



INTERNAL MANAGEMENT POLICY & PROCEDURE

Applicability: ☒ Adult Operation Only ☐ JUVENILE Operations Only ☐ DEPARTMENT-WIDE

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VICTIM SERVICES Victim Offender Dialogue Program

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Approved By: , Secretary Next Scheduled Review: 05/2026

POLICY

The purpose of this policy is to establish a structured process within the Kansas Department of Corrections (KDOC) which provides victims of crime an opportunity to have facilitated communication with the resident/offender of the crime. This process is referred to as a Victim Offender Dialogue (VOD).

DEFINITIONS

Dialogue: An exchange of information on a particular issue between two or more people.

Facilitator: An individual trained to conduct Victim Offender Dialogues.

Offender: A person under post-incarceration supervision with the Secretary of Corrections.

Resident: A person who is in the legal custody of the Secretary of Corrections housed in a correctional facility.

Restorative Justice: An approach to addressing harm caused by crime. KDOC Restorative Justice programs are guided by the needs of victims and emphasize resident/offender accountability, with the intention to repair harm through voluntary, facilitated processes.

Restorative Justice Coordinator: An employee of KDOC Office of Victim Services who oversees all restorative justice programs.

Support Person: An individual whom the victim or the resident/offender may each choose to attend the VOD process and dialogue alongside the respective participant.

Victim: A person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

- a. Primary victim: the person(s) directly impacted by the crime.
- b. Secondary: the person(s) indirectly impacted by the crime.

Victim Offender Dialogue (VOD): A one-time structured dialogue between a crime victim and a resident, in a secure environment, led by trained facilitators utilizing Restorative Justice principles. The dialogue may take the form of a face-to-face meeting or alternative forms as determined by the victim and approved by the Restorative Justice Coordinator. The purpose of the VOD is to:

- a. Prioritize and address the needs of the victim in regard to the crime and provide an opportunity to experience healing.

- b. Encourage reflection, honesty, and personal accountability from the resident/offender and increase understanding of the impact of the crime as expressed by the victim.

PROCEDURES

I. Program Requirements

- A. In order to ensure victims know about VOD services and all VOD services are provided at the highest standards, the following programmatic guidelines are required:
 - 1. Information about the VOD program must be available through the KDOC website, Office of Victim Services (OVS) staff, and mailings from OVS.
 - 2. A VOD must be led by two trained facilitators. One of the facilitators must be a KDOC staff member.
 - 3. All VODs must be initiated through and overseen by the Office of Victim Services.
 - 4. A VOD must remain confidential for the victim, resident/offender, facilitators, support persons, and any other staff or volunteers who are involved in the preparation and dialogue process. All parties must sign the Confidentiality Agreement (Attachment A).
 - a. Video or audio recording or media presence may not be allowed unless approved by the Restorative Justice Coordinator and the facility's Public Information Officer, following agreement of all participating parties.
 - 5. Each VOD must consist of one facilitated dialogue only. It is expected that all desired questions and concerns requiring facilitation are addressed in one session.

II. Eligibility requirements for a VOD

- A. Victim eligibility
 - 1. The VOD must be initiated by the victim.
 - 2. All requests must be reviewed and considered on a case-by-case basis. Not all requests from victims may result in approval for a VOD.
 - 3. Victim requests for mediation, family reintegration, or on-going communication with the resident must not be considered appropriate cases for a VOD and may be referred to Victim Services Liaisons or community providers, as appropriate.
 - 4. Participation by the victim is voluntary. The victim may stop, pause, or withdraw participation at any time.
 - 5. When there are multiple victims eligible to participate in the VOD process, only one VOD may proceed at a time. Preference may be given to the primary victim, when appropriate.
 - 6. Victims must get approval from the facility prior to entering for a tour or dialogue. Background checks are required.
- B. Resident eligibility
 - 1. In order to participate in a VOD, the resident must not be in the process to appeal the conviction of the case involving the victim.
 - 2. The resident must be willing to acknowledge their role and responsibility for the harm caused unless an exception is made by the Restorative Justice Coordinator.

3. Participation by the resident must not affect their legal or custody status, classification, parole eligibility, release date, discharge date, or any other conditions of incarceration or parole.
4. Participation by the resident must be voluntary. The resident may stop, pause, or withdraw participation in the process at any time. Residents must agree without pressure, coercion, or expectation.

