

MEMORANDUM

To: Attorney General Andrea Campbell, Chair
Victim Witness Assistance Board

Matthew Gorzkowicz, Secretary
Executive Office for Administration and Finance

Michael J. Rodrigues, Chair
Senate Committee on Ways and Means

Aaron Michlewitz, Chair
House Committee on Ways and Means

Timothy Carroll, Clerk of the House
Office of the Clerk of the House

Michael D. Hurley, Senate Clerk
Office of the Clerk of the Senate

From: Elizabeth Wilson
Superior Court and Child Abuse Administrative Chief
Cape and Islands District Attorney Robert Galibois

Date: January 12, 2026

Re: District Attorney's Program Plan Submitted Pursuant to G.L. c. 258B § 6

M.G.L. Chapter 258B Section 6 DA Report

Description of Services

Background

The Massachusetts Victim Rights Laws (M.G.L. 258B), enacted in 1984, established rights and services for crime victims to ensure them a “meaningful role in the criminal justice system”. Crime can significantly impact a victim’s safety, emotional and physical health, and financial security as they navigate the complex and often intimidating criminal justice system. The Victim Rights Law seeks to address the impact of crime by ensuring crime victims and witnesses can effectively participate in the criminal justice process and access resources to address the short- and long-term impact of the crime.

Chapter 258B affords crime victims the right to be informed, present and heard throughout the criminal justice process. Additionally, the statute outlines certain rights and services to address the wellbeing of the victim. Victim rights extend to a victim’s family members when the victim is a minor, deceased, or incompetent.

Certain rights within the law pertain specifically to non-victim witnesses subpoenaed to testify during a criminal matter. Serving as a witness in a criminal matter can be an intimidating process and impact a witness’ safety, emotional and physical health, and financial security.

Victim Witness Program in District Attorney’s Offices

The Victim Rights Law directed prosecutor’s offices and other criminal justice officials “to create and maintain a program to afford victims and witnesses of crimes the rights and services” established under Chapter 258B. Although many District Attorneys already offered victim services, the law created the opportunity for consistency of services statewide.

To effectively serve crime victims and ensure their rights are afforded, District Attorneys have created victim witness programs employing **Victim Witness Advocates (VWAs)**. The VWA serves as a member of the prosecution team and works in partnership with prosecutors, police, investigators, and other staff to assist victims and witnesses. They work in the District, Juvenile, and Superior Courts and in specialized units addressing domestic violence, sexual assault, human trafficking, community violence, and solved and unsolved homicides, or providing specialized services to children, the elderly, and persons with disabilities. VWAs build relationships with both criminal justice and community-based stakeholders to ensure victims’ access to information, assistance, and support. VWAs regularly work with individuals and organizations on behalf of victims and witnesses such as:

- Community-based domestic violence, sexual assault, homicide, legal assistance, and trauma services
- Probation Officers

- Parole Board Staff
- House of Correction Officials
- Department of Correction Officials
- Attorney General Victim Compensation Staff
- Department of Children and Families (DCF), Department of Transitional Assistance (DTA), and other state and federal support services
- Disabled Persons Protection Commission and Elder Protective Services

These established relationships and the VWA's understanding of available resources ensure victims access to appropriate services and reduce barriers to receiving information, support, and additional referrals.

Affording Rights to Crime Victims and Witnesses

Right to be Informed

- VWAs provide information to ensure crime victims and witnesses understand their rights, the case involving them, the criminal justice process, and their role in it. Advocates help prepare victims to understand the potential outcomes of each step within a criminal matter, the roles that individuals play within it, and often serve as the identified liaison for victims and their families. They regularly provide timely information about court dates and hearings to help minimize the impact on victims and witnesses' employment and family obligations (childcare, elder care, etc.).
- Once a criminal matter has been resolved, whether an offender is found guilty or not guilty, VWAs ensure victims, witnesses, and their families understand the outcome and any sentence that has been imposed by the court.
- VWAs assist victims and witnesses with gaining access to offender information. Victims are entitled to information about an offender's release from custody and/or conditions of probation or parole. This can include a "stay away" order or electronic monitoring conditions requiring the offender to remain away from the victim.

