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## ∞ A WORD OF THANKS ∞

Originally designed to be an informational packet, “What Happens After Sentencing? A Handbook for Survivors of Sexual Assault and Those Who Care About Them” quickly expanded and took on a life of its own. The idea of a handbook designed to address sexual assault survivors’ needs, concerns and questions following sentencing was well received, and many volunteered their time and expertise to help make the book as current and informative as possible.

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## ❧ INTRODUCTION ❧

There may be many reasons why you are holding this handbook. You may have survived being sexually assaulted yourself and are wondering what to expect now that the offender has been sentenced by a judge. On the other hand, you might be reading this book because you know or care about someone who has experienced a sexual assault. You might also be using this handbook as a resource to learn more about the issues.

No one should ever have to bear the burden of sexual violence or the strain of the court case that results from it. The impact of sexual assault on the direct victim, his or her family and sometimes an entire community can be deep and long lasting. Some people describe the impact as “traumatic.” The word “traumatic” not only has its own meaning in the medical and mental health communities, but it also has a more general meaning when used by people to describe a crime and its effects. When it is used to refer to crime, the word trauma often means that the victim is unable to cope with the crime in the same way he or she has dealt with previously stressful situations and events. When an experience is traumatic, it is so extreme and often so shocking to the person, family and/or community that they are left feeling overwhelmed by the experience. You may have felt this way, too.

Anyone can become the victim of unwanted sexual activity regardless of religion or spirituality, age, gender, sexual orientation, income, physical strength or weakness, or community. Most people know someone who has been sexually assaulted. The words sexual assault and abuse are commonly used to describe many different situations in which a person has been forced or manipulated into unwanted sexual activity. Unwanted sexual acts can occur in a single instance or over a long period of time. Some examples include unwanted touch that is sexual in nature, sexual acts with a minor too young to give legal consent, vaginal, anal or oral penetration (of any degree), incest, exposure of sexual body parts (also known as “flashing”), and stalking that includes a real or perceived threat of sexual violence. For the purposes of this handbook, the terms sexual assault and/or sexual abuse will be used to describe any one or a combination of the acts above.

You may notice that the words *victim* and *survivor* have been used interchangeably throughout this handbook. These words reflect a growing awareness of the fact that not all people who have experienced a crime consider themselves victims. Instead, they have survived the crime and therefore want to be called survivors. We have intentionally used both of these terms in an effort to respect each person’s beliefs about his or her experience with sexual assault.

As you might guess, this book contains a great deal of information. However, we know there will be areas where we have provided less information than you would like. For example, we have focused primarily on offenders sentenced as adults to the Department of



Correction rather than juveniles whose crimes are handled within the juvenile justice system. If you need further information on any topic related to sexual assault or have additional questions about what happens after sentencing, we encourage you to contact us.

Although you may never need to use all of the information contained in this book, there are many sections that you may find useful over time. Although it may be tempting to read this handbook in one sitting, you may want to spend time with it, reading or re-reading the parts that are most important to you. This is your book and it is designed to be a practical guide that you can refer to time and time again as you need to. Note that none of the information in this handbook can constitute legal advice. We highly recommend that you seek the counsel of a licensed attorney if you need legal advice.

The staff of both the Office of Victim Services, located within the North Carolina Department of Correction, and the North Carolina Coalition Against Sexual Assault applaud the strength, will and courage of survivors of sexual assault who are coping with the aftermath of the violence committed against them. This handbook was designed to answer many questions that victims and survivors of sexual crimes have asked us in the days, months and years after the crimes have been committed against them. We hope that you find the following information useful.

We also welcome your comments about this handbook and encourage you to contact us by letter, phone or e-mail with any questions and/or concerns you may have. We can be reached at either:

Department of Correction  
Office of Victim Services  
2020 Yonkers Road, 4223 MSC  
Raleigh, NC 27699-4223  
Phone: (919) 716-3681 or  
(800) 368-1985 (toll free)

Fax: (919) 716-3966

E-mail: [victimservices@doc.state.nc.us](mailto:victimservices@doc.state.nc.us)

Internet: [www.doc.state.nc.us/victimservices](http://www.doc.state.nc.us/victimservices)

NC Coalition Against Sexual Assault  
4426 Louisburg Road  
Suite 100

Raleigh, NC 27616

Phone: (919) 431-0995 or

(888) 737-2272 (toll free)

Fax: (919) 431-0996

E-mail: [nccasa@nccasa.org](mailto:nccasa@nccasa.org)

Internet: [www.nccasa.org](http://www.nccasa.org)



*The North Carolina Department of Correction, Office of Victim Services and the North Carolina Coalition Against Sexual Assault grants the reader permission to duplicate this handbook, in part or as a whole, as long as credit and acknowledgment is given to the authors.*





## **PART ONE:**

### ***TAKING CARE OF YOU***

## ∞ HEALING EMOTIONALLY ∞

Your emotional well being at this time may be different from your initial reactions after the assault. You may be aware and concerned that in sexual assault cases emotional trauma can last a long time, even years, but this is not always the case. There is no right or wrong way to respond to the violence you endured, or to the people who tried to help you, or to the judicial system. Also, keep in mind that you did not set the offender's sentence, and so you don't need to take responsibility for or feel guilty about what is happening to him or her. It can take a long time for an offender's case to work its way through the criminal justice system. During this process, you are asked to cope with a great deal, yet you may not have received much assistance and support along the way. Know that there is much that you can do and many resources to help you.

As you move on from this part of your life, you may find you continue to experience difficulties with certain aspects of your day to day life. Becoming familiar with some of the long-term symptoms of trauma may help you recognize when your stress is related to the assault, or when it is due to other factors such as job stress or a different crisis.



### POST-TRAUMATIC STRESS DISORDER

Many sexual assault survivors experience some of the symptoms of Post-Traumatic Stress Disorder (PTSD), sometimes known as Rape Trauma Syndrome. PTSD can affect any survivor, whether a child or an adult, female or male. While having some or a few of these symptoms does not necessarily mean that you will be diagnosed with PTSD, they can be signs that you are still actively coping with the assault. Some of the symptoms are described on the next page.

Re-experiencing the assault in one or more of the following ways:

- ❖ distressing dreams
- ❖ feeling as if the assault were recurring through smells, physical sensations, illusions, and flashbacks
- ❖ becoming very distressed when reminded of the assault by triggers such as people who look like the offender, locations similar to where you were assaulted, the anniversary of the assault, notice of the offender's appeal, or his or her release from prison

Avoiding anything associated with the assault by:

- ❖ avoiding certain thoughts, feelings or conversations
- ❖ avoiding certain activities, places or people
- ❖ not being able to remember an important part of the assault
- ❖ feeling a new lack of interest in important parts of daily life
- ❖ feeling alone in a crowd
- ❖ feeling unable to have loving feelings
- ❖ feeling that life is short

Feeling anxious and stressed in one or more of the following ways:

- ❖ having difficulty falling or staying asleep
- ❖ feeling irritable or having outbursts of anger
- ❖ having difficulty concentrating
- ❖ feeling continually alert
- ❖ experiencing a sensation of tightening at the throat
- ❖ feeling startled by a touch or noise

Sometimes dealing with your ongoing physical responses to the trauma of sexual assault can become more urgent than emotionally dealing with the assault itself. There are counseling techniques available that specifically address how to eliminate the physical sensations of feeling that the assault is happening all over again. This may be one of the first matters you will want to address if you see a counselor.

## DOMESTIC VIOLENCE

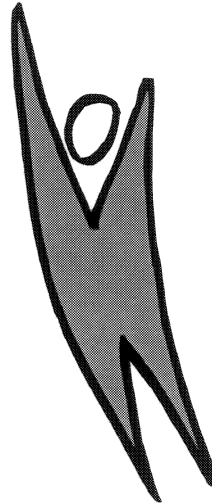
Another concern may be ongoing physical violence against you or the threat of physical violence. In many cases, both domestic violence and sexual assault may be present within the same relationship. Domestic violence is generally defined as violence between people in an intimate or family relationship. Overcoming the offender's efforts to use both forms of violence against you to gain power and control over you or your family can be particularly challenging, frightening and traumatic. Rape crisis and domestic violence programs have

worked with many survivors of both forms of violence in coping with the long-term effects of these crimes. Know that their help continues to be available to you even if the offender has been convicted and sentenced. For assistance specifically with domestic violence concerns, please see Part Five “Additional Resources” for domestic violence programs in your area.

## SELF-HARMING BEHAVIOR

If you find yourself engaging in self-harming behaviors, such as cutting your skin, excessively using drugs and/or alcohol, regularly depriving yourself of food and drink, or considering suicide, please be aware that some survivors take these actions to cope with the trauma of sexual assault. However, while there are many healthy ways to deal with trauma, any form of self-harming behavior is not one of them. Please contact your local rape crisis center if you are hurting yourself or are considering doing so. You can find this information in Part Five “Additional Resources” in this handbook. You should not have to cope with this alone.

You deserve all of the support and care that can be provided to you. In addition, the help you can provide for yourself is also a very important step in the healing process.



Here are some things

that people coping with and overcoming

a difficult time in life can do for themselves:

**DO:** Take care of YOUR needs. After sentencing, you may feel that you ought to reassure your family, co-workers and friends that you are okay, even when you don't really feel that way. Be honest and patient with yourself about what you are experiencing and ask for help, support and assistance when you need it. There is no time limit to the healing process.

**DO:** Surround yourself with people who care about you, believe you, and listen to you. Avoid those who tell you how you should feel or who minimize the trauma of sexual assault.

- DO: Know your rights as a victim of crime in North Carolina.
- DO: Eat healthy meals and set a regular sleeping schedule. Emotional trauma can be physically tiring.
- DO: Find physical activity that you enjoy, such as dancing, swimming, sports or working out.
- DO: Be careful of drug and alcohol use. There are risks of addiction, risks to your safety, as well as risks associated with your health when you use drugs and/or alcohol. Drinking or using drugs by yourself can also be a sign of addiction. Avoid taking pain-killers and relaxants, unless you are following a physician's instructions. Never take anyone else's prescription medicine.
- DO: Familiarize yourself with common long-term reactions to sexual assault through reading, counseling, or talking with your local rape crisis center staff. See the section in Part Five "Rape Crisis Centers in North Carolina" for the name and telephone number of your local center.
- DO: Learn more about what you can do to keep yourself safe. See the section in Part Four "Safety Measures for Adults & Children" for more information.
- DO: Seek out help from agencies that work with crime victims and survivors. Keep track of the names and telephone numbers of people who work in the criminal justice system and those you've spoken with regarding the crime, prison system, and your rights as a crime victim. Many survivors find it helpful to keep a file of this information in case they need it later, even if they don't need it now.
- DO: Seek counseling, assistance and professional support if your reactions to the assault continue at length or become more intense with time.
- DO: Congratulate and reward yourself for surviving and getting through this time. Healing is a slow process requiring many small steps. Be patient and gentle with yourself. Expect occasional setbacks, but continue to move forward. Time and supportive friends will help. You are important, and worth the time, effort and energy to heal from the assault.

If you are worried about how you are coping and would like to speak to a professional with experience in helping sexual assault survivors, there are a number of options. For an explanation of the types of counseling available, please see the section in Part One "If You Seek Counseling" for more information.

In addition to professional counseling services, your local rape crisis center may have support groups of survivors with whom you can share your concerns and your solutions to

any immediate or ongoing issues. The support groups are most helpful if you have already addressed any concerns you might have with PTSD, substance abuse, or a diagnosed mental illness. If you are unsure if a support group or counseling would be helpful or appropriate for you, your local rape crisis center is a good place to discuss your counseling options and your individual needs.

## HEALING AS AN ONGOING PROCESS

Now that the offender has been convicted and sentenced, it may seem that the healing process should also be complete. The criminal justice system can assist you in a number of ways, such as giving you the satisfaction of seeing the offender forced to take responsibility for his or her actions. However, it is not always able to completely heal your hurt or remove the memory of the harm that's been done. If you are disappointed or frustrated that the emotional pain of the assault is still present, when you had hoped that a conviction could take much of the pain away, you share feelings that many survivors have expressed.

Once the offender was charged, your efforts may have been focused over many months on achieving justice and ensuring a conviction, not necessarily on how you yourself were doing. Now that you have time to turn your focus more toward your own well-being, there is much that you can do and a number of resources to help you with the process of recovery. For this reason, we would like to emphasize that your well-being is the main focus of this handbook. Any information provided here is meant as a tool and a support for you as a survivor or as one who cares very much about a survivor.

It may be helpful to remember that the healing process is ongoing and follows a different pattern for each individual. In the next sections of Part One, we try to address some of the differences in the healing process between survivors of different age groups: children, teens, adults, and older adults. You can also find a section specifically for survivors' family and friends. Within these groups there is much difference, but by this approach we recognize that at different times in life your concerns, your strengths and what is important to you will change. You have already shown courage to reach this point. As you focus more on your well-being, it may mean that the coming months and years not only will be a time of hope and awakening, but also a time to discover new strengths in yourself.



## ∞ FOR PARENTS & GUARDIANS OF CHILD ∞ SEXUAL ASSAULT SURVIVORS

The conviction and sentencing of a child sexual abuse offender may or may not bring some peace and comfort to a child survivor and his or her family. One phase of the criminal justice system is now complete. While moving on may be in everyone's mind, sometimes coping with the past takes a long time. Surviving sexual assault as well as cooperating with a criminal legal case is more than any child should have to bear. Many studies have shown that the more a child victim was believed and action was taken to defend the child against further abuse, the sooner the child is able to heal and move forward in a healthy way. That process of believing in the child, listening to the child and allowing the child time to heal does not end now that the sentencing is over. The betrayal of child sexual abuse undermines a child's sense of trust in adults and older youth, and may cause a child to blame himself or herself, especially when the abuser is someone the child knew, which is most often the case. Sexual abuse can also blur the lines for a child on what it is to be a child, and what it is to be an adult. So what can a parent or guardian do?

Providing an atmosphere of safety, trust and love will provide opportunities for the child to seek your help. However, allowing children to talk and work through their feelings about the abuse without pressuring them or forcing them to talk can be a difficult balance. Be assured that in the end, the care, patience and loyalty you show your child will matter more than how well you discussed the issues. Also, your own discomfort, sadness and/or rage are feelings that will be faced more easily if they are faced and not pushed away. However, remember that your child's role is not to make you, the adult, feel better. You should be honest, but brief if you feel the child should know how you're feeling. If you express your own feelings to your child as you would to another adult or to a counselor, you force your child to support you and to suppress his or her own feelings of trauma in order to do it. Saying things like "you should be over it now" or "let's not dwell on it" also puts pressure on a child to avoid talking about the abuse and therefore to avoid seeking help when he or she needs it. It is important for you, the parent or guardian, to understand that the healing process for a child or an adult survivor of sexual assault can take years.

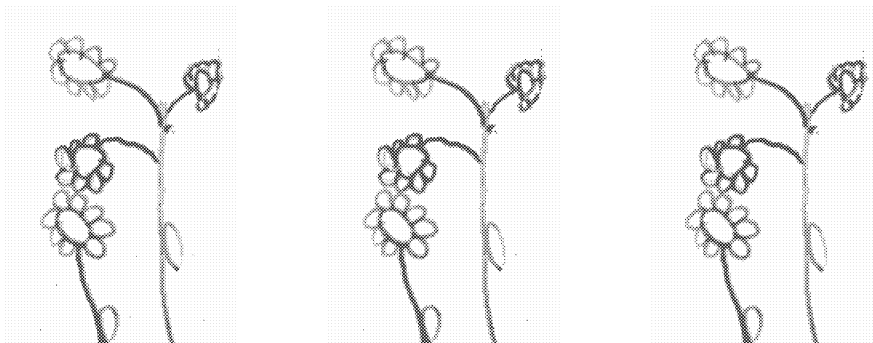
When children provide you with a "moment" of an honest expression of their feelings, try to give them your undivided attention. Many children hold back what they may wish to talk about most, and talk "around" the issue instead. It can be helpful to end your conversations by asking "is there anything else you want to talk about?" and reassuring them that you are willing to talk with them about anything if they'd like to talk again.

You will need to respect your child's privacy, no matter how young your child is. No child would want a lot of people to know about the details of the sexual violence he or she endured, or about how well he or she is coping. Your children may view such discussions

about them as yet another betrayal and loss of control. If you need to confide in others about what you are going through in trying to help your child, be very selective about whom you talk with and make sure that discussions are in private.

It is a natural reaction for parents and guardians to feel that it is their role to “fix” or “undo” the abuse that has occurred to their child. This is not possible. Rather, offer ongoing support to help children cope with what they are already coping with on their own. Providing this needed support to child survivors does not have to be without guidance or help. Experienced counselors provide valuable services to help children adjust to their lives and the process of growing up when they have experienced sexual violence. Keep in mind that you should seek a counselor who works with children and understands the trauma of sexual abuse. See the section in Part One “If You Seek Counseling” for additional information about how to select a counselor who is right for your child. It is important to be careful not to force your child to attend counseling before he or she is ready. Although some reluctance is normal, if your child is extremely upset by the idea of counseling take his or her feelings into account. Also, be aware that in some cases, counseling may take a number of sessions to be productive.

Protecting your child from sexually inappropriate behaviors or comments from persons around them, or images on television or in movies is especially important. Post-traumatic stress disorder (PTSD) is more common among victims of sexual assault than among victims or witnesses of any other crime, and it can affect both child and adult survivors. Events, objects or persons similar to the abuse can trigger flashbacks, nightmares and physical memories such as smells or the sensation of touch in a child who has suffered sexual abuse. If you feel your child may be having these physical memories, you may wish to seek the services of a counselor who is trained in working with PTSD. See the section in Part One “If You Seek Counseling” for more information.

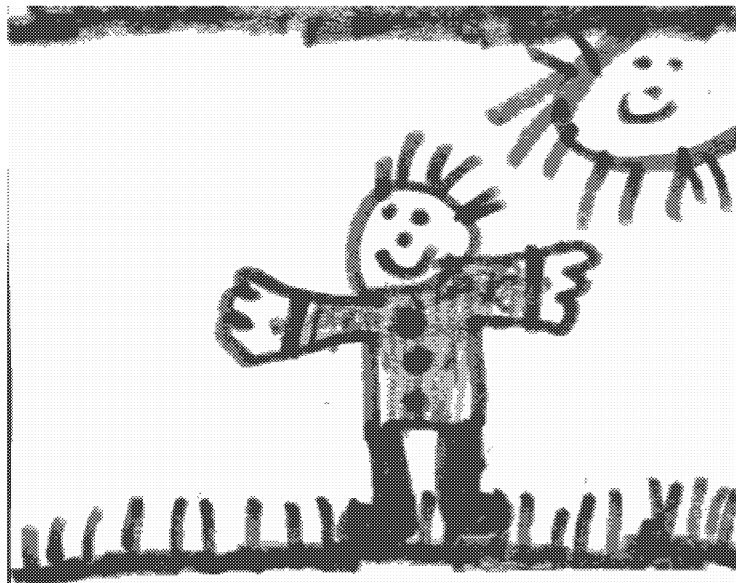


Although it may be very difficult for loved ones to face, in some cases the following can form part of the aftermath of sexual abuse in children as they grow older: eating disorders, aggressive behavior, depression, risky sexual behavior, substance abuse (drugs and alcohol), and self-harming behaviors such as cutting oneself or suicidal thoughts. Another risk that is increased for those who were sexually abused as children is re-victimization later in life: that is, children who were either sexually assaulted or severely physically beaten as children

have a higher risk of being a victim of domestic and/or sexual violence as adults. Please understand, however, that child survivors may not show any of these signs of trauma as a child or as an adult, and may never be re-victimized again. Child survivors are not automatically weakened or vulnerable because of the assault. All child survivors should be told how brave and strong they are in simply facing and surviving the sexual assault.

Although it is important to be aware of the risks and to take care that those risks are reduced for your child, do not expect or assume your child will behave a certain way because of the sexual abuse or during the healing process. Each child is a special, unique individual and will react in his or her own way, at his or her own pace. The risks to children who have been abused are a matter of great concern, but they are a matter for adults to quietly watch out for, not matters to openly dwell on and create additional problems or fears for children. Remember that child survivors of sexual abuse are children first, not survivors first. Therefore, in addition to supporting your child in coping with a part of the past, now is also the time for fostering your child's natural youth and confidence in the future.

A Note About Mandatory Reporting of Child Abuse: If you are concerned about ongoing abuse, it is important to know that mandatory reporting of suspected child abuse to Child Protective Services applies to minors under age 18 who are at risk of caretaker abuse (see General Statute (GS) 7B-301). To make a report of child abuse, call the Division of Child Protective Services at (800) 354-KIDS or (919) 733-2580. You can also contact your local police or sheriff's department. If you would like to discuss the suspected abuse anonymously without reporting, you can call your local rape crisis center or child advocacy center without giving your name and contact information. Please see Part Five "Additional Resources" in this handbook for a list of centers.



## ∞ FOR TEEN SEXUAL ASSAULT SURVIVORS ∞

Although you may have heard of the risks of sexual assault during adolescence in school programs, such as rape prevention and personal safety programs, this is not the same as addressing the trauma of sexual assault. For teenagers, who are no longer children but do not yet have the rights of an adult, experiencing sexual violence can be highly traumatic, frustrating and confusing.

Simply being heard may be difficult. Parents and friends may feel the need to protect you and put words in your mouth about how you must be feeling. They may also be shutting off opportunities for you to talk about the assault and your experience with the criminal justice system because they think it's "for your own good" and that you should "move on and not think about it." However, it is you who has undergone this trauma and you who are coping with it. Your voice is the most important voice on this issue. Your healing will take place at your own pace. If necessary, you might try to explain to your friends and family that if they allow you the opportunity to speak when you need to, it can help you regain a greater sense of importance, control and dignity as an individual.

On the other hand, people may want to hear more from you than you want to tell. Because of this, your privacy may mean more to you now than ever before. If you are in a school environment, it can feel oppressive and overwhelming when you believe "everyone knows." Others can also be very unkind, and ask inappropriate questions, sometimes because they view a criminal conviction as a public matter. Yet it is not necessarily a public matter for you. Sexual issues are typically "private" for most people, and this is especially the case for teenagers despite the "talk" between friends that may go on behind closed doors. Some teenagers express shame when discussing sexual inexperience and experimentation, while others feel guilt about having to hide their sexual lives from their family or friends. When you have been sexually violated in the midst of this time of your life, coming forward and seeking help may seem an enormous task.

