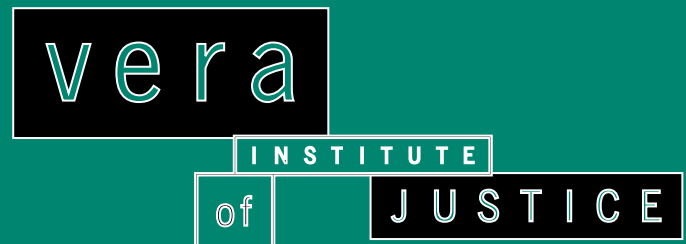


When Victims Have a Right to Know

Automating Notification with VINE®



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Diagram of a typical VINE[®] system reprinted with the permission of Interactive Systems, LLC (d.b.a. The VINE Company).

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INTRODUCTION

Lawmakers across the country are pushing the justice system to keep crime victims informed. People have a right to know how the system deals with someone who commits a crime against them, to participate in the process, and to know at all times whether the person is in custody. This is the essence of recent victim notification laws. The burden of finding efficient and reliable ways to convey information, however, falls on the agencies that arrest, prosecute, detain, and supervise offenders.

Notification is hardly a new idea. Most state parole boards have been sending victims notices of upcoming parole hearings for years. Many prosecutors try to keep victims and other witnesses apprised of upcoming court dates. Some small jails even call domestic violence victims when they release their batterers. So what is changing? New laws add rigor, meaning, and equity to some seriously flawed practices. Flawed because they include only certain victims—women judged to be in particular danger or people who cooperate with prosecutors—or because they are set up to fail. Many letters from parole boards go astray because victims who relocate have no convenient way to update these boards. How many more calls can busy jail staff place, if victims do not answer the first time? To include more victims and to have a better chance of actually reaching them, local and state agencies are automating the process.

This report examines a handful of jurisdictions using a commercial system called VINE®, which stands for Victim Information and Notification Everyday.

The VINE Company set up the first automated victim notification system four years ago in Jefferson County, Kentucky. It grew out of a murder that occurred a year earlier. A man accused of raping and kidnapping his ex-girlfriend posted bond, was released from a Louisville jail, and one week later, shot her to death. Manual notification procedures failed, and she had no warning of his release. The crime became a symbol of the justice system's failure to serve victims.

Since the launch of VINE® in Jefferson County, justice agencies in more than 33 states have contracted with the company to provide similar services to victims in their communities. Nearly every week, another site comes on line. Last year, Kentucky launched a statewide system that links its 19 prisons and 83 jails in a single network. Over the next year or so, the VINE Company will implement statewide systems in Nebraska, North Carolina, Ohio, Arkansas, Alaska, Illinois, Georgia, and New York.

This report explores automated notification by looking at how VINE® operates in a handful of communities ranging in size from small cities to entire states. It captures the views and experiences of criminal justice officials who plan and oversee VINE® systems, victim advocates within and outside government, and VINE Company staff—individuals who occupy very different roles and therefore offer different perspectives. Within this framework lies another agenda, an interest in finding out how VINE® affects victims of domestic violence in particular. VINE® is just a way to convey information. This can be done indiscriminately or with the differences among victims in mind. The needs and interests of battered women underlie each facet of this inquiry—sometimes in illuminating detail, too often as unanswered questions.

PRELUDE: SIMPLE ON THE SURFACE

Hello. Welcome to the Mecklenburg County Sheriff's Victim Information and Notification System, says a distinctively female voice, one that is less punctuated than the familiar Moviefone announcer, yet clearly not human. If you know the inmate's number, press 1. If you know the inmate's name, press 2.¹ Anyone can test this system by entering and confirming the name James Kirk.²

This inmate is currently in custody, the voice continues. This inmate has no pending court dates. This inmate may not be bonded out. To register for notification upon release of the inmate, press 1. Otherwise, hang up. Pressing 1, triggers more information about registering: You will be asked to provide a phone number that the system should use to contact you. Do not register a number answered by a switchboard operator, unless you have made prior arrangements to have the message confirmed and given to you. Do not register pager numbers; you will not be able to confirm notification and will be called for 24 hours. Enter the phone number, area code first, followed by the pound sign.

By entering and confirming a telephone number, the caller triggers additional instructions: *When the system calls to notify you of a release, you must enter a four-digit PIN code number to acknowledge the notification. Select a number that is easy to remember, and write it down. Enter your four-digit PIN code, followed by the pound sign. After confirming the personal identification number, the voice reassures the caller that he or she has completed the registration process for telephone notification, thanks the person for using the Mecklenburg County Sheriff's VINE® System, and ends with Goodbye.*

Wherever they live, people who call VINE® 800 numbers hear prerecorded messages much like this one. Generally, they offer a few pieces of critical information and a chance to register to be notified if the situation changes. VINE® attempts to make notification simple—hopefully, it is for the victims who use it—but the hardware, software, and human practices that support VINE® are neither obvious nor easy. Even with the aid of automated technology, the task of keeping victims informed is not effortless. Long before the first person dials a VINE® number or

receives a call, countless technical and operational issues have to be resolved, decisions that affect the justice agency that hosts and co-manages the system as well as the people who use it. Even after the system is up and running, educating people about VINE® as well as monitoring the system and making necessary adjustments takes work. As one troubleshooter says, “It’s not as simple as it appears on paper.” This report attempts to go beyond the surface, to examine less apparent aspects of VINE®, so that criminal justice officials who are considering automated notification, victim advocates, and victims themselves can know what to expect from VINE® and how to prepare for it and use it effectively.

First, a few guideposts. One of the basic but perhaps least known facts about VINE® is that it is a custom service; no two systems are exactly alike. Each reflects the needs and interests of the government agencies that purchase and host it. VINE® systems range from the very narrow—like the one in Glendale, Arizona, that notifies victims in that city whether or not offenders are detained in the city jail—to the extraordinarily comprehensive. The Governor’s Crime Commission in North Carolina, for example, is spearheading a statewide system that eventually will encompass all correctional facilities, probation and parole services, and all of the courts.

“One good thing about VINE® is how flexible it is,” says Ellen Alexander, victim service coordinator for the state of Maryland. “Maryland has the most comprehensive victim notification laws in the nation, so we need a system that allows us to put lots of information on it.” According to Alexander, Maryland may even use VINE® to fulfill sex offender notification requirements. For years, the VINE® system in Passaic County, New Jersey, has notified victims when an offender is released or transferred from jail. Soon, VINE® will contact victims at the moment of arrest.³ Chief Assistant Prosecutor Karen Barrett says the mandate to notify upon arrest is not new, but pressure on county officials to fulfill the law is increasing. Barrett believes that adding the arrest component will benefit many victims of domestic violence, because abusers often leave before the police show up. In Passaic County, Maryland, North Carolina, Miami,

and elsewhere, officials have propelled the VINE Company to expand the simple custody model it originally created for Jefferson County, Kentucky.

Size and type of information are not the only characteristics that distinguish one VINE® system from another. All VINE® systems call victims, for example, but in some communities, the system also generates letters. Most systems accept inquiries, but some only make outgoing calls. Some carry public information exclusively; others convey confidential data. Some restrict access to victims; others are open to anyone. Live operators and messages in languages other than English are other available features.

While breadth and flexibility are distinct advantages for customers like Ellen Alexander, they make the task of describing VINE® difficult. Frequent insertion of the words “typically,” “usually,” “generally,” and “often” throughout these pages is intended to remind readers that no single method, approach, or constellation of features characterizes VINE®. Hopefully, readers will recognize the variety of VINE® systems up and running across the country as well as issues common to most of them.

Also keep in mind that despite the focus on serving victims, neither system managers nor advocates have much solid information about how victims respond to VINE®. A few justice system officials interviewed for this report had not heard any comments from victims, positive or negative. Many advocates say they only hear from people when there is a problem, and even complaints occur infrequently. Feedback from victims is almost never documented. Consequently, it is difficult for people to accurately characterize what victims think. This does not mean that officials and practitioners cannot give opinions when asked or that their views are invalid, simply that their comments on behalf of victims might represent widespread or isolated experiences. It is impossible to know for sure. Readers of this report are urged to interpret such comments as indicators of the need for more focused exploration rather than as resolutions.

The remaining sections of this report examine the call center, which is the operational core of the VINE Company; what justice agencies need to do to prepare for VINE®; how to involve victims; the notification process; and expenses associated VINE®, among other issues.



