 <p><b>CD-045000</b></p>	<h1 style="text-align: center;">NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p style="text-align: center;"><small>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."  <b>C</b>ourage <b>R</b>esponsibility <b>E</b>thics <b>D</b>edication - <b>CRED</b>ibly serving the public safety of New Mexico</small></p>	
	<b>ISSUE DATE:</b> <b>03/02/05</b>	<b>REVIEWED:</b> <b>01/03/17</b>
	<b>EFFECTIVE DATE:</b> <b>03/02/05</b>	<b>REVISED:</b> <b>01/03/17</b>
<b>TITLE: Victims' Services</b>		

**AUTHORITY:**

- A. NMSA 1978, 9-3-3, 31-1-1 thru 31-1-8, 31-26-1 and Sections 31-26-1 thru 31-26-14, as amended.
- B. Article II, Section 24 of the Constitution of the State of New Mexico.

**REFERENCE:**

- A. Policy *CD-040100 (Inmate Records)*
- B. ACA Standard 2-CO-4G-02, *Standards for the Administration of Correctional Agencies*, 2<sup>nd</sup> Edition.
- C. ACA Standards 4-4447 and 4-4447-1, *Standards for Adult Correctional Institutions*, 4<sup>th</sup> Edition.
- D. ACA Standard 4-APPFS-1A-04, *Standards for Adult Probation and Parole Field Services*, 4<sup>th</sup> Edition.

**PURPOSE:**

To provide a balanced-system approach to public safety in corrections by establishing a direct point of contact for crime victims and their family members who have concerns related to offenders incarcerated or under probation and/or parole supervision.

**APPLICABILITY:**

All New Mexico Corrections Department (NMCD or Department) and Contract facility employees.

**FORMS:**

None

**ATTACHMENTS:**

None

**DEFINITIONS:**

- A. Administrative Office of the District Attorneys Victim Notification Coordinator: The designated person at the Administrative Office of the District Attorneys who is

responsible for reporting on offender status to the statewide District Attorney's offices, who in turn notify registered crime victims.

- B. Crime Victim Advocate: Individuals designated as victim advocates in each District Attorney's office in New Mexico.
- C. Crime Victim or Survivor: Any person who suffers physical, emotional and/or financial harm resulting from the commission of a crime.
- D. Criminal Management Information System (CMIS): An automated computer system used by the Corrections Department for the purpose of tracking the status of offenders.
- E. Department's Victim Advocate Representative: Individual assigned to assist the Victim Services Program in providing information, assistance, support and referrals to the victims of offenders sentenced to the NMCD. Serves as a liaison between the NMCD, District Attorney's Office Victim Advocates, state, federal and community victim assistance programs and the New Mexico Adult Parole Board.
- F. Department's Victims' Services Coordinator: The designated person to oversee the implementation of programs, services, procedures and policies to ensure that the rights of victims of the Department's offenders are enforced. Serves as a liaison between the NMCD, District Attorney's Office Victim Advocates, state, federal and community victim assistance programs and the New Mexico Adult Parole Board.
- G. Enumerated crimes: Crimes defined by NMSA 1978, Section 31-26-3, as amended.
- H. Release Eligible Inmate (REI): An inmate who has completed all of his or her basic sentence, including concurrent and consecutive, and who is serving his or her parole term in prison, but who can be released immediately with an approved parole plan and parole certificates.
- I. Victim Information Notification Everyday (VINE): An automated victim notification system that notifies registered individuals of inmate projected release dates (PRD), certified release dates, releases, out-to-court/return from court status, escapes, and deaths. All victim notices are generated by the information that is entered into the Criminal Management Information System (CMIS). Registrants may receive automated telephone, text or e-mail notifications. The system provides notifications in English, Spanish, Navajo and TTY. The website for VINE is [www.vinelink.com](http://www.vinelink.com)

## POLICY

- A. The NMCD Victims' Services provides a single point of contact on issues related to victims' rights and services.


- B. The NMCD Victims' Services provides information, assistance, support and referrals to the victims of an offender sentenced to the NMCD, while maintaining the offenders' right to privacy.
- C. The NMCD Victims' Services provides a victims' assistance toll-free number and victims' section on the NMCD website , to facilitate the provision of quality victims' assistance.
- D. The NMCD is committed to treating victims with respect and sensitivity.
- E. When an offender is under the supervision of the NMCD for a crime of violence, consistent with the law of the jurisdiction, and if the victim(s) requests, there is a system in place that includes, but is not limited to, providing notification:
- Prior to any type of hearing regarding the offenders sentence;
  - Prior to any release from confinement or supervision of the offender;
  - Immediately after the offender escapes from custody or supervision, and;
  - Follow-up notification is communicated to victim(s) when the offender is apprehended and returned from custody after an escape. **[2-CO-4G-02][4-4447][4-APPFS-1A-04]**
- F. The Department's Victims' Services Coordinator is responsible for coordination of victim's programs and that curriculum is established for providing training to staff involved with victim's issues. **[4-4447-1]**