Leaning on friends and family now is important. You may also wish to join a support group at your local rape crisis center. You can find a list of rape crisis centers in Part Five "Additional Resources" in this handbook. We also encourage you to read the section in Part One "If You Seek Counseling" for more details about how to find a counselor who is right for you. If it has been or continues to be difficult for your family, friends or peers to believe you, it may be that they are uncomfortable with the existence of sexual assault in their community and their own risks of victimization, or that they simply lack empathy and concern for others. You cannot control how others will react or feel about your assault or the offender's conviction, nor can you always figure out why they react the way do. However, keep as close as possible those friends and family who are not afraid to face and

accept what you are going through, or who simply make you happy. Loneliness and isolation can be very difficult at this time. The supportive people around you can play a major role in your healing process now, even if their reactions are not always ideal or if you do not feel like discussing every detail of your life with them. With time, they may also get better at talking about the assault with you.

Your privacy may feel violated if your assault was reported without your consent due to mandatory reporting laws. Now that the investigation and sentencing is over, you can hopefully have more control over whom you choose to tell about your victimization, what you would like to tell them, and when you want to talk. Many teenagers feel forced to put on a brave face in order to get through the day, because they have to see so many people at school or work. However, you are under no obligation to reassure those around you that you are suddenly “better” or “the person you were before.” Your feelings now are real and valid, and there is no need to apologize for them or to pretend that you feel any differently than you do. It is also okay if you are feeling good: don’t worry that your feelings are inappropriate or shallow, or confusing to those around you. Remember that your feelings are your own and like everyone else’s feelings, they naturally go up and down. To gain a better understanding of what your privacy rights are please read the following sections in this handbook: “Healing Emotionally” in Part One; “Your Privacy” in Part Four; and “Your Health” in Part Four for more information. This information is important, and discusses the specific rights of minors under the age of 18 to seek health and counseling services.

If you were involved with alcohol or drugs during the assault, you may still be feeling confused about your role in the assault, wondering if you were at fault in some way. No one EVER asks to be sexually assaulted, regardless of how vulnerable he or she may be to an assault. It was the offender’s choice to commit sexual violence, and it is his or her fault if you are suffering from that violence. This is also the case when statutory rape occurs (sexual acts committed by an older person with a minor). The offender has chosen to break the law.

Be aware that use of alcohol, drugs, self-harming behaviors such as cutting, eating disorders, and seeking comfort through a series of sexual partners, may feel like part of the healing process, but they can harm you in the long-term. For example, they can create serious health risks for you, such as risks of addiction and STDs. If you find yourself wanting to turn to substances and harmful behaviors now more than ever, recognize this for the danger that it is. Over many years, much more positive healing measures have been found and developed in the rape crisis movement for every age group, including teenagers. You may find the section in Part One “If You Seek Counseling” helpful. Also, take advantage of less formal assistance in your local rape crisis center. You can find a list of centers in Part Five “Additional Resources” in this handbook.

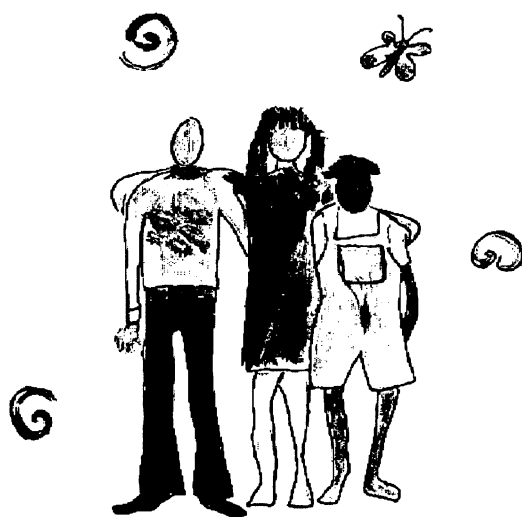
You may be feeling afraid about strangers and dating and even friends who used to be close. With this fear, your emotions are trying to protect and shelter you. This is a natural feeling in the months and years after an assault, particularly if you feel those you normally rely on have abandoned you in some way. However, many survivors do feel better and safer over

time. You may find, as other survivors have, that you are also developing valuable newfound strengths and insights now.

Sometimes sexual assault survivors feel that even smaller setbacks, such as failing a test or getting a flat tire, are too much to take; they may also find that making major decisions such as applying for work or college can be very difficult. If you feel that your fears and emotions are overwhelming you on a regular basis or are getting much more serious, please do not hesitate to find out about counselors and support groups. Your local rape crisis center is a wonderful resource for these services, and usually has 24 hour crisis lines with advocates who can talk about very minor to very serious concerns. The centers are listed in Part Five "Additional Resources." Even taking the step to find out about what services are in your area and available to you can help you feel supported and more hopeful about the future.

Your own strength has helped you survive acts of violence and you have endured a rigorous criminal justice system. Through no fault of your own, you have been required to cope with and then move on to heal from the assault. The healing process does not have to be smooth, or beautiful, or powerful, and you may have setbacks and disappointments; but you will find your way on your own terms. The strength you have shown this far did not come from others, it came from within you.

A Note About Mandatory Reporting of Child Abuse: Mandatory reporting of suspected child abuse to Child Protective Services applies to minors under age 18 who are at risk of caretaker abuse (see General Statute (GS) 7B-301). If you are concerned about ongoing abuse, you can make a report of child abuse by calling the Division of Child Protective Services at (800) 354-KIDS or (919) 733-2580. If you would like to discuss the suspected abuse anonymously without reporting, you can call your local rape crisis center or child advocacy center without giving your name and contact information. Please see the sections in Part Five "Additional Resources" for a list of rape crisis centers and child advocacy centers in North Carolina.



## ∞ FOR ADULT SEXUAL ASSAULT SURVIVORS ∞

The impact of a sexual assault on an adult survivor is no less significant than the impact felt by a person from a different age group. The emotional, physical, psychological and spiritual impact of a sexual assault can be deep and may last for a long time. However, there are many steps you can take to reconstruct your life following an assault. As you do so, it is often helpful to know some of the more common issues that adult survivors of sexual assault face. You can learn more about these issues in this section.

The life you have now may be very different from the way it was before the crime happened to you. Many survivors hope that their physical and emotional reactions related to the assault will disappear once the offender has been sentenced, but are disappointed to find that this may not always be the case. Sometimes, these reactions may be very strong, then fade, and then return or worsen. This can be very frustrating, but it can also be an important message that your body is sending you. Consider what you have been experiencing and whether a counselor who is trained to assist survivors of sexual violence may be of assistance to you to cope with your reactions.

People respond in very different ways to surviving sexual assault, so it is not possible to predict exactly how you will feel at any one time. The reactions below are not a hard and fast formula for what you have experienced or may experience in the future:

- ❖ Feeling shocked and filled with disbelief
- ❖ Feeling numb and dazed
- ❖ Difficulty concentrating
- ❖ Wanting to withdraw from others
- ❖ Wanting to forget
- ❖ Avoiding sex
- ❖ Avoiding sexual contact (including kissing and touching)
- ❖ Feeling anxious and/or depressed
- ❖ Remembering what happened and what it felt, sounded, or smelled like
- ❖ Fear about your personal safety and for the safety of those you care about
- ❖ Questions about your religion, God, a higher power
- ❖ Reducing or completely eliminating activities that you once enjoyed (e.g., going outside at night)
- ❖ Finding it difficult to trust others
- ❖ Questioning your thoughts about the world and the people in it
- ❖ Dreaming of the assault at night or having unwanted thoughts about it during the day

You may be surprised because you still have some of these experiences from time to time or perhaps quite often. Many survivors do, and some experience these reactions for years. Certain situations, such as seeing someone who looks like the offender or seeing a television show about the criminal justice system, may also intensify your reactions or cause them to reoccur after a period during which you have been feeling better. This is a natural experience and may occur less often as time passes. It's also okay if you don't see yourself in any of the descriptions above. However, if you feel that your reactions are causing difficulty for you in your daily life and work, it's a good idea to discuss your reactions with your local rape crisis center or counselor. You can find a list of rape crisis centers in Part Five "Additional Resources." You may also find the section in Part One "If You Seek Counseling" helpful.

If you have grown up in a family where sexual assault and abuse is common among family members and friends of the family, it may be shocking to recognize these patterns as being harmful and, in most cases, illegal. Recognizing that a person you lived with and may have loved committed the crime against you or your loved one(s) may be very difficult. In many cases, offenders take advantage of their victims' sense of trust, and use it against them. It can be very hard to take those first steps to trust another person again, even those you've known for a long time. It's okay to take your time in trusting again.

If you have been assaulted by someone you love, for example a spouse or a domestic partner, you may be feeling anger, rage or wonder about lost years. It can be a challenge to look at your past in a new way. You may wonder about your feelings toward the offender, and may feel pressure to hate the offender or to say vengeful things about him or her. This may conflict with some good feelings and memories of times spent with the offender. It can be hard to figure out what to do with so many different feelings. Recognizing your thoughts and opinions as your own is an important step in reconstructing your life and your sense of self following the crime. However, no feeling is "right" or "wrong." An objective person, such as a counselor trained to work with survivors of sexual assault, can assist you in working through some of these feelings.

If you are living away from home or in a community where you don't know many people, you may be unfamiliar with the names of counseling centers or programs created to assist victims and survivors of crime. You may also feel very much alone right now. In Part Five of this handbook, "Additional Resources," you can find a list of rape crisis centers. Staff in rape crisis centers are trained to assist survivors of sexual assault work at these programs and we encourage you to call them with your questions and concerns.

In addition to coping with the assault, many adult survivors have a wide range of responsibilities such as going to work and/or school. You may also be responsible for caring for children and/or a parent. It can be a challenge to figure out how to reconstruct your life after the assault in the midst of so many demands on your emotions. However, reconstruction is often a time of great opportunity to learn of new strengths you never thought you had. We encourage you to take time for yourself to heal following the crime.



Be gentle with yourself as you heal. It may take some time to feel better, but you can and deserve to live in peace: peace in your heart, mind and spirit.

A Note About Mandatory Reporting of Abuse to Certain Adults: If you have concerns about the abuse of a disabled adult, remember that there is a legal requirement for everyone to report caretaker abuse of disabled adults to Adult Protective Services (see General Statute (GS) 108A-102). For your local Adult Protective Services, look in the telephone book for Department of Health and Human Services, Division of Adult Protective Services or call (919) 212-7509. A disabled adult is generally defined as an adult who is physically or mentally incapacitated due to age, illness or physical development (see GS 108A-101(d)). If you would like to ask questions without reporting, you can always have your questions answered anonymously by a rape crisis center by not giving your name or contact information. For a list of rape crisis centers please see Part Five “Additional Resources.”



## **∞ FOR OLDER ADULT SEXUAL ASSAULT ∞ SURVIVORS**

Sexual abuse and assault can be committed against any person regardless of race, age, gender, neighborhood, religion and culture. The following section was written to address the issues and concerns held by many older adult victims and survivors, and you may notice similarities between the issues and concerns raised at this age and those in the previous sections. There are more similarities than there are differences. However, knowing about some of the unique experiences faced by older survivors of crime and those who care about them is important when coping with the long-term impact of sexual assault and abuse. Despite these experiences, it is important to know that older adult survivors can be and are actively involved in reconstructing their lives following the crime.

In our experience, most sexual assault offenders who commit their crimes against older adults know their victims quite well. Because of this, guilt and shame are especially profound emotions for survivors. For example, it is not uncommon for many survivors to feel as though they “let” the crime happen to them, as though there was something they said or did to provoke the attack or abuse. At other times, survivors have said that they feel that their reduced physical abilities prevented them from fighting back or defending themselves. Family members’ and friends’ reactions can increase these feelings of uncertainty, self-blame and frustration. You may have experienced this with your own family and friends. If possible, we encourage you to surround yourself with people who have earned your trust and care for you. You have endured the violence of another person and you have survived the experience. If you are able, be the main decision-maker in your own life and object when others try to make choices for you without your consent.

Because of the increased likelihood for injury and fear of crime, many older survivors report that safety is their most immediate concern. At times, a survivor may be concerned not only about his or her welfare but also for the well-being of family members and friends. This is a natural reaction in response to the violence you have experienced. At times, however, you may notice that your worries become more pressing, such as when you think about the offender’s release from prison. If you are feeling unsafe, there are many people and agencies available that can talk with you about your concerns. In most cases, these agencies offer “safety planning” tips that you can think about to make your home and your surroundings safer. There are also many ideas you can consider that are part of this handbook. You can find these ideas in Part One “Taking Care of You” in this handbook. If you find that you want to further discuss your safety concerns, contact your local sheriff’s office or law enforcement department. Many departments offer services to the public such as site visits where a deputy or officer can review your home and its surroundings to help identify possible areas where you can improve security. You may also find the assistance of

your local rape crisis center helpful. If you have difficulty locating your local sheriff's office, law enforcement department, rape crisis center's telephone number, please contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free) and a staff person will assist you. The rape crisis centers in North Carolina are listed in Part Five "Additional Resources" in this handbook.

Although the offender has been sentenced, you may still be experiencing difficulties as a result of the crime committed against you. It is quite natural to experience a wide range of reactions such as having nightmares, to finding it hard to enjoy activities that you once did. You might be considering asking for help, but find many reasons not to do so. For example, you may have kept the sexual assault a secret for a very long time and are having a difficult time finding the words to describe what happened to you. You might have worries about your privacy if you talk with someone about what you are feeling. You may be faced with the need to tell another person, perhaps a loved one, what has happened in an effort to get the help you need. On the other hand, it is very difficult to overcome the images you or your loved one have about seeking counseling. It is easy to focus on the reasons not to get answers to your questions after a sexual assault, yet we encourage and support you as you take the steps to reach out for help. Many agencies are prepared to assist you and are available to you when you are ready.

At times, it may be difficult for you to access the services you want. For example, the steps at the local rape crisis center may be hard to climb or the words in a letter may be small and hard to read. Communication is important. If you need assistance or more information, it's okay to ask for it. We encourage you to let any agency know about your special needs since most agencies expect to tailor their services to meet the needs of their clients. There are many people trained to assist survivors of all ages who are prepared and able to respond to your concerns and questions. For a list of rape crisis centers, see Part Five "Additional Resources." You may also find the section in Part One "If You Seek Counseling" useful.

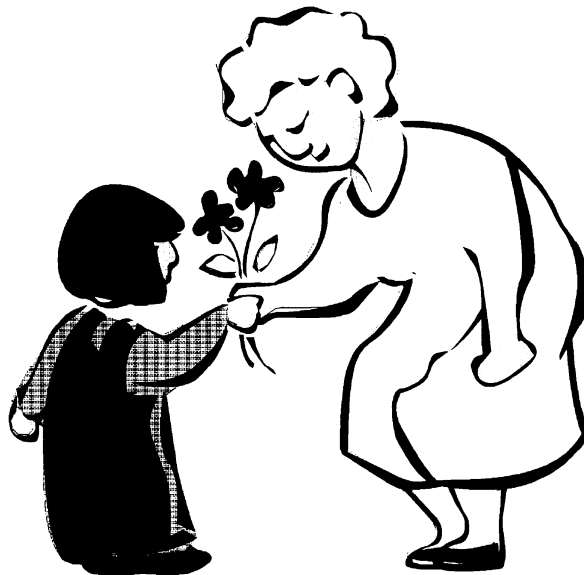
Unfortunately, older adults often face negative stereotypes about their abilities to think, remember and move their bodies. Such stereotypes are not based on the facts, and many older adults are proving the stereotypes wrong every day! There is one other stereotype with which older sexual assault/abuse survivors contend. Many people think that sexual assault doesn't happen to older adults. When sexual abuse or a sexual assault is committed against an older person, it can be very difficult for friends and family to believe that it has happened to someone they value and love. You have survived a traumatic and significant event in your life and deserve to be surrounded by people who believe you, support you and want the best for you.

As mentioned earlier, in most cases of sexual assault committed against older adults, there is a relationship between the victim and the offender. Usually this relationship is long-standing and may involve someone that victim relies on for companionship, love or even assistance. It is very common for the offender to be a spouse or domestic partner, a grown child or a caretaker. This may have happened in your case. These relationships can be very complex, and may leave you confused about the assault. It may have been very difficult for you to report the crime. We recognize the courage it takes to talk about sexual assault, and

we encourage you to not only speak your truth to your friends, family and those around you but also seek out assistance when you are ready to do so.

Being aware of the possible reactions you and or your loved one may have after sexual assault and sexual abuse plays an important role in the process a person goes through as he or she works to reconstruct his or her life. It's okay to say you're angry, mad, scared, alone or ashamed as a result of the crime. It's okay to feel joy for having survived. It's okay to feel glad or relieved that the offender has been punished. Take time to care for yourself and your needs. Seek out services that provide assistance to survivors of sexual assault, and know that there are people who can and will provide you support with the dignity and respect you deserve.

A Note About Mandatory Reporting of Abuse to Certain Adults: If you have concerns about abuse of a disabled adult, remember that there is a legal requirement for everyone to report caretaker abuse of disabled adults to Adult Protective Services (see General Statute (GS) 108A-102). For your local Adult Protective Services, look in the telephone book for Department of Health and Human Services, Division of Adult Protective Services or call (919) 733-3818. A disabled adult is generally defined as an adult who is physically or mentally incapacitated due to age, illness or physical development (see GS 108A-101(d)). If you would like to ask questions without reporting, you can always have your questions answered anonymously by a rape crisis center by not giving your name or contact information. For a list of rape crisis centers please see "Additional Resources" in Part Five.



## **∞ FOR FAMILY & FRIENDS ∞ OF SEXUAL ASSAULT SURVIVORS**

When asked, most people can identify someone they know who has been the victim of a sexual crime. In many cases that person is a friend or loved one. When a friend or loved one has been assaulted, the crime can have a significant impact on him or her. Survivors of sexual assault report that the crime affected them in many different ways. And research has shown that the impact of such crimes can last for a long time. Because of your relationship, your friend or loved one may come to you seeking support, advice and someone to listen. The need to be believed and to have a friend who is willing to listen are basic human needs which often continue after the offender has been sentenced. This section contains some ideas about ways you can continue to support your friend and/or loved one in the months and years following the crime.

- ❖ Listen without interrupting.
- ❖ Don't be angry if you're not the first person your friend/loved one turns to.
- ❖ Look for signals that your friend/loved one is having difficulty after the crime. Difficulty sleeping, eating and concentrating may be the result of the assault/abuse.
- ❖ Respect your friend/loved one's time frame to resume sexual relations. Some survivors may be ready to do so shortly after the crime believing that it will help them forget or move beyond the crime. However, while this may work for some survivors, most need some time to get used to the idea of resuming sexual activities again. Be aware of your loved one's needs and avoid pressuring him or her to do something he or she may not want to do.
- ❖ Think about ways to talk to other people in your loved one's life about the assault/abuse. If your friend or loved one is able, ask for his or her permission and input for ways he or she would like important people told about the crime. It may be important for people such as your child's teachers and others who may come into contact with your friend/loved one to be told so that they can be supportive in their own ways. Your local rape crisis center may be of assistance in helping you find sensitive ways to do this very important job.
- ❖ Avoid telling the victim what he or she should have done to prevent the assault or abuse.

- ❖ Refrain from telling your friend/loved one that it “could have been worse” or asking why he or she hasn’t “moved on” with his/her life.
- ❖ Offer your support and then do your best to be available to lend that support.
- ❖ Let your friend/loved one know that what has happened is NOT his/her fault. The offender made the choice to commit the crime.
- ❖ Sometimes it’s hard to listen to someone’s experiences with crime – especially when it’s someone you care about. When listening, put aside your own feelings, and be prepared to deal with them afterwards. Either or both of you may find it helpful to get support from a counselor.
- ❖ You may find that your friend/loved one’s assault is impacting you. You may be very angry, have nightmares or find it difficult to concentrate. Listening to or knowing that your friend/loved one has been the victim of a crime can also reawaken experiences in your own past. A good place to help you cope with the sexual assault/abuse of your friend/loved one is your local rape crisis center. Many agencies recognize that crime can impact the friends and family members of the direct victim. Your local rape crisis center may have support available specifically for loved ones and friends of sexual assault victims and survivors who are experiencing their own reactions to the assault.
- ❖ Respect your friend/loved one’s privacy. Don’t talk about what your friend/loved one has told you with other people unless he or she has said that it’s okay to do so.
- ❖ Be dependable and available when your friend/loved one needs you.
- ❖ If possible, provide a safe and quiet place to talk.
- ❖ Don’t try to fix your friend/loved one’s pain.
- ❖ Recognize your own limits to helping your friend/loved one. There are times when the services of a trained professional are needed. It’s okay to mention to your friend/loved one that counseling and sometimes medication can help him or her get through difficult times.
- ❖ Recognize that sometimes, the story may seem not to have anything to do with the assault/abuse. Reliving the past is a way for your friend/loved one to incorporate the present into his or her entire “life story.”



- ❖ Remain open minded about your friend/loved one's experience. Put aside your own discomfort with the circumstances of the crime. Remain non-judgmental even if you disagree with the victim's thoughts about the crime or the manner in which the crime occurred. This is a time when your friend/loved one needs your support, not your judgment.
- ❖ Cook a meal or offer to take a walk with your friend/loved one. Sometimes helping a friend/loved one has everything to do with being available to him or her.
- ❖ If your friend/loved one talks about committing suicide, take it seriously. Recognize that there are many programs and resources available to you to share with your friend/loved one so he or she can get the support that they need during a difficult time. See the "Additional Resources" (Part Five) for more information about programs in your area.
- ❖ Be patient. Your friend/loved one may need to talk about what happened several times or more. However, be prepared and willing to encourage your friend/loved one to seek the services of someone trained to assist victims and survivors of sexual assault and abuse.
- ❖ You may find Part Five "Additional Resources" helpful. It contains the names and telephone numbers for agencies and programs that you may want to access to find support for your friend, loved one, and for yourself.

You are an important resource that your friend/loved one will likely rely on in the months and years following the sexual assault. You can listen, support, believe and acknowledge the crime and its impact on your friend/loved one's life. Each of these responses is an action that helps the survivor know he or she is not alone, is believed and above all, respected. Of course you will want to focus much of your attention on your friend/loved one's needs. However, take the time to listen to what your own needs are. You may find that you need to take a break from listening, and seek support for yourself because of your own reactions or suggest that your friend speak to a person specially trained to work with survivors of sexual assault. This is healthy. Recognizing your own needs, and responding to those needs, can help you become a more effective listener, supporter and advocate for your friend/loved one.