THE CALL CENTER

The heart of VINE® is what company staff refer to as the call center. Apart from the one or two operators working there, the call center is a bank of computers inside a locked glass cabinet in the company's Louisville, Kentucky, offices. Every local VINE® number leads to these computers, and all notifications originate there.⁴ Essentially an information hub, the center continuously collects and matches up offender and victim data. This is how it works: Every time the center receives information about an offender, the computer asks, should this trigger a notification? If the answer is yes, then the computer asks, has anyone registered to be notified about this offender? If the computer finds a registered victim, it triggers a phone call. The process takes less than a minute, according to VINE Company Product Manager Ron Wallace.

How Information Gets to the Call Center

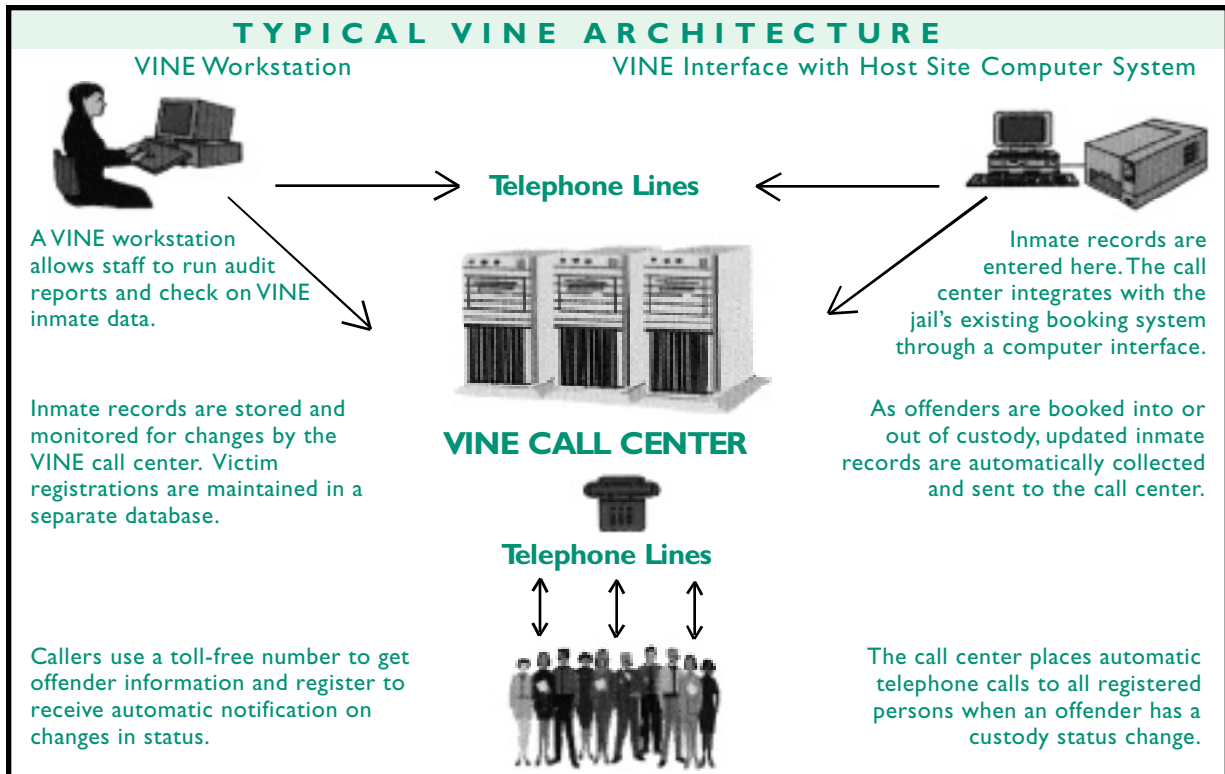
In most sites, VINE® connects a freestanding computer, called a VINE® Interface PC, to the criminal justice agency's mainframe computer (see diagram page 9). The agency passes selected offender data to this PC, which then transmits the information to the call center at regular intervals, either over the Internet using a File Transfer Protocol (FTP) or via modem. According to the VINE Company, agencies that use up-to-date FTPs experience few difficulties using the Internet, but most retain the option of transporting information via modem as a backup. A few sites allow VINE® direct access to their information systems, but for security reasons, most agencies prefer to pass selected data to an Interface PC. To allay fears among correction officials and prosecutors, Ellen Alexander, who oversees VINE® systems in Maryland, describes VINE® as "a wonderful parasite" and explains that VINE® can only read information placed in a separate file. Small facilities without automated information systems manually enter offender data into a PC that the VINE Company supplies and links to the call center. Interface PCs in jails pass information to the call center at least every 15 minutes. Most prisons pass offender data twice a day. Correctional facilities typically download information about

their entire population – not just data on offenders who are being released or transferred – putting the burden on VINE® to determine when notification is necessary.⁵

Information about victims usually gets to the call center via the Interface PC – if the host agency registers a victim – or via the local VINE® 800 number, if the victim registers. The type of data varies slightly from site to site, but in most cases, the call center maintains a telephone number where the victim can be reached and a personal identification number. Entry of a PIN is usually required to confirm notification.

The Watchdog

While the call center depends on the VINE® Interface PC to send information, the center itself actively awaits these data shipments. Company representatives call this feature the watchdog. If the center does not hear from a site within the allotted time, an alarm sounds. The center's computer then tries to establish contact with the lapsed PC. If these attempts are unsuccessful, VINE Company operators or engineers investigate. At least one operator is in the office at all times, and an engineer is either present or on call. If the problem lies with the Interface PC, VINE Company staff will pro



vide maintenance on site, if necessary. Similarly, if a PC is checking in regularly but not transmitting data, a different alarm is triggered. Sometimes a host system is down for maintenance. Occasionally, the watchdog detects system failures that officials at those locations are not even aware of. Every time the call center receives data, the alarms for that site are reset.

Technical Environment

The VINE Company uses IBM servers, Windows NT, Dialogic for Voice, as well as software the company developed to monitor sites, screen data, trigger notifications, and manage incoming calls.

Redundancy

Because individuals and agencies expect continuous service from VINE®, the company has established safeguards to avoid lapses in service. For example, if the call center's primary computer systems fail, back-up systems kick in. VINE® deliberately uses several different long-distance telephone companies so that notification does not depend on one phone company or set of lines. The only critical protection not yet available, according to company representatives, is to make the entire call center redundant – by creating a “carbon copy” in another location – in case a fire, flood, or

other disaster destroys the hardware and data housed in the company's main offices. The company plans to develop a redundant site in the near future.

Capacity

The call center receives more than a thousand calls each day and places several thousand in an attempt to reach victims. Currently, about 150 sites send data daily, most at least every 15 minutes. The New York City Department of Correction alone represents a significant volume of data. The department has an inmate population of about 18,000 and an average stay of about 40 days. “We’re exchanging a lot of data. The volume and activity of our system is unlike anything they had encountered,” says Ari Wax, the Department of Correction’s assistant commissioner for technical development. Most agencies transmit significantly less information, but over the next year or so, another 300 sites, including Los Angeles and Chicago, are scheduled to come on line. Is there a limit to what the call center can handle? Ann Walthall, vice president of engineering at the VINE Company, says that the hardware and lines can expand indefinitely and remain reliable, but if growth continues, the company will have to improve its software in order to accommodate the volume.

II

PREPARING FOR VINE®

While the VINE Company provides the primary service, host agencies have to make technological and operational adjustments to accommodate the system.

Building an Interface

Before an agency can send information to the call center, staff have to find a way to extract the data from their own information system, assuming they have one, and develop a file format that the VINE® Interface PC can read. The only other option would be to manually enter the information, labor-intensive work that all but the very smallest agencies avoid. Resolving these issues is the agency's burden, but the process is collaborative. The Interface PC can be set up to receive data in different forms, and the VINE Company works with each agency to develop a readable file format.

VINE Company Product Manager Ron Wallace says that VINE® has been able to interface with every automated booking system the company has encountered. What Wallace really means is that the company has been able to accommodate any agency that wanted to invest the time and money to build an interface. For many agencies this investment is minimal or at least reasonable. Others decide that purchasing new booking systems is more cost effective than amending existing ones. The Mecklenburg County, North Carolina, Sheriff's Office currently enters data manually because they plan to upgrade their automated booking system. It did not make sense to create an interface for a system that soon would be obsolete.

While Wallace says the situation in Mecklenburg County is unique (at least among sizable jurisdictions), people launching statewide projects will undoubtedly face this issue. In North Carolina, where state officials are working with the VINE Company to link all correctional facilities, project director Mary Lowry says that 55 of the 96 jails have booking sys-

tems that can easily interface with VINE®, while 30 others operate systems that are not compatible with VINE®. These 30 jails, along with 11 others that are not automated, will either purchase new booking systems or enter data manually.