C. Facilitator eligibility

1. Facilitators must complete training approved by the Restorative Justice Coordinator.
2. Facilitators who are not KDOC employees must abide by the Volunteer Facilitator Agreement (Attachment B).
3. Facilitators who are not KDOC employees must be considered special guests when entering a correctional facility and as such, must be accompanied by KDOC staff at all times.
4. All facilitators must be given final approval to facilitate dialogues by the Restorative Justice Coordinator. An approved list of facilitators must be maintained and documented by the Restorative Justice Coordinator.

D. Support person eligibility

1. The victim must have the option to have one support person throughout the VOD process.
 - a. Support persons must get approval prior to entering a facility for a tour or dialogue. Background checks are required.
 - b. Support persons must agree to uphold the Support Person Agreement (Attachment C). If the support person does not uphold the Support Person Agreement, facilitators may deny their participation in the preparation and/or dialogue.
- 2.. The resident must have the option to have a support person.
 - a. The resident's support person must be a KDOC employee, contract staff, or volunteer that has worked with the resident in some capacity.
 - b. The resident support person must be required to sign the Confidentiality Agreement (Attachment A).

E. General eligibility

1. All participants must be 18 years of age or older.
2. Attorneys must not be permitted to participate in the VOD process. Attorney participation in a non-legal advocate role will be reviewed on a case-by-case basis.
3. There may not be open or on-going legal processes for the crime being addressed in the VOD.
4. All participants must comply with the policies and procedures of OVS and KDOC.

III. Victim Offender Dialogue (VOD) Case Approval and Documentation

A. Victim initiated inquiry and intake stage

1. A VOD may be initiated with the Office of Victim Services (OVS) when the resident is in post-conviction custody or supervision of the KDOC.
2. A victim who wishes to initiate a VOD must contact or be referred to the OVS Restorative Justice (RJ) staff.
 - a. The RJ staff must contact the victim within 5 business days of receipt of the request to discuss the victim's interest, program eligibility, and limits of the program.
 - b. If the victim wishes to move forward with their request and their case is eligible, RJ staff must complete an intake interview with the victim and gather relevant information about the criminal case and the resident.
 - c. In cases that are eligible, the RJ staff must prepare the gathered information to present to the VOD Review Committee.

IV. Case review stage

- A. The RJ Coordinator must notify the VOD Review Committee by email when a case is being considered and schedule a VOD Review Committee meeting within a month of the victim intake interview.
 1. RJ staff must present the case material to the VOD Review Committee for recommendation of approval or denial.
 2. The VOD Review Committee must be made up of trained VOD facilitators or individuals who are sufficiently trained in recognizing and responding to victim and resident issues.
 3. If the case has been approved by the VOD Review Committee and the resident is managed as a Sex Offender, a request for recommendations must be sent to the Clinical Director for Sex Offender Programming and to the Programs Director.
 - a. The Clinical Director or designee may reassess the resident for programming and make recommendations. The Programs Director may review the case for additional programming recommendations.
 - b. Recommendations may include, but are not limited to, placement in SOP and/or other cognitive programming, a referral to Behavioral Health, or information about areas of risk.
 - c. The VOD Review Committee must reconvene to discuss the recommendations to determine if the case can move forward and, if so, the appropriate timing for the VOD preparation process to begin.
 4. If a case is approved by the VOD Review Committee, the RJ Coordinator must assign two facilitators to the case. When assigning facilitators to cases the RJ Coordinator must consider the following:
 - a. Logistics of victim and resident locations
 - b. Conflicts of interest
 - c. Facilitator experience
 - d. Facilitator availability

5. Following case approval and facilitator assignment, the RJ Coordinator must contact the facility Warden, Parole Director or designee who must decide if the facilitators may meet with the resident to present the VOD request.
 - a. The facility Warden, Parole Director or designee must not inform the resident of the request.
 - b. The facility Warden, Parole Director or designee may consult with staff prior to rendering a decision. The confidentiality of the victim request must be maintained by all KDOC staff.
 - c. The following areas of concern must be taken into consideration by the facility Warden, Parole Director or designee prior to rendering a decision:
 - (1). The safety of all participants;
 - (2). The disciplinary record of the resident; and,
 - (3). The stability of the resident.