## ∞ IF YOU SEEK COUNSELING ∞

Many survivors and people in the public at large have the need at one time or another to speak with a professional about their emotional well being. Counseling has helped many people with short-term and long-term concerns about how they are coping with life situations. It is not only for those with a mental illness. A counselor can be someone caring to talk to if you are in particularly isolating circumstances, or someone to answer your questions if you are wondering about your present or future reactions to the assault.

Although counseling services are provided by a number of professionals with different titles and credentials, their services are often similar. For example, a licensed professional counselor (LPC) or clinical social worker may offer individual sessions with you or have support groups available. Substance abuse counselors will focus on your addiction concerns. Pastoral counselors will focus on your spiritual and emotional needs: however, some social workers and counselors may wish to address both as well. Certain counselors will specifically address Post-Traumatic Stress Disorder (PTSD) symptoms.

The differences between the counselors are related to their educational background, training, and counseling techniques. Regardless of who you choose as your counselor, it is most important that you feel comfortable with him or her and that your counselor is familiar with sexual assault survivors' concerns. While your grief and memories of the assault may remain with you, your healing and your future can become a very positive and powerful force in your life. Having the wisdom to seek help is not a weakness, but a strength.

Finally, licensed counselors generally provide confidential services so that your discussions will be kept private. However, the laws of confidentiality will only protect your conversations from being made public when they are with licensed counselors. That is, not all people who call themselves "counselors" would be subject to the laws on confidentiality or to ethical codes.

If this is something that interests you, the following pages contain information about some of the statewide contacts you can use to locate a counselor. If you are a minor under the age of 18 you may be able to seek mental health services on your own without the consent of a guardian, but you should check with the counselor you wish to speak with first. Your local rape crisis center staff may also include counselors who work for them or they may be able to refer you to a counselor familiar with sexual assault issues. We recommend that you ask your local rape crisis center staff if they have screened the counselors to ensure that their credentials are legitimate and that there is no history of ethical complaints against them. If they have not, you can do so yourself by calling the numbers in the table "For Information on Counselors in North Carolina" on the following pages.

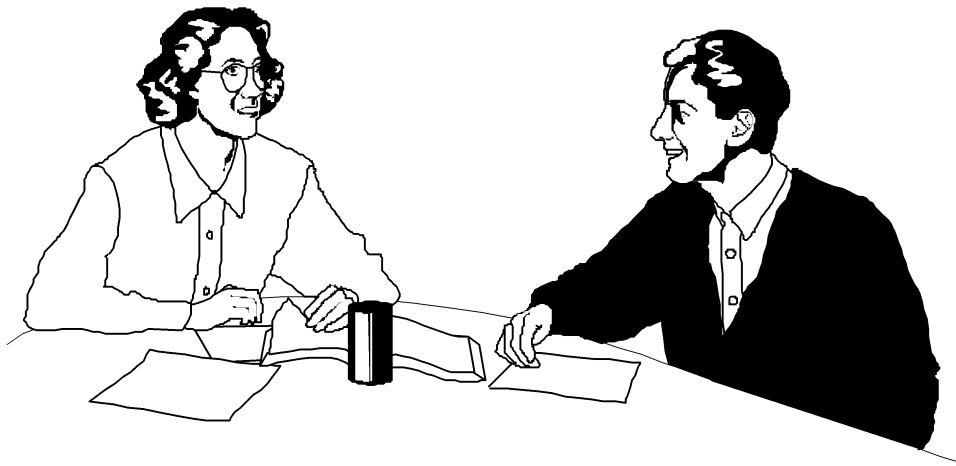


## FOR INFORMATION ON COUNSELORS IN NORTH CAROLINA

TYPE OF COUNSELOR	EDUCATION REQUIREMENTS	CONTACT INFORMATION
<u>Social Workers (SW):</u> <ul style="list-style-type: none"> <li>Licensed Clinical SW (LCSW)</li> <li>Certified SW Manager (CSWM)</li> <li>Certified Master of SW (CMSW)</li> <li>Certified SW (CSW)</li> </ul>	<p><b>For LCSW:</b> DSW (doctoral degree) or MSW (master's ) &amp; 2 years clinical experience</p> <p><b>For CSWM:</b> DSW or MSW or BSW (bachelor's) &amp; 2 years clinical experience</p> <p><b>For CMSW:</b> DSW or MSW</p> <p><b>For CSW:</b> BSW</p>	<p>NC Social Work Certification &amp; Licensure Board PO Box 1043 Asheboro, NC 27204 (336) 625-1679 (800) 550-7009 <a href="http://www.NCSWBoard.org">www.NCSWBoard.org</a></p>
<u>Licensed Professional Counselors (LPC)</u>	Master's degree in counseling or equivalent related graduate degree & 2 years of clinical experience	<p>NC Board of Licensed Professional Counselors 893 US Hwy 70 West, Suite 202 Garner, NC 27529-2597 (919) 661-0820 <a href="http://www.ncblpc.org">www.ncblpc.org</a></p>
<u>Licensed Psychologists</u>	Doctoral degree in Psychology & 1 year post-doctoral clinical experience	<p>NC Psychological Association 1004 Dresser Court, Suite 106 Raleigh, NC 27609 (919) 872-1005 <a href="http://www.ncpsychology.com">www.ncpsychology.com</a></p>

TYPE OF COUNSELOR	EDUCATION REQUIREMENTS	CONTACT INFORMATION
<u>Psychiatrists</u>  (Note: Only psychiatrists and other physicians can prescribe medication for you.)	MD or DO & 3-4 year psychiatric residency	NC Medical Board PO Box 20007 Raleigh, NC 27619 (919) 326-1100 (800) 253-9653 <a href="http://www.ncmedboard.org">www.ncmedboard.org</a>
<u>Certified Marital &amp; Family Therapists</u>	Master's degree in marital & family therapy or equivalent related graduate degree & 1000 hours post-graduate clinical experience	NC Marital & Family Therapy Certification Board 1001 South Marshall St, Suite 5 Winston-Salem, NC 27101 (910) 724-1288
<u>Fee-Based Pastoral Counselors</u>	Ordained pastor & Master's or Doctoral degree of Divinity or Pastoral Counseling or equivalent graduate degree & clinical experience	NC State Board of Fee-Based Practicing Pastoral Counselors 1001 South Marshall St Winston-Salem, NC 27101 (910) 727-0072
<u>Certified Victim Service Practitioner</u>  (Note: This is a new certification process. Most domestic violence and rape crisis victim advocates will not yet have this certification.)	Complete Victim Service Practitioner Training Academy & 60 hours continuing education or academic coursework & 6,000 hours of victim service experience & 500 hours of supervised victim service experience	NC Victim Assistance Network 400 Oberlin Road, Suite 300 Raleigh, NC 27605 (919) 831-2857 <a href="http://www.nc-van.org">www.nc-van.org</a>

TYPE OF COUNSELOR	EDUCATION REQUIREMENTS	CONTACT INFORMATION
<u>Substance Abuse Counselors:</u> <ul style="list-style-type: none"> <li>• Certified Substance Abuse Counselor (CSAC)</li> <li>• Certified Clinical Addiction Specialist (CCAS)</li> <li>• Certified Clinical Supervisor (CCS)</li> <li>• Certified Substance Abuse Prevention Consultant (CSAPC)</li> <li>• Certified Substance Abuse Residential Facility Director (CSARFD)</li> </ul>	<p><b>For CSAC:</b> 3 years treatment facility experience &amp; 270 hours education on substance abuse and HIV/AIDS</p> <p><b>For CCAS:</b> Master's degree in a human services field &amp; 1-2 years supervised experience</p> <p><b>For CCS:</b> 2 years as CSAC or CCAS &amp; Master's degree in a human services field</p> <p><b>For CSAPC:</b> Bachelor's degree &amp; 2 years experience, or 5 years experience &amp; 270 hours of education on substance abuse &amp; HIV/AIDS &amp; 300 hours of supervised experience</p> <p><b>For CSARFD:</b> CSARFD certification &amp; 50 hours training</p>	<p>NC Substance Abuse Professional Certification Board PO Box 10126 Raleigh, NC 27605 (919) 832-0975 <a href="http://www.ncsapcb.org">www.ncsapcb.org</a></p>



*Note: Below are some additional resources for locating counseling services.*

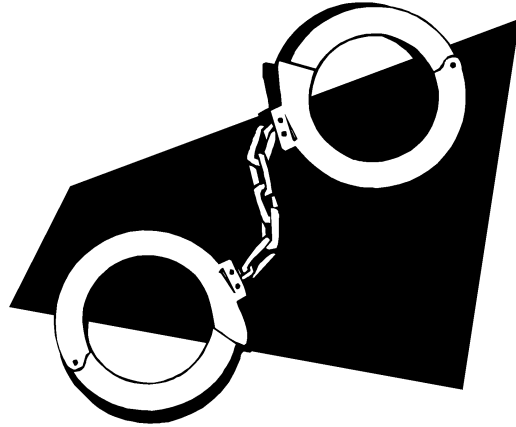
Post-Traumatic Stress Disorder (PTSD) Treatment Resources

- The National Center for PTSD - [www.ncptsd.org](http://www.ncptsd.org)
- Eye Movement Desensitization and Reprocessing Therapy (EMDR) - [www.emdr.com/nc.htm](http://www.emdr.com/nc.htm)
- The Anxiety Treatment Center  
University of North Carolina  
CB #3270  
Davie Hall  
Chapel Hill, NC 27599-3270  
(919) 962-2507  
[www.unc.edu/depts/clinpsy/anx1.html](http://www.unc.edu/depts/clinpsy/anx1.html)

NC Division of Health and Human Services:

- Mental Health, Developmental Disabilities & Substance Abuse Services:  
(919) 733-7011
- Adult Community Mental Health Section: (919) 571-4980; TTY (919) 420-7968
- Child and Family Services: (919) 571-4900





## **PART TWO:**

# ***AN OVERVIEW OF THE NORTH CAROLINA DEPARTMENT OF CORRECTION & ITS SERVICES FOR VICTIMS OF CRIME***

**∞ THE NORTH CAROLINA ∞  
DEPARTMENT OF CORRECTION:  
AN INTRODUCTION TO THE DEPARTMENT &  
ITS SERVICES FOR VICTIMS OF CRIME**

The North Carolina Department of Correction is the agency that is responsible for the care, custody and control of offenders serving their court-ordered sentences. The Department has two divisions: the Division of Prisons which is responsible for those offenders serving active prison sentences and the Division of Community Corrections which is responsible for supervising and monitoring the behavior and activities of offenders who are living in the community and serving either a term of probation, parole or post-release supervision. You may also wonder about the North Carolina Post-Release Supervision and Parole Commission and how this Commission might affect your offender's sentence. The Commission is responsible for releasing offenders who are eligible for parole or post-release supervision after serving a portion of their prison sentences. These agencies may seem large and intimidating at first. Even as you learn more about them, you may feel confused by how complex they seem. Please do not lose heart!

Now that the offender has been sentenced, you may not be sure whether any services exist for you and/or your family. The answer is yes. The North Carolina Department of Correction and the Post-Release Supervision and Parole Commission offer services to survivors; it does not matter if the offender is serving a sentence in a prison facility or is being supervised while on probation, parole or post-release supervision.

There is a growing awareness across North Carolina about the issues and questions victims face once offenders have been sentenced. The North Carolina Department of Correction recognizes that even though the offender has been sentenced, you may have questions about what is going to happen next, or you may have specific problems with the offender (e.g., you do not want the offender to write or call you). In an effort to address your concerns and questions, the Department of Correction is dedicated to making itself available to you while the offender is either serving a prison sentence or being supervised on probation, parole or post-release supervision. There are many services available to you ranging from speaking with a staff person, to using the Internet to find an offender's location from the Department's webpage. We encourage you to use any or all of these services, and look forward to your calls, letters and e-mails.

You might also be wondering what you can do now that the offender has been sentenced to the Department of Correction. We have provided a check list that you can use as you consider taking the following steps:

- ❑ Contact the Department of Correction Office of Victim Services to discuss registering for notification to learn of certain changes in the offender's status.
- ❑ If you wish, register for telephone notification with the private company which offers a system of notification called, Statewide Automated Assistance and Notification (SAVAN). To learn more about SAVAN, see the section in Part Two "The SAVAN System of Notification."
- ❑ If you want to receive notice of the offender's appeal, notify the District Attorney's Office responsible for prosecuting the case. Ask whether or not you must complete a written request form to make your wishes known.
- ❑ If you have access to the Internet, you can use the Department of Correction's "Offender Locator" on the Internet. You can find this Locator by typing [www.doc.state.nc.us](http://www.doc.state.nc.us). For more details about using this feature, see the section in Part Two "Using the Internet to Locate Information About Offenders in the Department of Correction."



If you find the North Carolina Department of Correction and the laws that determine offenders' sentences confusing, you are not alone. As you read the following information about the Department and the Post-Release Supervision and Parole Commission, it may be helpful to use the glossary located on the next page. It lists some of the most commonly used words in this section and their definitions. If you have questions about the Department of Correction or the Post-Release Supervision and Parole Commission, please contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free).



## **PRISON SECURITY LEVELS AND TYPES OF COMMUNITY SUPERVISION IN THE DEPARTMENT OF CORRECTION\***

**Close Custody:** Close custody prison facilities provide a high level of supervision and tightly controlled outside areas, fences and gates. Basic education, counseling and work programs are available to some inmates in close custody. Close custody is reserved for inmates who need extra security and have known records of, or potentials for, significant misbehavior while in prison or in the community.

**Medium Custody:** All programs and activities operating within a medium custody prison facility take place under the supervision of armed personnel, except for certain work assignments. Programs available to inmates include academic programs, job training, drug and alcohol abuse treatment, psychological and other counseling programs, and varied work assignments.

**Minimum Custody:** Minimum custody prison facilities provide a wide variety of programs for inmates ranging from on-site academic and job training schools to off-site work or study release. Minimum custody inmates are those convicted of misdemeanors and selected felons who have either little time remaining on their sentences or who have been determined not to present a high security or escape risk. These units do not use armed correctional officers to view the prison from watchtowers or other security devices.

**Parole:** This type of supervision affects offenders who committed their crimes prior to October 1, 1994. The Post-Release Supervision and Parole Commission releases those offenders from prison who are eligible for parole and deemed to be suitable candidates to lead law-abiding lives upon release. Parole supervision is designed to provide assistance to offenders in readjusting to life following their release from a prison facility, while they continue to finish their sentences.

**Post-Release Supervision:** This type of supervision affects offenders (except Driving While Impaired offenses) who committed their crimes on or after October 1, 1994. Offenders who committed their crimes after this date, and received a felony class B1-E conviction, must serve a period of supervision after they are released from prison. Post-release supervision was created to replace parole supervision for offenders who had served prison sentences and needed assistance in readjusting to life outside of the correctional facility. *The Post-Release Supervision and Parole Commission does not determine an offender's release date for those who will be released on post-release supervision; the Commission can only set the conditions or rules for the offender's supervision. The offender's release date is already determined by law.*

**Probation:** All offenders convicted of sex crimes in North Carolina receive either a prison sentence or a fine. Frequently, a judge will suspend the prison sentence on the condition that the offender follows certain rules (or conditions). If the judge sets a certain time period in which the offender must follow these conditions, the offender is on probation.

\* - These definitions have been modified from the originals provided by the North Carolina Department of Correction, Office of Research and Planning. Additional definitions can be found via the Internet at [www.doc.state.nc.us/rap/rapweb/web/glossary](http://www.doc.state.nc.us/rap/rapweb/web/glossary).

**∞ THE NORTH CAROLINA ∞  
DEPARTMENT OF CORRECTION,  
OFFICE OF VICTIM SERVICES**



In 1998, the North Carolina Department of Correction (DOC) created the Office of Victim Services (OVS). The OVS provides services to victims of crime and their families whose offenders are serving time in prison or are being supervised in the community on probation, parole or post-release supervision. OVS is a central place that victims and their families can call for information regarding available victim services, offender status, safety strategies and tips and referrals to local victim assistance programs and resources. Among other responsibilities, staff members work closely with the DOC's divisions - the Division of Prisons (DOP) and the Division of Community Corrections (DCC) - to meet and in many instances go beyond the legal requirements set by the North Carolina Crime Victims' Rights Act.

Staff members also dedicate time to researching "best practice" victim service programs in corrections to make recommendations and assist the divisions in developing new victim services programs that are sensitive to victims' and survivors' needs and concerns. Training and developing educational materials for victims, survivors and their families, DOC staff and the public is another important component of OVS' work. Staff members are also available to provide training on victim-related issues for criminal justice professionals, college classes and citizens' groups upon request.

OVS is dedicated to advancing the rights of victims and survivors through advocacy, information and resources. Our staff is committed to providing assistance and services to victims and survivors and we strive to do so with the respect and dignity crime victims and survivors deserve. Should you have any suggestions about improving an existing service or developing new services for victims and survivors of crime, please contact OVS at (919) 716-3681 or (800) 368-1985 (toll free). OVS welcomes your input and is here to provide you and your family with assistance.

## **THE DIVISION OF PRISONS & ITS SERVICES FOR VICTIMS OF CRIME**



The North Carolina Division of Prisons (DOP) is the division of the North Carolina Department of Correction responsible for the housing, supervision, treatment, and welfare of persons ordered to serve active prison sentences. The Division's top priority is to ensure the safety of the general public while providing each offender with the resources necessary to help reduce the offender's desire to take part in future criminal activity.

### **UNDERSTANDING THE PRISON SYSTEM**

Many people believe that all prisons are basically the same in structure, scope and purpose. However, the Division of Prisons classifies its correctional facilities by different security levels consisting of close, medium, and minimum security.

#### **Assigning Inmates to Prison**

Newly admitted inmates are transported from county jails to one of ten (10) prison diagnostic centers where the assessment process begins. Each inmate undergoes an extensive assessment, which considers factors ranging from security requirements to medical and health needs to the inmate's need to participate in certain corrective programs. Prison staff develop an individual profile of each inmate that includes his or her crime,

social background, education, job skills and work history, health, and criminal record including prior prison sentences. Based on this information, the offender is assigned to the most appropriate custody classification and prison facility. Each inmate's progress is reviewed on a regular basis by prison staff to determine whether the offender's classification and assignment is appropriate.

### Prison Security Levels

Inmates may be classified and assigned to the following custody or security levels: close, medium, or minimum. One factor that determines an inmate's prison assignment is the perceived level of risk he or she presents to the public's safety. Inmates in close custody present the highest risk while inmates in minimum custody generally present the least risk. Within this mix of custody level assignments, inmates also may be subject to various control statuses. The control statuses include: maximum, death row, intensive, safekeeper, disciplinary, administrative, and protective. These custody control measures serve to maintain order in the prison, which helps to ensure staff and inmate safety.

**Close Security** – Close custody facilities typically include single cells divided into cellblocks. Cell doors are generally remote controlled from a secure control station operated by a correctional officer. The perimeter of the facility consists of a double fence and watchtowers, which are staffed by armed correctional officers 24 hours a day. Close security facilities may also use armed correctional officers to travel the facility's perimeter during the day and/or night. Inmate movement within the facility is restricted and supervised by correctional staff. Inmates are allowed out of their cells to work or attend corrective programs inside the facilities.

**Medium Security** – Medium custody facilities are usually made up of secure dormitories that provide housing for up to fifty inmates each. Inmates sleep in military style double bunks and have metal lockers nearby to store uniforms and approved personal items. Each dormitory is locked at night, and a correctional officer provides direct supervision of the inmates and sleeping area. The perimeter of the facility consists of a double fence and watchtowers staffed by armed correctional officers. One may also notice armed correctional staff who travel the perimeter throughout the day and night. Generally, there is less supervision and control over the internal movement of inmates than in close security facilities. Most inmates housed in medium security work and/or participate in educational programs. Selected medium custody inmates are assigned to work details outside of the facility under armed supervision of trained correctional staff. These inmates support prison work farm operations, inmate construction, and highway maintenance for the Department of Transportation. Each medium security prison typically has a single cell unit for isolation of inmates who violate prison rules.

**Minimum Security** – Minimum security facilities are usually made up of dormitories that are patrolled by correctional officers. Each minimum security facility generally has a single perimeter fence, which is inspected on a regular basis. There are no armed watchtowers or staff who patrol the perimeter of the facility. While inmates assigned to minimum security

facility continues to be the highest priority, as with all facilities within the Division of Prisons. Minimum custody inmates participate in community based work assignments such as the Governor's Community Work Program, road maintenance with Department of Transportation employee supervision, or work release with civilian employers. Minimum custody inmates also participate in pre-release programs with community volunteers and family sponsors.

## VICTIM SERVICES AVAILABLE FROM THE DIVISION OF PRISONS

### *Victim Information Coordinators*

Each prison unit within the Division of Prisons (DOP) has at least one individual who has been identified as a Victim Information Coordinator. The Victim Information Coordinator's responsibility is to provide public information about offenders as well as general information about the facility to victims and interested citizens. In order to hold this position, each Victim Information Coordinator has received specialized training to perform this important function for his or her prison unit. These are good people to speak with if you have questions or concerns about the day-to-day goings on inside a prison. To find out the name of the Victim Information Coordinator at the prison where the offender in your case is housed, contact the Department of Correction, Office of Victim Services, and staff will provide you with the information you need. You may contact the Office at either (919) 716-3681 or (800) 368-1985 (toll free).

### *Input from Victims*

The Department of Correction takes the public's safety and concerns very seriously and encourages concerned citizens to provide input at any time. In particular, the Crime Victims' Rights Act and its recent amendment allows victims and surviving family members covered by the law to submit their concerns to the DOP. Under the Act, a victim is generally defined as the person against whom the crime was committed. If the victim is deceased, is a minor or is incompetent, the next of kin is considered the "victim." The order of the next of kin identified as the "victim" is as follows: the victim's spouse, children, parents, siblings and then grandparents. When a victim is mentally or physically incompetent or when the victim is a minor child, the victim's next of kin or legal guardian can exercise the victim's rights under the Act. Note that although the Crime Victims' Rights Act covers victims of approximately 90 crimes, not all victims of crime are covered by the Act at this time.

### Stopping Inmate Contact

The Department of Correction (DOC) is responsible for stopping offenders from making unwanted contact with the victims in their case upon the victim's request. In certain cases, family members of crime victims (e.g., family members of a homicide victim) may request no contact as well. This includes direct as well as indirect contact (such as through a third person). Inmates who choose to violate the order of no contact by continuing to write or call are subject to disciplinary action.

If an offender in prison is making unwanted contact and/or threatening you by telephone or through the mail, we encourage you to immediately contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free). Staff will guide you through the process of getting the unwanted contact stopped.