Ron Wallace says that the average site can be brought on line in about five months, once the contracts are signed. Local systems that involve more than one agency—most commonly law enforcement, jails, and courts—have longer start-up phases, and it takes at least a year before a statewide project is fully operational. His estimates may be optimistic. According to Denise Moon, who oversees Dade County's (Miami) new VINE® system, "No matter how well you plan, and I can tell you that we did a lot of planning, there are always glitches that slow the process." Moon describes their system as the "most comprehensive" VINE® system to date. "We thought the system would be operational in a year," she says. "It took us two and a half years. Some of the delay was on our end, some on theirs. Early on they reassigned our engineer, and at the same time our main computer person left."

Ellen Alexander, victim services coordinator for the state of Maryland, tells a similar story. "It took us a year to set up a six-month pilot project in two counties." Alexander describes these sites as guinea pigs for testing how to expand notification beyond custody status. While acknowledging difficulties, Alexander also says, "I've never worked with a company with better customer service." She also attributes many of the delays to problems beyond the control of the VINE Company. "Our information systems are antiquated and differ from agency to agency, and the people coordinating these VINE® projects were not systems specialists."

If the Maryland legislature allocates money for a statewide system, Alexander plans to appoint technology experts to coordinate the implementation instead of leaving it up to victim/witness coordinators and prosecutors, who she feels generally are not computer savvy. “I remember one woman,” says Alexander, “who said that she would love to have VINE® in her community but that most victims don’t have computers.” This woman’s profound misunderstanding also underscores the need

for systemwide outreach and education, which is probably beyond the purview of most “technology experts.” To facilitate start-up, the

VINE Company hopes to expand the number of staff—account representatives, software engineers, and others—who come to VINE® with some experience of the criminal justice field.

Overcoming Human Resistance

Programming and networking may not be the only hurdles related to technology. Staff who are unfamiliar with computers and information systems may resist the whole idea of automated notification.

According to Carol Jordan, executive director of the Governor’s Office of Child Abuse and Domestic Violence Services, when Kentucky was building its statewide system a lot of the jail managers were dragging their feet. She remembers one who said, “I’m not going to have a computer in my jail.” He has one now, and Jordan says that he and others who strongly resisted VINE® at the outset are highly invested in the system at this point. “Many of them even print their name on the pamphlets. They feel like it’s their system, which is great because it means they’re behind the data and know it’s good.” To bring along individuals who were too proud or intimidated to embrace the system, Jordan’s office provided basic computer training. She also emphasized the incidental benefits of automation, like the fact that being linked electronically to state agencies eases their billing process. Jordan also recommends legislation that makes participation mandatory, as well as liability protection for jails, assuming they act in good faith.

In agencies where staff attempt to notify some victims, usually by picking up the phone and calling once or twice, VINE® projects may encounter resis-

tance from individuals worried about job security. Ron Wallace described one person who seems to deliberately thwart the system and efforts by the VINE Company to resolve ongoing glitches because he feels that if VINE® succeeds it will replace him. “The higher-ups there want the system,” says Wallace, “but the folks running it are fighting us every step of the way.” Finally, winning the enthusiastic support of cops, prosecutors, and advocates who work directly

“No matter how well you plan, and I can tell you that we did a lot of planning, there are always glitches that slow the process.”

with victims—individuals who already have a grocery list of responsibilities—may be difficult. According to Ellen Alexander, the way to get their buy-in is to introduce them to cops, prosecutors, and advocates in other communities who have had positive experiences connecting victims with VINE®.

Entering Reliable Data

System managers and victim advocates offer mixed responses about the reliability of their offender data. Even people working in the same city have different impressions about this. People are most likely to doubt that correctional officers enter information as soon as they should. Project directors or other agency officials may need to implement and enforce strict policies about inputting offender data. VINE® is only as reliable as the information the host agency passes on to the call center. If staff are not vigilant about entering accurate information in a timely manner, VINE® will be less effective, or even useless.

One agency official describes constant problems with jail staff not entering release data on time or at all, in a few cases. “We did training. Now we’re using discipline.” A counselor at a battered women’s shelter in a different city recalls a couple of women who called VINE® and were told that the offenders were not in the system. The women knew the information was wrong because their abusers had been calling them from jail. In this site, the lag time seems to be just on the front end. In other words, this counselor has not heard about women who were notified about a release late or not at all.

“We’ve worked hard to make corrections under

stand that they can't code a transfer as a release," comments Denise Moon, who oversees Dade County's new VINE® system, "We don't want a rape victim, for example, getting a call that her attacker was released when in fact he was transferred to a state prison. We had to come up with new codes and add a location field, so even if the corrections officer gets the code wrong, VINE® will see the name of a prison in the location field and won't initiate notification." Ellen Alexander faced the same problem. The VINE Company worked closely with her to remedy the coding confusion and to create special scripts, such as "John Doe has been transferred to a psychiatric facility. If he is returned to the county jail, VINE® will continue to notify you about his custody status."

Ideally, automated notification systems would provide ample advance warning before a critical event such as an offender's release from custody. This is especially important when the victim and offender are acquainted and the victim fears the offender. Prisons typically schedule releases weeks, sometimes months, in advance. The same is not true of local jails, especially when offenders are released before trial. Gerald Mihelic, who manages the VINE® system in Maricopa County, Arizona, says that some domestic violence offenders return home before VINE® calls the victim. "My staff can enter release data before the person walks out the door and VINE® can read it within 15 minutes, but sometimes the offender gets

information system for protection." Mecklenburg County's brochure is even more direct. "If he/she feels threatened, the victim should take precautions as if the inmate were already released." The VINE Company archives offender data for seven years in order to protect itself and the justice agencies it serves against false claims by people who say they were never notified.

Should victims depend on VINE®? Many government officials and victim advocates talk about the "peace of mind" VINE® offers victims. Carol Jordan recalls one woman who said that she knows that as soon as her abuser is released from prison, she will have to relocate. In the meantime, just knowing that he is locked up is "incredibly comforting." Others, like Lori Lauer, assistant to Mecklenburg County Sheriff Jim Pendergraph, recognize VINE® as a valuable public service but view it as a courtesy rather than as a protective measure. Tom Alessandro, director of the Witness Aid Services Unit in the Manhattan District Attorney's Office, says, "VINE® is just one of many tools. We do a whole safety assessment and would never encourage a victim to rely just on VINE® for safety." Ultimately, victims and those who advocate on their behalf have to decide whether or not to craft safety plans that hinge on being notified about a release.

Knowing Which Victims Are Left Out

According to Sherry Currens, the best thing about bringing the Kentucky jails on line is that victims

of misdemeanor crimes—the bulk of domestic violence offenses in the state—can be notified.

"Before VINE®, when we were pushing for a manual notification

systems, people said that only victims of felony crimes could be included because local jails, where misdemeanor offenders are detained, would not be able to do telephone notification." Not all jails lack the resources to attempt notification. As Ron Wallace points out, some small facilities resist VINE® precisely because they already have notification practices in place. But Currens raises the larger issue of notification systems that exclude certain offenders and their victims. In New York City, for example, VINE® carries information only about offenders held by the City Department of Correction. But about 65 percent of

“My staff can enter release data before the person walks out the door and VINE® can read it within 15 minutes, but sometimes the offender gets home first.”

home first." "Our policy is that we require data entry before the person leaves," says Ari Wax, an assistant commissioner for corrections in New York City, "but we're not going to guarantee that happens in every case."

Many VINE® systems have printed and recorded warnings not to depend on the system for safety. New York City's VINE® brochure carries this notice: "As with any automated system, it is not completely free of errors and there may be delays in reporting inmate information due to technical difficulties or human error. Do not rely on the VINE® system or any other

domestic violence offenders are released at arraignment and therefore never enter the corrections department or the VINE® system.⁶ To include these offenders and victims, the city would have to add a court component to VINE®. Other large, urban jurisdictions may face a similar problem.

Some people, including Kentucky governor Paul Patton, want a national notification system. Carol Jordan, who works in the governor's office, believes expanding automated notification across state boundaries is especially important in places like Kentucky that border so many other states. "Imagine a woman who visits Ohio for the weekend and gets raped. Her attacker will be prosecuted, convicted, and confined in Ohio. Right now, she won't know when he's released." Actually, Ohio is one of several states in the process of implementing VINE®. As long as the hypothetical victim Jordan describes knows the VINE® 800 number in Ohio, she will be notified when her attacker is released. One of the benefits of the VINE® approach to notification, assuming every state adopts VINE® or a similar system, is that a national system would be redundant. All victims would need is easy access to a national directory of state notification services.

