

THE OUTCOME

- ___ Does the victim understand the sentence, including any conditions of probation?
- ___ If it is a criminal sexual conduct case, does the victim understand the registration and community notification requirements?

SAFETY ISSUES

- ___ Does the victim need help with safety planning?
- ___ Does the victim know about the *Safe at Home* program?
- ___ Does the victim need a referral to a shelter?
- ___ If a DANCO or no contact order is a condition of probation, does the victim know about and understand it?

Protective order in place

- ___ Does the victim know how to report a violation?
- ___ Does the victim know when their protective order expires and what they must do to extend it?

No protective order in place

- ___ Does the victim want a protective order?
- ___ Does the victim know that she/he can file for an OFP or HRO at the time of the offender's release from prison or jail? (But they are advised to seek the advice of an advocate well in advance of release)

PROPERTY, EXPENSES, AND LOSS

- ___ In cases of violent crime, has the victim filed a claim for reparations with the State of Minnesota?
- ___ Has the victim's property been returned?
- ___ If a restitution order has been issued, does the victim know about what efforts will be taken to get the offender to pay (e.g. payment plans, probation agent supervision).
- ___ Does the victim understand how to complete and submit the *Affidavit of Identification of Judgment Debtor* so the court can enter a civil judgment?
- ___ Does the victim know about the right to request a review hearing if restitution is not paid?

INCARCERATION AND RELEASE ISSUES

- ___ Does the victim know that offenders serve only two-thirds of their sentence (in non-life cases).
- ___ Does the victim know that the actual amount of time the offender serves in jail could be reduced by sentencing-to-service?
- ___ Does the victim know that release notification is not automatic?
- ___ Does the victim know about the VINE service to get notified of the release of an offender from jail?
- ___ Does a victim know how to complain if the offender makes or attempts contact from jail?
- ___ If an offender is eligible for early release from probation, has the victim been informed of this?
- ___ Does the victim know how to contact the offender's probation or supervising agent?
- ___ Does the victim know that the probation or supervising agent can only provide limited information about the offender while on supervision?
- ___ Does the victim know that they will likely not be notified of probation violation hearings or a return to jail on a probation violation?

POST-CONVICTION PROCEEDINGS

- ___ If the offender is convicted of a sexual assault crime, does the victim know about the right to request a confidential HIV test of the offender?
- ___ If an appeal is contemplated, does the victim know they will be informed of any petition filed and the outcome?
- ___ Does the victim know that a request must be made to the prosecutor to be notified of expungement or a petition for civil commitment?
- ___ If the victim wishes to be notified of post-conviction proceedings, do they know they must keep the prosecutor's office informed of current contact information?
- ___ Has the victim expressed an interest in a victim-offender dialogue, an offender apology letter, or any other restorative justice practices?

ASSISTANCE AND REFERRAL

- ___ Does the victim need referrals to any resources like housing, mental health resources, social services, support groups, legal, or victim assistance organizations?
- ___ Does the victim know who to call for help in the future?

POST-CONVICTION CHECK LIST FOR ADVOCATES

System-based and community-based advocates play an important role in educating victims about post-conviction. This "exit checklist" is designed to be used by advocates at the conclusion of a criminal case when reviewing with victims the details of the disposition of the case, resources available, and the post-conviction landscape, including the victim's post-conviction rights and how the victim can provide and receive information from criminal justice systems and professionals.

POST-CONVICTION CHECKLIST – PRISON

A guide for advocates at the close of the case.

THE OUTCOME

- ___ Does the victim understand the sentence?
- ___ Does the victim understand the differences between a jail sentence and a prison sentence?
- ___ Does the victim understand the difference between probation and supervised release (parole)?

NOTIFICATION AND INFORMATION

- ___ Does the victim understand that release notification is not automatic for DOC commits—that they must “opt in”?
- ___ Does the victim understand that the process to request notification related to DOC offenders differs from VINE?
- ___ Does the victim understand that they have expanded notification and communication options compared to VINE?
- ___ Do victims of sexual assault and domestic violence offenses know they have additional notification rights?
- ___ Does the victim understand what offender information they can have access to and who at the DOC can assist them in getting that information?

DURING INCARCERATION

Safety issues

- ___ Does the victim have safety concerns?
- ___ Does the victim know that the Victim Assistance Program can assist with safety related concerns and safety planning?
- ___ Does the victim know about the *Safe at Home* program?
- ___ Does the victim know how to provide information about the offender to the DOC when the offender enters prison and during the incarceration period?
- ___ Does the victim know that the DOC’s contact rules may limit their ability to contact the offender while incarcerated or on supervised release?
- ___ Does the victim know where to report unwanted contact from the offender while incarcerated or under supervision?
- ___ Does the victim know they can request a DOC prison *No Contact Directive* and how to report a violation of that directive?

Protective order in place

- ___ Does the victim understand that a DANCO or criminal no contact order issued as a condition of release or a probationary condition is likely not enforceable against the offender in prison?
- ___ Does the victim know when their protective order expires and how to extend it?

No protective order in place

- ___ Does the victim know that she/he can file for an OFP or HRO at the time of the offender’s release from prison? (But they are advised to seek the advice of an advocate well in advance of release)

RESTITUTION AND REPARATIONS

- ___ In cases of violent crime, has the victim filed a claim for reparations with the State of Minnesota?
- ___ If a restitution order has been issued, does the victim know how to verify that the DOC has the order?
- ___ Does the victim understand that the DOC will attempt to collect restitution while the offender is incarcerated?

RELEASE FROM PRISON

Time actually served

- ___ Does the victim know that offenders serve only two-thirds of their sentence (in non-life cases)?
- ___ Does the victim know that the offender can reduce the amount of time served through participation in early release programming?
- ___ In cases of life sentences, does the victim know about the life sentence review hearing process?

Reentry process

- ___ Does the victim know how to provide input to the DOC regarding the offender for the reentry process?
- ___ Does the victim understand that the Victim Assistance Program can assist with safety planning when the offender is released from prison?

POST-CONVICTION NOTIFICATIONS

- ___ If the offender is convicted of a sexual assault crime, does the victim know about the right to request a confidential HIV test of the offender?
- ___ Does the victim know about community notification for sex offenders?
- ___ Does the victim know that a request must be made to the prosecutor to be notified of expungement or a petition for civil commitment?
- ___ Does the victim understand the need to keep their information with the prosecutor up-to-date for post-conviction rights and information?
- ___ Does the victim understand the importance of keeping their information with the DOC up-to-date in the event there are changes in the law or DOC policies that impact them?

ASSISTANCE AND REFERRAL

- ___ Does the victim know about the Offender Locator on the DOC website?
- ___ Does the victim know how to get in touch with the DOC Victim Assistance Program?
- ___ Does the victim know how to find the offender’s case worker (while in prison) or supervising agent (when released)?
- ___ Has the victim expressed an interest in a victim-offender dialogue, an offender apology letter, or any other restorative justice practices?