

Law Enforcement Handbook

Chapter 5d: Victim Assistance Program - Structure of Department's Victim Assistance Program

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5.1 Department and Bureau VAP Program Structure.

- A. Department Victim Assistance Program (DVAP) - The Office of Law Enforcement and Security (OLES) oversees the DVAP. The DVAP is managed by a National DVAP Coordinator who is the Department's point of contact on victim assistance matters and seeks to improve the Department's response to crime victims by promoting and evaluating compliance with victims' rights and services laws and by maximizing Department and bureau efforts to assist victims through leadership and coordination.

- B. Bureau/Office Victim Assistance Programs (BVAP) - each Bureau or Office Director of Law Enforcement (BDLE) will create an infrastructure that promotes best practices for assisting victims and ensures that all relevant personnel accord victims with rights and services to which they are entitled. Further, each agency will implement measures for LEO and BVAP personnel with victims' rights responsibilities to ensure they are held accountable for complying with laws addressing victims' rights and services. BVAPs will define roles of individuals in these programs and provide written descriptions of the BVAP structure and roles of personnel with responsibilities.
 1. Program development requirements - In developing BVAPs, BDLEs must:
 - a. Designate and identify BVAP personnel – Determine who will be delegated responsibilities for ensuring both the creation and maintenance of the BVAP program and compliance with victims' rights laws;
 - i. *Identify the National BVAP Coordinator* – Each agency will designate a National BVAP Coordinator who will be the bureau's point of contact on victim assistance matters. The National BVAP Coordinator's role will be to improve the bureau's or office's response to crime victims and ensure program efforts are informed by operational concerns and field office considerations.
 - b. Establish a written BVAP framework - Develop an organization chart and define BVAP personnel's roles and identifies staff and program accountability and compliance monitoring measures;

- c. Develop BVAP policy - Ensure policy, procedures and protocol provide clear guidance and accountability for LEO, law enforcement supervisors, LEO support personnel and VAP personnel to promote integration of victim services into relevant law enforcement activities.
 - d. Incorporate victims' rights and services in SLEC agreements –Ensure that officers working under SLEC's are following victims' rights and services laws.
 - e. Consult with tribes –The Bureau of Indian Affairs, Office of Justice Services should identify best practice and develop model tribal victims' rights codes and when appropriate negotiate with P.L. 638 tribes to develop or adapt tribal victims' rights codes.
 - f. Establish methods of BVAP compliance monitoring - Determine BVAP compliance of field operations, such as requiring victim rights and assistance services provision as part of internal audits and performance evaluations, or using IMARS as a tool to do random inspections;
 - i. *Establish periodic audits/evaluations* of regional and field offices
 - g. Ensure mutually acceptable BVAP representation on DVAP Advisory Council and Working Groups.
2. Program development “best practice” encouraged:
- h. Data for reporting and planning – With IMARS or other incident management program support, establish BVAP data collection methods that can be used for annual reporting and to inform BVAP and DVAP program priorities;
 - i. Notice of responsibilities - Notify each bureau or office employee with victims' rights and services responsibilities of his/her responsibility to comply with the provisions of the DOI VAP Policy and the BVAP Policy.
 - j. Model procedures - Develop model SOPs to facilitate best practices and consistent provision of services throughout the bureau/office;
 - k. Hiring practices - Use “best practices” position to ensure the recruitment of victim assistance personnel who have experience and relevant professional credentials consistent with other federal victim assistance personnel in recognized federal agency programs.

- l. Identify points of contact - Assign and maintain regional or geographic points of contact and disseminate updates to all BVAP points of contact routinely;
 - m. Resources - Secure resources that support the BVAP's implementation of victim assistance policies including identifying bureau, office or outside funding as well as other resources;
- C. DVAP Advisory Council – DOI-OLES will establish and oversee a DVAP Advisory Council whose membership will include National BVAP Coordinators and other specially designated from bureaus/offices with law enforcement components. DVAP members will promote the mission and goals of DOI's Victim Assistance policy and programs, provide policy and program guidance to the DOI VAP Manager, and ensure consistency in the provision of victims' rights and services. The DVAP Advisory Council will operate under a charter approved by the Director-OLES and the BDLEs. The Advisory Council will meet quarterly or on an as-needed basis.
1. Assign working groups. DOI-OLES will coordinate inter-bureau working groups to accomplish program requirements or special projects, such as developing, evaluating, leading or reviewing the value of training or technology to address strategic Departmental goals
 - a. Training and resource development initiatives;
 - b. Data collection initiatives;
 - c. Other identified priorities.
 2. Identify personnel (for) Departmental initiatives.
 3. Coordinate (Information and Resource Sharing)
 - a. Regularly scheduled meetings – convene meetings with the BVAP National Coordinators to discuss challenges, share ideas, and brainstorm more effective ways to ensure victims are provided rights and services; and
 - b. Other strategies – determine methods to facilitate information sharing for victim assistance resources.

