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## Automated Victim Notification: Landscape of the United States

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### STUDY OVERVIEW

This issue brief is the result of a U.S. Department of Justice (DOJ) National Institute of Justice (NIJ)-funded evaluation of the Statewide Automated Victim Information and Notification (SAVIN) program administered by the Bureau of Justice Assistance (BJA). Funded in fall 2009, the purpose of this evaluation was to explore the implementation and operation of automated victim notification (AVN) systems in supporting victims of crime.

This issue brief provides an overview of the characteristics of AVN systems across the United States.<sup>1</sup>

### AUTOMATED VICTIM NOTIFICATION

Automated victim notification is often touted as an effective and efficient means for providing victims timely and accurate information of their offenders' court events and status changes at reduced burden to the criminal justice system. AVN systems operate by receiving data (e.g., case number, case status, offender demographics) from participating branches of the criminal justice system. Incoming data is coded to determine what type of notification is most appropriate based on the offender's status change (e.g., release, transfer), and then transmitted to registered users using standardized language.

Depending on the jurisdiction, registered users may choose to be notified via email, telephone, postal mail, or text. Offender status can also be proactively checked through a secured website or by calling into the jurisdiction's AVN system where additional and referral information may be available.

AVN systems are intended to provide victims with information and notification services about the custody status of their offenders or the cases against their offenders, from the point of arrest and incarceration through disposition, release, and

community supervision; however, in practice, AVN systems have a great deal of variation.

### LANDSCAPE IN THE UNITED STATES

Since AVN was first introduced in 1994, states have implemented AVN systems at a fairly steady rate, with the largest surge of implementation occurring between 1997 and 2000. At the time of publication, 47 states, the District of Columbia, and Puerto Rico operate some form of AVN system. The majority of states (74%) operate systems that are open to all public users, 4% offer systems restricted to a subpopulation, and 21% offer dual systems where some notifications are offered to all public users and others are restricted.<sup>2</sup>

The extent to which registered users are able to receive comprehensive AVN services throughout the criminal justice process can be assessed, in part, by examining system participation. Evaluation findings indicate that county jails (89%) and prisons (87%) are more than twice as likely to provide AVN as are community corrections (45%) and courts (36%).<sup>3</sup>

The provision of comprehensive notification services can also partially be assessed by the number and types of events designated to trigger a notification. The 2012 BJA *Guidelines and Standards* for AVN identifies 74 potential notification triggers;<sup>4</sup> most states offer notification for a subset of these triggers. The most common events that trigger AVN are escape (91%) and release (87%). It should be noted that despite notification of release being offered in 87% of states, advance notice of release is only offered in 72% of states with AVN systems.

Other common notification triggers include death (87%), transfer (85%), advance notice of release (72%), furlough/work release (65%),

<sup>2</sup> Due to rounding, percentages will not sum to 100.

<sup>3</sup> A state is considered to have participation from a branch of the criminal justice system if at least one agency participates in the AVN system (e.g., jails will be included if at least one jail in the state participates).

<sup>4</sup> Bureau of Justice Assistance. (2012). *Planning, implementing and operating effective Statewide Automated Victim Information and Notification (SAVIN) programs: Guidelines and standards (revised)*. Washington, DC: Author.

<sup>1</sup> The information provided in this issue brief is based on the authors' original data collection.

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probation/parole transfer (52%), probation/parole release (50%), and offender calls to court (46%). Given that notification triggers are largely tied to the affiliated branches of the criminal justice system, and prisons and jails are more than twice as likely to provide AVN services as are courts and community corrections, it is not surprising that status changes are offered at a much higher rate than court events.

The vast majority of states offer notifications in TTY/TDD (92%) and multiple languages (92%). Of those states offering multiple languages, 98% offer notifications in Spanish. States also reported providing notifications in Somali (7%), Vietnamese (7%), Hmong (5%), Korean (5%), and Russian (5%).

## THE RIGHT TO NOTIFICATION

Service providers have long considered the right to notification a baseline right in that its assurance enables victims to effectively exercise other rights, such as their right to attend, be heard, and participate in the criminal justice process. The right to notification helps ensure that victims receive consistent and equitable information about their offenders and, in cases where victims' safety is at risk, information that might help save their lives.

At the federal level, the Crime Victims' Rights Act (18 U.S.C. §3771) guarantees the right to notification, affording victims, "The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused." All 50 states have also passed legislation guaranteeing victims the right to notification.

Findings from this evaluation indicate that many jurisdictions use AVN systems to fulfill their legislative mandates to provide victim notification. This practice is supported by BJA's promotion of SAVIN as a program that "helps protect victims of crime from further victimization and ensures that their rights are secured" (2011, p. 13).<sup>5</sup> Although this evaluation was not designed to examine the extent to which AVN provided victim notification in a legally sufficient manner, findings from the evaluation raise the question as to whether legal mandates are fulfilled by jurisdictions' reliance on AVN systems.

## SUMMARY

Findings from this evaluation indicate that AVN systems are extremely diverse across jurisdictions. Given this diversity, it is critical that victims understand what services are and are not provided through their jurisdiction's AVN system. Evaluation findings suggest that victims should be provided with information about the entities that provide AVN services, the events that trigger notifications, any efforts required on the part of the victim to ensure service delivery (e.g., reregistration<sup>6</sup>), and who victims can contact if they require additional information. Given states' growing reliance on AVN, this evaluation also highlights the need for additional research to assess the degree to which AVN provides victim notification in a legally sufficient manner.

## METHODOLOGY

The information presented in this issue brief was collected primarily through telephone interviews with system administrators over the course of the evaluation. Each year, researchers conducted telephone interviews with AVN system administrators, including those in states not participating in the BJA SAVIN program. Researchers also interviewed individuals overseeing victim notification services in states without AVN. Interviews provided an enhanced understanding of the landscape of AVN systems across the United States—as well as the resources required to plan, implement, and operate these systems.

Information collected during the administrator interviews was limited because not all administrators participated in each iteration of interviews. In addition, due to administrator turnover, both prior to and during the evaluation, administrators were not always able to provide comprehensive information on the AVN system in their state.

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<sup>5</sup> Bureau of Justice Assistance. (2011). *Statewide Automated Victim Information and Notification (SAVIN) program: FY 2011 competitive grant announcement (BJA-2011-2875)*. Washington, DC: Author.

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<sup>6</sup> In some states victims need to reregister when offenders move through multiple branches of the criminal justice system.