Planning with Victim Advocates

VINE® systems are funded by, situated within, planned, and managed by justice system officials. In some places, these officials are advocates working inside government; usually they head victim/witness assistance units. In other communities, corrections officials and law enforcement officers oversee VINE®. What is true everywhere is that nongovernmental advocates rarely have any planning or management responsibilities. A few statewide projects include representatives of community-based agencies on their advisory boards, but most local officials proceed without input from advocates outside government, many viewing it as superfluous. "I've been an advocate for years, and I have a pretty good sense of what victims need. Some of my staff are former victims, and they were involved in the planning process," comments Denise Moon, who directs the victim/witness department in the state attorney's office and oversees VINE® in Miami.

Despite being left out of the loop, community-based advocates express positive or hopeful opinions about VINE®. "I think it will solve a lot of problems [just by conveying information]. It's very

Everyone agrees that the people who work directly with victims are essential to making VINE® work. Why not include them in the planning process?

disempowering not to know what's going on," comments Claudia Ewald, assistant director of Advocates for Victims, an organization for battered women in Miami. Although the North Carolina Coalition Against Domestic Violence has not been involved in the planning and implementation of SAVIN, the statewide VINE® system in North Carolina, staff member Alma Davis says that the coalition is eager to help the governor promote it.

Everyone agrees that the people who work directly with victims, including advocates, are absolutely essential to making VINE® work. They will spread the word about VINE® and explain how to use it. Why not include them in the planning process? Carol Jordan offers a cautionary story about what could happen if the best interests of victims are not represented during the earliest stages of a project.

When Jordan and others began planning VNET, a companion network that eventually will link about 150 advocacy agencies to Kentucky's VINE® system, the VINE Company suggested incorporating a referral component. The company envisioned a shelter, for example, sending information about a victim who needs psychological services to a nearby mental health agency. Jordan rejected the idea of posting personal information about victims on what she views as a nonsecure system. While she is thoroughly pleased with the VINE Company's services, their suggestion reminded her that the company's expertise lies in creating information systems, not aiding or protecting victims. "I wouldn't want to see VINE® operating without the guidance of advocates," says Jordan. Her point applies equally to the issue of involving advocates from outside government. The need for their input undoubtedly varies from place to place, but their perspectives are never redundant and would only increase the likelihood of building systems that really work for victims.

III

INVOLVING VICTIMS

Handling Registration: Should Victims or Agencies Take the Lead?

Officials charged with implementing VINE® face several decisions about how to involve victims in the system. One of the biggest choices is how to handle registration. Some agencies, including the Mecklenburg County Sheriff's Office, set up victim-driven systems. People who want to be notified register by calling the VINE® 800 number and entering the required information using a touch-tone phone. Other agencies take the opposite approach. In Passaic County, New Jersey, officers register every victim who consents. Each approach raises issues for the agencies as well as for victims.

Emphasizing choice and confidentiality One of the hallmarks of a victim-driven system is that it reinforces an individual's right to decide whether registering and being notified are appropriate and beneficial. "Coming from a shelter background, my bent is that services, including notification, need to be survivor driven," says Kentucky-based advocate Sherry Currens. "I think that every victim should make that decision for herself."

There are many reasons victims chose not to register. Some people do not want to be notified. Others do not have phones or answering machines at home, and receiving personal calls at work is impossible. Individuals who mistrust the justice system or do not want to press charges may view registering as a promise to support the prosecution process. And some battered women are uncomfortable even entering their telephone number in the system.

VINE® is portrayed as a confidential victim service, and by some definitions, it is. In places where victims register themselves, the only information about them on the system is a phone number, which

does not have to be a their home number. It could be a friend's number. Victims obviously have to enter the offender's name or inmate number, and that association is also maintained on the system. When agencies register victims, more information is available through the system, usually their name, address, and telephone number.

Even the most confidential systems are not completely secure, because no information system is impenetrable. Domestic violence advocates point out that offenders and their lawyers have in the past gained access to confidential data—not usually by hacking their way in, but by finding a sympathetic person with access to the information. Even in places where victims register themselves, the host agencies have access to the data they enter—offender numbers, telephone numbers, and PINs. "Once you link her phone number with his offender number, there are ways for him to find her," says Jeanne Mullgrave, director of court programs for Victim Services Inc. in New York City. "I don't think that we can or should tell people that it's a hundred percent safe," continues Mullgrave. "We don't discourage people from registering, but if they express strong reservations, we don't try to change their minds."

Meeting legal requirements Officials who set up systems that locate the responsibility for registering with victims tend to believe their approach defines VINE®, but about an equal number of agencies take the opposite approach. Before implementing VINE®, jailers in Passaic County, New Jersey, called domestic violence victims in an attempt to alert them about releases. When the state mandated notification for all crime victims, Passaic County began looking for a way to automate the process. The county quickly found the VINE Company. The second jurisdiction to

implement VINE® following Jefferson County, Kentucky, Passaic is one of five counties in New Jersey with VINE®. This is how their system works: Officers obtain the victim's name, address, and two telephone numbers while filling out the complaint form. They explain VINE®, including the need to confirm notification with a personal identification number, and ask victims to choose a PIN. If a victim cannot think of one, the officer will choose a code and write it down on the VINE® brochure. Unless the victim refuses to be notified and signs a waiver form, contact information about the victim is entered into the sheriff's information system and then passed on to the call center.

According to Karen Barrett, who manages Passaic County's system, one of the main reasons this approach to registration works is because the county sheriff strongly supports VINE® and will not admit an offender unless the booking sheet is accompanied by either the victim information form or a signed notification waiver. "After they're sent back once or twice, officers learn that they have to go through this process with every victim," she says. The sheriff has good reason to support VINE®: It reduced the workload of his staff. "Before VINE®, deputies had to fill out the notification forms and make the calls," says Barrett. "Now all they have to do is enter four of five additional lines of information when they admit an offender."

Recently, the county modified its system to allow victims who initially waive their right to be notified to register themselves later on. According to the VINE Company, in nine out of ten sites, victims have the option of registering themselves. Barrett favors the change, but emphasizes that leaving it up to victims entirely would not fulfill New Jersey's victim notification law. Most agencies that register victims, including the police department in Glendale, Arizona, and the state attorney's office in Dade County, Florida, do so in order to meet legal obligations.

Gerald Mihelic, who manages the VINE® system in Maricopa County, Arizona, where notification requirements are especially stringent, learned the hard way about the benefits of registering victims. Whenever an inmate is released, Mihelic has to compare the list of registered victims (by offender and telephone number) with a complete list of victims. If the victim is not registered with VINE®, Mihelic has to send the person a notification letter. This process is changing.

Soon, officers in Maricopa—like those working in the City of Glendale within the county's borders—will register all victims and assign a standard PIN—the last four letters of the person's surname. Obviously, the change will decrease Mihelic's work and boost the number of victims in the system, which he thinks is low partly because some police departments within the county have been unwilling to give victims information about VINE®. Changing the approach to registration, however, does not remove the need for officers to educate victims about VINE®, if only to tell them how to confirm calls.

Volume vs. accuracy? Officials who oversee agency-driven systems generally applaud their ability to involve the vast majority of victims. Many advocates share their views. "I can't think of any drawbacks to registering victims, especially when you're talking about custody information, which is vital to her safety," comments Claudia Ewald, a domestic violence advocate in Miami. "If your life is really chaotic, you may not register just because it's one more thing to do."

Others suspect that registering victims is less effective than it appears. "We know this population [battered women] is very transient," says Sherry Currens. "Victims are less likely to update the system, [when they move] if they don't initiate registration." Karen Barrett expresses similar worries about her own system, even though officers ask victims to confirm and initial their name, address, and telephone numbers. Some advocates also worry that victims who do not want to cooperate with officers and prosecutors but feel pressured to register may deliberately give incorrect information. Mary Haviland of the Family Violence Project in New York City says that telephone numbers on booking sheets are "notoriously unreliable." Ultimately, only victims can shed light on whether different approaches to registration influence their willingness to provide accurate information and to update the system, and what other factors affect these decisions.⁷

Open vs. closed systems User-driven systems are by definition open, meaning anyone can register—friends and relatives of offenders, staff in other justice agencies, neighborhood watch groups, people who collect restitution for a living. One VINE® manager

recalls a narcotics detective who registered with VINE® so that he would know when to resume surveillance of a drug offender. Not all agencies want to operate open systems; some prefer to limit access to victims. “We don’t want every Tom, Dick, and Harry accessing the system,” says Denise Moon, who oversees the Dade County system. “We made the decision in this community that VINE® would be for victims only.” To access information, callers have to enter a twelve-digit case number as well as a three-digit victim identification number.⁸ “We use these numbers because they match our system,” Moon says, “and because they are unique.” Officials in Miami chose to restrict access partly to contain costs but also to ensure that only people with a legal right gain access to confidential information, such as data on juvenile offenders. Written notifications identify both the victim and the offender by their initials only. Telephone notifications do not include any identifying information about either the victim or the offender. For example, the script for a message about a change in custody reads, “The offender in your case has been released.” In Canada, where all offender information is confidential, victims who use VINE® have to enter their PIN *before* they can receive a message.

