

# Missouri Department of Corrections - Office of Victim Services

Amanda Douglass  
Director of Victim Services

# General Overview

- ▶ Unit consists of myself, 2 Senior Specialists, 2 Specialists, as well as an AOSA.
- ▶ Responsible for providing information to victims of offenders in all 20 institutions across the state
- ▶ Staff registers victims for automated notifications, answer victim questions, provide information regarding parole hearings, sentences, transfers, and releases.
- ▶ Provide advocacy and referrals to community agencies/resources as needed
- ▶ Staff attends parole hearings with victims, either via video in Jefferson City or at the institutions.

# Number of Registrations per fiscal year

- ▶ 2018-2019 - 3360
- ▶ 2019-2020 - 3404
- ▶ 2020-2021-2701
- ▶ 2021-2022 - 3522
- ▶ Considering there are 4 full time staff, this creates a caseload of about 850 per Specialist

- ▶ Per RSMo 595.200: A victim is defined as “a natural person who suffers direct or threatened physical, emotional, or financial harm, as the result of the commission of a crime. The term victim also includes the family members of a minor, incompetent, or homicide victim.”
- ▶ Per the same statute, a family member is defined as “a spouse, child, sibling, parent, grandparent, or legal guardian of a victim”

# Statute Driven = Mandatory Notifications

- ▶ Murder 1<sup>st</sup> and 2<sup>nd</sup>
- ▶ Voluntary Manslaughter
- ▶ Assault 1<sup>st</sup>
- ▶ Assault 2<sup>nd</sup> - special victim
- ▶ Robbery 1<sup>st</sup>
- ▶ Arson 1<sup>st</sup>
- ▶ Kidnapping
- ▶ Forcible rape and Rape 1<sup>st</sup>
- ▶ Forcible sodomy and Sodomy 1<sup>st</sup>
- ▶ Elder Abuse 1<sup>st</sup>
- ▶ Abuse of a child resulting in death
- ▶ All domestic assaults
- ▶ All Chapter 566 offenses (sex offenses)
- ▶ Armed Criminal Action
- ▶ Attempts to commit a dangerous felony (attempted Robbery 1<sup>st</sup>, etc)
- ▶ Conspiracy to commit a dangerous felony

# Who can be registered for notifications?

- ▶ Mandatory notification offenses require no action on the victims part. We obtain their info and register them automatically.
- ▶ If a request for victim notification is received on a non-mandatory offense, we can register them for full notifications once we confirm they are the victim.
- ▶ Those who feel threatened by the offender can be registered for release information only.
- ▶ Witnesses to an offense can receive full notifications, but can't attend parole hearings.
- ▶ Public officials can receive full notifications and attend parole hearings (judges, PA's, LEO)

# Registration Process

- ▶ Victim information is obtained through court or sentencing documents, or by my staff reaching out to the local Prosecutor's Office Victim Advocates and requesting the information.
- ▶ Only OVS staff can register a victim for notifications when someone is in the Department of Corrections. We use MOVANS, but our side is confidential.
- ▶ Types of automatic notifications from MOVANS:
  - ▶ Letter
  - ▶ Phone call
  - ▶ Text
  - ▶ Email

# Notifications Provided to Victims

- ▶ Parole Hearing Dates
- ▶ Parole Hearing Results
- ▶ Releases
- ▶ Escapes
- ▶ Offender Death
- ▶ Institutional Transfers
- ▶ Work Release



# Parole Hearing Process

- ▶ Victims and/or family as outlined by RSMo 595.200 can attend parole hearings, which are conducted either via videoconference at the Probation and Parole Central Office or at the institution.
- ▶ Anyone can provide a written statement to our office, however only the victim can speak during a parole hearing.
- ▶ Victims can bring one support person with them to the hearing.
- ▶ Parole hearings are confidential, if a victim chooses not to attend and doesn't delegate a staff member to attend on their behalf, we are not at liberty to tell them what was said during the hearing. They will still be notified of the results of the hearing.
- ▶ A victim can delegate someone to receive notifications or attend a hearing in their place. This can be a temporary delegation or it can be for all future notifications/hearings.

# Parole Hearing Process

- ▶ Considered closed and confidential proceedings
- ▶ The hearing panel consists of:
  - ▶ Board member
  - ▶ Parole Analyst
  - ▶ Probation and Parole Supervisor at the institution

THERE IS NO APPEAL FROM A BOARD DECISION

# Other OVS responsibilities

- ▶ Assisting victims in obtaining a cease and desist order from the institution if there is unwanted contact from the offender
- ▶ Training new Probation and Parole staff on Victim Issues as they will be working with victims of their offenders as well
- ▶ Working with local prosecutor's offices to make sure that advocates and attorneys are educated on the post-conviction process. This is in an effort to make sure that correct information is being relayed to the victims throughout the entire process.
- ▶ Providing victim with updated photo of offender prior to release (if requested)
- ▶ Providing victims with the contact information for their offenders Probation and Parole officer

# Misconceptions/Special Circumstances

- ▶ Almost all sentences have built in parole time. A large number of victims believe or are told at some point that the offender will spend all of most of a sentence in the institution.
- ▶ Senate Bill 26 - offenders who were under the age of 18 at the commission of their offense and have a sentence longer than 15 (or multiple sentences that add up to longer than 15 years are automatically eligible for parole after serving 15 years, regardless of sentence length.
- ▶ Juvenile Life Without Parole - Legislation in Missouri that allows those who were juvenile at the time of the commission of the offense and are sentenced to life without the possibility of parole to be eligible for parole after serving 25 years. These offenders have to petition the Parole Board to request a hearing
- ▶ Age 70 Rule - any offender serving found guilty of a dangerous felony is required to serve 85% of the sentence or until the offender reaches the age of 70 and has served 40% of the sentence imposed, whichever comes first.

Amanda Douglass	Director of Victim Services	573-526-0546 573-452-3902	Amanda.Douglass@doc.mo.gov
Julie Loveall	Senior Victim Specialist	573-526-0544	Julie.Loveall@doc.mo.gov
Dana Rackers	Senior Victim Specialist	573-526-0542	Dana.Rackers@doc.mo.gov
Morghan Bulson	Victim Specialist	573-522-3196	Morghan.Bulson@doc.mo.gov
Jennifer Akers	Victim Specialist	573-526-0545	Jennifer.Akers@doc.mo.gov
General OVS contact		573-526-6516	Victims@doc.mo.gov

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