



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON

REVISION DATE
5/28/08

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DOC 390.350

POLICY

TITLE
VICTIM/OFFENDER MEETING

REVIEW/REVISION HISTORY:

Effective: 12/26/02
Revised: 4/16/07
Revised: 5/28/08

SUMMARY OF REVISION/REVIEW:

Policy statement I. - Added that victim/offender face-to-face meetings will be supervised
I.G. - Added clarifying language
II.A.3. - Adjusted language for clarification
III.B.4. and V.H. - Identified form usage


APPROVED:

Signature on File

ELDON VAIL, Secretary
Department of Corrections

4/17/08

Date Signed

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REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [DOC 450.300 Visits for Prison Offenders](#)

POLICY:

- I. The Department recognizes the value of allowing crime victims, including survivors in homicide cases, to speak with the perpetrator of the offense in a structured face-to-face meeting. When the offender is in total confinement in a Department facility in Washington State, victims may be eligible to meet with the offender provided all the criteria in this policy are met. In such cases, the Department will provide a one time opportunity to meet with the offender face-to-face in a secure and supervised environment. The meeting is intended to assist the victim in dealing with the impact of the crime, not to promote any agreement between the victim and the offender.
- II. The Department will provide general information about the victim/offender meeting process to victim organizations. Victim organizations are encouraged to share this information with victims and their families.
- III. An interagency agreement will be established between the Department of Corrections and the Department of Community, Trade, and Economic Development's Office of Crime Victims Advocacy to review and approve applications for this process. This interagency agreement will include establishing a point of contact for specific questions that might arise.

DIRECTIVE:


- I. Prerequisites
 - A. The Department will consider allowing the victim/offender meeting only if the request is initiated by the victim. If there is any indication that the meeting was initiated by anyone other than the victim (e.g., the offender, the offender's representative, any criminal justice personnel, etc.), the application will not be considered.
 - B. The victim must be at least 18 years of age at the time of application.
 - C. The victim and the offender must both voluntarily consent to participation in the meeting. Either party may discontinue participation at any time. Participation by the offender will not affect his/her legal or custody status with the Department.
 - D. The Department will not allow a victim/offender meeting to occur if the offender is denying or minimizing his/her responsibility for the crime, as jointly assessed by Victim Services Program and Office of Crime Victims Advocacy staff.

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- E. The meeting may occur for any crime that has been either charged or addressed in a plea agreement, for which all legal proceedings have been concluded, whether the offender is convicted through a guilty plea or a guilty verdict.
- F. The meeting must not violate any court order (e.g., protective, no contact, or restraining order, etc.). The victim and the offender will be required to disclose any court orders. Department records will be reviewed to determine whether any court orders exist.
- G. All participants are subject to Department and facility rules and policies, as well as all criminal laws, throughout the process. The offender is subject to sanctions if any violations occur during the process.
- H. A victim/offender meeting will not be authorized:
 - 1. If it compromises the security and safety of the facility,
 - 2. If it compromises the safety of either party, or
 - 3. When the offender is sentenced to death.
- I. The Department will not pay for any costs associated with the meeting except to provide facility space and staff time to provide the meeting.

II. Facilitator Teams

- A. The victim must have a 2 person Facilitator Team to assist in the victim/offender meeting process. Facilitators will be selected by the victim and must:
 - 1. Have a letter of recommendation from an established victim organization in support of facilitating the victim/offender meeting. The victim organization must be relevant to the victimization that occurred.
 - 2. Have completed the facilitator statement portion of DOC 02-195 Victim/Offender Meeting Application fully and in detail.
 - 3. Be willing to submit to a background check and comply with DOC 450.300 Visits for Prison Offenders.
- B. At least one facilitator must have demonstrated experience/skill in facilitating meetings between individuals in conflict and specific training and/or experience facilitating meetings between victims and offenders in a correctional setting.
- C. The Facilitator Team will set and adhere to clear objectives for the meeting, and should be sufficiently skilled to bring the discussion between the victim and the offender back to stated objectives should the dialog stray.


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D. Approval of each facilitator's participation will be assessed by the Victim Services Program Manager and the Office of Crime Victims Advocacy based on the following criteria:

1. Level of training and experience,
2. Organization affiliations,
3. Willingness to acknowledge and agree to this policy, and
4. Information submitted by the facilitator on DOC 02-195 Victim/Offender Meeting Application.