Some jurisdictions, including the two counties in

the state of Kentucky. County officials have been thorough and creative in raising awareness about VINE®, and the effects are evident. Each week, twice as many people register with the Mecklenburg County VINE® system compared with the number of people who register with New York City’s system, although the New York City Department of Correction houses more than ten times the number of inmates. Officials in New York City say that many more New Yorkers call in to verify custody status—about 500 a week—than to register, but they also acknowledge that outreach to victims needs improving. According to Sherry Price, director of victim services for the department of correction, the mayor’s office recently approved a second training campaign that targets 500 city agencies.

Victim-driven systems obviously depend on good PR—otherwise no one will register—but all VINE® systems rely in one way or another on educating victims. Even in places where criminal justice agencies lead the registration process, victims need to know how to access information—if the system allows incoming calls—and how to confirm notification. Officers, prosecutors, and advocates have to understand how VINE® works and pass on information to victims. Tom Alessandro, who runs witness aid ser-

services for the district attorney’s office in Manhattan, says “We do a lot of internal training to educate ADAs [assistant dis-

trict attorneys] about VINE®. Plus VINE® brochures are all over the DAs’ offices, so even if an ADA forgets to mention VINE® and we don’t see the victim, there’s a good chance he or she will see the brochure.” Alessandro’s staff tell every victim they meet about VINE®, regardless of whether the offender is currently in custody. “The person may be free now, but could be convicted and jailed or rearrested tomorrow,” he says.

“*Lost in the shuffle*” Even the most conscientious practitioners will not reach every victim or convey information about VINE® soon enough, however. Amy Weisman, who like Tom Alessandro works with prosecutors, notes that many perpetrators are out on bail by the time victims reach her unit, if they ever do. Her staff send letters that include

“Victims are less likely to update the system, [when they move] if they don’t initiate registration.”

Maryland with VINE®, operate mixed systems, in which notification about certain events—typically those concerning custody—is open to anyone, but notification about other events—typically court hearings—is limited to victims. Maryland officials decided that sending letters about upcoming hearings to lots of concerned citizens simply would be too expensive.

Getting the Word Out

VINE Company staff like to talk about the importance of good PR. According to Ron Wallace, in one site where outreach efforts have been lax or nonexistent, the Center received only 28 calls in one month—less than one each day. At the other extreme is Mecklenburg County, North Carolina, which Wallace describes as one of the busiest systems in the country. It receives about the same number of calls as the en-

information about VINE® to all victims, but Weisman worries that people do not read them. “You know how when you get mail you don’t always read the whole letter.”

Jazmin Valentin works with domestic violence victims in East Harlem. Over a recent two-month period, officers in the 25th Precinct, where she is stationed, arrested 98 people for domestic violence crimes, but Valentin

was able to contact only 50 of the victims.

“Sometimes it’s really hard to get ahold of a woman after an arrest,” says Mary Haviland, whose organization, the

Family Violence Project, partially supports Jazmin Valentin’s work. Haviland thinks that police are the only group that see every victim but views them as poor conveyors of information. “They already carry so much information with them,” says Haviland. “If every agency asked them to pass out even a business card, it would be overwhelming.”

Jeanne Mullgrave of Victim Services, a New York City nonprofit organization, says that her staff always intend to explain the system, but sometimes other issues take priority. “Maybe the person needs an order of protection and can’t even hear about VINE® until that’s taken care of. I’m sure there are victims who don’t get the pamphlet or who don’t hear about VINE®. It’s bound to get lost in the shuffle.”

Since not all victims engage with the criminal justice process or receive sufficient attention once they do, it is important to find ways to promote VINE® that bypass these systems—for example, placing posters in subway cars and bus-stop shelters. Amy Weisman suspects that New York City officials initially rejected this approach to avoid overwhelming prosecutors and advocates with requests for information about VINE® and inmate numbers. According to her, the volume of calls has not been as great as some people expected. While Weisman expects that a full-scale promotional campaign would boost activity levels, Jeanne Mullgrave offers another theory. “It could be that VINE® hasn’t had the large-scale application because so many people, especially domestic violence offenders, are released at arraignment and never enter the correctional system,” she says. “This is the biggest flaw in VINE®.”

Help from the VINE Company. As the VINE Company brought its services to more and more communities, the company began to realize that clients needed help training staff and educating victims. About a year ago, the company created PACE (Public Awareness and Community Education). Since forming, PACE has created templates for brochures, posters, tear sheets, palm cards, and bumper stickers,

Public Awareness and Community Education (PACE) is part of the package. “Even if customers don’t want this kind of help,” says Ron Wallace, “the price is the same.”

and usually produces these materials for clients. PACE also provides training videos for law enforcement and victim advocates, and frequently helps clients organize and lead workshops designed to train agency managers who later will have to educate and supervise frontline staff. PACE also shares ideas among communities, so that clients around the country can learn, for example, that in Mecklenburg County, North Carolina, the major grocery store chain hangs VINE® posters in its stores or that Kentucky’s VINE® brochure has a perforated section at the bottom of one fold that can be torn off and placed in a wallet. The card includes instructions about how to use VINE® and a space for the victim to write in a PIN. PACE contacts clients twice a year to determine their current need for training and promotional materials. “It’s part of the package,” says Wallace. “Even if customers don’t want this kind of help, the price is the same.”

Everyone interviewed for this report underscored the need for education and outreach. “PR is exceedingly important,” says Carol Jordan. “Any state or local jurisdiction thinking about setting up VINE® also has to think about how to let victims know about the system.” Kentucky state law requires law enforcement officers and prosecutors to inform victims about VINE®. In addition, Jordan says that her staff reached out to nongovernmental service providers, made bumper stickers, and posted information about VINE® on the office web site. Plus, the governor made public service announcements on radio and television. “Still, I meet criminal justice professionals and advocates in Kentucky who don’t know about VINE®.”

she says. Sherry Currens agrees that the biggest challenge remains getting the word out. “We’re working to educate and involve shelters,” says Currens. “VNET [a network linking 150 advocacy agencies to VINE®] will really help by making it easier for advocates to register victims.” Officials in Arkansas are raising awareness even before their statewide system is fully operational. They created *Arkansas VINE® Lines*, a newsletter to educate practitioners about VINE® and keep people informed as new communities come on line.

Easy to Use or Not?

Many advocates say that VINE® can be “a little intimidating.” For someone in crisis, it can be difficult to listen to and follow an automated system. Senior Social Worker Ovita Williams says that many victims are confused about how to use the system. “I think it’s easy, but I remember one woman who didn’t realize that the letter at the end of the NYSID [inmate] number corresponds to a letter on the keypad.” Williams counsels domestic violence victims at the Kings County (Brooklyn) District Attorney’s Office. Jeanne Mullgrave agrees. “For some people, it’s hard to get the hang of it [VINE®]. We have clients who have never used an ATM machine, who pay their bills in person with cash, so what seems like a perfectly simple and logical system to many people isn’t so simple for everyone. Sure there are brochures about VINE®, but not everybody reads.” These and other advocates often help victims call in or register, either

“We have clients who have never used an ATM machine, who pay their bills in person with cash, so what seems like a perfectly simple and logical system to many people isn’t so simple for everyone.”

by doing it for them or talking them through the process. Mullgrave says that her staff usually register victims and themselves, “so that when VINE® calls, we can call victims. It’s a safety mechanism.”

Sherry Currens says the “good news” in Kentucky is that victims can press “o” at any point and talk with a live operator, someone who can explain the process and describe information they need in order to check the system or to register. “Victims describe

VINE® operators as nice and helpful—the perfect person to talk to when you’re in crisis,” says Currens. Current statewide projects feature live operators, but most local systems do not. According to VINE Company CEO Mike Davis, most local officials who champion VINE® forgo live operators because they are not “politically necessary.”

Opinions about how easy VINE® is to use are far from unanimous. “When I think of how overwhelming the court system and social services are, VINE® seems relatively easy to use. It’s the simplest way for a woman to find out whether her abuser is in jail,” comments Kathleen Dey, who works as a counselor in a battered women’s shelter in Charlotte. According to Dey, none of her clients have had difficulty using VINE®. Officials and advocates in Denver agree. Yet a separate comment by Chief Steve Comito, who oversees the Denver VINE® system, suggests that registering may be more difficult, at least for some victims, than he realizes. When asked about missed notifications, Comito said that most people who complain about not being notified never registered. Maybe they called VINE® and thought they had registered, but actually did not complete the process.