Right to be Present

- VWAs accompany crime victims to all relevant court proceedings and are available to answer questions and address concerns as they arise.
- VWAs strive to create a safer environment for victims at the courthouse by planning for potential issues that may arise in the court building during proceedings and working to reduce interactions amongst the various parties to the criminal matter, e.g., defendants, their families, and the media. Additionally, VWAs serve as the entry point to the designated safe and secure waiting areas designated in most courts across the Commonwealth.

Right to be Heard

- VWAs regularly guarantee the victim's right to be heard throughout the criminal justice process. The law recognizes the importance of victim input throughout the process, and advocates help victims achieve these important milestones including:
 - Opportunities to provide input to the prosecutor, the probation department, and the court regarding sentencing.
 - Delivery of a Victim Impact Statement at sentencing detailing the physical, emotional, and financial costs of the crime.
 - Ensuring that post-conviction agencies also have access to the Victim Impact Statement and that the victim is registered to deliver a statement to the Parole Board when applicable.

Helping Victims in the Aftermath of Crime

District Attorney Victim Witness Programs play a critical lifesaving role for victims outside of the courtroom. They assist victims in addressing the ongoing and evolving impact of the crimes committed against them.

Planning for Safety

- VWAs assist victims who live under threat to their safety to strategize, think through the violent events committed against them and plan for the future. They help victims to understand and access court ordered protection when necessary and plan exit strategies for themselves and their children when in danger of further violence.
- VWAs also assist victims and witnesses in relocating to a shelter or a safer community when necessary. This can include applying to the state witness protection fund, when deemed appropriate to keep a witness safe.

Connecting to Free Resources

- VWAs assist crime victims in applying for the **Victim of Violent Crime Compensation Program** offered through the Attorney General's Office pursuant to M.G.L. Chapter 258C. This program receives approximately 1,500 new applications each year and reimburses victims "out of pocket" costs such as medical, dental, and mental health expenses, funeral/burial costs, security measures, and other costs. A VWA's assistance is often the first step to accessing this critical resource to ensure the financial impacts of violent crime are addressed.
- Victims are connected to free community-based services that have been established to serve victims of all crimes and meet their unique needs. VWAs regularly reach out to programs servicing victims of domestic violence, rape, homicide, and other crimes to access shelter, counseling, or legal assistance for the victims they serve.
- Trauma from violent crime and the court schedule can significantly impact a victim's ability to maintain a regular schedule at school and work. VWAs assist victims in communicating with educators, administrators, and employers about the impact of violence and the rights of victims to attend court proceedings.

The Cape and Islands District Attorney's Victim Witness Assistance Program Plan

As outlined in M.G.L. c. 258B, § 6

Personnel

The Cape and Islands District Attorney's Office currently employs eleven Victim Witness Advocates to provide services in the following courts:

- Barnstable Superior, District and Juvenile Courts
- Orleans District and Juvenile Courts
- Falmouth District and Juvenile Courts
- Martha's Vineyard Superior, District and Juvenile Courts
- Nantucket Superior, District and Juvenile Courts

Due to personnel changes, four of our VWAs are new this year.

Collaboration

To provide appropriate and timely services, Victim Witness Advocates collaborate with all local police departments, the Massachusetts State Police, Sheriff's Departments, Massachusetts Parole Board, Sex Offender Registry Board, the Attorney General's Office, Probation Departments, Victim Rights Law Center, and the Victim Notification Registry. Collaboration also includes but is not limited to local social service agencies such as: The Children's Cove, Independence House, SAFEPLAN, Legal Services, Cape Cod Hospital, Falmouth Hospital, Provincetown Lesbian, Gay, Bisexual, Transgender and Questioning (LGBTQ) Community.

