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DONAL CAMPBELL
COMMISSIONER

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ADMINISTRATIVE REGULATION
NUMBER 015

OPR: ADMINISTRATION

VICTIM/OFFENDER MEDIATION PROGRAM

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for a Victim/Offender Mediation Program.

II. POLICY

It is the policy of the ADOC to provide the victims of violent crime the opportunity to have a structured face-to-face meeting with their offender(s) in a secure, safe environment, in order to facilitate a healing, recovery/reconstruction process.

III. DEFINITION(S) AND ACRONYM(S)

- A. Victim: An individual or a member of the individual's family who has had a crime committed against them.
- B. Offender: An individual who has committed a crime against another person, been convicted, and is serving a sentence for that crime.
- C. Mediator: A person who has been assigned the case for a face-to-face meeting between the victim and offender.
- D. Mediation: A face-to-face meeting between the victim and offender.
- E. VOM: Victim Offender Mediation.
- F. Victim/Offender Mediation Program Director: The individual designated by the Commissioner to coordinate the Victim/Offender Mediation Program.

IV. RESPONSIBILITIES

- A. The victim Offender Mediation Program Director is responsible for:

1. Obtaining all information from the victim in order to open a file in the case.
 2. Assigning a mediator to each case.
 3. Ensuring that all pertinent paperwork is completed in a timely manner and kept confidential.
 4. Scheduling a time and date for the mediation to take place.
 5. Ensuring that files are up to date and kept in a secure place.
- B. The Mediator is responsible for:
1. Ensuring that the victim and offender are given all details pertaining to the VOM.
 2. Ensuring that scheduled appointments are kept with the victim and offender.
 3. Ensuring that the Program Director is kept informed of all activity in each case.
 4. Ensuring that, before the mediation session is to take place, the victim and offender are ready for the session.
 5. Ensuring that the victim and offender follow all rules during the mediation session.
 6. Ensuring that all paperwork is completed in a timely manner after the mediation session.
- C. The Warden is responsible for:
1. Providing a safe space for the mediation session to take place.
 2. Ensuring that the inmate is available for each of the visits made by the mediator prior to the actual session.
 3. Ensuring that a correctional officer is available for security, if necessary, during the mediator's visits and during the mediation session.

V. PROCEDURES

- A. The ADOC Victims Service Unit will initiate the Victim/Offender Mediation (VOM) at the request of the victim.
- B. ADOC Victims Service staff will determine on a case-by case basis if the

mediation process is appropriate for the particular victim and offender. The Warden at the institution may have input if he desires, however the VOM staff determines the final decision.

- C. In order to participate in the VOM process, the victim and offender must sign a release form relieving the ADOC and staff from liability. The mediator and victim will have the ADOC's Hostage Taking Procedures explained to them and sign a release for such.
- D. Each VOM must focus on the victim of the offense of record for that offender and the related victim.
- E. In order for an offender to participate in any VOM program, the offender must admit guilt and take responsibility for the crime and adhere to the process procedures and preparation guidelines.
- F. Based upon restrictions imposed by the statute Title 15-18-81, death row inmates must be excluded from the VOM program.
- G. All ADOC Victims Service documentation regarding VOM is confidential and will not become a part of the offender's parole/community supervision review file. Only ADOC Victims Service staff and assigned mediators will have access to the VOM files.
- H. In order for the preparation or mediation session to be video/audio taped, all parties must agree and sign a release form. Use of the video can be further specified within the "Affirmation Agreement" of the mediation session to acknowledge "good faith" intentions.
- I. Participation by the victim or offender in the orientation or preparation phase of the VOM process does not guarantee that a face-to-face meeting between the victim and offender will occur.
- J. Every reasonable effort will be made to contact and consult with counselors, therapists, pastors, family members, and/or other identified support persons as requested by the victim and offender in order to provide the safest, most beneficial and conducive conditions possible to fulfill the VOM purpose.
- K. The VOM case mediator will determine each VOM session and length of that session with the approval of the Warden.
- L. The mediator will not impose solutions or expectations on the victim or offender. The VOM process does not guarantee any particular outcome.
- M. Knowledge and consent of the respective division, agency, unit, Warden, or authority responsible for the supervision of the offender is necessary for the implementation of the VOM process.

VI. DISPOSITION

Any forms will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

All forms used in the VOM will be in accordance with the VOM Procedure Manual.

VIII. SUPERCEDES

This regulation is a new regulation and does not supercede any other regulation at this time.

IX. PERFORMANCE

- A. Code of Alabama, 1975, Section 14-1-1
- B. Code of Alabama, 1975, Section 15-18-81
- C. VOM Policy/Procedure Manual



Donal Campbell, Commissioner