Even advocates who dislike the impersonal aspects of VINE® applaud the quick delivery of information. “I can’t think of anything more frustrating than calling the jail and having the line just ring and ring, or constantly getting a busy signal. Even just finding the right number to call is difficult,” comments Miami-based domestic violence advocate

Claudia Ewald. People who believe that VINE® is easy to use, say that the bigger issue is language barriers. In Mecklenburg County where VINE® is available only in English,

Kathleen Dey worries

about excluding the large and growing Spanish-speaking community. In Denver, VINE® is available in English and Spanish, but Collette Peters, who works in the victim/witness unit of the Denver Police Department, knows of victims who do not speak either language.⁹

One-Way vs. Two-Way Communication

Kathleen Dey does not recall many VINE® calls com

ing through the residents' phone at the shelter where she works. The women she meets may not register, but according to Dey, most call in periodically to check on the custody status of their abusers. Several other victim advocates describe similar situations – women who, for one reason or another, prefer to check in rather than register to be notified. Registering seems less important to Dey – and maybe to the residents themselves – because she feels that the women are relatively safe while living in the shelter. “If I was counseling a battered woman who was living at home,” she says, “I would definitely encourage her to register.”

Several advocates in New York also say that victims are more likely to call in periodically than to register, and few view this as a problem. “As far as I’m concerned, if victims are calling in every day, then the system is working,” comments Jeanne Mullgrave. Many victim advocates, as well as others in the criminal justice system, say they regularly call VINE® for up-to-date information. “We use it when victims ask us for information,” says Ovita Williams. “Before VINE®, I would have to call [the New York City Department of Correction] because I couldn’t give out that number to victims.” Williams can get the same information from VINE® quicker and easier because her call is always answered and the information is delivered almost immediately. Ellen Alexander says that VINE® has enabled victim advocates in Maryland to spend more time on direct services, instead of answering calls about custody or court dates, because victims can find this information themselves.

Not all VINE® systems, however, are set up to receive incoming calls. In Passaic County, people who want to check on the custody status of an offender have to contact the jail itself. There, the call is free, if placed locally. In other communities, people pay for this information. The Arizona Department of Correction registers victims and notifies them when an offender is released. In the meantime, people who want to check on an offender’s custody status have to use a 900 number. In Mecklenburg County, victims can use the VINE® line to get up-to-date information

and to register to be notified, but the county also maintains a 900 number that victims can use to get additional information not available through VINE®, such as how to post bail and when friends and relatives can visit inmates.¹⁰ In Mecklenburg County and in Arizona, the VINE Company operates these 900

Not all VINE® systems are set up to receive incoming calls. In Passaic County, people who want to check on the custody status of an offender have to contact the jail itself.

lines, called JAIL (Jail Access Information Line). Generally, a portion of the proceeds from these calls is applied to the annual VINE® service fee. According to Ron Wallace, the company would willingly discontinue the JAIL service and put more information on VINE®, but agencies have resisted because the 900 lines reduce the cost of providing VINE®.

Despite resistance among some older VINE® customers, posting more, rather than less, information may be a future trend. In the Miami area, VINE® not only carries information about arrest, booking, arraignment, future courts dates, and custody status, the system also offers victims access to what system manager Denise Moon calls an “online victim/witness brochure.” A directory offers callers access to a wide range of information about the court and correction systems, as well as information about rights and services guaranteed to victims. Moon views this as a valuable service given the low literacy levels of many victims. The point, according to her, is not to replace written information or, more important, help from human beings, but to augment traditional aids. “Our office isn’t open 24 hours a day, and often, we’re not here when victims need information, says Moon. With VINE®, “they have direct access.” Ellen Alexander loves the idea of providing victims rights and referral information on VINE®. At the same time, she acknowledges that Maryland state officials plan to package the system like a cable television service. “Everybody gets the basic service, but if you want Showtime, you have to pay extra.” In other words, counties that want to put referral information online will have to fund that part of the system.

IV

NOTIFICATION

Despite many differences among VINE® systems, they all have one thing in common: automated notification. No matter how data get to the call center, which offenders and victims are included, whether the system reaches beyond victims to involve other concerned citizens, and whether people can access it, every system gives out information. As discussed previously, the type of information varies from place to place depending on the agencies involved—police, jails, probation, prisons, courts, parole. But beyond content, the process of notifying people can take different forms and patterns. The following section describes the notification process in a few places, as well as consequences of different approaches.

How Notification Works

VINE® is a voice-activated system. This means that the computer in the call center dials a number and listens for a response. If it hears a voice, either a real one or a recorded message played on an answering machine, the computer waits for the voice to stop speaking. After a significant pause, one that is longer than the natural gaps between words or sentences, the computer begins to deliver its message.

The VINE Company says that the standard calling pattern is every 30 minutes for up to 24 hours, but based on interviews for this report, many communities are likely to customize the calling pattern. Some systems place calls more often or over a longer period of time; some call less frequently after the first few hours or after leaving a message on an answering machine; and some places have different calling patterns for high and low priority cases and events. In New York City, for example, VINE® attempts to notify victims for up to four days. The system calls every 30

minutes for the first six hours, then every two hours, for up to two days. If the call center reaches an answering machine, subsequent calls are made every two hours. If after two days the victim has not confirmed notification, the system will continue calling every six hours for two additional days. In Miami, VINE® calls victims of domestic violence every hour for up to 24 hours. The system calls other crime victims hourly, but only between 6 a.m. and 10 p.m. Domestic violence victims can change the notification pattern to avoid receiving calls during the night; any victim can change the telephone number to receive calls at another location or block calls entirely by signing a waiver form obtained from the prosecutor.

The possibilities seem endless. In Maryland, when victims of crimes committed by more than one person were annoyed that VINE® placed separate calls for each defendant, the company consolidated the process. Now, victims get the same information in a single call. In Miami, where victims are likely to re

ceive calls about several different events, and where the system offers messages in more than one language, the call center remembers the preferred language of every recipient: The first time the system reaches a victim, it asks them whether the victim wants to hear the message in English, Spanish, or Creole. If the person chooses Creole, for example, all subsequent messages to that phone number will be made in Creole.

Everywhere, VINE® conveys some information over the phone, but in many communities, the system also generates letters. Mail notification is only possible in sites that register victims and include their address among data sent to the call center. In Maryland, changes in custody status trigger telephone notifications, while court information is conveyed through the mail—unless the scheduled hearing will occur within five days. Letters are printed in and mailed from the prosecutor’s office, based on data generated by the call center. The system in Dade County notifies victims about arrest, booking, first court appearance, transfer, release, last court hearing and its outcome, the next court date, and the trial date. Some of these notifications are made by phone, some by postcard, depending on the crime as well as the event. Victims of domestic violence, stalking, and rape, for example, are usually notified by phone. Some agencies generate letters to back up phone attempts or when attempts to reach victims by phone are unsuccessful.

Confirming Notification: The PIN Debate

In most communities, victims enter a PIN (personal identification number) to confirm receipt of a VINE® message. In places where victims register themselves, they normally pick the PIN. Some advocates say that the most common complaint comes from victims who cannot stop the VINE® calls because they have forgotten their PIN, although other advocates do not hear such complaints.

Agencies that host VINE® systems can look up a person’s PIN using software called the VINE® Inquiry Program, or VIP for short. With this software, plus a telephone line and a modem, system managers can dial in to the call center’s computers and search through a list of registered victims from their jurisdiction.¹¹ Each record contains the offender’s inmate number as well as the telephone number and PIN the victim registered. Most officials are reluctant to give

out these codes, however, because it is difficult to confirm that the person making the request is actually the registered victim.