V. VOD case documentation

- A. The case information and all documentation must remain the sole property of KDOC. All written notes, information, and waivers gathered from the participants throughout the process are confidential and must be retained by the RJ Coordinator.
- B. Participation must not be noted in any of the resident's files. Notation in the resident's file must be limited to "Met with Victim Services." The purpose of the meeting must not be included.
- C. Facilitator(s) case notes must be confidential and be kept separate from resident files and databases.

VI. Preparation stage

- A. Facilitator's role
 1. After facilitators have been assigned to a case, they must contact the victim and set up a meeting.
 2. The facilitator(s) may travel to the victim within reason, as determined by the RJ Coordinator, for preparation meetings. Facilitators must meet with the victim in a neutral location outside of the victim's residence unless an exception is granted by the OVS Director.
 3. The resident must not be included in any aspect of the VOD process until the facilitators meet with the victim and the victim signs the VOD Program Victim and Offender Waiver and Release. (Attachment D).
 4. Following the victim's agreement, the facilitators must meet in person, when possible, with the resident and present the request.
 5. The resident must decide if they are willing to participate in the VOD. If so, the resident must sign the VOD Program Victim and Offender Waiver and Release (Attachment D).
 6. With consent, facilitators may share information about one participating party with the other participating party when it is relevant to the VOD process.
 - a. The resident's protected information must only be shared with the victim if the resident has signed the Consent for Release of Confidential Information (Attachment E) per IMPP 05-101D.

- b. The victim must determine what personal information facilitators may share with the resident.
- c. Facilitators must explain limits of confidentiality to all participants including mandated reporting requirements and reporting if new crimes are disclosed.
- d. The facilitators must promptly notify the RJ Coordinator of any issues during the preparation stage that may require additional program support for either the victim or the resident.
- e. If safety cannot be maintained, facilitators must pause or end the VOD and consult with the RJ Coordinator.
- f. If a face-to-face dialogue cannot occur, the facilitator(s) may explore alternative options with the approval from the RJ Coordinator. (See Section VIII A. for alternative options.)
- g. The facilitators must determine when the preparation stage is complete and when participating parties are ready for the dialogue stage.

B. Victim and Resident/Offender preparation

- 1. Prior to the actual meeting between a victim and resident, a comprehensive preparation period must be completed. Participants must be advised this process may take up to a year or longer.
- 2. Confidential preparation meetings must be held separately with the victim and with the resident and led by facilitators. Preparation meetings may be scheduled with each party approximately once a month until facilitators determine both parties are ready for the dialogue. Facilitators have the discretion to adjust the timing of the meetings based on the needs of the case and the participants.
- 3. Participation in the preparation stage does not guarantee that a face-to-face meeting between the victim and resident will occur.
- 4. The facilitators must support the participating parties in preparing mentally and emotionally for the dialogue and possible outcomes.
- 5. Ground rules for the dialogue must be established during the preparation stage. All parties must agree to the ground rules.
 - a. The ground rules must include but are not limited to: no physical and/or emotional abuse or threats of harm, parties will treat all involved with respect and dignity.
 - b. Any violation of these rules may result in the termination of the VOD.

C. Victim preparation

- 1. Facilitators must prepare victims for the dialogue by explaining the VOD program, discussing the crime and its impacts, identifying questions, and providing support and referrals to resources.
- 2. The victim, in collaboration with the VOD co-facilitators, must set the agenda for the dialogue. Working with the co-facilitators, the victim must have a voice in the other details for the dialogue such as but not limited to questions for the resident,

impact statements, how the victim wishes to be addressed, whether the victim is already in the dialogue room when the resident enters, and/or whether the victim wishes to speak first.

3. Prior to the dialogue, the victim may be offered a tour of the facility where the resident is or was held.
 - a. The victim's support person may accompany them on the facility tour.
 - b. Facilitators must be present on the tour.
 - c. The tour must be led by facility Warden or designee.
 - d. Victims must not be shown the residents current living quarters during the tour.

D. Resident preparation

1. Facilitators must prepare residents for the dialogue by explaining the VOD program, discussing the crime, detailing potential questions or scenarios, and supporting the resident with resources.
2. Facilitators must work with the resident to increase the resident's understanding of the impacts of their actions and encourage reflection, honesty, and personal accountability.
3. Residents must be advised that a VOD is not intended as a setting in which they should ask for or expect forgiveness unless it is led by the victim.

E. Support Person preparation

1. The support persons must be the same during the preparation and dialogue stages and should be present at a majority of the preparation meetings, unless an exception is granted by the RJ Coordinator.

