitution. You will be responsible for providing documentation verifying the amounts listed on this form.

This form should be given to the prosecutor assigned to your case or your attorney along with the necessary supporting documentation. Be sure to keep copies of your documentation for yourself.

SECTION 1: VICTIM INFORMATION

Victim's Name: _____

Case number: _____

Address: _____

City: _____ State: _____ Zip: _____

Email address: _____

Phone number: _____

If a VICTIM'S REPRESENTATIVE has been designated, please provide their name and contact information.

Name: _____

Phone number: _____

Address: _____

City: _____ State: _____ Zip: _____

Email address: _____

If the victim has an ATTORNEY, please provide their name and contact information.

Name: _____

Company name: _____

Address: _____

City: _____ State: _____ Zip: _____

Email address: _____

Phone number: _____



SECTION 2: STOLEN OR DAMAGED PROPERTY AS A RESULT OF THE CRIMINAL OFFENSE

The following property was stolen or damaged:

<input type="checkbox"/> The property can be repaired. Item(s) to be repaired	<input type="checkbox"/> The property must be replaced. Item(s) to be replaced:
Cost of repairs:	Cost of replacement:
Date(s) repairs were made:	Date(s) replacement received:



Make sure to have supporting documentation for these expenses.

RECOMMENDED DOCUMENTATION: You should provide receipts or other documentation that shows the amount paid for repairs, the date the item(s) was repaired, and who performed the repairs. For property that is replaced, provide invoices or receipts for the purchase of the new item(s). These are expenses that are not covered by any auto, homeowner, commercial property, or any other type of insurance or government program.

SECTION 3: MEDICAL EXPENSES AS A RESULT OF THE CRIMINAL OFFENSE

I have incurred the following medical expenses not covered by my insurance or government program:

Hospital-related expenses: \$ _____

Doctor's office visits: \$ _____

Medical equipment expenses: \$ _____

Physical therapy costs: \$ _____

Eyeglasses or Hearing aids: \$ _____

Prescription medicine: \$ _____

Other expenses (*specify*) _____

\$ _____



Make sure to have supporting documentation for these expenses.

RECOMMENDED DOCUMENTATION: You should provide receipts or other documentation showing the amount paid for hospital bills, doctor visit co-pays, medical or laboratory tests, medical equipment, physical therapy, prescription medicine, and other medically related expenses that are not covered by your health insurance or a government assistance program. You should also document dates of hospital stay and medical appointments. You may also need to show documentation of insurance coverage.



I have incurred the following mental health counseling expenses not covered by my insurance or government program:

- Therapist's office visits: \$ _____
- Prescription medicine: \$ _____
- Other expenses (*specify*) _____
\$ _____



Make sure to have supporting documentation for these expenses.

RECOMMENDED DOCUMENTATION: You should provide receipts or other documentation showing the amount paid for mental health counseling, such as therapist office visit co-pays, prescription medicine, and other related expenses that are not covered by your health insurance or a government assistance program. You should also document dates of counseling appointments. You may also need to show documentation of insurance coverage.

SECTION 5: LOST WAGES, PROFITS, COMMISSION AS A RESULT OF THE CRIMINAL OFFENSE

I have experienced a loss of income in wages, profits, or commission.*

- | | |
|--|---|
| <input type="checkbox"/> I lost wages.
Amount of lost wages: _____
Date(s) unable to work: _____ | <input type="checkbox"/> I lost profit.
Amount of profit lost: _____
Date(s) losses occurred: _____ |
| <input type="checkbox"/> I returned to work on _____ | <input type="checkbox"/> I lost commission.
Amount of lost commission: _____ |
| <input type="checkbox"/> I will be returning to work on _____ | |
| <input type="checkbox"/> I will be unable to return to work. | |

The doctor certifying time off work was: _____

Doctor's phone number: _____

Doctor's address: _____

- Did you receive (*check all that apply*): Disability Worker's Compensation
 Union/fraternal plan benefits Food stamps/cash grant Crime Victim's Compensation



Other (specify) _____



Make sure to have supporting documentation for these expenses.