### Offender Location

Many victims have safety concerns about their offenders being placed in a prison facility close to them. In some cases, the offender may have threatened to harm them if the opportunity became available or the offender may have had threatening "messages" sent to the victim via family and friends. The Crime Victims' Rights Act states: "If a victim or immediate family member of a victim requests that, for the safety of the victim or family member, an inmate be confined outside the county where the victim or family member resides or is employed, the Department shall make a reasonable effort to house the inmate in a facility in another county." Therefore, the DOC must take your concerns into consideration.

When victims or their family members alert the Division of Prisons (DOP) of their safety concerns, they are asked to put those concerns in writing. Upon receipt of the victim's or family member's written statement of safety concern, DOP will review the offender's placement. If staff make the determination that the offender should not be placed in the county where the victim resides or is employed, they will make every effort to place the offender in another location. If an alternative housing assignment is not available, and the offender is placed in a county that the victim or family member has opposed, the Department will inform the victim and/or family member of the decision.

### Notifications to Registered Victims

The Crime Victims' Rights Act requires the DOC to notify certain victims about specific changes in the offender's status. While the Act clearly defines who is to receive notification, certain agencies such as the North Carolina Department of Correction, Division of Prisons (DOP) voluntarily exceeds the law's requirements by providing notification to **all** victims and survivors who have made a written request for information about the offender's status.

Presently, DOP notifies registered victims of:

- ❖ the inmate's projected release date for any sentence of imprisonment that exceeds 90 days.
- ❖ the inmate's initial assignment to minimum custody and the address of the prison unit.
- ❖ the inmate's escape from custody.
- ❖ the inmate's capture.
- ❖ the inmate's release, 60 days prior (applies to those inmates sentenced on or after October 1, 1994).
- ❖ the inmate's death.

You also will be notified of your opportunity to submit input and/or any concerns and the procedure for doing so.

For inmates who committed their crimes prior to October 1, 1994, the Post-Release Supervision and Parole Commission provides written release notifications to registered victims. These release notifications are provided close to these offenders' actual release dates.

Currently, the DOC does **not** notify registered victims when an offender transfers from one prison facility to another. However, there are ways to check on an offender's location at any time. If you are unsure about the offender's location, you may obtain that information by contacting the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free). You may also find offender information through the DOC's website: [www.doc.state.nc.us](http://www.doc.state.nc.us). Click on "Offender Search" to begin your search. For a detailed guide on using the DOC's offender locator, please see the section in Part Two "Using the Internet to Locate Offenders in the Department of Correction."

### How to Receive Notification

Except for notifications of escape and capture, which prison staff will first provide by telephone, the notifications listed above will be provided to you in writing. In order to be notified of these events, you must make a written request for notification.

If you have requested notification, it is your responsibility to alert the DOC of any changes in address or telephone number. Your address and telephone numbers are very important pieces of information that the Department uses to notify you. Without this information, the Department will not be able to provide you with the notification you requested.

If you are not currently listed for notification, and would like to be, please contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free). If you are not

sure if you are listed for notification with the Department of Correction, please call our office at the telephone number listed above and a staff person will check for you.

Note: North Carolina also offers its citizens a private notification system that offers the same notifications, only by telephone. This system, known as Statewide Automated Victim Assistance and Notification (SAVAN), is separate from the notification system used by the Department of Correction. To learn more about SAVAN, please read the section in Part Two “The SAVAN System of Notification.”

## NOTES



## ∞ THE DIVISION OF COMMUNITY CORRECTIONS ∞ & ITS SERVICES FOR VICTIMS OF CRIME



The North Carolina Division of Community Corrections (DCC) is the division of the North Carolina Department of Correction responsible for supervising offenders who have either been placed on probation, or are serving a period of supervision following a prison sentence known as either parole or post-release supervision.

### UNDERSTANDING PROBATION, PAROLE AND POST-RELEASE SUPERVISION

The Division of Community Corrections is not only responsible for supervising offenders, but also for requiring that offenders take part in certain necessary programs such as educational programs and job training. Offenders may also be required to take part in other types of programs such as mental health, domestic violence, sex offender and/or alcohol/drug abuse treatment. This combination of supervision and education is designed to provide the offender with new skills and ways of thinking, in an effort to reduce the offender's participation in future criminal behavior. Not all offenders are the same, and there can be many differences between the programs, training and treatment in which each offender participates. Most decisions about an offender's participation in programs, training and/or treatment are based on his or her needs and risk of committing future crimes. You can find more detailed descriptions of the three types of supervision provided by the Division of Community Corrections (probation, parole and post-release supervision) in this section.

### Probation

Most offenders under the supervision of the Division of Community Corrections (DCC) are serving a sentence called “probation.” Probation refers to a type of punishment ordered either by itself or in addition to a prison sentence. Probation is ordered by a judge and it requires a DCC employee, known as a Probation/Parole Officer, to monitor an offender who is still living and working in the community. This type of supervision is known as “Community Supervision.”

### Parole

**Parole affects inmates who committed their crimes prior to October 1, 1994.** The Post-Release Supervision and Parole Commission is responsible for releasing from prison those inmates on parole who have been deemed to be suitable candidates to lead law-abiding lives. Not all inmates who are eligible for parole are approved for release. For more details about the parole process and the Post-Release Supervision and Parole Commission’s responsibilities to offenders eligible for parole, see the section in Part Two “The North Carolina Post-Release Supervision and Parole Commission and Its Services for Victims of Crime.”

### Post-Release Supervision

**Post-release supervision affects inmates who committed their crimes on or after October 1, 1994.** Although it may sound similar to parole, post-release supervision affects offenders (except those convicted of Driving While Impaired) who committed B1-E felonies after October 1, 1994. By law, the Post-Release Supervision and Parole Commission is responsible for determining the conditions an offender must follow one he or she has been released from prison to serve a term of post-release supervision. The Commission has no discretion over the length of an offender’s sentence.

## CONDITIONS OF SUPERVISION

Offenders on probation, parole and post-release supervision must follow certain rules while they live and work in the community. The possible rules, known as conditions, generally cover the following areas: payment of restitution and/or court fines and costs, travel restrictions, community service, registration with the North Carolina Sex Offender and Public Protection Registry (when required by law), alcohol or chemical dependency treatment, achievement of a high school diploma (GED), job readiness courses, curfews, and random drug testing. Offenders may also be ordered to keep away from certain places and people who may endanger an offender’s ability to make responsible decisions about his or her behavior.

It is each Probation/Parole Officer's responsibility to address situations when the offender chooses to violate a condition of his or her supervision. You can help the offender's Probation/Parole Officer by contacting him or her if you know that the offender is not following the judge's orders. Depending upon the circumstances, there may be times when the offender may be sent back to prison. See Part Three "Release of the Offender and Re-Imprisonment" for more details.

DCC staff has a wide range of options available to them as they work with offenders under their supervision. These options include a variety of community-based punishments which differ in the level of control and supervision over the offender. These punishments are often called "sanctions." While some offenders have few conditions of supervision others, such as high risk offenders, have very strict rules to abide by. You can read more about the various methods of supervision and control used by the DCC in the information provided in the following section.

The punishments or sanctions below are more restrictive than community probation and less severe than imprisonment. Some, such as Electronic House Arrest, use technology to assist in monitoring the offender's movements.

**Split Sentence (special probation)** - A court-imposed intermediate sanction for probationers that requires the offender to serve time in prison, not to exceed six months, followed by a term of probation under an intermediate level of probation supervision.

**Residential Community Corrections** - Under this type of sanction, offenders are required to live in a specified facility for a set period of time. Offenders may be ordered to participate in activities such as substance abuse treatment, social skills training, education, employment, and employment training.

**Electronic House Arrest (EHA)** - The offender must wear a transmitting device and a monitoring device must be placed in the offender's residence for the duration of the sanction. The offender is confined to the residence at all times, except for occasions approved by the court, Probation/Parole Officer, or Post-Release Supervision and Parole Commission.

**Day Reporting Centers** - Offenders are required to report to a specified facility on a daily basis for a certain length of time. Offenders may be ordered to participate in activities such as alcohol or drug dependency treatment, anger management, cognitive thinking, psychological counseling, social skills training, education, or employment training. Some offenders are required to follow a daily program schedule and curfew.

**Intensive Supervision** - This type of supervision is reserved for offenders who pose the highest risk of either returning to prison or being sentenced to a prison term. Offenders placed on intensive supervision by a judge's sentence, are either initially sentenced by the court, when they are released on post-release supervision, paroled by the Post-Release

Supervision and Parole Commission, or as a result of a probation violation. Intensive supervision uses a team approach to working with offenders. Two officers are assigned to monitor a much smaller caseload of offenders because the officers are expected to have more interaction with the offenders they have been assigned to supervise. Through increased interaction with his or her probation/parole officer(s), the offender is provided with a balance of supervision and assistance by addressing those factors that contribute to the likelihood that an offender will go to prison.

For more information about probation, parole and/or post-release supervision, call the Office of Victim Services at (919) 716-3681 or (800) 368-1985 (toll free). At times, it may be necessary that a staff member refer you to someone in the field office where the offender is being supervised. It is helpful to have a pen or pencil and a piece of paper available should you need to take that person's name and telephone number as well as the answers to any questions you may have.

### VICTIM SERVICES AVAILABLE FROM THE DIVISION OF COMMUNITY CORRECTIONS

#### *Victim Advocate/Notification Coordinators*

The Division of Community Corrections (DCC) victim services program is staffed by Victim Advocate/Notification Coordinators who serve as the primary contact for victims whose offenders are being supervised on probation, parole or post-release supervision. Information concerning probation and post-release supervision as well as notifications about offender status are provided to registered victims. Victim notification, assistance and support are top priorities of the program. The North Carolina Crime Victims' Rights Act, effective July 1, 1999, requires the DCC to provide certain notifications to crime victims regarding offender status.

Victims may be identified to receive notification at the time of sentencing by information gathered from the District Attorney's office and provided to the DCC by the Clerk of Court. Victims may also complete a notification request form (available through the Victim Advocate/Notification Coordinator). The Crime Victims' Rights Act defines certain criteria (i.e., type and date of offense) for persons to receive notification. To check to see if you are listed for notification, please contact the Office of Victim Services (OVS) at either (919) 716-3681 or (800) 368-1985 (toll free) and a staff member will check for you. You may also choose to contact the Victim Advocate/Notification Coordinator at the field office responsible for supervising the offender. If you need this telephone number, please contact our OVS at either of the telephone numbers listed above.

We encourage you to contact the Victim Advocate/Notification Coordinator. He or she is available to answer questions and address concerns you may have about the offender.

Victim Advocate/Notification Coordinators are also available to provide you with referrals to local, statewide and national agencies for additional assistance. All victim information is considered strictly confidential by DOC policy.

*Notifications to Registered Victims*

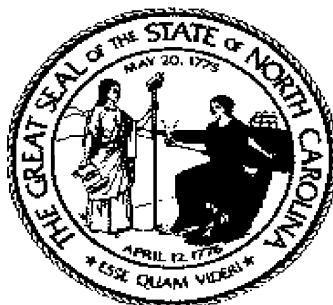
The Crime Victims' Rights Act outlines responsibilities for the Division of Community Corrections (DCC). DCC's main responsibility is to notify registered victims of certain events during the offender's term of probation or post-release supervision from a correctional facility. DCC is required to notify a registered victim when:

- ❖ the offender is sentenced to probation, and what those conditions are.
- ❖ the offender is sentenced to post-release supervision, and what those conditions are.
- ❖ a hearing (revocation, continuation, modification, termination) is scheduled and its location.
- ❖ a hearing disposition (decision) is reached, and what it is.
- ❖ restitution is modified.
- ❖ an offender moves into or out of an intermediate sanction (a specific type of supervision).
- ❖ an offender absconds (cannot be located), with notification within 72 hours.
- ❖ an offender is recaptured, with notification within 72 hours.
- ❖ probation or post-release supervision is terminated or discharged.
- ❖ an offender dies.

For more information about the DCC's victim services available in the area where the offender is being supervised, contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free).

## NOTES

## ∞ THE NORTH CAROLINA POST-RELEASE ∞ SUPERVISION AND PAROLE COMMISSION & ITS SERVICES FOR VICTIMS OF CRIME



The Post-Release Supervision and Parole Commission is a separate agency from both the Division of Prisons and the Division of Community Corrections. Although it is separate from both Divisions, the Commission performs the important role of transitioning offenders from prison to supervision within the community.

### POST-RELEASE SUPERVISION AND PAROLE COMMISSION

Most commonly known as the Parole Commission, the North Carolina Post-Release Supervision and Parole Commission is an agency responsible for making decisions about two types of inmates: 1) those who committed their crimes **before October 1, 1994**, and are now eligible for parole; and 2) those who committed B1-E felonies **on or after October 1, 1994** (except for Driving While Impaired offenses). The Commission must follow different rules when releasing each type of offender. For offenders who committed their crimes **before October 1, 1994**, the Commission releases those who are eligible for parole and deemed to be suitable candidates to lead law-abiding lives. For offenders who committed their crimes **on or after October 1, 1994**, the Commission sets the conditions or rules offenders must follow prior to their release into the community on post-release supervision. Unlike parole cases, the Commission does not determine the release date for post-release supervision. It can only set the conditions or rules the offender must follow while on this type of supervision following release from prison.

## THE PAROLE PROCESS (FOR CRIMES COMMITTED BEFORE OCTOBER 1, 1994)

The parole review process in North Carolina only applies to offenders whose crimes were committed before October 1, 1994. Each offender sentenced during this time had a *case analyst* assigned to him or her when he or she entered the prison system. In addition to other responsibilities, the analyst is responsible for maintaining a file on the offender and calculating the date when the offender will become eligible for parole. When the offender reaches the date when he or she is eligible, the Commission will review the case.

There are two parts of the Commission's review: "*reviews*" and "*investigations*." The review stage is an initial stage during which the Commission evaluates the offender's candidacy for parole. The offender may be denied at this stage. If the case warrants serious consideration for parole, it then moves to the investigation stage. If and when the case moves to the investigation stage, the Commission contacts the victims and survivors who have registered for notification. The victims and survivors are given a specified time to respond to the offender's consideration for parole. Once the investigation is complete, the Commission decides whether to grant or deny parole. The Commission then notifies victims of the decision whether to deny or approve parole. If the offender is denied parole, the law requires the Commission to review the case at least once a year.

### 90 Day Mandatory Parole

It is important to note that North Carolina has a mandatory parole law. This law affects offenders who have been eligible for parole, but have not been approved for release by the Commission. The Fair Sentencing Act (the law that determined the sentencing guidelines for crimes that occurred before October 1, 1994) mandates that offenders with felony convictions serving 18 months or longer must be released on parole 90 days before their sentences expire. This parole is commonly referred to as *90 day mandatory parole*. The Commission must parole these offenders because it is required to do so by law. Although the law requires the Commission to grant parole to these offenders, offenders may choose to refuse parole, although few do so. There are two groups who are excluded from the 90 day mandatory parole: offenders sentenced as Committed Youthful Offenders and offenders whose crimes occurred before July 1, 1981.

## THE POST-RELEASE SUPERVISION PROCESS (FOR CRIMES COMMITTED ON OR AFTER OCTOBER 1, 1994)

In North Carolina, the Structured Sentencing Act is the law that determines the sentences given to offenders (except those who committed Driving While Impaired offenses) who committed crimes on or after October 1, 1994. Under Structured Sentencing, offenders are given a minimum and a maximum sentence. Offenders must serve 100% of the minimum

term set by the judge and may serve up to the maximum term if they misbehave, fail to work or refuse to participate in programs.

An important change under the Structured Sentencing law concerns parole. Parole, as it previously existed, was eliminated under Structured Sentencing. Now, offenders with class B1 through E felony convictions who have been sentenced under Structured Sentencing serve their mandated time and are then released on a type of supervision called post-release supervision. B1-E class felonies are those offenses that involve a risk of or injury to the victim. Like parole, post-release supervision is a period of supervision in the community following the completion of an active prison sentence. The period of post-release supervision is either six or nine months for most offenders or up to five years for some sex offenders, depending upon the offender's date of offense.

Under Structured Sentencing, the Post-Release Supervision and Parole Commission is the agency responsible for setting conditions of release for offenders in North Carolina's prisons. Although it cannot determine the date of release for offenders sentenced under Structured Sentencing, the Commission maintains the authority to set conditions or rules for the period of an offender's post-release supervision. The possible conditions are numerous. For example, offenders may be required to submit to random drug/urine screenings, secure a job, pay restitution ordered by the court at the time of sentencing and refrain from contact with victims/survivors and their families.

It is important to know that not all offenders sentenced under Structured Sentencing are released into the community on post-release supervision. Offenders with misdemeanor and felony class F through I convictions are released from the prison system with no community supervision. The Commission does not have any authority over these sentences.

### CONTACTING THE COMMISSION TO VOICE YOUR OPINION

The North Carolina Post-Release Supervision and Parole Commission considers input from victims and survivors to be very important. Your communications to the Commission are kept confidential and will not be shared with the offender or his or her family. You and your family can communicate with the Commission in the following ways:



**In Writing:** Victims and survivors may express their opinions about an offender's parole or post-release supervision at any time. Letters should be sent to:

NC Post-Release Supervision and Parole Commission  
2020 Yonkers Road, 4222 MSC  
Raleigh, NC 27699-4222





## **In Person**

**For Parole Cases (crimes committed before October 1, 1994):** Victims of offenders whose crimes were committed before October 1, 1994 may provide input about parole through letters to the Commission at any time. When an offender reaches either a medium or minimum custody level and becomes eligible for parole review, victims, survivors and their families have the opportunity to appear before the Commission to present information. To schedule a meeting, contact (919) 716-3010.

**For Post-Release Supervision Cases (crimes committed on or after October 1, 1994):** The Commission is responsible for setting the conditions of offenders' post-release supervision, which affects offenders who committed their offenses on or after October 1, 1994 and were convicted of a B1 through E class felony. Victims of these offenders may provide input about conditions through letters to the Commission at any time. When an offender eligible for post-release supervision is within one year of his or her release date, victims, survivors and their families may appear before the Commission to voice their opinions about conditions. It is important to note that under Structured Sentencing, offenders are not eligible for parole and that the Commission does not determine release dates.

For a variety of reasons, not all survivors of violent crime choose to speak to the Commission. Some victims and survivors find the idea and/or experience of meeting with the Commission to be highly traumatic as they think again about the original crime. Other victims and survivors, however, relate that involvement in the process has given them a greater feeling of control. Choosing to speak with the Commission can be a powerful and positive step as you cope with the aftermath of the assault.

The Office of Victim Services recognizes that each person's situation is different, and that not all people have the ability or resources to communicate directly with the Commission. Therefore, staff looks for creative ways to meet the needs of victims who wish to pass information to the Commission but are unable to write a letter or travel to Raleigh for a meeting. Those wishing to communicate with the Commission, but are unable to write or travel, are encouraged to contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free) for assistance in providing input to the Commission.

## ∞ THE SAVAN SYSTEM OF NOTIFICATION ∞

You may choose to register for an automated telephone notification service through a private company called SAVAN. SAVAN stands for Statewide Automated Victim Assistance and Notification. SAVAN is not a service offered by the Department of Correction. However, the system uses information from the Department of Correction to notify people who have requested it. The system will prompt you through the simple registration process.

SAVAN will automatically call a person who is registered for notification. Once registered, the notifications you receive will be the same notifications as those listed under the North Carolina Division of Prisons and the North Carolina Division of Community Corrections sections in this handbook. SAVAN will continue to call you until you indicate that you have received the message by punching in your personal identification number. Notification can be provided in English or Spanish. To contact the SAVAN system, call: (877) NC-SAVAN.

### SOME IMPORTANT TIPS ABOUT THE SAVAN SYSTEM

- ❖ SAVAN may provide you with a notification in the middle of the night.
- ❖ When choosing a telephone number that SAVAN will contact, do not provide a work number because SAVAN's computers will continue to call until you enter your personal identification number.
- ❖ Juvenile offender information will not be given by SAVAN unless the juvenile is in an adult prison facility and charged as an adult for committing a crime.
- ❖ You do not have to re-register with SAVAN in cases where the offender is released from prison, and on probation, parole or post-release supervision. However, it is a good idea to contact SAVAN to speak with an operator to ensure that your telephone number is still current.
- ❖ It is important that once you have decided on your Personal Identification Number, that you remember what it is so that you can enter it when the SAVAN system provides you with a telephone notification.

Note on appeals notification: To register with SAVAN to receive notice of the inmate's appeal, you must register through the Victim Witness/Legal Assistant at the District Attorney's Office in the county where the crime occurred.

## ∞ USING THE INTERNET TO LOCATE ∞ INFORMATION ABOUT OFFENDERS IN THE DEPARMENT OF CORRECTION

The following step-by-step guide is designed to help you access information on the Internet about all offenders in the North Carolina Department of Correction (DOC). If you have questions or concerns about this guide, please contact the Office of Victim Services at (919) 716-3681 or (800) 368-1985 (toll free) or e-mail [victimservices@doc.state.nc.us](mailto:victimservices@doc.state.nc.us).

- 1) To locate information about an offender in the DOC, see <http://www.doc.state.nc.us>
- 2) Click on "Search for an Offender."
- 3) Complete the form. If you use the offender's DOC number to locate him or her, this number will override other search criteria that you may use.

<b>DOC Number:</b>	<input type="text"/> (DOC Number overrides any other search criteria.)		
<b>Last Name:</b>	<input type="text" value="Doe"/>	<input type="checkbox"/> Check here to perform a 'Sounds like' search on last name.	
<b>First Name:</b>	<input type="text" value="John"/>	<b>Middle Initial:</b>	<input type="text"/>
<b>Gender:</b>	<input type="text" value="MALE"/>	<b>Race:</b>	<input type="text"/>

- 4) Mark yes or no to indicate the amount of information you want to see.

**Do you want Sentence History information included in your results?** ☒ Yes ☐ No  
(Note: Including sentence history can significantly delay response times.)

**Do you want the offender's photo included in your results?** ☒ Yes ☐ No

- 5) Click "Search for Offender." Note: All offenders fitting the criteria will be included in the results.

- 6) Click on the DOC # of the offender. This number is seven digits long.

Please note that photos are only available for prison inmates. Once an inmate is released from prison, his or her photo is removed from the Internet site.





## **PART THREE:**

### ***RELEASE OF THE OFFENDER & RE-IMPRISONMENT***

## ∞ THE POSSIBILITY OF APPEAL ∞

Once a trial, conviction and sentencing are complete, for some victims this may not be the end of the criminal justice system's attention to your case. The offender may appeal the verdict and/or sentencing in an attempt to reduce the sentence or overturn the conviction. This can be very frustrating and discouraging for crime victims, and a renewed source of fear if release of the offender is possible.