Not everyone attributes PIN problems to faulty memories. Jeanne Mullgrave of Victim Services suspects that people who complain about not being able to “turn off” the system are probably just uncomfortable using VINE®. Domestic violence advocates also recommend that shelters develop procedures to deal with VINE® calls, such as listing names of residents, along with their abusers’ names and PINs, so that anyone who receives the call can confirm it.¹²

Agencies that register victims typically use standard PIN codes. In Glendale, Arizona, police officers enter the victim’s month and day of birth, if known. Otherwise, they enter 4321. Theoretically, standard PINs are less secure: Someone other than the victim could confirm the call but not convey the message—deliberately or not. The flip side is that standard PINs should be easier to remember; therefore, more victims will confirm notification. Terrence Neary, who manages the Glendale system, is not worried about security; he thinks it is unlikely that anyone but the victim would know about the standard and default PINs. His problem is that even victims do not understand what to do. According to Neary, only a third of victims enter the PIN, and lots of people phone his office asking how to stop the calls. The very low confirmation rate concerns him because the police department is required to send letters to everyone who does not enter a PIN, which means he is printing and mailing letters to the majority of victims. Neary suspects that victims are confused about the PIN system because few of them read the VINE® brochure. A revised version of the brochure will highlight information about how to confirm calls. Terrence Neary might also benefit from Karen Barrett’s advice. According to her, victims who receive VINE® calls may hang up prematurely, not realizing the need to enter a PIN. Faced with this problem in Passaic County, New Jersey, Barrett changed the notification script. The revised message begins by instructing the person to listen to the entire message before hanging up. She also changed other parts of the script to make the message as simple and straightforward as possible, omitting any justice system jargon that might confuse and frustrate victims.

The VINE Company supports the use of PINs, saying that most of the time, in most places, victims

use them. According to Ari Wax, a New York City corrections official, about 70 percent of victims confirm notification. At 67 percent, the confirmation rate in Mecklenburg County is similar.¹³ While the PIN system seems adequate, officials in Miami believe they have developed a better alternative: Victims confirm notification by stating their name. Denise Moon, who oversees the system, believes that PINs place an unnecessary burden on victims. The system in Miami has another unusual feature: a way to know whether the system is reaching a wrong number. The system asks a series of questions, beginning with *Are you a victim of a crime?* and *Is someone you know a crime victim?* If the recipient consistently answers no, the system determines that it reached a wrong number.

Monitoring Notification

As illustrated above, some people get VINE® messages but, for one reason or another, do not confirm the calls. Other calls never reach the right people—either because they moved, are temporarily away from home, or in some cases, because they gave an incorrect number to the person who registered them. Whatever the underlying reason, agencies that host VINE® systems face a decision: Should they try other ways to contact the person? In Passaic County, VINE® calls domestic violence victims as well as some stalking and sexual assault victims every 20 minutes for up to three hours. If the person is not successfully notified within three hours—meaning the call is not confirmed with the correct PIN code—the call center automatically phones the jail. Staff at the jail then try to find other numbers where the victim might be reached. If their attempts fail, patrol officers drive out to the victim’s last known address in an attempt to notify the person. Karen Barrett says this does not happen frequently, certainly not often enough to burden jail staff or patrol officers. Mary Lowry oversees the budding statewide VINE® system in North Carolina. According to her, agencies that submit offender data are responsible for reviewing whether notification attempts are successful, but she does not specify how these agencies should respond to unsuccessful attempts.

Few sizable jurisdictions will be able to establish practices like the ones in Passaic County. Agencies are more likely to send follow-up letters. Even this can take quite a lot of effort, unless VINE® is set up to

facilitate the process. “Our system became operational in August of 1997, and until about a month ago, I wasn’t very happy with it because it was causing me more work,” says Gerald Mihelic, who oversees the VINE® system in Maricopa County, Arizona. Before recent improvements to the system, each morning Mihelic would have to comb through lists of calls and identify victims who had not been successfully notified within 24 hours. Then he would have to enter their names and addresses into a mail merge program that would generate notification letters. “I was so displeased with the process that finally the higher-ups here called VINE® and said, ‘Either you fix this problem or we’re dropping the service.’” Now the call center automatically lists attempts that are unconfirmed and generates notification letters that are printed and mailed from Mihelic’s office.¹⁴

Not everyone feels compelled to carry the process beyond a series of telephone calls. Lori Lauer, who oversees VINE® in Mecklenburg County, North Carolina, feels that the call center’s attempts to reach victims are sufficient. “We think that calling every 30 minutes for at least a day is enough,” Lauer says. “After that, we don’t do anything.”

Final Notification

What constitutes a final notification differs from place to place, depending on the extent of the VINE® system and the design of the local criminal justice system. Consider a VINE® system in which the department of correction is the only agency sending information to the call center. If an offender is released from jail and placed on house arrest, a service operated by the department of probation, the victim would never know when the period of house arrest ends. Agencies have to decide how long to maintain victim information following a final notification. In New York City, victim records remain on the system for two weeks after an offender is released. If that person is detained again after the two-week period elapses—because he committed a new crime, violated the terms of his release, or was later convicted and sentenced to jail time—the victim would have to register again in order to be notified about a subsequent release. Officials in Maryland are taking a different approach. Once their statewide system is up and running, victim files will remain active for one year following a release because the number of offenders who return to custody is so high.

V

OTHER VENDORS, PROPRIETARY ISSUES, AND COSTS

In 1994, when Karen Barrett and other Passaic County, New Jersey officials began looking for a way to automate the notification process, Barrett says that VINE® was “the only game in town.” Last year, when the county decided to expand its system to include notification upon an arrest, Barrett again looked for other vendors: “I found a few companies who said that they could do it, but hadn’t ever done it. I know other VINE® customers who tried to hold a competitive bidding process. They attracted interest from a few companies, but in the end, only the VINE Company submitted a bid.” Other government officials contacted for this report also signed sole-source contracts with VINE®. In addition to being without business competitors, the company also believes it provides a better, more efficient system than any state agency could set up and maintain on its own, given an equal investment. According to VINE Company CEO Mike Davis, states that tried to set up their own system have failed. “Our MIS folks said there was no way they could build and maintain the kind of system we wanted for the same money that it cost to buy services from VINE®,” says Ellen Alexander, who oversees VINE® systems in Maryland. “Why reinvent the wheel? Why go through all the same pitfalls?” adds Richard Thomas of the Arkansas Crime Information Center.

While Carol Jordan confirms the value of using an outside contractor to develop their system, she believes that, ultimately, Kentucky will take it over. If she is right, state officials have a lot of work to do, such as developing software to screen data and to manage incoming and outgoing calls. Even if the state can succeed on a purely technological front, officials may encounter resistance from the VINE Company, which has requested patents—not only for the software the company wrote, but also for the entire process.

Fees for Services

Start-up fees Implementation fees vary greatly from

place to place, depending primarily on the number of VINE® Interfaces, as well as other technological services provided by the company.¹⁵ Normally, each agency sending data to the call center requires its own interface, so the more agencies in the loop, the higher the cost. There are exceptions to this rule. In places like Miami, where information for the entire justice system is maintained on a single network, only one interface was required, and implementation costs were lower than if each agency maintained data on a separate system. VINE® systems that are more complex because they generate different types of notifications, feature different calling patterns, or include complex scripts or unusual features are more expensive to design, program, and implement. Other features also affect the initial cost: There is a one-time fee to prepare messages in languages other than English: \$3,500 for Spanish and \$5,000 for any other language. The company also charges an initial fee of \$1,500 to prepare for live operator service.

The VINE Company is reluctant to provide an average start-up fee—precisely because jurisdictions and VINE® systems can be configured in so many ways—but is willing to price a low-end project. According to Ron Wallace, the company can set up a simple custody notification system in an averaged-sized county for about \$16,500. Wallace says it is impossible to estimate costs for any type of statewide system, but notes that wiring an entire state is much cheaper than taking a patchwork approach, in which each county contracts separately for VINE® services. Start-up fees always include training services as well as educational and promotional materials.

Annual operating expenses Ongoing operating expenses are based primarily on the volume of information coming into the call center. Fees for a local custody notification system, for example, are proportionate to the inmate population. According to Ron

Wallace, a jurisdiction with a small inmate population (under 500 beds) could expect to pay about \$25,000 per year. A medium-sized inmate population (1,250 beds) would boost annual expenses to about \$40,000 per year, and a large population (3,500 beds) would cost about \$60,000 per year. Very large urban jurisdictions would pay much more. In New York City, for example, where the Department of Correction houses approximately 18,000 people on any given day, annual operating costs run about \$300,000. Operating expenses are estimated as contracts are renewed—usually each year—but monthly charges can exceed or fall below the estimated amount, if the actual population rises or drops more than ten percent.

As mentioned earlier in this report, most corrections agencies send information about their entire population to the call center, placing the burden on the VINE Company to determine which pieces of information about which offenders should trigger a notification. In some ways this seems counterintuitive. Most crimes do not involve victims. Just think of the vast number of people incarcerated for drug crimes. The jail in Maricopa County, Arizona, for example, houses an average of 7,000 people. Only about 1,000 are associated with a victim, according to Central Courts Manager Gerald Mihelic. The county pays the VINE Company \$87,000 a year. Mihelic thinks the fee is too high, given the number of victimless crimes (although he realizes that people other than victims may be using the system and offers the following example: “If a teenager is arrested for DUI, his parents can register to be notified upon his release.”)