RECOMMENDED DOCUMENTATION: You should provide employer contact information, paycheck stubs, Internal Revenue Service W-2 forms, financial statements, tax returns, or other documentation showing the amount of income earned. You should also provide records of any money or reimbursement received as replacement income for your inability to work. For lost commission, documentation of income earned from the twelve-month period prior to the offense date is required. *You are not entitled to lost wages for time voluntarily attending criminal court proceedings. [State v. Yerkey, 2022-Ohio-4298.]

SECTION 6: ACCESSIBILITY EXPENSES AS A RESULT OF THE CRIMINAL OFFENSE

I incurred expenses related to making my vehicle or home accessible due to my permanent disability.

Vehicle Modification

Cost of modifications: _____

Summary of modifications:

_____	_____
_____	_____
_____	_____

Date(s) modifications occurred: _____

Residence Modification

Cost of modifications: _____

Summary of modifications:

_____	_____
_____	_____
_____	_____

Date(s) modifications occurred: _____



Make sure to have supporting documentation for these expenses.

RECOMMENDED DOCUMENTATION: You should provide receipts or other documentation that shows the amount paid for modifications made to your vehicle and residence, the date(s) the modifications were made, and who performed the repairs.

SECTION 7: SUMMARY OF ECONOMIC LOSSES SUFFERED AS A RESULT OF THE CRIMINAL OFFENSE

You are entitled to receive restitution for the amount of economic losses that you have or will suffer. This amount will be reduced by any insurance or governmental assistance you have received as a result of the economic losses suffered due to the criminal offense.



ECONOMIC LOSSES

Amount paid for repair/replacement of stolen/damaged property \$ _____
 I have supporting documentation.

Amount paid for medical expenses \$ _____
 I have supporting documentation.

Amount paid for mental health counseling \$ _____
 I have supporting documentation.

Amount of lost wages, profit, or commission \$ _____
 I have supporting documentation.

Amount paid in making vehicle or residence accessible \$ _____
 I have supporting documentation.

Total Economic Losses \$ _____

REIMBURSEMENT OR COMPENSATION RECEIVED AS A RESULT OF THE CRIMINAL OFFENSE

Amount paid by automobile insurance \$ _____
 I have supporting documentation.

Amount paid by homeowner’s insurance \$ _____
 I have supporting documentation.

Amount paid by commercial property insurance \$ _____
 I have supporting documentation.

Amount paid by medical insurance \$ _____
 I have supporting documentation.

Amount paid by government assistance \$ _____
 I have supporting documentation.

Other assistance received \$ _____
 I have supporting documentation.

Other (*specify*) _____ \$ _____
 I have supporting documentation.

Total Compensation/Reimbursement \$ _____

Total Economic Losses \$ _____ - (minus)

Total Compensation/Reimbursement \$ _____

Amount of Restitution to be Requested \$ _____ **Total**



APPENDIX B

NOTIFICATION ABOUT CRIMINAL JUSTICE EVENTS

Providing notification of scheduled court dates is one of the primary constitutional rights afforded to crime victims in the state of Ohio. Timely and effective notification requires a consistent process and clear identification of roles and responsibilities. By law, the prosecutor's office is the primary entity responsible for ensuring that crime victims are informed of all court dates and required meetings, with limited exceptions.

In practice, some prosecutor's offices provide these notifications directly, while others delegate this responsibility to the victim advocacy program operating within or in partnership with the prosecutor's office. Many advocacy programs prefer to provide notifications so that they may include additional information regarding crime victim rights, opportunities for participation, explanations of the criminal justice process, and referrals to other relevant services.

Within this appendix, you will find examples of various types of notification letters. You will also find inserts that can be included with specific letters. These documents are accessed by clicking on the title which is linked to the full document. If you are not viewing this on a computer to access the links, please visit www.ovwa.org to access the document and the links will open the full letter or insert. If you are unable to access this guide and appendix online, please contact us at info@ovwa.org and we will further assist you.

LETTERS

- Felony Intro
- Felony Motion Notification
- Felony Crime Victim Rights and Defense Attorney
- Felony ODRC Disposition
- Juvenile Intro
- Municipal Case Status
- Municipal Intro Letter
- Municipal Warrant

INSERTS

- VRR Form OCVJC
- Adapted VRRF Fillable Form
- Restitution Fillable Form
- Felony Criminal Justice Process
- Juvenile Justice Process
- Tips for Testifying

APPENDIX C

VICTIM IMPACT STATEMENTS

Included in the Appendix are various examples of Victim Impact Statements, and a list of suggested prompts if you would like to develop a different victim impact statement. It is important that the Prosecutor and the Court approve the form provided to victims of crime.