However, be assured that in most cases convictions are not overturned. Also, you have a number of legal rights as a crime victim relating to an appeal. In order to receive these rights, you must notify the district attorney in your case that you would like to receive notice of any further legal proceedings. If your offender files an appeal, understanding and monitoring the appeals system is a positive way of coping with this added step.

### YOUR RIGHTS AS A CRIME VICTIM

Under North Carolina's Crime Victim's Rights Act (see North Carolina General Statute (GS) 15A-835), you have certain legal rights as a crime victim to be informed when the offender appeals his or her conviction or sentence. These rights are as follows:

- ❖ By law, the District Attorney's Office has an obligation to forward your contact information to the Attorney General's Office so that you will receive information on a pending appeal should you wish. Because of this, it is important that you update the District Attorney with your current contact information at the close of the case and within the first few months after sentencing. The District Attorney will forward your contact information to the Attorney General's Office.
- ❖ The Attorney General by law must provide you with an explanation of how the appellate system works, when and where appellate proceedings will take place, and the final result of the appeal. The Attorney General's Office will also provide you with the name and telephone number of the Assistant Attorney General assigned to your case. If you are not receiving this information, after you have indicated that you wish to receive it and you know an appeal has been filed, contact the Attorney General's Office at (919) 716-6500.
- ❖ If the offender is released on bail during a pending appeal, by law you must be notified within 72 hours by law enforcement. Again, it is important that your current contact information be on file with the District Attorney's Office and the Attorney General's Office.

- ❖ If the Governor is considering whether to commute (set aside) the offender's sentence or to pardon him or her, the Governor's Clemency Office must give you notice and the opportunity to present a written statement to be considered by the Office before the offender's sentence is commuted or the offender is pardoned. The Office shall notify you of its decision. The Clemency Office must notify you of its decision with enough time to allow you to send a written response expressing your views about the decision itself (see North Carolina General Statute (GS) 15A-838).

Remember that to register with SAVAN to receive notice of the inmate's appeal, you must register through the District Attorney's Office in the county where the crime occurred. See the "The SAVAN System of Notification" for more information. The contact for registration at the District Attorney's Office is often the victim witness assistant. Also keep in mind that you may wish to call the Court Clerk yourself at least three weeks after the Court's judgment to find out for yourself if the offender has appealed the conviction.



## UNDERSTANDING THE APPELLATE PROCESS

### Who Can File an Appeal?

Only the defendant has the right to appeal a conviction and sentence. The district attorney has no such right.

### What Court Decides an Appeal?

The appeal will be filed in a court higher than the trial court. The appellate decision may then be appealed again by either party to yet another higher court. In the Court of Appeals, the decision will be made by a panel of three judges, and in the Supreme Court by a panel of seven justices.

### How Does the Court Decide?

Unlike a criminal jury trial, the decision does not have to be unanimous, but rather a majority decision (the side with the most votes) wins.

### *Is There a Deadline to File an Appeal?*

Yes. Notice of appeal from a trial court decision can be made at the trial or in writing within 14 days after the judge enters the judgment. If the deadline is passed, the defendant may file a “petition for a certiorari,” asking the appellate court to make an exception and allow the appeal to be filed late. If the appeal is not filed properly it will be dismissed.

### *Does the Defendant Have to Pay for an Appeal?*

Yes. There are filing costs as well as the cost of hiring a defense attorney when a defendant files an appeal. However, if the defendant is unable to pay, the court may not charge the defendant filing costs, and the defendant may have a government appointed attorney assigned to his or her case at no charge.

### *Will the Defendant’s Appeal Stop the Trial Court’s Sentence from Being Imposed?*

In a criminal case, once a notice of appeal is filed, the fines and costs ordered to be paid are “stayed” or frozen until the appeal is decided. A prison sentence may be stayed as well, allowing the defendant to be released until the appeal is decided.

### *After the Appeal is Filed What Happens Next?*

For the first appeal, the written transcript of the trial record will be submitted to the appellate court. The defendant and the Attorney General will submit written briefs to the court, arguing each side of the issues that have been appealed. Sometimes the attorneys will give oral argument before the appellate court to further explain their positions.

### *What Evidence Is Looked At?*

The appellate courts only look at the specific legal issues that were appealed. The whole case is not reviewed or tried again. No one will testify again. The evidence reviewed is generally only that found in the written transcript of the record.

### *What Issues Can be Appealed?*

Any “errors” in the trial or in an appellate decision can be appealed. If errors are found by the appellate court, they must be significant enough so that a different verdict or sentence would have been given if the errors had not been made. Some common grounds for appeal include: ineffective assistance of counsel (the defense attorney did not represent the



defendant well enough), improper jury instructions, improper wording in a charge, insufficient evidence to support the verdict, evidence was wrongly included or excluded, or the sentence was calculated incorrectly.

*What Kind of Outcomes are Possible?*

The appellate court may deny the appeal, change the verdict in part, overturn the conviction, or set aside the sentence. If the court grants the appeal in any way, it may order a re-trial or re-sentencing.

*Can the Victim Provide a Statement to the Appellate Court?*

No. The victim may not contact the appellate court or provide a statement for the justices to consider in their decision. The decision will be made on legal grounds only.

*How Long Will An Appeal Usually Take?*

There are many steps in the appellate process which may cause an appeal to take up to a year or more.

*Where Can I Get More Information About the Court System?*

The North Carolina Administrative Office of the Courts has a comprehensive website at [www.nccourts.org](http://www.nccourts.org). Your local library will also have court system information in the reference section.

## **∞ KEEPING TRACK ∞ OF THE OFFENDER AFTER RELEASE: NORTH CAROLINA'S SEX OFFENDER AND PUBLIC PROTECTION REGISTRY**

Sex offender registries keep track of and make public the home addresses of certain convicted sex offenders for a period of time after they have finished their sentences and/or are living in the community. The purpose of the registry is to increase public safety. Effective January 1, 1996, the North Carolina General Assembly created North Carolina's first sex offender registration law, known as the Amy Jackson Law. This section contains some common questions people have about this law as well as the answers to those questions. Please note that this information is not intended to serve as legal advice. For specific questions, please contact the Attorney General's Office Law Enforcement Liaison Section at (919) 716-6725.

### **❖ Who must register?**

Those persons convicted of a "reportable offense" on or after January 1, 1996, and those persons released from a penal institution for a reportable offense on or after January 1, 1996 must register. "Reportable Offenses" include, but are not limited to, certain abduction offenses against minors and certain offenses against minors and adults. A person convicted of solicitation to commit, conspiracy to commit, or aiding and abetting an offense may be required to register if the person committed the offense on or after December 1, 1999.

North Carolina residents who have been convicted of substantially similar offenses in a different state or US territory must also register in North Carolina. Convictions from other countries are not considered to be reportable offenses.

Registration is required of all students enrolled in North Carolina schools and colleges and non-resident workers. Non-resident workers are those who have committed a reportable offense, but are either working or pursuing a vocation within the state.

Any person convicted in a federal jurisdiction (e.g., military base or tribal land) of an offense that is substantially similar to a "reportable offense" as determined by North Carolina law must register. The federal offender must register if he or she was convicted on or after April 3, 1997 or released from a penal institution on or after the same date.

## ❖ What are the “Reportable Offenses” in North Carolina?

Below is a list of the offenses that require registration. Statute numbers are given for each crime, where “GS” stands for North Carolina General Statute.

### Offenses Against a Minor:

This includes any of the following offenses if the offense is committed against a minor, and the person committing the offense is not the minor's parent.

- ❖ Kidnapping (GS 14-39)
- ❖ Abduction of Children (GS 14-41)
- ❖ Felonious Restraint (GS 14-43.3)

This also includes a conviction for solicitation to commit or conspiracy to commit “an offense against a minor.”

### A Sexually Violent Offense:

- ❖ First Degree Rape (GS 14-27.2 )
- ❖ Second Degree Rape (GS 14-27.3)
- ❖ First Degree Sexual Offense (GS 14-27.4)
- ❖ Second Degree Sexual Offense (GS 14-27.5)
- ❖ Attempted Rape or Sexual Offense (GS 14-27.6)
- ❖ Intercourse and Sexual Offense with Certain Victims (GS 14-27.7)
- ❖ Incest Between Near Relatives (GS 14-178)
- ❖ Employing or Permitting a Minor to Assist in Offenses Against Public Morality and Decency (GS 14-190.6)
- ❖ First Degree Sexual Exploitation of a Minor (GS 14-190.16)
- ❖ Second Degree Sexual Exploitation of a Minor (GS 14-190.17)
- ❖ Third Degree Sexual Exploitation of a Minor (GS 14-190.17A)
- ❖ Promoting Prostitution of a Minor (GS 14-190.18)
- ❖ Participating in Prostitution of a Minor (GS 14-190.19)
- ❖ Taking Indecent Liberties with Children (GS 14-202.1)

This also includes a conviction for solicitation to commit, conspiracy to commit a "sexually violent offense," and attempt to commit any of the preceding offenses. Aiding and abetting of an offense against a minor or a sexually violent offense would require registration if the court finds that it would serve the purpose of the Registration Act.

### ❖ **Who is a "sexually violent predator?"**

Under North Carolina law, there are two categories of people who are required to register in the statewide registry: those deemed to be "sexual offenders" and those deemed to be "sexually violent predators." Sexually violent predators are offenders who are believed to be more dangerous and therefore are required to follow stricter registration requirements than those considered to be "sex offenders." The sexually violent predator subclass includes not only "predators," but also offenders convicted of "aggravated offenses" and those deemed to be "recidivists" (repeat offenders). By definition, a person convicted of a sexually violent offense suffers a mental abnormality or personality disorder that makes the person likely to engage in sexually violent offenses directed at strangers or at a person with whom a relationship has been established or promoted for the primary purpose of victimization.

The district attorney decides whether or not to seek sexually violent predator status and it is up to the court to determine whether an offender is a sexually violent predator.

### ❖ **Do sexually violent predators have different registration requirements?**

Only those sexually violent predators charged with a sexually violent offense on or after April 1, 1998 must register. All other registration requirements are basically the same as for "sexual offenders," but information on sexually violent predators, recidivists and those convicted of aggravated offenses is verified every 90 days instead of annually. These requirements are discussed on the following pages.

### ❖ **Do juveniles convicted of these offenses have the same registration requirements?**

Yes, according to the law, juveniles at least 11 years of age may be required to register if the sentencing court determines that the juvenile is a "danger to the community" and orders registration. Juvenile offender registration information is NOT public record and will only be released to law enforcement agencies. Juvenile offender information is not contained on the Internet and is not included in countywide and statewide registries.

By law, the termination of registration is very different for juveniles since registration ceases either on the juvenile's 18<sup>th</sup> birthday or when the juvenile is no longer legally recognized as juvenile.

Under certain circumstances, a juvenile may be tried as an adult. If convicted of a reportable offense as an adult, a juvenile may be treated accordingly and ordered to register as an adult offender.

❖ **Are there any sexual offenses that do not require an offender to register?**

Yes. There are several offenses that do not require convicted sex offenders to register with the State's registry:

- ❖ Crimes Against Nature (GS 14-177)
- ❖ Statutory Rape Involving Victims Aged 13, 14 or 15 (GS 14-27.7A)
- ❖ Sexual Activity by Substitute Parent (GS 14-27.7)
- ❖ Incest Between Uncle/Niece or Aunt/Nephew (GS 14-179)
- ❖ Indecent Exposure (GS 14-190.9)
- ❖ Peeping (GS 14-202)
- ❖ Indecent Liberties with a Child by a Juvenile Offender (GS 14-202.2)
- ❖ Indecent Liberties with a Student (GS 14-202.4)
- ❖ Computer Solicitation with a Child (GS 14-202.3)
- ❖ Stalking (GS 14-277.3)

❖ **How long is the offender registered?**

Sexual offenders and offenders against minors are registered for 10 years from the date of release from a penal institution or from the date of each reportable offense conviction (if the person was not sentenced to active time).

Sexually violent predators, recidivists (repeat offenders) and those convicted of aggravated offenses face lifetime registration.

❖ **What are the registration requirements?**

North Carolina residents must maintain registration with the sheriff of the county where the person resides. This registration must occur immediately upon conviction for a reportable offense or within 10 days of release from a penal institution.

If the person moves to North Carolina from out of state, the person must register within 10 days of establishing residence or when the person has been present in North Carolina for 15 days, whichever comes first.

As of October 1, 2001, registration is also required of all students who have committed reportable offenses and are enrolled in North Carolina schools and colleges and non-resident workers (i.e., those who are not residents of the state, but are either working or pursuing a vocation within the state).

If an offender convicted in North Carolina moves to another state, he or she must notify the county in North Carolina where he or she was last registered of the new address no more than 10 days after the move. The sheriff of this county is required to notify the offender that he or she is to follow the new state's registration requirements.

### ❖ **What if the offender moves after the initial registration?**

The offender must provide written notice to the sheriff of the county from which he or she moved within 10 days of the move. The State Bureau of Investigation's Division of Criminal Information will inform the sheriff of the "new" county of the offender's new address, and all information will be updated. This notification is to take place even if the offender has moved from or to a different state.

### ❖ **How will I know if a sexual offender or sexually violent predator lives near me?**

The public may obtain information about registration and search by location or name on the State Bureau of Investigation's Sex Offender and Public Protection Registry website, <http://sbi.jus.state.nc.us/sor/>. For step-by-step instructions on how to use this website, see "How To Access the North Carolina Sex Offender and Public Protection Registry" in this handbook. The public may also obtain information about registration from the Attorney General's website, [www.jus.state.nc.us/NCJA/sexofreg.htm](http://www.jus.state.nc.us/NCJA/sexofreg.htm). The public may also call the Attorney General's Office Law Enforcement Liaison Section at (919) 716-6725. Be assured that the identity of the victim cannot be released.

### ❖ **What are the penalties for failing to register?**

If a sexual offender or sexually violent predator fails to register, fails to notify regarding a change of address, fails to return a verification notice, or forges any required information, that person may be immediately arrested and charged with a Class F felony.

Anyone can report an offender's failure to register. To do so, contact the law enforcement agency in the county in which the offender is to have registered.

### ❖ **How many sex offenders actually register?**

According to North Carolina State Bureau of Investigation statistics, from January 1996 to March 2001, 58 out of the 5,915 sex offenders required to register in North Carolina failed to do so. This represents a failure to register rate of only 1% . However, a higher percentage of sex offenders chose to move out of state. A total of 532 sex offenders (i.e., 9% of the 5,915 sex offenders required to register) moved out of state.

### ❖ **Where may I look for additional information on sex offender laws?**

Every state in the United States now has some type of law regarding sex offender registration. For a comparative list of state statutes on sex offender registration, see <http://www.calib.com/nccanch/pubs/stats00/sexreg/pdf>.

## ∞ HOW TO ACCESS THE NORTH CAROLINA ∞ SEX OFFENDER AND PUBLIC PROTECTION REGISTRY

North Carolina law states that only certain sex offenders must list themselves with the Registry. Sex offenders who are serving an active prison sentence for their crime(s) are not placed on the Registry until they are released from prison. This section provides step-by-step instructions for searching for offender information on the North Carolina Sex Offender and Public Protection Registry. If you do not have access to the Internet or if you have questions about the Sex Offender Registry, please contact the Law Enforcement Liaison Section within the North Carolina Attorney General's Office. This Office can be reached at: (919) 716-6725. Please note that the Department of Correction is **NOT** in charge of the Sex Offender Registry.

1. Go to <http://sbi.jus.state.nc.us/DOJHAHT/SOR> on the Internet.
2. Click "Search the Registry"
3. Complete the necessary fields in the form. The website form will look like the information below:

Not all fields are required. Only one geographic field (Zip or City or County) per search.

For a list of all options and combinations click here:

[Search Tips](#)

Enter the search criteria below, then click **Search the Registry**.

<b>Zip Code:</b>	<input type="text"/>
<b>City:</b>	<input type="text"/>
<b>County:</b>	<input type="text"/>
<b>Status:</b>	<input type="text" value="Recidivist"/>

---

<b>Last Name:</b>	<input type="text"/>	<b>First Name:</b>	<input type="text"/>
<b>Age:</b>	<input type="text"/>		

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<b>Records per Page:</b>	<input type="text" value="25"/>	<b>Search the Registry</b>
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## ∞ THE POSSIBILITY OF RE-IMPRISONMENT ∞

When the offender was sentenced, you may have been told that if the offender failed to follow the rules while he or she was being supervised by the Division of Community Corrections (on probation, parole or post-release supervision), the offender could be required to return to prison. An offender may ignore curfews, fail drug tests or fail to pay restitution. In other cases, which occur much less frequently, offenders have been known to commit further crimes.

When this happens, an offender can be returned to prison for failing to live under the terms of his or her supervision. However, every case is different. While many survivors want immediate action, and want the offender returned to prison immediately, the process can require several different steps before the offender is finally returned to a prison facility. And not every offender who breaks a condition or rule of his or her probation, parole or post-release supervision is required to return to prison. This may be very frustrating. The information in this section explains situations in which an offender can either be sent to prison or returned to prison for failing to following the terms of his or her supervision while living and working in the community.

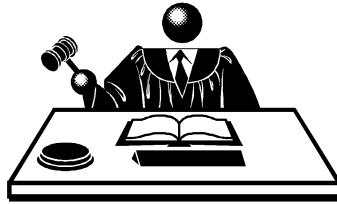
### PROBATION CASES

Some offenders on probation have more rules (also known as conditions or terms) to follow than others. For example, some offenders may have to register as a sex offender with the North Carolina Sexual Offender and Public Protection Registry. They may also have to meet curfews, work, pay restitution and attend treatment or job training programs. Most offenders on probation follow the conditions of their probation. However, in situations where the offender has failed to follow any one or combination of the conditions, which determine his or her behavior in the community, the offender's probation/parole officer (PPO) is usually one of the first people to know. Sometimes there may be times when the offender's PPO may not be aware of what the offender has been doing. This happens because a PPO cannot physically supervise an offender's activities and behavior 24 hours a day. However, your input can be very helpful. For example, if the offender has been threatening you by phone or by mail, it's a good idea to contact the offender's PPO to let him or her know what has been happening to you.

When a PPO believes that the offender has reached the point where he or she is a danger to the community or to him or herself, the PPO and his or her supervisor may agree that it is time to make the offender's behavior known to a judge. In probation cases, a judge decides whether or not the offender remains living and working in the community or goes to prison. The judge will hold a hearing called a "revocation hearing" to listen to the facts of the case. The judge will then decide if there is enough information to support sending the offender to



prison. If the crime occurred on or after July 1, 1999 and is covered by the Crime Victims' Rights Act, you may be eligible to receive notification about the offender's revocation hearing. You may also attend the hearing if you wish.



### PAROLE AND POST-RELEASE CASES

Offenders on parole or post-release supervision live and work in the community after they have served time in prison. This period of supervision is a part of these offenders' sentences. Most offenders on parole and post-release supervision follow similar conditions or rules as offenders on probation such as registering with the North Carolina Sex Offender and Public Protection Registry, finding and maintaining a job and/or participating in a treatment or job training program. However, unlike the conditions offenders on probation follow, the North Carolina Post-Release Supervision and Parole Commission sets the conditions for offenders on parole and for offenders on post-release supervision. If an offender is not following these conditions, the offender's PPO usually makes a report to the Commission. The Commission then determines whether there is enough evidence to arrest the offender. If there is enough evidence, the PPO is responsible for arresting the offender. Upon arrest, the offender will have a hearing called a preliminary hearing. This hearing is before a hearing officer whose job it is to listen to the facts and decide whether or not enough evidence exists to look at the situation further and consider returning the offender to prison. You may recall from your trial experience that the preliminary hearing is designed to present information to determine whether enough evidence exists to continue looking at the facts of the case. This is a similar type of hearing. If enough information exists to further evaluate the situation, the Commission will decide whether or not to revoke the offender's parole or post-release supervision and return the offender to prison.

In some cases, the process required to return an offender to prison can be drawn out and complicated. Delays and court dates may be set and then rescheduled. As a survivor, the whole process can leave you feeling very tired and anxious about the future. We recognize that this can be a scary and difficult situation to deal with. We encourage you to seek out the resources and people who are available, such as staff in the Office of Victim Services, who are ready and able to assist you with the information and guidance you deserve. You can reach the Office at either (919) 716-3681 or (800) 368-1985 (toll free).





## **PART FOUR:**

## ***TAKING ACTION***

## ∞ YOUR HEALTH ∞

As a survivor, you may have a number of concerns about your physical health. These concerns may be present whether you are male or female, young or old. Although you may want to avoid seeking help for these concerns, there are many important reasons for you to pay attention to your health. When people feel healthy, they often feel better, function better at work or school, and are able to offer better support to those who continue to need them. Keeping your body as healthy as possible can also play a part in improving your ability to heal emotionally.

### THE BENEFITS OF CARING FOR YOUR HEALTH

It is normal for survivors to worry about a further medical examination or the results of medical tests. It can be hard to have to think about the violence all over again. However, seeking medical testing and diagnosis for sexually transmitted disease and injury associated with sexual assault can give you:

- ❖ a medical professional to answer your questions and offer advice;
- ❖ possibly peace of mind that you are not injured or infected; or
- ❖ earlier knowledge of an infection or injury, which can provide the best opportunity for treatment and recovery. For example, several sexually transmitted diseases can be eliminated with a single dose of medication, but if left untreated can cause permanent harm.

Getting medical attention is as important for detection of illness as it is for treatment. Some injuries and illnesses related to a sexual assault are noticeable immediately. However, others, such as injuries affecting fertility or some sexually transmitted diseases (STDs), display no symptoms at all and can only be found with a medical test. Your health care provider can talk with you about your concerns and help identify symptoms that may be unfamiliar to you.

### TESTING THE OFFENDER

In some cases, you may have the right to request that the offender be tested for certain sexually transmitted diseases [see NC General Statute (GS) 15A-615]. Should you wish to learn more about this issue, please contact the Office of Victim Services at the Department of Correction at (919) 716-3681 or (800) 368-1985 (toll free).