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David Jablonski, Acting Secretary of Corrections  
New Mexico Corrections Department

01/03/17  
Date

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<b>TITLE: Victims' Services</b>		

**AUTHORITY:**

Policy CD-045000

**PROCEDURES: [4-4447][4-4447-1]**

**A. Victims' Services:**

Victims' Services is comprised of one coordinator with the title of Victims' Services Coordinator (Coordinator) and one staff member with the title of Victim Advocate Representative. Victims' Services provides a single point of contact on issues related to victims' rights and services. Victims' Services provides information, assistance, support and referrals to the victims of an offender sentenced to the NMCD, while maintaining the offenders' right to privacy. The NMCD provides a victims' assistance toll-free number and victims' section on the NMCD website, to facilitate the provision of quality victims' assistance.

**B. Victim Notification of Offender Information:**

In compliance with State law, the NMCD will work in concert with the District Attorneys and the Adult Parole Board (Board) in a coordinated effort to notify victims, witnesses or others of escapes and releases in a timely and appropriate manner.

Victim Notification: **[2-CO-4G-02][4-APPFS-1A-04]**

1. Records staff will notify the Administrative Office of the District Attorney (AODA) Victim Notification Coordinator and the NMCD Victims Services Coordinator at least thirty (30) days prior to the projected release date (PRD) of an inmate being paroled, discharged to probation, re-paroled, released from the sanctioned parole violator program or discharged with no supervision to follow.
2. In addition, the Information Technology Division will submit, daily and every (2) hours, electronic inmate records to AODA for the purpose of victim notification. The electronic inmate records provides inmate projected release dates, certified release dates, inmate releases, out-to-court status, return from court status, inmate deaths and escape status.
3. Records Responsibilities for Victim Notification to AODA and VINE:

- a. Records staff will enter the PRD into the CMIS prison release module thirty (30) days in advance (at the time the release audit is conducted) and will e-mail a copy to the NMCD Victim Services and to the AODA Victim's Notification Coordinator. A copy of the prison release module will be placed in the inmate's file.
- b. The earliest a victim notice may be submitted is forty-five (45) days.
- c. If a notice is not submitted at least thirty (30) days prior to the projected release date, records staff will provide a reason for the late notice to the Offender Management Services (OMS) Bureau Chief.
- d. Records staff will ensure the case numbers are accurately entered into the CMIS prison release module screen. At the time of the PRD entry, records staff will ensure the following information is entered:
  - 1) Release date
  - 2) Release type
  - 3) Legal status
  - 4) Change reasons (must be entered for each case number)
  - 5) Release to location
  - 6) Case status
- e. If a PRD changes to an earlier date, records staff will update the PRD on the CMIS prison release module and e-mail a copy to NMCD Victim Services and the AODA Victim's Notification Coordinator, with an explanation of the date changes (received LSA, calculation date, etc.).
- f. If the PRD moves to a later date, records staff will update the PRD on the CMIS prison release module and e-mail a copy to NMCD Victim Services and the AODA Victim's Notification Coordinator.
- g. If records determines that the PRD in CMIS is past due, over six (6) months, and the PRD needs to be updated, records staff will update the CMIS prison release module to reflect the most current PRD and e-mail a copy to NMCD Victim Services and the AODA Victim's Notification Coordinator.
- h. If an inmate is REI and discharges their parole while incarcerated, records staff will update the CMIS prison release module thirty (30) days in advance to reflect the discharges date and updated release reason. Records staff will e-mail a copy of

the CMIS prison release module screen to NMCD Victim Services and AODA Victim Notification Coordinator.

- i. When a victim notification is not submitted thirty (30) days in advance due to circumstances beyond the control of the records staff, the records staff will provide the anticipated date of release based on the inmate's release status and circumstances. Examples include parole violators, calculation errors, re-paroles, or court-ordered releases. Records staff will e-mail a copy of the CMIS prison release module screen to NMCD Victim Services and the AODA Victim's Notification Coordinator.
  - j. If the inmate is REI and a PRD has not been entered in the CMIS prison release module, the records staff will provide the anticipated date of release based on the inmate's release status and circumstances and e-mail a copy to NMCD Victim Services and the AODA Victim's Notification Coordinator.
  - k. If an inmate is a court-ordered release, records staff will enter the estimated date for release in the CMIS prison release module and e-mail a copy to the NMCD Victim Services and the AODA Victim's Notification Coordinator.
  - l. If upon an inmate's initial arrival to NMCD it is determined that an inmate immediately becomes REI, records staff will project thirty (30) days for the release date in the CMIS prison release module and e-mail a copy to NMCD Victim Services and the AODA Victim's Notification Coordinator.
  - m. If an inmate with an indeterminate sentence, or an inmate who is serving a life sentence is granted parole, records staff are to provide the anticipated date of release based on the inmate's release status and circumstances in the CMIS prison release module and e-mail a copy to NMCD Victim Services and AODA Victim's Notification Coordinator.
  - n. If an inmate is projected to release and OMS determines that the inmate is not eligible for release, the inmate must be taken off the release list. The facility records and/or OMS must notify NMCD Victim Services. Victim Services, in turn will notify the AODA Victim Notification Coordinator.
4. General Components of VINE:
- a. VINE is an automated victim notification system that notifies registered individuals of inmate projected release dates, certified release dates, releases, out-to-court/return from court statuses, escapes, return from escape and deaths. All victim notices are generated by the information that is entered into CMIS. Registrants may receive automated telephone, text or e-mail notifications. The system provides notifications in English, Spanish, Navajo, and TTY. The website for VINE is [www.vineline.com](http://www.vineline.com)