Prompts to use for Victim Impact Statements by age

School Age – What is your name? What grade are you in? Tell the Judge how you feel about what has happened to you. You can draw a picture, tell a story, write a poem or a message! Some things you might want to tell the judge about:

Your feelings (happy, sad, scared, angry or something else)

If you were hurt or had pain

What are your worries

What would you like the Judge to do to the person that did this? You could ask about the person going to jail, paying money or a fine, get some help from a doctor, stay away from you, have someone watch the person to make sure they do not hurt anyone else, or anything else you think is important for the judge to know.

Adolescent/Teenage

What is your name? What grade are you in? How do you feel about what _____ did?

Has anything changed since this happened to you with family, friends, school, or other people or places?

Were you hurt and do you still have problems because you were hurt? (Physically and emotionally)

What else do you think the judge should know?

What sentence should the person that did this to you receive? The judge in the case decides on a sentence for the crime if they are found or plead guilty. You can think about things like jail time, pay a fine, pay you or your family back for something they damaged or took, get counseling, do community service, be on probation, stay away from you, or something else you think would be fair.

Adults

What happened to you?

How has this crime affected you?

Emotionally

Physically

With friends and family

Spiritually

At your place of employment

Do you have long term injuries (either emotionally or physically)

Are you requesting restitution?

How would you like the Judge to sentence the offender?

Is there anything else you think is important for the Judge to take into consideration?

Victim Impact Statement for Young Children

Parents – if your child is too young or not able to read this document, feel free to read aloud. It is very important that the child is able to express their own feelings and not those of their family or others. Please explain that this letter will help the Judge to decide what to do and that they are not in trouble, nor are there any right or wrong feelings. If a victim advocate is involved in your case, they may be able to assist you or your child in understanding the victim impact statement.

It is ok if your parents help you write your feelings!

What is your name?

How old are you?

Are you in school? What grade are you in?

How do you feel about what happened to you? You can circle as many as you like.

Victim Impact Statement for Young Children

Parents – if your child is too young or not able to read this document, feel free to read aloud. It is very important that the child is able to express their own feelings and not those of their family or others. Please explain that this letter will help the Judge to decide what to do and that they are not in trouble, nor are there any right or wrong feelings. If a victim advocate is involved in your case, they may be able to assist you or your child in understanding the victim impact statement.

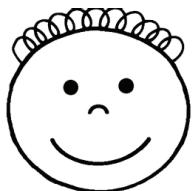
It is ok if your parents help you write your feelings!

What is your name?

How old are you?

Are you in school? What grade are you in?

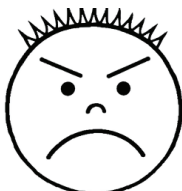
How do you feel about what happened to you? You can circle as many as you like.



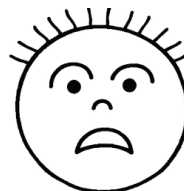
Happy



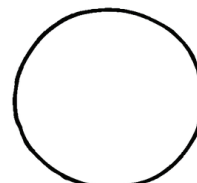
Sad



Mad



Scared



Other

If you were the Judge, what would you do to the person that did this?
Circle as many as you like.

Go to jail

Pay some money

Go to a doctor to get some help

Stay away from me or kids

Nothing

Other (Put your idea here!)

If you would like, you can use the back of this page or a new page if you run out of room. You could also use the back of this page to write anything else you would like to do to tell the judge about how you feel about what has happened to you. You could draw a picture, tell a story or write a message, even a poem! If you don't want to write or draw anything, that's okay too.




Victim Impact Statement

As a crime victim you have a right to provide a victim impact statement to the Judge and Prosecutor.

VICTIM IMPACT STATEMENT PART 1 – PROSECUTOR

This statement is your input to the prosecuting attorney regarding the criminal case. Your input to the prosecutor will be considered for pre-trial discussion, plea agreements, and possible resolutions of the case.