VII. Dialogue stage

A. Face-to-face

1. Funding may be available to reimburse the victim for the cost of travel to the facility or parole office for the dialogue. In the event funding is not available, the cost of travel will be the responsibility of the victim.
2. Once the dialogue stage has been initiated, the resident may not be transferred to another facility except when extreme security concerns exist and not without prior consult with the RJ Coordinator.
3. The Warden, Parole Director or designee and the facilitators may designate hours and days that are acceptable to conduct the dialogue meeting.
4. The actual meeting must occur in a room at the facility or parole office as designated by the Warden, Parole Director or designee and in consultation with facilitators.
5. Both facilitators must be on-site the day of the dialogue.
6. Appropriate facility and/or parole staff may be briefed by the facilitators prior to the meeting. Staff may be asked to sign a Confidentiality Agreement (Attachment A).

7. A KDOC staff member may be available outside of the meeting room upon victim request.
8. Facilitators must speak separately with both the resident and victim before bringing all parties to the meeting room.
9. Facilitators must conduct immediate and separate debriefings with the victim and with the resident.

VIII. Alternative dialogue options

- A. Alternative options may be explored if a face-to-face meeting may not occur or is not desired by the victim. The options may include, but are not limited to the following:
 1. A dialogue completed using a video call platform or phone call.
 2. A written statement, from the victim to the resident.
 3. A list of questions from the victim that may be given to the resident by facilitators who will collect and share the responses with the victim.
 4. A resident of a similar crime may be selected by the RJ Coordinator to meet with the victim using restorative justice processes.
 5. Additional options may be explored with the RJ Coordinator.

IX. Post-dialogue stage

- A. The facilitators must follow-up by phone or in person with the victim and with the resident separately following the dialogue meeting.
- B. Follow-up must occur one time, approximately 30 to 60 days after the dialogue.
- C. Facilitators must provide participating parties support and make referrals to additional resources as needed.
- D. Upon completion of the follow up meeting, the VOD is complete and concluded.
- E. An evaluation must be sent to all participants to assess satisfaction with the process.
- F. Request for continued communication and contact between parties following the VOD must be reviewed by the RJ Coordinator on a case-by-case basis. Safety of all parties must be considered in the decision.

X. This IMPP must serve as final policy in all departmental facilities, and no General Orders shall be developed or implemented on this subject.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff, residents, and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees, residents, or offenders, or an independent duty owed by the Department of Corrections to employees, residents, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within

this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS

None.

REFERENCES

IMPP 05-101D

HISTORY

04-04-23 Original

ATTACHMENTS

Attachments	Title of Attachments	Page Total
A	VOD Confidentiality Agreement	1 page
B	VOD Volunteer Facilitator Agreement	1 page
C	VOD Support Person Agreement	1 page
D	VOD Program Victim and Offender Waiver and Release	1 page
E	VOD Consent for Release of Confidential Information	1 page

Victim Offender Dialogue Program Confidentiality Agreement

I, _____, understand that the Victim Offender Dialogue program and all meetings, discussions and face to face sessions involved is based upon establishing a secure safe environment for the victim and resident/offender participating, in order to facilitate a healing process.

I will keep confidential all that which is shared within any of the informal meetings and any sessions that include KDOC staff, volunteers, support persons, the victim, and/or the resident/offender. This includes content of the sessions, names, telephone numbers, addresses or any other information related to the dialogue.

Signature

Date

Signature of VOD Facilitator

Date

Victim Offender Dialogue Program
Volunteer Facilitator Agreement

Name: _____

**ACKNOWLEDGEMENT OF RISK, GENERAL WAIVER & AGREEMENT TO HOLD HARMLESS AND
IDEMINIFY**

I, _____, hereby request permission to work as a volunteer in the above named program. I understand that there are significant risks involved in entering and working in a correctional facility and/or parole office and these risks have been adequately explained to me. I agree that, in return for the information that has been provided to me, the permission to enter and work as a volunteer, and the experience I will gain as a volunteer, I will hold harmless and indemnify the State of Kansas. Further, I hereby waive any claims of any nature that I may have against the State of Kansas or any of its employees for personal injury, property loss, or property damage arising from or in connection with my work as a volunteer.