III. Process

- A. The victim must initiate a request for a meeting with the offender through the Victim Services Program.
- B. Victim Services Program staff will send the victim:
 1. DOC 16-172 Victim/Offender Meeting Application Cover Letter,
 2. DOC 02-195 Victim/Offender Meeting Application,
 3. A copy of this policy, and
 4. DOC 09-242 General Authorization to Release Information.
- C. The victim and Facilitator Team will complete the application and submit all information to the Victim Services Program.
- D. Office of Crime Victims Advocacy and Victim Services Program staff will review the application, and may ask to meet with the victim or Facilitator Team if clarification is needed.
- E. If the application information is approved, the Victim Services Program Manager will contact the facility Correctional Program Manager (CPM)/designee as soon as possible to inquire about the offender's interest in participating in the meeting.
- F. The CPM/designee will meet with the offender as soon as possible and respond to the Victim Services Program Manager promptly.
 1. If the offender is willing to participate, his/her Counselor will have the offender complete DOC 09-242 General Authorization to Release Information and forward a copy to the Victim Services Program. The original form will be filed in the offender's central file. The offender may request that his/her Counselor be present at the meeting.
 2. If the offender does not want to participate in the process, the meeting will not occur. The Victim Services Program Manager will notify the victim and the Facilitator Team.


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- G. The Victim Services Program Manager will determine the offender's ability to participate in the meeting by coordinating with the offender's Counselor and facility mental health staff, and reviewing all available file material as it relates to the potential harm to the victim.
- H. The Victim Services Program Manager will confer with Office of Crime Victims Advocacy staff to determine if the process should continue.
- I. The Office of Crime Victims Advocacy and the Victim Services Program will notify the victim and Facilitator Team of the decision through a joint letter.
 - 1. If the application meets the criteria, the victim will be informed that s/he can discontinue the process at any time and will be provided the name and phone number of the facility CPM.
 - 2. If it is determined that the process should not continue and the victim wishes to pursue a reconsideration of the decision, all subsequent and relevant information will be considered by the Office of Crime Victims Advocacy and the Victim Services Program Manager.
- J. The Victim Services Program Manager will notify the facility CPM if a meeting has been approved.
- K. The Department reserves the right to withdraw its authorization of the meeting at any time.

IV. Meeting Preparation

- A. The victim will meet with the Facilitator Team a minimum of 3 times in preparation for the meeting.
- B. The Facilitator Team will maintain contact with the facility CPM/designee regarding meeting preparation and will make arrangements to meet with the offender during this preparation phase.
- C. When all preparations for the meeting have been completed, the Facilitator Team will inform the facility CPM/designee and the Victim Services Program Manager that the meeting is ready to occur.
- D. The Facilitator Team contact and facility staff will set a date for the meeting and identify a location within the facility where the meeting will occur. Staff will consider safety, security, and privacy when selecting the meeting location.


V. Day of the Meeting

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- A. The victim and Facilitator Team will have a pre-meeting at the facility.
- B. The Facilitator Team will have a pre-meeting with the offender.
- C. The facility will provide options for the physical configuration of the meeting within the limitations inherent in the facility's structure. When possible, the options should include:
 - 1. A barrier between the victim and the offender, with custody staff present, to allow visual and auditory contact, but no physical contact.
 - 2. A room without a barrier with custody staff present.
 - 3. A telephonic meeting with the offender and no visual contact.
- D. The victim may request the meeting configuration be modified for safety and/or comfort.
- E. The Department may impose a higher level of security than requested and will locate custody staff based on the protection of all participants and the safe, secure operation of the facility.
- F. Any participant may terminate the meeting at any time, for any reason.
- G. If any party becomes physically or verbally abusive, or poses an imminent threat of becoming abusive, the meeting will be terminated.
- H. If the meeting is terminated for adverse reasons, facility staff present will complete a DOC 21-917 Incident Report regarding the circumstances of termination.

VI. Debriefing/Documentation

- A. Immediately following the victim/offender meeting, the Facilitator Team will meet separately with the victim and offender for debriefing sessions.
- B. The need for additional offender debriefing/counseling after the Facilitator Team has left the facility will be assessed by Classification, mental health, or health care staff, and provided by qualified personnel.
- C. The Facilitator Team will verbally brief the Office of Crime Victims Advocacy on the outcome of the meeting.
- D. In the event of a rule/procedure or law violation, or if parties report that they were adversely affected by the meeting process, all participants will be asked to give a

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written statement regarding what occurred. Reports will be submitted to the Superintendent with a copy to the Victim Services Program.

- E. The Victim Services Program will maintain records containing the applications, Department generated documents, and the dates and locations of the meetings.
- F. The Department will not maintain specific information about the content of the meeting.

DEFINITIONS:

Words/terms appearing in this policy may be defined in the glossary section of the Policy Manual.

ATTACHMENTS:

None

DOC FORMS:

- [DOC 02-195 Victim/Offender Meeting Application](#)
- [DOC 09-242 General Authorization to Release Information](#)
- [DOC 16-172 Victim/Offender Meeting Application Cover Letter](#)
- [DOC 21-917 Incident Report](#)