## THE RIGHTS OF MINORS TO SEEK MEDICAL ATTENTION

As an adult, the choice of whether or not to seek medical treatment and testing is yours. Minors generally do not have the legal right to seek health services without the consent of an adult guardian. However, North Carolina law provides the exception that minors under age 18 do not need parental consent to obtain the following on their own [see GS 90-21.5]:

*Medical services for the prevention, diagnosis and/or treatment of:*

- ❖ STDs (including HIV/AIDS)
- ❖ pregnancy
- ❖ substance abuse (the abuse of drugs or alcohol)
- ❖ emotional disturbance (mental health concerns)

## DRUG AND ALCOHOL USE

Drinking alcohol and using drugs is one way that some sexual assault survivors choose to ease the painful feelings and physical reactions associated with the crime. You may have found that you have used either or both of these substances yourself more often now than before the assault. If you choose to drink and/or use drugs, it's important to know about the ways these substances can affect your body. One of the most important things to recognize is that while alcohol and/or drugs can dull your feelings, they also dull your ability to make clear-headed decisions about your surroundings and the people around you. When you aren't thinking clearly, it can be easy to miss signs that you may not be in a safe situation or with safe people. If you are going to drink and/or use drugs, do so in a safe place and with people you know and trust.

If you choose to drink and or use drugs, it is very important to know the way that these drugs may react with medicines your doctor or other healthcare provider may have prescribed for you. We encourage you to talk with your healthcare provider about the medicines he or she has recommended or prescribed for you. While certain medicines can help you feel better, they can also have a very harmful effect when they are taken with alcohol and/or drugs. Prescription medicines like Valium, Ativan and Xanax can be very dangerous if taken at the same time a substance like alcohol is in your body. Knowing what drugs your healthcare provider has prescribed for you, and their possible interactions with other substances, is an important way to keep your mind and body healthy and strong.

## CONFIDENTIALITY

Keep in mind that under the “doctor/patient privilege” most discussions with your doctor, nurse practitioner or nurse can be kept confidential, including your office and hospital records. However, it is recommended that you first speak with your local government health department or Planned Parenthood office rather than your private healthcare provider if you seek information about testing for HIV/AIDS and other sexually transmitted diseases. This is because a confirmed case of HIV/AIDS, syphilis, gonorrhea, chlamydia and some other sexually transmitted diseases must be reported to the public health department [see GS 130A-143]. Although your identifying details will be kept strictly confidential by law, the report is not anonymous. Your local health department will be most familiar with these regulations, and will therefore be more likely to follow the regulations in order to protect your privacy.

## FOR FURTHER INFORMATION

For questions regarding your medical concerns, please contact your local public health department, Planned Parenthood office, or rape crisis center. See Part Five “Additional Resources” for a list of rape crisis centers in North Carolina. Remember that the reasons you must be concerned for your health are not your fault. You were not given a choice; but you can control how you take care of your body and your health now.



## ∞ SAFETY MEASURES FOR ADULTS & CHILDREN ∞

### YOUR SAFETY

It is natural to think about your safety or the safety of your loved ones after a sexual assault. Many survivors feel their world is no longer a safe place – that if an assault can happen once, it can happen again. Although not every crime can be stopped, many powerful and practical steps toward reducing your risk of re-victimization can be taken.

While it is important to think about safety, it is even more important to create strategies for your safety so that if you feel you are in danger, you have an idea of what you would do. Keep in mind that while sexual assault prevention strategies in the media often focus on rapes committed by strangers, we know that the vast majority of sexual assaults are perpetrated by someone the victim already knows. While being overly suspicious of loved ones, friends and potential partners is not recommended, it is important for your own safety to at least be aware of the realities of the nature of sexual assault in our society.

The safety tips listed in the following pages were created to give you some ideas to use as you begin or continue your own planning. Each person's situation is different, so consider the tips that you feel best suit your situation and then take some time to develop your own safety strategies. Remember that your local agencies and programs, such as domestic violence agencies, law enforcement/campus police or rape crisis programs, are available to assist you with creating the most effective safety measures for your situation. Thinking about safety can be challenging, but it's an important task. Taking time now can make the difference between reacting with a plan or reacting without one.

#### With People You Know



- DO: If the offender is harassing you, tell your neighbors, co-workers and friends to call the police if they see the offender near you or your family. You may want to work out a sign to alert your neighbors to call the police for you. This sign can be anything from flicking on a light, banging on a wall or having a code word.
- DO: Record harassing telephone calls and keep harassing mail, including the envelope, in case you decide to press charges now or at a later date. Do not respond to the offender.

- DO: Keep a copy of your protective order with you at all times, if you have one. Place copies at work, with neighbors, with school personnel, in the car, and anywhere else you visit often. Dial 911 if the offender violates the order.
- DO: Discuss safety with your children. Boys as well as girls can benefit from conversations about safety. See “Your Child’s Safety” in this section.
- DO: Contact the Office of Victim Services at the Department of Correction if you are receiving unwanted contact from the offender. The telephone numbers are: (919) 716-3681 or (800) 368-1985 (toll free).

### Inside Your Home



- DO: Post emergency telephone numbers in a place in your home that you will remember.
- DO: Make your home as secure as possible. Consider changing locks, adding deadbolts and keeping your doors and windows locked.
- DO: Place a telephone in a room that can be locked from the inside and has a way of escape (such as through a window).
- DO: Decide on several ways to escape from your home such as paths to doors and windows. Practice getting out of your home using these routes. You may also want to plan on a route of escape in places you spend a lot of time such as your workplace or school.
- DO: Get an unlisted telephone number, caller ID and a block on your number when dialing out.
- DO: Keep flashlights in every room.
- DO: Take special care in the hot summer months, and do not leave windows or doors open and unsecured.
- DO: Take precautions on ensuring the privacy of your computer activity. Please see the section in Part Four “Your Privacy,” where important step-by-step tips are given for maintaining your privacy and safety on the computer.



- DO: Leave extra keys in a secure place, such as with a neighbor, rather than under the doormat or near the doorframe or window where an offender can break through, reach in and get the key.
- DO: Place a safe greeting on your answering machine. Do not put your full name or telephone number or indicate that you are not at home on the greeting.
- DO: Avoid identifying any personal information about yourself or your family in a computer chat room.

### Outside Your Home



- DO: Think about the area outside your home. Are there large bushes that should be cut back? Are there windows that need to be fixed? Do you have a lock on your electrical box?
- DO: Consider the circumstances when you are asked to provide your social security number. There are very few times when you must give this out. You may wish to refuse to give the information when asked on forms or by store clerks until you are given an adequate explanation of why it is necessary.
- DO: Be aware of your surroundings. Before you get into your car, look around the car, under the car and inside the car. Keep the doors locked when driving.
- DO: Avoid becoming drunk or high in situations where you are isolated, alone or vulnerable.
- DO: Get to know your neighbors, and keep their telephone numbers near your phone.
- DO: Consider signing up for a self-defense class. There is a growing number of such classes for both adults and children available across the country. For further information contact your local rape crisis center or law enforcement agency, marital arts studio, YMCA, YWCA or college campus police.

As you begin to use these safety tips, you may initially feel like you are overreacting, and your friends may tell you the same. However, continued use of sound safety tips is not overreacting, but rather creating good habits. Instead of making you aware of your vulnerability, safety measures give you more control over your life. In many situations, you know what you would do to protect yourself and those you care about.

## YOUR CHILD'S SAFETY

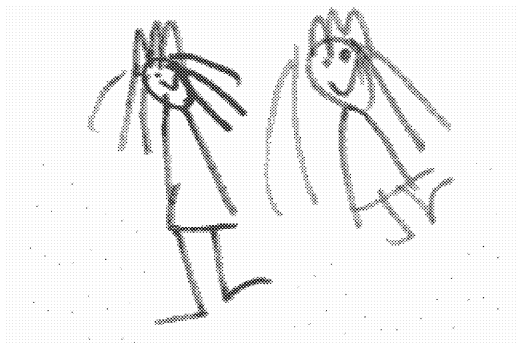
Thinking about safety is as important for children as it is for adults and teenagers. If your child has been sexually abused, your child and you as a caregiver may be concerned about how to prevent this from ever happening again. Prevention may also be an ongoing concern if the offender lives in your area or is a relative.

Unfortunately, it is impossible to completely prevent any chance of a sexual assault. Yet there is much that you and your child can do, including taking preventative measures. This not only helps reduce your risks, but it can also bring confidence to a child who may have been made to feel vulnerable and afraid due to past sexual abuse.

Keep in mind that most people who sexually abuse children select children they already know. It is very important that your child understand that he or she has a right to protect himself or herself against sexual abuse from anyone.

Ensuring that your child is not exposed to inappropriate violent or sexual images on television, in the movies, or at home is another important responsibility of a parent or guardian. In order to do this, you may need to block or filter your child's computer access to the Internet and other programs. Although we do not endorse any commercial program, some available filters may be found on the following websites: [www.getnetwise.org](http://www.getnetwise.org); [www.netnanny.org](http://www.netnanny.org); or [www.cyberpatrol.org](http://www.cyberpatrol.org).

As a parent or guardian, you have an important role as a caretaker. To help your child feel safe enough to confide in you, it is important to create an atmosphere of open communication. Time spent together developing safety strategies with your children is important, easy to do, and it can help increase your and your child's safety. Remember to ask your children what strategies they can think of, so that they develop the ability to think for themselves about their own safety.

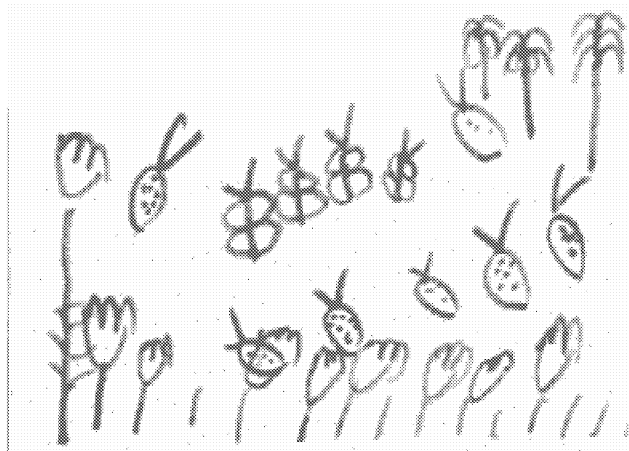


Note: The following tips are written for children to read and/or discuss with a caring adult. These are just several of the many ideas for keeping children safe. We encourage you to talk with your child about which strategies will work best for them.

### *Safety Tips for Children*

- ❖ Be sure you know your home telephone number (including area code) and address, and the telephone numbers of trusted adults. Learn how to use the telephone number “911” for emergencies.
- ❖ Remember that your body belongs to you and your privacy is important. For example, you have a right to privacy in the bathroom, when you’re sleeping, and when you’re dressing. You should not have to kiss, hug, or sit in the laps of anyone you do not want to, even if it is someone in your family you are close to.
- ❖ Listen to your inner warnings or the “uh oh” feeling. You may not understand everything going on, but your warning signals are there to help you get away from danger. Help your friends by warning them of dangerous persons or situations, but do not follow them into danger even if they tell you it’s alright. Trust your instincts.
- ❖ Whenever possible walk to school with a parent, friend, neighbor, brother or sister and take the safest route. Stay away from parks, vacant lots, fields, and other places where there aren’t many people around. Don’t go to places by yourself.
- ❖ If strangers approach you for help or to talk to you, even nice strangers, do not respond and get away from the area. You are not being rude; you are being smart and safe. Sincere adults know better than to ask help from children -- they would ordinarily find an adult.
- ❖ Avoid adults who focus only on you and take no notice of your parents or other adults around you.
- ❖ Hang up the phone if a caller frightens you or seems strange. Do not talk to the caller or give any personal information, including your name. Never tell the caller that your parents are out or that you are alone.
- ❖ Never write personal information on the computer over the Internet to anyone whom you do not know in person.
- ❖ If the person you tell about a situation of danger or abuse does not believe you, tell another person who cares about you at home, in your neighborhood, at your school or church. Don’t give up. Remember that children can call the police, rape crisis centers and child advocacy centers, too. For a list of rape crisis and child advocacy centers, see Part Five “Additional Resources” in this handbook.

- ❖ Keep talking to your parents or caregivers about what is going on in your life and any concerns you may have. Let them know who your important and close friends are. If anyone, especially an adult, tells you that you shouldn't tell your parents or caregiver something or that you will get in trouble if you tell them, be very concerned. Tell another adult about it.
- ❖ A self-defense class for children might be useful for you. If possible, take a self-defense class with a friend or parent so that you can encourage each other.
- ❖ **Remember that grown-ups are not the only ones who can try to protect you. You can help protect yourself, even if you are a young child, even if you have a disability, even if you are not very big. You are special and important, and you are strong, too.**



## ∞ YOUR PRIVACY ∞

Sexual assault survivors often experience an acute sense of loss and violation, not only from the assault itself, but also from having to explain their ordeal to strangers in the criminal justice system and even to those who care about them. Reclaiming your privacy, particularly about your victimization, can be one of the most powerful steps in your healing process. Whether you wish to discuss your life with others is your choice and there is no right or wrong approach in this regard. However, gaining a better understanding about how you can preserve your privacy offers you more choices, and can result in life-long skills that can aid you in taking control of your life and in protecting yourself and your emotional well-being.

This section provides a summary of the privacy concerns and protections for sexual assault survivors in North Carolina. When a North Carolina statute number is given, “GS” is used as an abbreviation for “General Statutes.” You can usually find a copy of the statute books in your local library’s reference section or view websites such as [www.findlaw.com](http://www.findlaw.com).



### WRITTEN RECORDS

#### *Information that is generally protected from the public*

The forms of information described in this section fall under a “qualified” privilege, which means that the information is confidential unless a judge chooses to override the privilege and compel disclosure in the interests of justice. All of these privileges can be “waived” by the victim, which means that the victim can give permission for the information to be disclosed.

In addition, North Carolina’s qualified privileges do not apply when the information is necessary for the investigation of abuse of children under age 18 or the investigation of abuse of disabled adults. For example, a sex offender’s medical records may possibly be obtained for the purpose of determining his or her test results for sexually transmitted diseases.

*Rape crisis center and domestic violence program records.* As of December 2001, your private conversations with rape crisis center and domestic violence program advocates are protected as confidential by law (see Session Law 2001-277). These programs generally will not reveal any of their records to the public or in response to a subpoena unless they have your permission or are ordered to do so by a court of law.

*Medical records.* Private and government medical and hospital records are confidential when they relate to information necessary for diagnosis and treatment of patients, and will not be disclosed to anyone without your permission (see GS 8-53; GS 143B-139.6). This applies to conversations with and treatment by physicians and those nurses and technicians who assist them. Optometrist (eye doctor) patient records (see GS 8-53.9), and pharmacist prescription orders (see GS 90-85.36) are also confidential. See the section in Part Four “Your Health” for more information.

*School records.* A student’s school records, including grades and disciplinary records, are not a matter of public record (see GS 115C-402).

*Attorney records.* In most cases, an attorney’s client records are confidential and will not be disclosed without your permission (see Revised Rules of Professional Conduct of the North Carolina State Bar Rule 1.6).

*Counseling records.* Records of client conversations with many types of counselors for the purpose of treatment are covered by a qualified privilege and will not be disclosed to the public without your permission, including records of the conversations and information given to: counselors (see GS 8-53.8), social workers (see GS 8-53.7), school counselors (see GS 8-53.4), psychologists (see GS 8-53.3), marital and family therapists (see GS 8-53.5), mental health commitment records (see GS 122C-207), treatment for substance abuse, mental health and developmental disabilities (see GS 122C-52), and spiritual counseling with priests, rabbis, and clergy of established churches (see GS 8-53.2).

#### *Information that is not generally protected from the public*

*Police records.* Most police records are matters of public record, and a copy can be purchased by anyone for a small fee. The information generally includes the name, sex, age and address of the “complaining witness” who is in most cases the victim (see GS 132-1.4(c)). Sometimes police reports temporarily conceal the identity and address of the victim from the public for safety purposes, but the information would often still be accessible by subpoena (see GS 132-1.4(d)). “Blind police reports,” or unofficial police reports filed by an anonymous victim in sex offense cases, are not generally open for public review.

*Court records.* Unless a court orders trial records sealed or portions of records sealed, most civil and criminal court records are open for public inspection, including witness’s names and addresses. The records would be available from the court clerk for a fee. Some exceptions include: juvenile cases tried in juvenile court (see GS 7B-3000) and civil child

protection hearings (see GS 7B-2901), which are records that would ordinarily be sealed. In North Carolina, transcripts from protective order hearings and records of the orders themselves are generally available for public inspection, including the victim's name and address. Occasionally courts will allow the victim's identity in protective order records to be restricted from public view.



### PRIVACY IN THE MEDIA

In North Carolina, the media protects the identity of sexual assault victims and survivors by internal policy, not by legal requirement. The vast majority of North Carolina's media organizations have established such policies against revealing the identity of sexual assault victims.

However, if disclosure of identity is made in print or by photograph without your permission, you may be able to sue the media organization. If the media organization is sued by a survivor for disclosure of his or her identity, then the court will balance consideration of the constitutional rights of freedom of speech and the press against the privacy interests of the victim. The United States Supreme Court has protected the free press in the past in some cases involving publication of a rape victim's identity. The question becomes what is "newsworthy," yet there is disagreement in the courts whether a rape victim's name is newsworthy in every case.

You have every right to challenge the media regarding its treatment of you as a victim. Your privacy interests may relate not only to your emotional well being, but also to your status as an employee, and your personal safety.

### SUING TO MAINTAIN YOUR PRIVACY

If you feel that your privacy has been violated by an employer, the media, or any other person or organization by disclosure of harmful truthful facts about you, you may be able to file a civil suit for damages. Although such suits are not common, it is a rapidly developing area of the law and its potential remains to be seen. There are several privacy torts (a type

of personal injury claim) in North Carolina, one of which is “invasion of privacy.” Sometimes tort attorneys will provide a free consultation, or take a case without requiring payment up front. In addition, if you feel that a publication about you has been untruthful, you may also have recourse to sue the publisher for defamation (libel or slander). The statute of limitations for libel or slander allows you one year from the harmful action to file suit (see GS 1-54 (3)).

Note that this information is not intended as legal advice. Legal advice should be sought from a practicing attorney licensed in North Carolina. Please see the section in Part Four “Your Legal Choices” for more information about locating an attorney.



## INTERNET PRIVACY

The Internet and e-mail can provide quick access to important information for sexual assault survivors. However, if you are concerned an offender may be tracking your computer activities, here are some safety tips to try to maintain your privacy and increase your safety. Remember that a simple tip to keep your computer activities from an abuser or offender may be to use a friend’s computer or a computer at your local public library. If you would like an introduction to Internet privacy in general, one example is the nonprofit website [www.wiredpatrol.org](http://www.wiredpatrol.org), which also offers volunteer assistance in tracking down cyberstalkers and child pornographers who make use of the Internet.

The North Carolina Division of Prisons does not offer Internet access to inmates. However, certain offenders can be resourceful in monitoring victims’ use of the Internet/e-mail. For example, a computer savvy offender may seek out the assistance of a third party to help track his or her victim. In our experience, the possibility of this occurring is unlikely. Yet it is important to remain aware of the ways you use your own computer.

Warning: If the offender is computer savvy, you may not want to follow some of these procedures. He or she may notice changes have been made. Some programs can be purchased that provide a more thorough and permanent elimination of your temporary files, web surfing histories, and outdated e-mail messages. Although we do not endorse any commercial program, one example of such a program is McAfee Quickclean 2.0 ([www.mcafee.com](http://www.mcafee.com)). A computer store will likely have good suggestions for more programs. Finally, for the greatest security when a computer savvy offender lives with you



or has access to your home computer, do not use your computer for personal e-mail or Internet searches at home. Rather, use a computer elsewhere, such as your friend's computer or one at your local library or Internet cafe.

### **TERMINOLOGY USED IN THIS SECTION**\*

**Administrator:** Person in charge of maintaining the computer system, particularly in an office environment. At home, the "administrator" functions on the computer system are often not used. The administrator's tasks include adding/deleting users, security, and monitoring the system performance. Computers running the Windows Operating system come with the account "Administrator" already created. See your computer manual for initial password information.

**Browser:** A computer program used to view web pages (e.g., Mozilla, Netscape, Internet Explorer, AOL)

**Cache:** An area of your hard drive that stores the web pages you viewed. This allows for the pages to be loaded more quickly if you decide to view them again.

**Cookie:** A small text file that is saved on your computer, which allows websites to save your preferences.

**E-mail:** Electronic mail. Mail sent over the Internet.

**Internet:** Developed in the early 1960s by the Advanced Research Projects Agency (ARPA, now known as DARPA) for the United States Department of Defense as a means of connecting nuclear weapon arsenals. Today, the Internet consists of computers connected all over the world.

**History:** A list of web pages you have recently viewed. These are easily accessible by clicking the "Forward" or "Back" button in your browser.

\* - from Perry & Schneider (2000) The Internet (2d edition)

### Passwords DOs and DON'Ts

- ❖ **DO** change your password as often as you feel necessary to keep safe, and keep your password and login information to yourself.
- ❖ **DO** choose a password that includes a combination of letters, numbers and symbols. This makes it the most difficult for a third party to determine.
- ❖ **DO** try to use a newer operating system that provides a more secure password system. Older systems such as Windows 95, Windows 98 and Millenium (ME) easily allow one to hit “Escape” and get around the password requirement to enter the system.
- ❖ **DO** assume people might get through your password defense. Anyone who knows how to gain administrative rights to your computer can easily find out your login and password information. Check your user’s manual to see what the initial administrator password is. This password should be changed to prevent others from logging into your system. Be sure to remember it or else you will not be able to make changes to your system in the future. You need to take precautions to cover your e-mail and browsing trail.
- ❖ **DO NOT** share your login and password information with anyone else. Create a “User Account” for each person who uses the computer. Follow the steps provided in your computer manual.
- ❖ **DO NOT** choose a password that is easy to guess. Avoid using pets’ names, children’s names, etc. Also, do not write down your password ANYWHERE. This includes writing down your password on a sticky note and attaching it to the computer screen, or writing down your password on a slip of paper and put it in a drawer or purse.

### E-mail

- ❖ Keeping your e-mail on your computer with an e-mail program, such as Outlook Express, that is maintained on your hard drive makes it easy for someone to read all about your life and activities.
- ❖ Set up a browser (Internet) based e-mail account such as [www.hotmail.com](http://www.hotmail.com) or [www.yahoo.com](http://www.yahoo.com). **DO NOT** choose an e-mail provider that requires you to enter your dial up e-mail address! Providers will send sign up information to your e-mail address and if you are not there to get it, someone else may. Since these e-mail accounts allow you to store your messages on THEIR machines, set up some folders in your mail account and save your messages online, rather than downloading them.