CONSENT TO ABIDE BY RULES AND REGULATIONS

I, _____, have read and understand the Kansas Department of Corrections Rules of Ethical Conduct policy. I understand that as a volunteer I will be under the control and direction of the Secretary of Corrections, the Warden/Parole Director, and/or their designee(s), and the Restorative Justice Coordinator while on the grounds of the facility or the parole office. I agree to comply with all policies, rules and regulations of the Department of Corrections, including all security directives. I understand that failure to comply can mean my volunteer services may be curtailed, postponed or discontinued by the Department.

CONSENT TO HONOR CONFIDENTIALITY OF THE VOD PROCESS AND VOD PARTICIPANTS

I, _____, have read and understand the Kansas Department of Corrections provisions regarding the confidentiality of information concerning all VOD participants. I will not use and/or disclose any information, while neither volunteering nor after my services are rendered, concerning all personal information gained while volunteering in the VOD program without prior written approval from the Warden, Parole Director or the Secretary and the Restorative Justice Coordinator.

CONSENT TO EMERGENCY MEDICAL CARE

I, _____, have been informed and understand that, in the event of any unforeseen medical emergency while on the grounds of any facility, I may be subject to the emergency medical care or first aid assistance available at the facility until I can be removed safely to a civilian medical care facility.

Volunteer Signature

Date

Witness

Date

Victim Offender Dialogue Program Support Person Agreement

A victim participating in a Victim Offender Dialogue is permitted to have one (1) support person of their choosing. This person should be the same throughout the VOD process. All support persons must agree to the following information prior to accompanying or being involved in any case. If facilitators feel the support person is not adhering to these guidelines, they can be removed as a support person.

I, _____, agree to adhere to the following guidelines as a support person:

- A support person's role is to enhance the victim's sense of safety and comfort.
- I am allowed to participate as an observer in the VOD process. As such I will not lead the conversation, disrupt the dialogue, or take the focus off the victim and their goals in any way.
- All communication regarding the VOD will be between the victim and facilitators. The facilitators will not communicate directly with the support person without the consent of the victim.
- If the support person is also eligible for their own VOD process, the support person acknowledges only one VOD may proceed at a time.
- I will comply with all policies, rules, and regulations of the Department of Corrections while on the grounds of a correctional facility or parole office. Failure to comply may result in my removal as a support person.
- I will support (to the best of my ability) the victim before, during, and after the VOD process. If I am unsure of how to best support, I will communicate with the facilitators for guidance.
- I will keep confidential all that is shared within any of the informal meetings and any sessions that include KDOC staff, volunteers, the victim and the resident/offender. This includes content of the sessions, names, telephone numbers, addresses or any other information related to the dialogue.

Signature

Date

Signature of VOD Facilitator

Date

Victim Offender Dialogue Program

WAIVER AND RELEASE OF LIABILITY

In exchange for participation in the Kansas Department of Corrections Victim Offender Dialogue program, and/or use of Kansas Department of Corrections property, facilities, and services, you agree to the following:

Participation in the Victim Offender Dialogue (VOD) program may directly or indirectly expose you to risk of personal injury to include death, property damage, losses, costs, and expenses. You agree that if you engage in the VOD or related activities, you do so entirely at your own risk. You agree that you are voluntarily participating in the VOD and assume all risks of injury, illness, or death.

This release of liability includes, without limitation, any and all injuries or losses which may occur as a result of your participation in a VOD activity.

You acknowledge that you have carefully read this “waiver and release of liability” and fully understand that it is a **release of liability**. You expressly agree to release and hold harmless the State of Kansas, its agencies and employees, including but not limited to the Kansas Department of Corrections, its employees, agents, special guest facilitators, and contractors, from any claim, liability or expense, including attorney fees, which may arise from, be incurred as a result of, or be related to my participation in the VOD. You further agree to indemnify the State of Kansas, its agencies and employees, including but not limited to the KDOC, its employees, agents, special guest facilitators, and contractors, for any claim, liability or expense, including attorney fees, brought by any person arising from, incurred as a result of, or related to your participation in the VOD.

By signing this release, you acknowledge that you understand the content of this waiver and release and that this release cannot be modified orally.

Name

Date

Witness

Date

PROHIBITION ON REDISCLOSURE: The information disclosed is from records whose confidentiality may be protected by State and Federal law. Further disclosure of this information is prohibited, except with the specific written consent of the person to whom it pertains. Violations may result in legal action against you and the imposition of a fine.