

**Office of the Victim Advocate
Prison Reform Act**

**October 20 & 28, 2011
WebEx Trainings**

Q: Is it possible that you can serve a less sentence of 2 years in a state facility instead a county jail per Judges order?

A: Question answered verbally. No because there would not be enough time to allow for the assessments that are necessary.

Q: Victim input is confidential as far as parole is concerned, but not as far as victim impact statements for sentencing is concerned, correct? (referring to not being introduced in judicial proceeding)

A: Question answered verbally. Yes. Victim impact statements are not confidential and can be used in open court.

Q: Would we want to develop confidential VIS for crime victims and start a separate filing cabinet?

A: Question answered verbally. Keeping the victim impact statements separate is an option, but it may be a good idea to keep them in the District Attorney's file so they can be accessible. However, it is not necessary to keep victim impact statements separate.

Q: If an offender is sentenced to less than a 2 year maximum sentence but is ordered to serve that sentence consecutive to a state sentence on another case, is the state parole board the paroling agent for all of the cases?

A: No, as soon as the state sentence ends, the county would supervise.

Q: What happens if the sentences are to run concurrent?

A: That would then turn into a negotiation between the state and the county to see who will supervise the offender. Follow up answer: Most of these cases, however, would be taken by state parole.

Q: But as far as the paroling agent....that would be the state correct?

A: That would be if state jurisdiction is determined by the negotiations. What happens is the county and state probation parole staff would get together and decide who will supervise a particular offender. Follow up: Most of these cases would be taken by state parole.

Q: Just for clarification, are the two models you highlighted actually having victims register separately to receive notifications or do they automatically notify all victims in a case. Also is the prison notifying them of all pending parole releases?

A: The victims are automatically notified. Yes, the prison is notifying them of all pending parole releases.

Q: To be sure I understood we should at this time be asking for input from at a minimum all personal injury crimes at the time they are to be paroled from the county prison regardless of the minimum sentence.

A: Yes

Q: The second part of the question is how are the notifications to be done in a county IP if the jail time is followed by house arrest. Or is that the same as the state where there is no input.

A: This would use the prison/jail release procedures in place, for example using Vinelink or Vinewatch.

Q: You did not understand my question. Do victims of county IP sentences have any say when the def is released from jail to house arrest There is no input at the state level from victims since sip is a flat sentence.

A: Not by the current statutes. However, you can request that the court do that if you wish.

Q: Are you saying that in any case of the 2 to 5 years, the sentencing judge will need to hold a hearing to parole the definition.

A: No. They just need to give the victim an opportunity for input. If they do hold a hearing and the victim speaks then their comments are not confidential (the comments can be provided to the court before the hearing).

Q: Folks sentenced to 2 to 5 years after 11/24 will they be supervised by Co. probation?

A: Yes, if sentenced to county prison.

Q: 2 - 5 years offenders who do they go in front of for release - the board of Probation & Parole?

A: They would go in front of local courts if sentenced to local prison on or after 11/24/11.