Signature

Date

PART 2 – ECONOMIC LOSS

NOTE: SOME SECTIONS MIGHT NOT BE RELEVANT TO YOUR CASE.

Please describe any injuries you received during this crime: _____

Did you receive treatment? YES NO If yes, where? _____

Was your treatment covered by insurance? YES NO

Did you have a Co-Pay? YES NO If yes, what was the amount? \$ _____

Did you have any out of pocket expenses? Please indicate the amount and provide copies of any bills and/or receipts you may have.

Was there any damage to any Property? YES NO

Please describe the damage and attach estimates and/or receipts. _____

I am requesting restitution.

I understand that I must provide necessary documentation.

The court will determine how much the offender pays in restitution. A hearing may be held where you, your victim's representative, your attorney, if applicable, and the prosecutor provide information to show the amount of economic losses you have or will suffer. The court cannot give you more than your economic loss from the criminal offense, so the court will ask if you have received any insurance or governmental assistance. This amount will be subtracted from the court's restitution order. The offender may also provide information.

Your Victim Advocate can discuss the restitution process and answer any questions you may have.



VICTIM IMPACT STATEMENT PART 3 – JUDGE

(THIS STATEMENT IS PROVIDED TO THE JUDGE/PROBATION)

Please use the space below to indicate how this crime has affected you. Please consider what you would want the offender to be sentenced to (*jail sentence, probation, treatment, counseling, restitution, etc.*) You may add additional pages or documentation. **YOUR STATEMENT TO THE COURT/JUDGE MAY BE SHARED WITH THE DEFENSE ATTORNEY. PLEASE TALK TO YOUR ADVOCATE ABOUT YOUR PREFERENCES.**

Signature

Date

APPENDIX D

SELF REGULATION TOOLS

TOOLS FOR REGULATION

Orienting to Space/Time

Asking questions such as: Can I get you a bottle of water? Would you like me to close that door? Would you like a tissue? It is 3:00—will your children be getting off the bus soon? These types of questions can help orient one to the present moment.

Grounding

Suggest that the person notice a part of the body that is being supported—their feet on the floor, arms on a chair, back against the back of a chair, etc. Suggest that they focus on how that feels—smooth, cool, warm, etc., and continue this process for a few minutes or until the co-victim indicates progression towards a feeling of calm.

Paced Breathing

4-7-8 breathing, or relaxing breath, is a breathing technique that can promote relaxation. To practice this breath, empty your lungs by exhaling through your mouth. Through your nose, inhale gently while counting to 4. Hold your breath for a count of 7, and then exhale slowly through your mouth for an 8 count. Repeat this breath for at least 6 cycles. While relaxation may not be possible depending on the circumstances, this may help the body begin to regulate.

Engage the Senses

Name: Five things you see around you; Four things you can touch; Three things you can hear; Two things you can smell; and one thing you can taste.

Progressive Muscle Relaxation

Starting at your toes, while inhaling, contract your muscles for 5 seconds. Exhale and release the tension from that muscle group. Move to your feet, and repeat the tense-release practice. Gradually work your way up the body, inhaling and exhaling, tensing and releasing each muscle group.

Temperature Changes

Splash cold water on your face, drink cold water or a cold beverage, or suck on ice cubes.

Alternate Nostril Breathing

Sit comfortably, placing one hand in your lap and the other hand towards your nose. Exhale completely, then use your thumb to close one nostril. Inhale through the open nostril, then at the peak of the inhale, close that nostril with your fingers. Open the first nostril and exhale through it. Inhale through the same nostril, close it again, and then open the other nostril and exhale through it. Repeat this pattern.

Thumb Pressure

With your thumb and forefinger, press the top of the thumbnail of the opposite hand for 15 seconds. Using the same hand, press the sides of the thumbnail for 15 seconds. Repeat as needed. Alternatively, some find that touching something cool or cold with the thumb can also begin to calm through stimulating the vagus nerve.

Note: These tips are not intended to replace the development of long-term coping skills in tandem with a mental health specialist.

APPENDIX E

OCVJC VICTIM RIGHTS REQUEST FORM

The Ohio Supreme Court developed Victim Rights Request forms that have been translated into multiple different languages. They can be found [here](#).