- ❖ Make sure you send all of your outgoing e-mail using one of these browser based mail accounts. If the settings are not correct on some mail programs, you could be leaving a trail on your computer.
- ❖ Remember to save and print all e-mail from a stalker/abuser. This could be used as evidence. If it is not safe for you to print them out or save them safely on your computer, forward them to your online mail account and store them there.
- ❖ If you decide to use an e-mail account on your computer (e.g., Outlook, Netscape Composer), change the preference/options to NOT save your sent messages.
- ❖ If you believe someone has learned your password, either change the password or close out that particular e-mail account.

### Browsers

Your browser (e.g., Netscape, Internet Explorer, AOL) stores a lot of information about you. Before you walk away from your computer, always clear cache, clear history, and clear cookies. Also, it is important to **CLOSE THE BROWSER** by clicking file and close, or by clicking on the “x” in the top right corner of your screen. Also remember if you bookmark a site (also known as “Favorites”) other people can easily use your bookmarks to see where you have been.

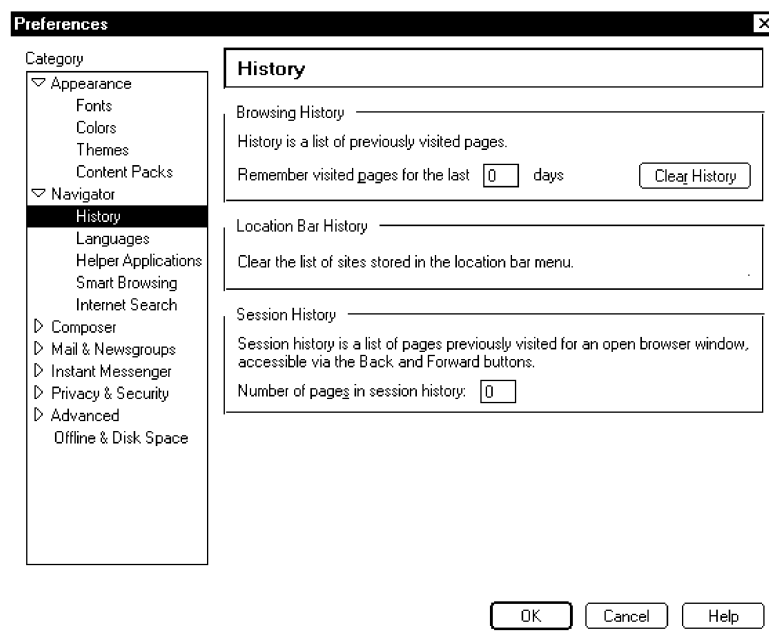
- ❖ **Clearing the Cache/History:** These items are typically found under one of the pull down menus at the top of the browser. They are usually found under the labels “Options” or “Preferences” and the terminology varies slightly for each browser.
- ❖ **Clear Cookies:** Cookies help websites keep track of your information on their website. Cookies are commonly used for account login and shopping. When you are done using your browser “Remove All Cookies” if the option is available.
- ❖ **Disable “AutoComplete”:** Auto complete remembers what you typed into a form and stores the information to assist you in completing future forms.
- ❖ **Empty Recycle Bin:** After clearing all of these files from your computer, please remember to empty your recycle bin. The recycle bin will store your deleted files, unless you empty it.



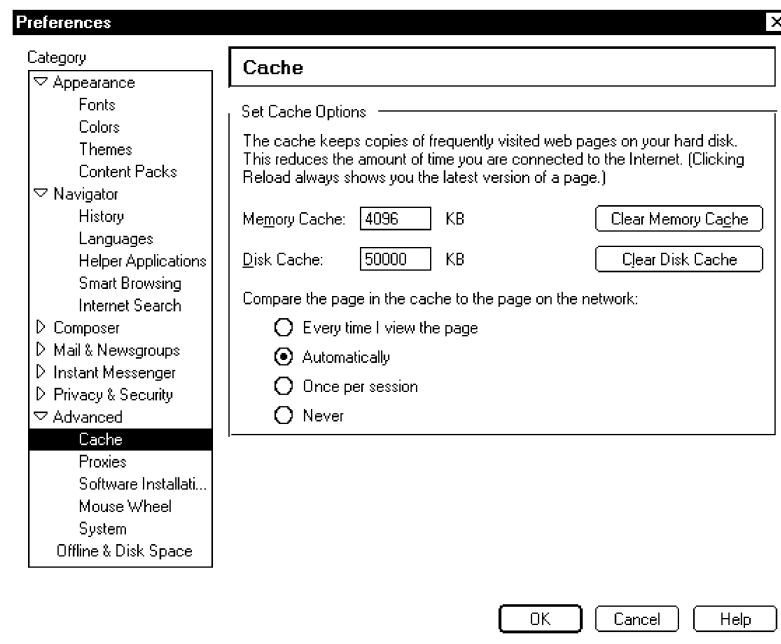
*The following pages offer step-by-step instructions on how to clear your tracks in two different common browsers (Netscape 6.21 and Internet Explorer 6.026):*

### In Netscape 6.21

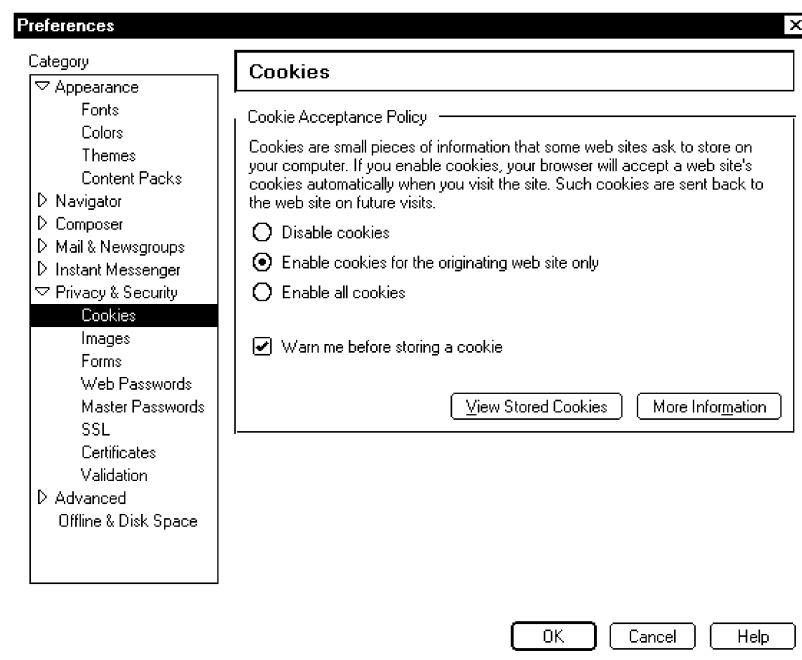
- 1) Under “History” (usually located under “Options” or “Preferences”) set “Remember visited pages for the last” to “0” days and click “Clear History”
- 2) Change “Number of pages in session history” to “0” and click “OK”



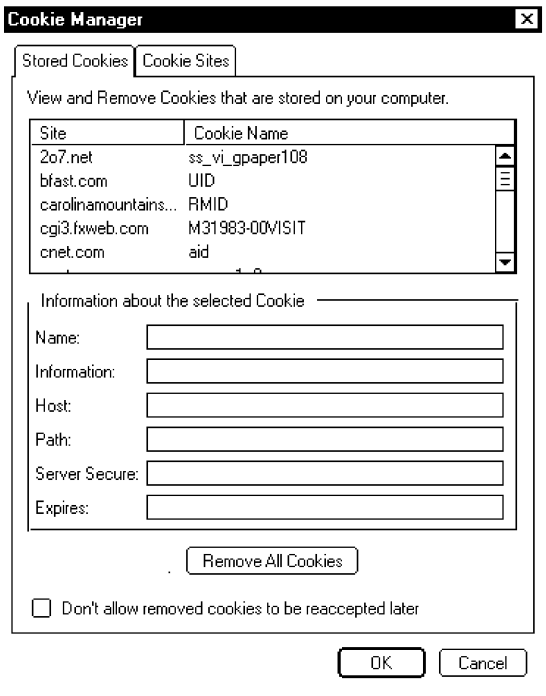
- 3) Under “Advanced” > “Cache” click “Clear Memory Cache” and “Clear Disk Cache”
- 4) Click “OK”



- 5) Under “Privacy & Security” > “Cookies” -- Click “View Stored Cookies”



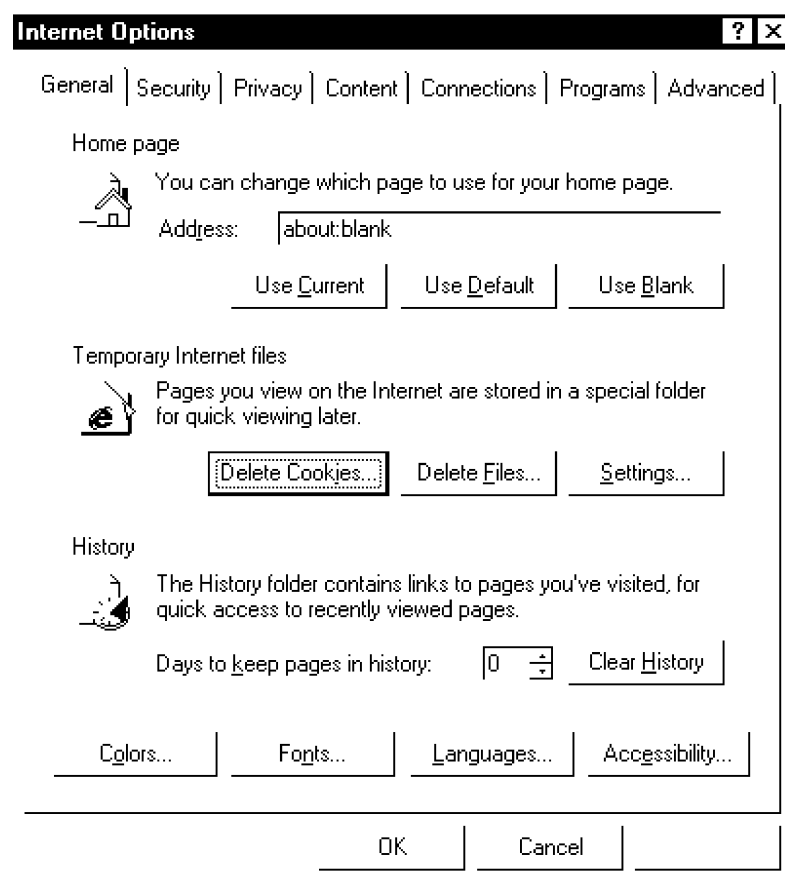
6) A new box will open. Click “Remove All Cookies”



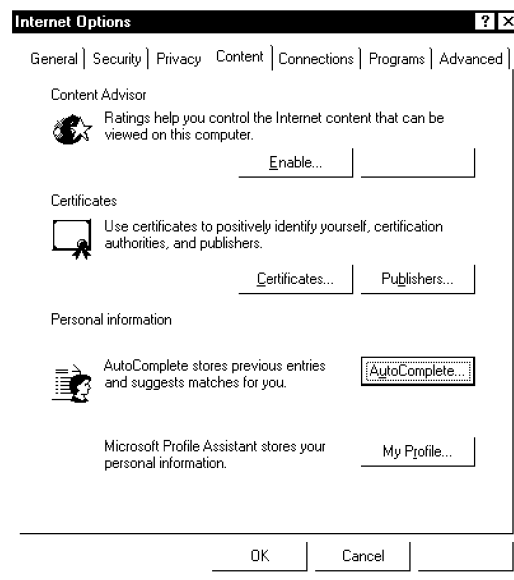
## In Internet Explorer 6.026

Under the “General” Tab

- 1) Click “Delete Cookies”
- 2) Click “Delete Files”
- 3) Set “Days to keep pages in history” to “0”
- 4) Click “Clear History”



5) Under the “Content” tab, click “AutoComplete” and a new box will pop up

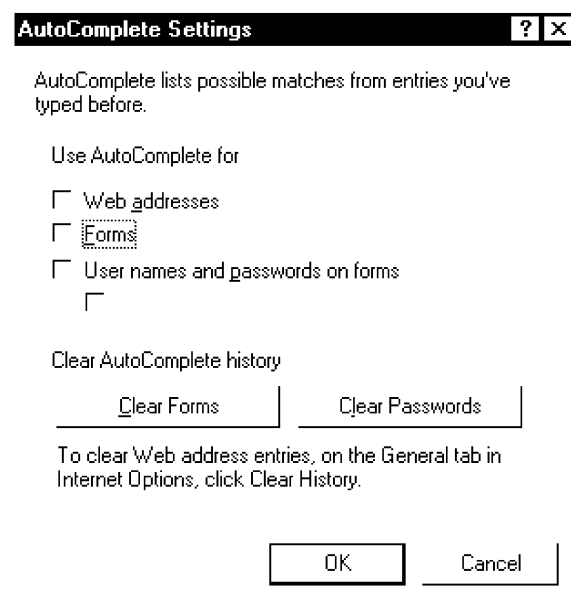


6) Uncheck “Web addresses,” “Forms,” and “User names and passwords on forms”

7) Click “Clear Forms”

8) Click “Clear Passwords”

9) Click “OK”





## ∞ LEGAL CHOICES ∞

Although the offender has been sentenced in your case, you still have a number of legal options that might be useful to you now or in the future. In addition, you may have ongoing civil (non-criminal) legal concerns, such as family law matters. Keep in mind that although the legal system does not always act the way that you would expect or hope, it is a tool that you can use to protect your interests. Some of the legal actions described in this section may be useful tools for you.

Note: None of the information in this handbook can constitute legal advice. We highly recommend that you seek the advice of a licensed attorney in North Carolina if you are interested in determining the legal possibilities in your own situation.

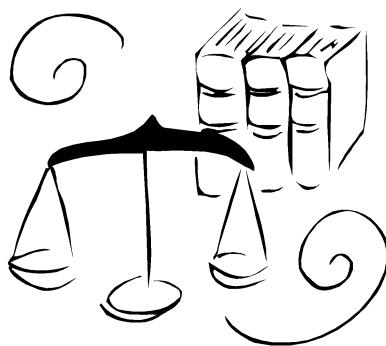
### FILING CIVIL SUITS

One legal option for some survivors is to sue the offender and/or others who committed or contributed to a sexual assault. Unlike in a criminal case, in a civil case the survivor becomes a client with a private attorney. The survivor in a civil case has much more control over how the case is conducted, if it will proceed to trial or be settled, and what evidence will be presented. There is a deadline to file a civil suit in court, called the statute of limitations. For example, in North Carolina, the statute of limitations for a civil assault and battery case is three years from the date of the assault.

In addition to cooperating in a criminal case, the survivor or the survivor's family may sue an offender if evidence of harm can be proved. If the court finds the offender liable (responsible) for the harm caused, it may require the offender to pay the victim for the damages caused by the assault (often called "money damages"). This can be a powerful remedy for the victim, particularly if the sexual assault has caused serious financial, physical or emotional problems and the offender has money to pay for the damages. In a civil case, the burden of proof is not as high as in a criminal case. It requires the judge or jury to be certain of the decision by a "preponderance of the evidence," which means over a 50% certainty. In addition, the court is not only allowed to award "(money) damages" for past and future (predicted) lost income, medical and counseling expenses, but it can also award damages for "pain and suffering" and emotional distress. These awards are occasionally very high.

In order to sue the offender, you must hire a civil attorney to handle your case. You do not necessarily have to pay the attorney in the beginning. Often, legal fees in these kinds of cases are taken by the attorney as a percentage of the award of money damages should you win the case. If you do not win, in this “contingency fee arrangement,” it is possible that no payment would be owed.

In North Carolina, some victims have successfully sued others who may be at fault for the assault, such as landlords or campuses that failed to provide adequate security to protect against sexual assaults. Also, those who have assisted in the assault in some way may be a potential target of a civil suit.



## PROTECTIVE ORDERS

If you are experiencing violence (including physical and/or sexual violence), stalking, or a threat of violence from the offender or anyone else, you should consider calling the police. Remember that some jurisdictions allow “blind reporting” or anonymous reporting of sexual violence. However, you may also wish to seek a civil domestic violence protective order (a “50B protective order”). The protective order is, as many people say, a “piece of paper.” However, as a legal tool it gives you more power with law enforcement and the criminal justice system than if you did not have the order.

You do not need to hire a lawyer before seeking a protective order because you can obtain it yourself. The case is initiated by filing a complaint for a domestic violence protective order at the courthouse. For low-income survivors who qualify for government funded "Legal Services" or who receive low income benefits there may be no court costs charged for filing the protective order. You can obtain the paperwork at the courthouse or your local domestic violence agency. Often times there are domestic violence court advocates available to assist you with filling out the paperwork. After filing the paperwork with the court, you will usually have an uncontested hearing with a judge on the same day. The judge will issue you a temporary restraining order evicting the abuser from the home if you are residing together and order the abuser to have no contact with

you until the contested hearing. The hearing date is set at the time you are granted a temporary order and has to be scheduled within the next ten days. The abuser will often hire an attorney (court-appointed attorneys are not available because this is a civil matter) to represent him at the hearing. Therefore, it is advisable to hire an attorney for the contested hearing or at minimum, obtain legal advice about what to expect at the hearing. Your local domestic violence agency or rape crisis center may have a list of attorneys who practice in this area of law.

As you may already know, successfully obtaining protective orders for sexual assault survivors and victims can sometimes be difficult in North Carolina. One major limitation is that the offender must be in or have had a “personal relationship” with you, which includes (as defined by North Carolina General Statute (GS) 50B1(b)):

- ❖ a current or former spouse
- ❖ a member of the opposite sex who is or has lived with you
- ❖ a person with whom you share a child in common
- ❖ current or former household members (likely covers roommates and same sex partners)
- ❖ or one with whom you were: “romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship” (GS 50B1(b)(6)).

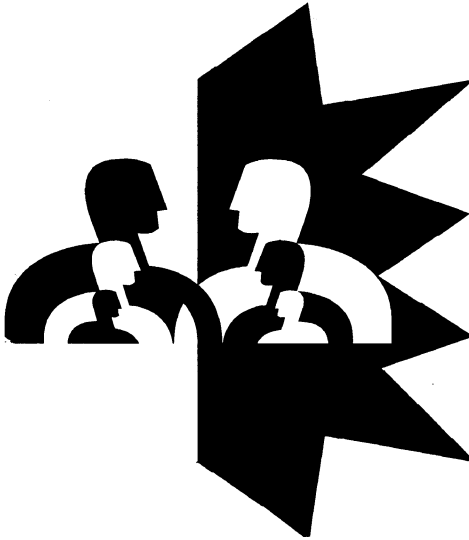
If the offender is a parent or guardian of a child survivor, and is putting that child in increased danger, remember that you have an additional tool through the Child Protective Services (CPS) agency, which can seek protective orders (under the statute GS 7B-303) for the immediate protection of your child from harm.

## FAMILY LAW MATTERS

If the offender is a spouse, parent or guardian of the survivor, family law issues, including divorce, parental rights and child custody actions, may be a consideration now that sentencing is over. If you are considering these actions, it may be in your best interest to begin the legal proceedings while the offender is in custody or under supervision. Contested legal suits in family law can be stressful and a source of hostility in many families, whether or not criminal violence has occurred. While every situation is different, you may feel a greater sense of protection and safety now while the offender is in the custody of the Department of Correction.

## TO FIND AN ATTORNEY

To obtain an attorney who meets your needs, you may contact the North Carolina Bar Association's Lawyer Referral Service at (800) 662-7660 (toll free) for free information. If you are interested in suing the offender or another party for the assault, let the Bar Association know that you are seeking a personal injury lawyer or one with experience in cases of civil assault and battery or intentional infliction of emotional distress. To find a woman attorney, the North Carolina Association of Women Attorneys may also be of help at (919) 957-0707. If you have very little money and are seeking an attorney for a family law matter, such as a divorce, custody or parental rights issue, you may wish to call North Carolina Legal Services at (919) 856-2564 or see [www.lsn.org](http://www.lsn.org) on the Internet. Note that a rape crisis advocate may be a good source of information about the legal community, and may even be able to accompany you through the process.



## ∞ RECOVERING FINANCIAL LOSSES: ∞ RESTITUTION & COMPENSATION

Obtaining restitution and compensation are two different ways of getting reimbursed for the financial losses you face as a result of the assault:

**RESTITUTION** is ordered by the judge at sentencing and is paid from the money the offender already has or will earn; including earnings from work on a job in the community while under the supervision of the Department of Correction.

**COMPENSATION** is paid by the North Carolina Department of Crime Control and Public Safety which pays claims that are filed by the victim, the victim's family or by service providers (e.g., hospitals) to cover costs such as counseling or medical expenses related to the crime. There are two compensation funds available to sexual assault survivors: Crime Victims Compensation and the Rape Victims Assistance Program.

It's helpful to understand the difference between these types of reimbursement so you can know what questions to ask should you ever need to.

### RESTITUTION

The Court may order the offender to pay restitution to the victim as part of the offender's sentence. Restitution is ordered to require an offender to pay back the victim for the costs associated with the crime. Some sentences, such as probationary sentences, allow the offender to begin working to making payments sooner than other types of sentences, such as incarceration in prison.

Restitution is paid from the money an offender earns while working in the community or from money he or she already has. If the judge ordered the offender to pay restitution in your case, and the offender has been sentenced to serve time in prison, the offender will not be able to earn money to begin payments unless he or she has been assigned to minimum level (3) custody **and** has received the privilege of participating in the work release program. This privilege is only given to inmates who are serving their prison sentence in the least restrictive custody level. See the section in Part Two "Division of Prisons & Its Services For Victims of Crime" for more information on this custody level.

While it may be some time before this happens, it is important to know that even though an offender is in minimum custody, he or she may not be earning enough money to pay the

restitution that is owed to you. Many people ask how this can happen. By law, the money that inmates earn while working in the work release program pays for several different things: a certain percentage is paid to the Division of Prisons to cover the cost of the inmate's food and bed space, transportation to and from work, a small amount to the inmate's personal account and child/spousal support. When each of these has been paid, restitution is the next item to be paid.

On the other hand, if the offender has been sentenced to pay restitution and serve a period of probation or is on parole or post-release supervision under the Division of Community Corrections, the offender may begin working and earning money very quickly. If this occurs, the offender may be required to pay his/her restitution as soon as possible.

