

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 300.00.66	<b>Page</b> 1 of 4
	<b>Original Effective Date:</b> 08/19/02	<b>New Effective Date:</b> 05/06/19
	<b>Supersedes:</b> 300.00.66	<b>Dated:</b> 09/10/12
	<b>Administrator's Approval:</b> Makda Fessahaye, Administrator	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>Inmate</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 300 Administrative		
<b>Subject:</b> Victim Attendance at a Parole Interview		

**POLICY**

The Division of Adult Institutions shall provide eligible victim(s) an opportunity to attend their Parole Commission interview and make a statement.

**REFERENCES:**

Wisconsin Statutes s. 304.06 – Parole from State Prisons and House of Correction

Wisconsin Statutes Ch. 950 – Rights of Victims and Witnesses of Crime

Wisconsin Administrative Code Ch. PAC 1 – Parole Procedure

Wisconsin Statutes Ch. 770 – Domestic Partnership

**DEFINITIONS, ACRONYMS AND FORMS**

DOC-1163M – Authorization for Disclosure of PHI Discussed at Parole Commission Hearing

DOC-1204 – Notice of Parole Commission Consideration

DOC-1204A – Notice of Parole Commission Consideration for Presumptive Mandatory Release

Family Member – As defined by Wisconsin Statutes s. 304.06(1)(a)(1), means spouse, domestic partner under Wisconsin Statutes Ch. 770, child, sibling, parent or legal guardian; and/or as defined by Wisconsin Statutes s. 950.02(3), means spouse, minor child, adult child, sibling, parent or legal guardian.

OVSP – Office of Victim Services and Programs

PC – Parole Commission

POC-0028 – Inmate Informational Brochure on Victim Attendance at the Parole Interview

**PROCEDURE****I. General Guidelines**

A. Crime victims are defined as:

1. The victim of the crime committed by the inmate.
2. If the victim is deceased, an adult member of the victim's family or, if the victim is younger than 18 years old, the victim's parent or legal guardian.

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- B. Crime victim may also, or instead of, be defined as:
1. A person against whom a crime has been committed.
  2. If the person specified in Section I.A.1. is a child, a parent, guardian or legal custodian of the child.
  3. If a person specified in Section I.A.1. is physically or emotionally unable to exercise the rights granted under s. 950.04 or Article I, Section 9m, of the Wisconsin constitution, a person designated by the person specified in Section I.A.1. or a family member of the person specified in Section I.A.1.
  4. If a person specified in Section I.A.1. is deceased, any of the following:
    - a. A family member of the person who is deceased.
    - b. A person who resided with the person who is deceased.
  5. If a person specified in Section I.A.1. has been adjudicated incompetent in this state, the guardian of the person appointed for him or her.
- C. Victims shall meet the definition of victim in accordance with Wisconsin Statutes s. 304.06(1)(c)(3) and/or s. 950.02(4)(a) to be eligible to attend the interview.
- D. In order to be eligible for attendance at the interview, the victim must be directly associated with the crime(s) and case(s) being considered by the Commission. This includes crimes read into the record.
- E. Attendance may include telephone conference, videoconference or being at the interview in person. A determination will be based upon factors and discussions between OVSP, Warden/designee and Parole Commission.
- F. Victims may be allowed entry into an institution/center upon receiving notice from OVSP and as arranged by OVSP. Facility security procedures shall be followed.
- G. Victims shall be accompanied into the institution with a staff representative from OVSP. A county Victim Witness Coordinator may also accompany the victim as a support person.
- H. Inmates shall be notified via DOC-1204 or DOC-1204A victims may be in attendance at the release consideration interview.
- I. Security staff shall be present for the interview.

## **II. Staff Responsibilities**

- A. Warden/Superintendent/Designee shall:
1. Receive notice of victim attendance from OVSP.
  2. Review attendance issues with OVSP and PC and accommodate victim attendance through a telephone conference, videoconference or being at the interview in person.

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3. With the assistance of OVSP, distribute notice to Social Worker/Records staff/designee.
  4. Ensure staff receives appropriate training relative to victim(s) attendance, such as sensitivity to victim issues and confidentiality.
  5. Ensure background check is conducted on victim(s).
- B. Social Worker/Records staff/Designee shall:
1. Act as a liaison between facility, PC and OVSP.
  2. Produce and provide an entrance memo to serve as notice of victim and OVSP staff attendance at the parole interview, including names, date and time, when the attendance is in person.
  3. Provide the inmate with POC-0028 following confirmation of victim attendance.
  4. Complete and review the DOC-1163M (sent out by OVSP) with the inmate, followed by placement of the form into the inmate's institution Social Services file.
  5. Reserve meeting room to accommodate victim(s), or arrange for video conference call or telephone conference call when necessary.

**Administrator's Approval:** \_\_\_\_\_ **Date Signed:** \_\_\_\_\_  
Makda Fessahaye, Administrator

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
<b>Original Effective Date:</b>	<b>DAI Policy Number:</b> 300.00.66	<b>Page</b> 4 of 4
<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 300 Administrative		
<b>Subject:</b> Victim Attendance at a Parole Interview		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS, AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
      - c.
    - 3.
  - C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. Inmate

III. Other