Please use the above link to download the original document.

OHIO VICTIMS' RIGHTS REQUEST FORM

As a victim of crime, you have constitutionally protected rights. **Some rights are automatic. Some rights require your request.**

This form provides important information about your rights. This form is NOT a public record. If you are a victim of a sexually oriented offense, protection order violation, or other offense of violence, law enforcement will review this form with you and ask you to complete this form so that criminal justice officials know which rights you wish to exercise. Law enforcement will provide you a copy of the form. These rights also apply to victims of all other criminal offenses. Law enforcement will provide victims of all other offenses information on how to access the form on-line or provide a printed form, upon request. **Complete the form and provide to the law enforcement agency who is investigating. Keep a copy.**

Requesting and Enforcing Your Rights

- Page two of this form provides a list of rights that must be requested if you wish to exercise them. It is your choice. You can choose to exercise all, some, or none of your rights.
 - PLEASE NOTE: If you are a victim of an offense of violence or a sexually oriented offense and you do not complete the form or request your rights at first contact with law enforcement, you will be automatically opted in to all “upon request” rights until you opt out of your rights or are contacted by the prosecutor. Once contacted by a prosecutor, you will no longer be opted in and you must request your rights in order to exercise them.
- You can change your mind at any time about which rights you choose to exercise. However, if you choose not to exercise some rights and then request them later, you may give up some rights that only apply during certain stages of the case. If you change your mind, you must call, email, or complete a new form and return it to the investigating officer, prosecutor, court, prison, jail, or community based correctional facility to ensure officials have updated information on the rights you wish to exercise and updated contact information. You can obtain another Victims' Rights Request Form at ocvjc.org or by calling 614-848-8500.
- **If any of your rights are denied, you may ask the advocate or prosecutor to help, seek enforcement on your own, hire an attorney, or request free legal assistance from Ohio Crime Victim Justice Center at <https://www.ocvjc.org/request-for-assistance> or call 614-848-8500.**
- An online resource to help you understand and exercise all of your rights is the [Victims Rights Toolkit](https://www.ocvjc.org/victims-rights-toolkit), <https://www.ocvjc.org/victims-rights-toolkit>

Appointing a Victim Representative

- You may choose to exercise your rights and/or choose a representative to exercise your rights. A representative can be anyone other than the defendant. You can choose, change, or remove a representative at any time.

Privacy and Safety

- You may be eligible for a protection order. The investigating officer will provide available resources to assist with obtaining a protection order.
- You may use the form on Page 2 to request redaction (removal) of your name, address, and identifying information from public records related to this case. This request does not apply to crash reports submitted to the Ohio Department of Public Safety. You must send a separate request with the pertinent information on your crash (name, date, location) to the Department of Public Safety to request redaction of crash reports found at https://publicsafety.ohio.gov/what-we-do/crash-reports/crash_report_search by emailing traffstats@dps.ohio.gov or calling (614) 466-3536.
- You may be able to keep your address private by obtaining a Safe at Home address. Learn more at: <https://www.ohiosos.gov/secretary-office/office-initiatives/safe-at-home/survivors/> or call 614-995-2255.
- If the defendant, defendant's attorney, or anyone else acting on behalf of the defendant contacts you to talk with you, request an interview, or attempt to obtain any information or materials from you, you have the right to refuse. Immediately contact the prosecutor to let them know you have been contacted. You may also contact <https://www.ocvjc.org/request-for-assistance> or call 614-848-8500.
- You can receive texts, calls, or emails to receive notice of a defendant or offender's release or escape from jail or prison. Register at: <https://www.vinelink.com/#state-selection>

Arraignment

- **Arraignment is a hearing that can happen within a couple days after the defendant is charged with a crime.**
- If you request notification, law enforcement will notify you of the arrest of the defendant and can provide you a phone number for the clerk of the court to get information on the date, time, and location of the arraignment proceeding.
- During arraignment the judge decides whether or not to release the defendant on bond, determines bond conditions, and whether or not to issue a protection order.
- You have the right to attend the arraignment and tell the judge about any safety concerns and your opinion regarding release, bond conditions, and whether or not you would like a protection order.