Some corrections agencies reduce their operating expenses by sending less data to the call center. In Denver, for example, most perpetrators of domestic violence are charged with municipal ordinance violations. However, many other offenses—mostly victimless crimes—are also filed as municipal ordinance violations. In order to make VINE® accessible to all victims of domestic violence, while containing operating costs, the sheriff’s department decided to send the call center information about only those ordinance violators whose offenses involve domestic violence. Division Chief Steve Comito says that developing this filter was by far the biggest technological challenge in setting up VINE®. Liability concerns aside, most corrections agencies probably opt to send data on their entire inmate population because

screening out offenders requires a lot more programming effort on their part.

Operating expenses for other types of notification are calculated differently. For court notifications—the most common type of information to convey following custody status—the VINE Company estimates the number of cases each year that involve victims (an indication of the volume of incoming data) and what percent of victims either elect to be notified or are registered by a justice agency (an indication of the number of notifications). Actually, figuring operating costs is even more complicated. Expenses vary depending on how many court events generate calls to victims versus letters versus just posting the information on the system (meaning victims have to call in to get it). The reason some jurisdictions, especially those with comprehensive systems, limit VINE® services to victims—and in some places, only certain victims—is that they cannot afford to offer services to more people.

Purchasing live operator service boosts operating expenses 15 percent. Annual charges include full maintenance of all equipment, software, and telecommunications circuits as well as ongoing PACE (Public Awareness and Community Education) services.

Funding sources Justice agencies fund VINE® in a variety of ways. Sometimes even implementation and operating expenses are funded differently. For example, Dade County received a State Investments In Innovation grant to develop their system because local officials were able to show that VINE® would be less expensive than hiring staff to notify victims manually (notification is required under Florida state law). Annual fees are divided equally among the prosecutor’s office, the police department, and the jails. Several ongoing statewide projects received implementation funds from state VOCA (Victims of Crime Act) offices, but will depend on legislative support to run VINE® beyond the first year or so. Several local custody systems, including the one in Mecklenburg County, are funded by inmate phone systems (the local phone company diverts a proportion of the revenue to the jail). The Mecklenburg County Sheriff likes to say that offenders pay for the system. This is not exactly true. Since inmates can only make collect calls, their friends and families pay for VINE®—about ten cents a minute.

CONCLUSION

This report began with a big caveat, that VINE® is not as simple as it sounds. By this page, heads are likely buzzing with the scores of details, decisions, and problems that stand between the idea of using a computer to notify victims and actually doing it well. VINE® can operate smoothly on one level—with data being transferred, calls being placed, few people complaining—but falter in other ways. Maybe victims who would really like access to the system are excluded. Maybe only a small number of victims know about it. Maybe using it is difficult, intimidating, or even impossible for some people. Maybe PINs are a hassle, and there are better ways to confirm notification. Maybe lots of calls are going astray because victims who relocate do not or cannot update the system.

The VINE® systems described in this report are relatively new, some brand new. Both the VINE Company and the people who planned and watch over these systems have overcome significant challenges. Along the way, they learned that one of the best things about VINE® is that both the technology and the human practices can be adjusted to make the system work better for victims. The challenge for these managers and for future ones is to develop even better ways to evaluate VINE® from the perspective of the people using it, the victims of crime.

The VINE Company also would like to know more about how it is serving its other customers, i.e. victims. Juliette Grace, who heads the company's PACE (Public Awareness and Community Education) Department, plans to contact victim advocates and others to assess what victims think of the system. She imagines submitting quarterly reports to the justice

agencies that host VINE® systems—the company's primary customers. This is a great idea, but unless the people Grace contacts have reliable ways to collect and document victim feedback, she will not have much information to pass on to her clients.

Unfortunately, no one contacted for this report is planning a victim-centered evaluation of VINE®. Some people really want the information but say they lack the time, money, or the know-how to collect it. Others worry about burdening victims or compromising their right to privacy. Domestic violence advocates in particular chafe at the notion of a survey, in which system administrators randomly call registered victims. This is not the only way to evaluate VINE® from a victim's perspective, however. Practitioners who aid victims every day have natural opportunities to gather information. The challenge is to create easy ways for them to recognize and document victims' experiences using VINE®, so that they can do more than recollect the most recent story.

While many agencies are struggling just to get frontline service providers to mention VINE® and hand over a pamphlet, others have the basics down and are ready to step back and look at the system from the perspective of the people using it. These assessments do not have to be comprehensive or constant; they could be used periodically and adjusted to focus on different aspects of VINE®. For example, advocates could develop a shortlist of questions about the registration process. Is it easy? Confusing? Is language a barrier? What are the reasons victims do not register, if given the option? This approach is far from scientific, but it would yield more information than is currently available.

Footnotes

- ¹ If a caller enters a name that corresponds to more than one inmate, the system requests a middle initial. In large jurisdictions like New York City, where there are many inmates with the same name, callers are required to enter the person's name and their date of birth, arrest date, or inmate number. Victim/witness advocates in New York City usually give inmate numbers to victims when they tell them about VINE®. If victims enter a name and birth or arrest date, VINE® will automatically provide the inmate number to expedite future inquiries.
- ² Whenever possible, information about active VINE® systems is cited. To avoid burdening the Mecklenburg County system with calls from outside that jurisdiction, the county's VINE® number is not printed here. For a demonstration of VINE®, call 800-816-0490 and enter the name Mike Davis. If you receive no answer, call the VINE Company's customer service line, 800-865-4314.
- ³ VINE® will notify all known victims, even if they are present during the arrest. According to Karen Barrett, screening out any victims would be "too difficult and risky."
- ⁴ The company does operate a few remote call centers, including one in Canada. The Canadian call center was established because it is illegal in Canada to transmit offender data across international borders. Some of the first jurisdictions to adopt VINE®, including Jefferson County, Kentucky, and Santa Clara, California, have call centers on site. The Jefferson County call center is just down the road from the VINE Company offices. The company is able to monitor the activities of these remote sites from its headquarters.
- ⁵ Some agencies screen out information about certain offenders. For example, the two Maryland counties with VINE® omit all drug offenders—unless they are involved in other types of crime as well—from the data they send to the call center. The primary reason for excluding categories of offenders is to decrease annual operating costs (see p. 24).
- ⁶ The average number of domestic violence offenders released at arraignment was obtained from the Office of the Administrative Judge for the Criminal Court of the City of New York. The average is based on arraignment hearings in all five boroughs between January 1, 1998 and August 16, 1998.
- ⁷ In places where victims can register themselves, the VINE Company has offered callers the option of amending prior registrations but found that few people take advantage of this feature. The company assumes that victims prefer to register again, using a new telephone number. It is important to note, however, that neither host agencies nor the VINE Company can know how many people register more than once. The only way to estimate the number would be to sort the registrations by offender number and then look for two or more entries with the same PIN—which assumes that people would use the same code in any subsequent registrations.
- ⁸ Immediately following an arrest, the victim's name, address, and telephone number are entered into the VINE® system and a postcard listing the case and identification numbers is mailed to the victim.
- ⁹ The VINE Company currently offers operator service in English only but plans to include other languages by using AT&T translators, passing on costs to customers.
- ¹⁰ Citizens of Mecklenburg County can get answers to these and other questions by calling the main jail number, but jail staff view this as a less efficient approach—for them and for the callers.
- ¹¹ Officials can also use the VIP software to register victims and to review notification attempts, including the outcome of each call (for example: no answer, busy, no valid PIN). Both types of reports—the list of registered victims and the list of outgoing calls—can be sorted by date, offender number, and telephone number. The program also offers users the ability to track aggregate data including: number of offenders, number of people registered, number of incoming and outgoing calls, and number of people who confirm notification.
- ¹² Of course, this only works if the message includes at least the victim or offender's name. Some systems, like the one in Miami, that convey confidential information deliberately script messages that lack names.
- ¹³ This figure is based on a review of calls placed over a couple of days in August 1998. Most of the people entered a PIN after receiving the second call. No one contacted for this report, including the VINE Company, could specify an average number of calls prior to confirmation.
- ¹⁴ Before the VINE Company could solve Gerald Mihelic's problem, Maricopa County had to change its approach to registering victims (see p. 15). Ideally, the sheriff's office and the VINE Company would have considered this need when they were designing the system.
- ¹⁵ As previously mentioned, host agencies incur costs in addition to charges from the VINE Company. These expenses are usually related to acquiring PC workstations (in order to use the VINE® Inquiry Program software), purchasing new booking or case management systems, upgrading networking software, and hiring programmers.

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