Tracking an offender's restitution can be very challenging, as offenders are required to pay for many different things. Knowing that restitution is owed to you but that you are not receiving the money can be frustrating and discouraging. It can be difficult to hear that the offender is not earning enough money to pay restitution and even more upsetting when you believe the offender has the funds available to pay the restitution. This is why more and more survivors are using the civil legal system as a way of requiring offenders to address the harm caused by the crime. See the "Your Legal Choices" section for more information on civil law suits.

If you have questions about restitution that is owed to you by an offender serving a sentence in prison, please contact the Office of Victim Services, and we will be able to refer you to the appropriate office responsible for overseeing offenders' accounts. Staff can also refer you to the right person in the Division of Community Corrections who is supervising the offender while he or she is on probation, parole or post-release supervision.

**To check if restitution has been ordered in your case, and to update your address with the Clerk so that money can be mailed to you in a timely manner, contact the Clerk of Court's office in the county where the offender was sentenced. The Clerk will often refer you to the probation/parole officer responsible for supervising the offender. In either case, it is very important to have the case number. This number is also known as the "docket" or "case number." If you cannot locate the telephone number for your Clerk of Court, or if you need the docket/case number, please contact the Office of Victim Services at either (919) 716-3681 or (800) 368-1985 (toll free), and we will be able to provide it to you.**



## COMPENSATION

The State of North Carolina has two victim compensation funds for sexual assault victims: (a) Crime Victims Compensation fund, and (b) Rape Victims Assistance Program. Both programs provide financial compensation for medical expenses related to the assault, including physician and hospital expenses, ambulance expenses, counseling, and evidence collection such as a rape kit and lab tests. In addition, the Crime Victims Compensation fund may cover lost wages, household support loss and replacement services (e.g., child care expenses if the victim cannot care for his or her children due to the assault). Expenses covered by medical insurance or Medicaid will not be eligible for compensation.

### *Who Can Apply?*

#### Crime Victims Compensation:

The victim, the legal representative of the victim, or a service provider, such as a counselor or doctor, will be eligible to apply. A “victim” includes those who have suffered a personal injury from a crime, which by the nature of the crime posed a serious threat of personal injury or death.

#### Rape Victims Assistance:

Victims of certain sex offenses may be eligible to receive compensation. The service provider (such as the hospital) must apply for assistance on your behalf. Ask the emergency room staff or business office about coverage under the Rape Victims Assistance Program. If you are having difficulty in communicating with the service provider, please call the Division of Victims Compensation Services at either (919) 733-7974 or (800) 826-6200 (toll free).

### *Is There a Deadline and Other Requirements to File?*

Yes. To be eligible for either program, the victim must have reported the crime to law enforcement within 72 hours after the assault, although some exceptions are made. Only a report, and in some cases cooperation with law enforcement has to be made by the victim. The offender does not have to be arrested or charged with a crime for the victim’s expenses to be covered by these programs. Please try to keep good records of the services you’ve received and the receipts of your expenses. Some of the differences between the two programs include:

### Crime Victims Compensation:

The victim must have fully cooperated with the law enforcement investigation. Application for compensation must be made within two years of the assault. Economic loss must have been incurred within one year of the assault, except for children under age ten who may be compensated for losses up to two years after the assault.

### Rape Victims Assistance:

Cooperation with law enforcement is not necessary. A “blind” police report in which the victim chooses not to press charge may be sufficient to receive Rape Victims Assistance funds. However, the victim’s name must be identified for the service provider to apply for Rape Victims Assistance funds.

The medical treatment covered must have been received within 90 days after the assault. Itemized bills must be submitted by the medical staff to the Rape Victims Assistance Program within six months after the date of service, along with the name of the law enforcement agency to which the crime was reported. The medical staff must complete and submit the Rape Victims Assistance forms themselves.

### **How Much Money is Available?**

Crime Victims Compensation: A maximum of \$30,000 may be paid.

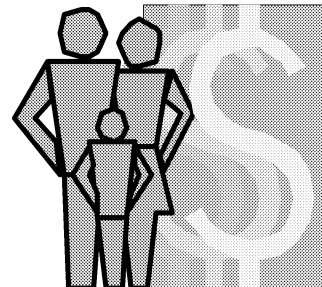
Rape Victims Assistance: A maximum of \$1,000 may be paid.

Note: The amount of funds available may change from year to year. The above amounts were accurate as of May 2002.

### **Whom Do I Contact to Receive an Application or More Information?**

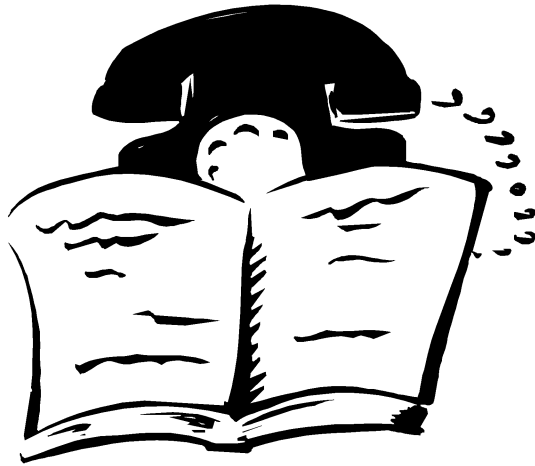
For both programs, please contact:

North Carolina Dept of Crime Control & Public Safety  
Division of Victims Compensation Services  
4703 Mail Service Center, Raleigh, NC 27699-4703  
Phone: (919) 733-7974 or (800) 826-6200 (toll free)  
Fax: (919) 715-4209  
Internet: [www.nccrimecontrol.org/vjs/](http://www.nccrimecontrol.org/vjs/)









## **PART FIVE:**

### ***ADDITIONAL RESOURCES***

## ∞ RAPE CRISIS CENTERS IN NORTH CAROLINA ∞

Your local Rape Crisis Center is a valuable source of information for you. North Carolina has one of the highest numbers of rape crisis centers in the country. Rape Crisis Centers not only provide prevention materials to the public and services for recent victims, but also assistance to those with questions and needs based on traumatic events from years past. In addition to providing information on personal issues such as how to work towards healing from the trauma of sexual assault, practical issues such as how to obtain rape victim compensation funds, and legal concerns such as referrals for a civil attorney familiar with the needs of survivors, rape crisis centers can offer continuing support for survivors through individual counseling and support groups. Even if you are unsure whether you need assistance at this time, do not hesitate to call your local rape crisis center to find out the range of services that are offered.

Rape Crisis Centers are generally open to all victims whether male or female, young or old, LGBT (lesbian/gay/bi-sexual or transgender) or straight (heterosexual). Do not be deterred if a Center's name uses words like "women's services" and you are not a woman, but a man or a teenager or a child. Note that Rape Crisis Centers offer private, confidential and often free services.

The following is a list of contact information for Rape Crisis Centers in North Carolina. When available, each agency's 24-hour crisis telephone number is also listed. If you feel a contact number may have changed, please call North Carolina Coalition Against Sexual Assault at (919) 431-0995 or (888) 737-CASA (toll free) or look at our website ([www.nccasa.org](http://www.nccasa.org)) to obtain the latest updated list of Rape Crisis Center contacts.



<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Alamance	Crossroads Sexual Assault Response & Resources Center	Main: 336-228-0813 Crisis: 336-228-0360
Alexander	(see Caldwell, Catawba, Iredell, Wilkes counties)	
Alleghany	DANA	Main/Crisis: 336-372-3262
Anson	Anson County DV Coalition	Main: 704-694-4499 Crisis: 704-690-0362
Ashe	A Safe Home for Everyone	Main: 336-982-8851 Crisis: 336-246-2743

<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Avery	(see Caldwell, Watauga counties)	
Beaufort	Options to Domestic Violence and Sexual Assault	Main: 252-940-1046 Crisis: 877-723-8390
Bertie	(see Hertford county)	
Bladen	(see Cumberland county)	
Brunswick	Hope Harbor Home, Inc.	Main: 910-754-5726 Crisis: 910-754-5856
Buncombe	OUR VOICE	Main: 828-252-0562 Crisis: 828-255-7576
Burke	Options, Inc	Main/Crisis: 828-438-9444
Cabarrus	CVAN Women's Program	Main: 704-788-1108 Crisis: 704-788-2826
Caldwell	Shelter Home of Caldwell County, Inc.	Main/Crisis: 828-758-0888
Camden	(see Pasquotank county)	
Carteret	Carteret County Rape Crisis Program	Main: 252-504-3668 Crisis: 252-247-3023
Caswell	(see Alamance, Orange, and Rockingham counties)	
Catawba	Rape Crisis Center of Catawba County, Inc.	Main/Crisis: 828-322-6011
Chatham	Coalición para la Paz Familiar	Main/Crisis: 919-742-1448
	Family Violence & Rape Crisis Services	Main: 919-542-5445 Crisis: 919-542-4422
Cherokee	REACH, Inc.	Main: 828-837-2097 Crisis: 828-837-8064
Chowan	(see Hertford and Pasquotank counties)	
Clay	(see Cherokee county)	

<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Cleveland	Abuse Prevention Council	Main: 704-487-9325 Crisis: 704-487-0043
Columbus	Families First, Inc.	Main: 910-642-5996 Crisis: 910-641-0444
Craven	Sexual Assault Resource Center	Main: 252-636-3381 Crisis: 252-638-5995
Cumberland	Rape Crisis Volunteers of Cumberland County	Main/Crisis: 910-485-7273
Currituck	(see Pasquotank county)	
Dare	Outer Banks Hotline, Inc.	Main: 252-473-5121 Crisis: 252-473-3366
Davidson	Family Services of Davidson County, Inc.	Main: 336-249-0237 Crisis: 336-243-1934
Davie	Davie Domestic Violence & Rape Crisis Services	Main: 336-751-3450 Crisis: 336-751-HELP
Duplin	Sarah's Refuge, Inc.	Main: 910-293-3467 Crisis: 910-293-3206 or 877-299-8111
Durham	Hacia La Paz Familiar	Main/Crisis: 919-286-2475
	The Women's Center at Duke University	Main/Crisis: Crisis: 919-684-3897
	Durham Crisis Response Center	Main: 919-419-7055 Crisis: 919-403-6562
Edgecombe	My Sister's House	Main: 252-462-0366 Crisis: 252-446-2400
Forsyth	Family Services, Inc.	Main: 336-722-8173 Crisis: 336-722-4457
Franklin	(see Durham and Wake counties)	
Gaston	Family Services, Inc.	Main: 704-864-7704 Crisis: 704-864-0060
Gates	(see Hertford and Pasquotank counties)	

<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Graham	(see Cherokee county)	
Granville	(see Durham and Wake counties)	
Greene	(see Lenoir, Pitt and Wilson counties)	
Guilford	Family Services of the Piedmont, Inc.	Main: 336-333-6910 Crisis: 336-273-7273
	Family Services of the Piedmont, Inc. (satellite)	Main: 336-841-0135 Crisis: 336-889-7273
Halifax	Hannah's Place, Inc.	Main: 252-535-5946 Crisis: 252-537-2909
Harnett	SAFE of Harnett County	Main/Crisis: 910-893-7233
Haywood	REACH of Haywood County, Inc.	Main/Crisis: 828-456-7898
Henderson	The Healing Place, Inc.	Main/Crisis: 828-692-3931
Hertford	Roanoke-Chowan SAFE	Main/Crisis: 252-332-1933
Hoke	(see Cumberland county)	
Hyde	(see Beaufort county)	
Iredell	Fifth Street Shelter Ministries/My Sister's House	Main: 704-872-4045 Crisis: 704-872-3403
Jackson	REACH of Jackson County, Inc.	Main: 828-631-4488 Crisis: 828-586-1911
Johnston	Harbor, Inc.	Main: 919-938-3566 Crisis: 919-934-6161
Jones	(see Craven, Lenoir, and Onslow counties)	
Lee	HAVEN in Lee County, Inc.	Main/Crisis: 919-774-8923
	The Hispanic Task Force	Main/Crisis: 919-775-5447

<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Lenoir	SAFE in Lenoir County	Main/Crisis: 252-523-5573
Lincoln	(see Catawba, Cleveland, Gaston, Iredell and Mecklenburg counties)	
Macon	REACH of Macon County, Inc.	Main: 828-369-5544 Crisis: 828-369-9116
Madison	Rape Crisis Center, Inc.	Main: 828-649-3912 Crisis: 828-649-3912
Martin	Options	Main/Crisis: 252-792-7169
McDowell	Family Services of McDowell County, Inc.	Main: 828-652-8538 Crisis: 828-652-6150
Mecklenburg	United Family Services Rape Crisis	Main: 704-336-2190 Crisis: 704-375-9900
Mitchell	Mitchell County Safe Place, Inc.	Main/Crisis: 828-765-4044
Montgomery	Crisis Counsel, Inc.	Main: 910-572-3749 Crisis: 910-572-3747
Moore	Friend to Friend Crisis Center	Main/Crisis: 910-947-3333
Nash	(see Edgecombe county)	
New Hanover	Rape Crisis of Coastal Horizons	Main: 910-392-6936 Crisis: 910-392-7460
Northampton	(see Halifax and Hertford counties)	
Onslow	Onslow Women's Center, Inc.	Main/Crisis: 910-347-4000
Orange	Orange County Rape Crisis Center	Main: 919-968-4647
	Orange County Rape Crisis Center (satellite)	Main: 919-643-0722 Crisis: 919-967-7273 or 866-935-4783
Pamlico	(see Craven county)	

<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Pasquotank	Albemarle Hopeline	Main: 252-338-5338 Crisis: 252-338-3011
Pender	Safe Haven of Pender County	Main: 910-259-8989 Crisis: 800-259-8887
Perquimans	(see Pasquotank county)	
Person	(see Orange county)	
Pitt	REAL Crisis Intervention, Inc.	Main/Crisis: 252-758-HELP
Polk	Steps to Hope, Inc.	Main/Crisis: 828-894-2340
Randolph	Randolph County Family Crisis Center, Inc.	Main/Crisis: 336-629-4159
Richmond	Womenfolk Unlimited	Main/Crisis: 910-997-4840
Robeson	Rape Crisis Center of Robeson County	Main/Crisis 910-739-6278
Rockingham	Help, Inc. Center Against Violence	Main/Crisis: 336-342-3331
Rowan	Crisis Council of Salisbury/Rowan, Inc.	Main/Crisis: 704-636-4718
Rutherford	PATH	Main/Crisis: 828-245-8595
Sampson	U Care, Inc.	Main: 910-596-0931 Crisis: 910-596-1345
Scotland	Domestic Violence & Rape Crisis Center	Main: 910-276-5505 Crisis: 910-276-6268
Stanley	(see Cabarrus, Montgomery and Union counties)	
Stokes	(see Forsyth, Rockingham and Surry counties)	
Surry	Rape Crisis/Sexual Assault Center of Surry County	Main/Crisis: 336-789-3500



<u>County</u>	<u>Rape Crisis Center</u>	<u>Telephone</u>
Swain	Swain/Qualla SAFE, Inc	Main: 828-488-9038 Crisis: 828-488-6809
Transylvania	SAFE, Inc	Main/Crisis: 828-885-7233
Tyrell	(see Beaufort and Dare counties)	
Union	United Family Rape Crisis/Child Abuse Services	Main/Crisis: 704-283-7770
Vance	(see Durham and Wake counties)	
Wake	Interact	Main: 919-828-7501 Crisis: 919-828-3005
Warren	(see Halifax county)	
Washington	Options	Main/Crisis: 252-793-9514
Watauga	Oasis	Main: 828-264-1532 Crisis: 828-262-5035
Wayne	The Lighthouse of Wayne County	Main/Crisis: 919-736-1313
Wilkes	SAFE, Inc.	Main: 336-667-7656 Crisis: 336-838-7233
Wilson	Wesley Shelter, Inc	Main: 252-291-2344 Crisis: 252-237-5156
Yadkin	(see Davie, Forsyth, Iredell, Surry and Wilkes counties)	
Yancey	(see Buncombe, Cherokee, Madison, McDowell and Mitchell counties)	



## CHILD ADVOCACY CENTERS IN NORTH CAROLINA

North Carolina has many child advocacy centers across the state that specifically provide services to help you and your family cope with the trauma of child sexual assault, as well as other forms of child abuse. These may include referral services, counseling, information, communicating with other agencies for you, protective order assistance, and simply providing a kind ear and a source of comfort and understanding about what your child may be going through.

Some child advocacy programs focus mainly on official investigations of child abuse, and others offer only referral services. However, many others offer a much broader range of services and work with child sexual abuse survivors and families long after an investigation is complete. The age range of children served varies from program to program, but will be within the range of infants to teenagers under the age of 18. Rape crisis centers may also offer services for children, be a good source for referrals, and they often provide services for teenage survivors. Please see the list of rape crisis centers in North Carolina in Part Five “Additional Resources.”



Please do not hesitate to call the child advocacy centers and programs in your area and ask what services they offer. Even if they cannot help you directly, they will likely be able to find out who can be of help to you. The following pages contain a list of child advocacy centers and programs in North Carolina.

Note: Programs that are full-member approved “child advocacy centers” are marked with an asterisk (\*). These child advocacy centers have met all of the standards and criteria as set out by the national governing body, the National Children’s Alliance in Washington, D.C.

<u>County</u>	<u>Child Advocacy Program/Center</u>	<u>Telephone</u>
Alamance	Exchange Club Family Center of Alamance County *Crossroads/Children’s Advocacy Center	336-438-2072 336-228-0813
Buncombe	Western NC Child Advocacy & Prevention, Inc.	704-254-2000
Burke	Burke Council for Prevention of Child Abuse *Gingerbread House/Burke County Child Advocacy Center	828-438-2872 828-430-9949
Cabarras	Children’s Advocacy Center	704-783-1736
Caldwell	Caldwell Committee for Healthy Families	828-757-8632
Catawba	Children’s Advocacy Center of Catawba County Children’s Protection Council	828-465-9296 828-465-9297
Cleveland	*Child Advocacy Center/Shelby Center	704-487-1278
Cumberland	Child Advocacy Center	910-486-9700
Davidson	Family Services of Davidson County	336-249-0237
Durham	Center for Child & Family Health NC	919-419-3474
Forsyth	Exchange Club Child Abuse Prevention Center of NC	336-748-9028
Guilford	*Family Services of the Piedmont, Inc. *Hope House Family Services of the Piedmont	336-889-6105 336-889-6161
Halifax	Hannah’s Place	252-535-5946
Haywood	*K.A.R.E.	828-456-8995
Henderson	*The Healing Place	828-692-0495
Iredell	Exchange/SCAN Center of Iredell County	704-878-2227
Jackson	*AWAKE, Inc.	828-586-3574
Lincoln	Lincoln County Coalition Against Child Abuse	704-736-8463

<u>County</u>	<u>Child Advocacy Program/Center</u>	<u>Telephone</u>
Macon	*KIDS Place, Inc.	828-524-3199
Mecklenburg	Council for Children Mecklenburg Child Advocacy Center	704-372-7961 704-373-9226
New Hanover	Child Advocacy Commission of Lower Cape Fear The Carousel Center, Inc.	910-791-1057 910-254-9898
Pasquotank	*Kids First, Inc Child Advocacy Center	252-338-5658
Pitt	*TEDI BEAR Children's Advocacy Center	252-758-1200
Randolph	Family Crisis Center	336-629-4159
Rowan	Prevent Child Abuse Rowan	704-633-5636
Rutherford	*Family Resources of Rutherford County, Inc.	828-286-7065
Swain	*The Heart to Heart Child Advocacy Center	828-497-7477
Transylvania	The Children's Center	828-885-7286
Union	United Family Services	704-283-7770
Wilkes	*Our House/Child Abuse Prevention Team	336-667-5555
Wilson	Prevent Child Abuse Wilson County	252-293-4340



*If you cannot find a program in the list above that works for you, please call any of the following organizations for additional suggestions:*

- ❖ Prevent Child Abuse North Carolina at (919) 829-8009 or (800) 354-KIDS (toll free)
- ❖ National Children's Alliance North Carolina Chapter at (828) 586-3574
- ❖ Your local Rape Crisis Center (listed in Part Five "Additional Resources")

## ∞ OTHER HELPFUL SOURCES OF INFORMATION ∞

### **If you need North Carolina information concerning:**

#### Legal and Legislative Resources

- ❖ the status of an offender's appeal, contact the Appellate Section of the NC Attorney General's Office at (919) 716-6400 or your local District Attorney's Office.
- ❖ the status of an offender's application for clemency, commutation or pardons, contact the Governor's Clemency Office at (919) 715-1695.
- ❖ the NC Sex Offender and Public Protection Registry, contact the Law Enforcement Liaison Section of the NC Attorney General's Office at (919) 716-6725.
- ❖ a free lawyer referral service, contact the NC Bar Association's Lawyer Referral Service at (800) 662-7660 (toll free).
- ❖ legislation affecting victims of crime, contact the NC Victim Assistance Network at (800) 348-5068 (toll free).
- ❖ low cost civil legal services for low-income clients, contact Legal Services of North Carolina at (919) 856-2564.

#### Financial Resources

- ❖ financial loss due to a crime, contact the NC Division of Victims Compensation Services at (919) 733-7974 or (800) 826-6200 (toll free).

#### State-wide Agencies Serving Victims

- ❖ sexual assault programs in your area, contact the NC Coalition Against Sexual Assault at (919) 431-0995 or (888) 737-2272 (toll free).
- ❖ domestic violence programs in your area, contact the NC Coalition Against Domestic Violence at (919) 956-9124 or (888) 232-9124 (toll free).

- ❖ child advocacy centers in your area, contact Prevent Child Abuse North Carolina at (919) 829-8009 or (800) 354-KIDS (toll free).
- ❖ offenders under the supervision or custody of the North Carolina Department of Correction, contact Office of Victim Services (919) 716-3681 or (800) 369-1985 (toll free).

*For Mandatory Reporting of Abuse*

To report abuse, please look for the Department of Health and Human Services (DHHS) in your telephone book for your local office. You can also find your local office on the Internet through the “County Directory” under [www.dhhs.state.nc.us/dss](http://www.dhhs.state.nc.us/dss) or by calling:

- ❖ Division of Adult Protective Services (919) 733-3818 (for abuse to adults age 18 or older).
- ❖ Prevent Child Abuse at (919) 829-8009 or (800) 354-KIDS (for abuse to children and youth under age 18).

*National Information and Information on Other States’ Services*

- ❖ National Organization for Victims of Crime (800) FYI-CALL (toll free).
- ❖ US Department of Justice, Office for Victims of Crime (800) 627-6872 (toll free).
- ❖ RAINN (800) 656-HOPE (toll free) - for information on rape crisis centers across the nation.