5.2 Roles and Responsibilities of DOI VAP personnel.

- A. DOI OLES National DVAP Coordinator - The National DVAP Coordinator will be the Department's primary point of contact on victim-related matters and will serve as the Department's primary liaison to other government agencies, non-

profit organizations and community associations that provide rights and services or develop policies for victims of crime on a national level. In addition, the National DVAP Coordinator will have the following responsibilities:

1. Policy development - Develops policy in coordination with the DVAP Advisory Council that promotes “best practices” and compliance with victims’ rights laws across law enforcement bureaus/offices in the Department through guidance on training, program structure, and procedures;
2. Assessment and evaluation - Assesses and evaluates the capacity of the Department’s law enforcement offices and bureaus to comply with victims’ rights and services laws and DOI victim policies and to respond effectively to crime victims and develops strategic goals to strengthen the VAP capacity to better serve victims;
3. Technical assistance - Provides technical assistance to BVAP, in developing policies and procedures and preparing for OLES assessments. Reviews BVAP annual reports and Department of Justice Victims of Crime Act (VOCA) funding progress reports and makes recommendations for improvement;
4. Training and program development: Leads initiatives involving training and program development that involve shared goals of bureaus and/or emerging issues;
5. Coordination and liaison with outside agencies: Coordinates within the Department and collaborates with other federal, state, tribal and local agencies and entities with the objective of increasing the Department’s capacity to serve victims. Conducts regularly scheduled meetings with National BVAP coordinators to identify victim assistance issues and challenges and resource needs; and
6. Obtains and provides information. Obtains and disseminates information to BVAP personnel regarding best practices for hiring victim services personnel, providing victim services and training opportunities.

B. BVAP National Coordinator - The National BVAP Coordinator will be the primary point of contact on victim-related matters, and will address the program requirements developed by the BDLE as defined by VAP infrastructure and policy. The National BVAP Coordinator’s role must be clearly defined and could include:

1. Maintain BVAP resources – Compile and maintain BVAP resources such as victim services points of contact and resources, including funding and methods to communicate best practices with field operations;

2. Oversight and coordination - Develop and monitor policy, procedures, training and BVAP and DVAP compliance reporting and evaluation;
3. Establish Data Collection Methods that can be used to set bureau/office program priorities as well as inform Departmental priorities;
4. Represent the BVAP in Department sponsored meetings such as DOI VAP Advisory Board Meetings and other coordinated efforts;
5. Data calls on BVAP issues - Assist DVAP on Department wide data calls related to victim assistance matters;

5.3 Mandatory Training. All DOI LEOs, LEO support personnel and VAP personnel who interact with crime victims, or have the potential to interact with crime victims and witnesses in a law enforcement context, are required to understand the full scope of the victims' rights and services laws and responsibilities described in the DOI Victim Assistance Policy and must complete a basic training program on responsibilities for providing victims' rights and services within the first ninety days of hire.

- A. Basic Training – LEOs, law enforcement support personnel and VAP personnel who have contact with victims must complete a minimum of one hour of online or in-person training on victims' rights and services. Basic training must incorporate victims' rights and services identified in the DOI Victim Assistance policy. Additional training on the application of those rights and services is encouraged;
- B. In-Service/Annual Refresher Training –All DOI LEOs, whether permanent, seasonal, or collateral duty must complete and document a minimum of one hour of training on victim and witness-related laws and policies, including legislative and policy updates or appropriate victim-sensitive investigative strategies for especially vulnerable victim populations (see Chapter 3: Special Considerations for Vulnerable Victims) as part of their annual in-service/refresher training;
- C. Training of Law Enforcement Supervisors – All commissioned or non-commissioned personnel with direct-line supervisory authority over LEOs are required to receive at least one hour of online or in-person training on victims' rights and services and the implementation of bureau and Department policy;
- D. Specialized Training Programs – LEOs, law enforcement support personnel and VAP personnel who have contact with victims, particularly vulnerable victims, are encouraged to attend specialized training that addresses how better to serve victims who may need more intensive services;
- E. Department Training Initiatives – Bureaus/offices will work jointly with the Department to identify personnel whose attendance will help fulfill Departmental or bureau strategic goals; and

- F. Victims' Rights and Services DOI Instructors - All DOI VAP instructors who provide victims' rights and services training are required to attend DOI's Victims' Rights and Services Train the Trainer Program, obtain a certificate of attendance of this program, and meet minimum standards and requirements set by the Department and bureaus.

5.4 Accountability for Victim of Crime Act (VOCA) funds. Funding provided to the Department's bureaus or offices by the Department of Justice's Office for Victims of Crime (OVC) pursuant to the Victims of Crime Act (VOCA), is subject to specific statutory and DOJ requirements. If the Department or bureau/office receives VOCA funds to support victim assistance program goals, it must comply with the following:

- A. Progress Reports - Bureaus and offices that receive VOCA funds must submit, according to OVC requirements, written progress reports to the Office for Victims of Crime (OVC), detailing how these funds were used, successes facilitated by the VOCA funding, challenges or obstacles experienced by the program using the funds, and an accounting of funds expended, and the amount of VOCA funds used to attend training. Bureau/Offices shall provide copies of these progress reports to DOI OLES when submitting them to OVC.
- B. Training and Technical Assistance - DOI personnel using VOCA funds to attend training programs must provide proper documentation to OVC to support the use of these funds. This documentation shall be maintained by the Bureau/Office VAP Coordinator and made available to OLES during annual assessments;
- C. Federal Crime Victim Assistance Funding (Emergency Funding) - Bureaus/offices that receive VOCA funds to support the emergency needs of victims must provide proper documentation to support the use of these funds. This documentation shall be maintained by the Bureau/Office VAP Coordinator and made available to OLES during annual assessments.