- b. VINE is not intended to replace the statutory duty of the District Attorney's office for notification of inmate releases. VINE is intended to enhance the notification efforts for crime victims.
  - c. The NMCD Information Technology Division will provide oversight of the technical interface with VINE, maintain all hardware and software required to support the VINE system and coordinate troubleshooting in the event of service disruption.
  - d. In addition, the Information Technology Division will submit, daily and every two (2) hours, electronic inmate records to VINE for the purpose of victim notification. The electronic inmate records provides inmate projected release dates, certified release dates, inmate releases, out-to-court/return from court statuses, inmate deaths, and escape status.
  - e. The NMCD works in collaboration with the New Mexico Department of Information Technology to coordinate and maintain the VINE program.
5. Master Control and Count Room Responsibilities for VINE.
- a. Refer to the **NMCD Instructional Manual for Inmate Releases and Victim Notification for all NMCD Facilities** Attachment (*CD-130101.A*)  
**CONFIDENTIAL**
6. Victims' Services Responsibilities for Escape Notifications
- a. The NMCD Victim Services staff shall be notified following any escape from confinement. The NMCD Victim Services staff will coordinate with the Offender Management Services Bureau Chief to immediately notify the sentencing judge, the district attorney of the judicial district from which the inmate was committed, the AODA, and the probation officer who authorized the presentence report.
  - b. Follow-up notifications shall be made to the NMCD Victim Services staff when an inmate is returned to custody from an escape. The NMCD Victim Services staff will coordinate with the OMS Bureau Chief to notify the sentencing judge, the district attorney of the judicial district from which the inmate was committed, the AODA, and the probation officer who authorized the presentence report.
7. Victims' Services Responsibilities for Inmate Deaths
- a. The OMS Bureau will notify the NMCD Victim Services staff of inmate deaths. The NMCD Victim Services staff shall then notify the AODA Victim Notification Coordinator and/or the respective District Attorney's Office Victim Advocate of inmate deaths.
8. Victim Correspondence

- a. All correspondence from victims shall be kept confidential and inmates and offenders, or anyone acting on behalf of inmates, are prohibited from obtaining any information concerning victims who obtain services from the Victim Services Program.
  - b. All information contained in the victims' files is confidential and shall be kept in a secured location. At no time is victim information to be released to inquiring parties.
  - c. The NMCD's Victim Services staff will ensure that only approved personnel have access to victim information and then only for authorized purposes.
9. Parole Hearings and Victims Attendance
- a. The NMCD Victims' Service staff will coordinate victims' attendance at parole hearings. Victims interested in participating in the parole hearing process are generally referred by the local District Attorney's office Victim Advocates and/or the New Mexico Parole Board (Board).
  - b. The NMCD Victims' Services staff will explain all options available for the victim to appear before the Board and assist the victim in presenting testimony before the Board.
10. Victim Awareness and Sensitivity Training **[4-4447-1]**
- a. The NMCD Victims' Service staff shall coordinate and provide victim awareness and sensitivity classes to classification staff and probation and parole officers.
  - b. The NMCD Victims' Services staff shall ensure that the established training curriculum for staff involved with victim's issues includes the following topics:
    - 1) Specific services available to crime victims;
    - 2) Changes in laws impacting victims;
    - 3) Ways of gaining access to the services;
    - 4) Confidentiality of victim information;
    - 5) Ways for victims to communicate complaints and other concerns; and,
    - 6) Program evaluation measures, which include victim input, regarding the effectiveness of services and ways for them to make suggestions regarding agency policies and practices intended to assist crime victims.
11. Community Awareness
- a. The NMCD Victims' Services staff shall conduct public outreach to increase victim and community awareness regarding the availability of victim services through the Department.



- b. The NMCD Victims' Services staff shall work with law enforcement agencies, state and non-profit victims' rights agencies to develop activities each year for the National Victims' Rights Week.
12. Program Development
- a. The NMCD Victims' Services Coordinator will develop policies and procedures for future services of the Program. These services include, but are not limited to:
    - 1) Establish Victims Awareness classes that are offered to help inmates and offenders understand the impact of their crime on the victim, the community and their own families;
    - 2) Implement a Victim-Offender Dialogue Program.



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David Jablonski, Acting Secretary of Corrections  
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01/03/17  
Date