Compensation and Restitution

- Crime Victim Compensation Fund: You may be eligible to apply for reimbursement for certain financial losses relating to your victimization, even if the suspect has not been arrested or convicted. You may apply at: <https://www.ohioattorneygeneral.gov/individuals-and-families/victims/apply-for-victims-compensation> or call 800-582-2877.
- Restitution: Upon conviction, the court must order the offender to pay you for certain financial losses relating to your victimization. It is important to keep a record of all expenses incurred as a result of the crime so that the court can use this information to determine what costs are properly included in an order of restitution. <https://www.supremecourt.ohio.gov/docs/JCS/courtSvcs/MarsysLaw/SCO-CSD-0002.pdf>

OHIO VICTIMS' RIGHTS REQUEST FORM

FORM COMPLETED BY:
 Law enforcement Victim
 Prosecutor

Report No.: _____

Case No.: _____

Reporting Agency: _____

County: _____

Reporting Officer: _____

Badge No.: _____

Reporting Agency Phone: _____

Defendant/Suspect's Name _____

Charges: _____

Arraignment: _____
Date, Time, and Location, if known

AUTOMATIC RIGHTS—YOU DO NOT NEED TO REQUEST THESE RIGHTS

- The right to be informed of your rights.
- The right to be treated with fairness and respect for your safety, dignity and privacy.
- The right to reasonable protection from the accused or any person acting on behalf of the accused.
- The right to information about the status of the case.
- The right to refuse a defense interview, deposition, or other discovery request.
- The right to object to defense requests for access to your confidential information, including medical, counseling, school or employment records, access to your personal devices or on-line accounts, or other personal information.
- The right to be present at all public proceedings.
- The right to have a support person with you during proceedings.
- The right to tell the court your opinion in public proceedings involving release, plea, sentencing, disposition, parole, and any other hearing that involves victims' rights.
- The right to object to unreasonable delays.
- The right to full and timely restitution from the offender.

RIGHTS THAT MUST BE REQUESTED

YES NO

- I WANT my name, address, and identifying information to be redacted (removed) from:
 Law enforcement records Prosecutor records Court records
- I WANT notice of the arrest, escape, or release of the offender.
- I WANT reasonable and timely notice of all public proceedings.
- I WANT to confer with the prosecutor in the case in addition to the times listed above.
- I WANT to be notified of subpoenas, motions, or other requests to access any of my personal information.
- I WANT to appoint a Victim's Representative.
- I WANT to confer with the prosecutor at certain points in the case, including before pretrial diversion is granted, before the prosecutor amends or dismisses an indictment, information, or complaint, before the prosecutor agrees to a negotiated plea, and before a trial or adjudicatory hearing.
- I WANT interpretation services during contacts with criminal justice system officials.
 Foreign language interpreter in _____ language
 American Sign Language interpreter

OHIO VICTIMS' RIGHTS FORM

As a victim, you must keep law enforcement agencies, prosecutors, courts, and custodial agencies up to date with your current contact information.

LAW ENFORCEMENT/PROSECUTOR USE ONLY

Victim of violation of protection order, offense of violence, or sexually oriented offense was presented the form, but the victim was unable to complete the form. Victim is opted in to all rights until the victim completes the form or is contacted by the prosecutor and provided the opportunity to complete the form. The public records division and custodial agency was provided the victim's and/or victim representative's information for redaction and notification.

Victim Name: _____

Ohio Victims' Rights Request form provided to me by law enforcement officer OR prosecutor's office on _____ (date).

Email: _____ Phone: _____

Address: _____

Preferred method of contact (check all that apply): mail phone call email

I can be reached between _____ and _____ at _____ (best method of contact)

Date: _____

Please provide my name and contact information, and that of my representative, if applicable, to the custodial agency, if any.

If requested by victim:

Victim Representative Name: _____

Email: _____ Phone: _____

Address: _____

Date: _____

As the victim, I do not wish to receive notices about this case. Please provide notices to my representati

FOR BUSINESS VICTIM USE ONLY

As the representative of _____ (insert business name), by checking this box, I hereby OPT OUT of the business's victims' rights in this case and future cases unless I notify law enforcement, the prosecutor, or the court otherwise.



Ohio Victim Witness ASSOCIATION