Training

Extensive training is provided for new Victim Witness Advocates within the District Attorney's Office. Senior Advocates and Assistant District Attorneys introduce new advocates to the nuances of the court system and the role of advocates in the court process in accordance with the Victim Bill of Rights. In office trainings include Mass. Rules Crim. Procedure 14, homicide, motor vehicle homicide, domestic violence, sexual assault, child abuse, elder abuse, LGBTQ abuse, human trafficking, parole, probation, house of correction, juvenile, bail, and legal services. Victim Witness Advocates also participate in external working groups such as domestic violence round tables, high risk task forces, community vigils, and presentations.

Massachusetts Office for Victim Assistance "MOVA" offers specific trainings for advocates as listed:

- **Annual Victim Rights Month – Virtual - April**

This year, the National theme was KINSHIP: a call to action to recognize that shared humanity should be at the center of supporting survivors and victims of crime. There were

several webinars offered throughout the month of April. Some examples of the webinars offered are:

Coercive and Controlling Behaviors – Understanding New Protocols: this was in reference to the changes to M.G.L. 209A;

AT & Ts Domestic Violence Digital Safety Initiative: this discussed AT & T's safety initiative to address technology facilitated abuse, safety tools for online security, devices and so forth.

Know Your Rights: this provided immigrant survivors with information on their legal rights and available protections, updates on policy discussions and how advocates can help survivors navigate through complex systems

- **New Advocate Training – Bi-annual**

The New Advocate Training is a three-day training for new Victim Witness Advocates working in District Attorney's Offices or other government-based court settings. The training is for advocates with less than one year of experience. This past August, two new advocates attend the training that was held in Milford, MA. The training covers a wide array of topics that are pertinent to Victim Advocacy in the courts including but not limited to general overviews of the Criminal Justice System, working with prosecutors, collaborating with community partners, post-conviction information, trauma, and a survivor's perspective. The training also often includes information on self-care and vicarious trauma. A couple of specific examples from the training are: VWAs learned about trauma informed language, victim rights and safety planning, VNR, victim compensation, probation VSU and ELMO.

- **Training Academy, (MTA) – Summer**

There are two levels, or tracks of training offered. One is the Introductory Track, for advocates with 1-3 years of experience, and the other is the Leadership Track, for advocates with 3 or more years' experience. We had one VMA attend the Introductory Track Academy in July. The MTA is for both legal and community-based advocates statewide. It offers workshops to support trauma informed, culturally responsible and inclusive services to the diverse communities that are served in the Commonwealth. A few examples of workshops from this year are: Gender Affirming Language 101; Supporting Immigrant Survivors and Responding to Sexual Violence.

In addition to The Massachusetts Office for Victim Assistance (MOVA) trainings, other agencies with whom VWAs work regularly also offered virtual and in-house trainings. For example, the Massachusetts Department of Criminal Justice Information Services, (DCJIS), offered virtual trainings on the Victim Notification Registry, (VNR). Newly hired VWAs participate in the trainings to learn when to offer the use of the VNR, as well as how to navigate the online application for both release notifications and criminal offender record information. The Sex Offender Registry, (SOR), also offered virtual trainings to advocates to share information about their agency, the classification process, sex offender levels and registration, and the application

process that VWAs use to allow victims to participate in the process and receive notice from the SOR.

The Massachusetts Probation Service also offered Post-Conviction Trainings that some of our new VWAs were able to participate and included an overview of the Victim Service Unit, their outreach efforts, the nature of information they can share with victims, levels of supervision of probationers, and information on the “ELMO CENTER” and ELMO Exclusion Zones. Over the past few years the MA Probation Services provide advocates that work within the criminal legal system additional trainings that are focused on post-conviction services which are important to our roles as VWAs. Our assistance does not stop once there has been a disposition on a case. These trainings are offered by ZOOM with a schedule offered well in advance to increase the ability for advocates to attend. MA Probation Services and the other agencies offer in person trainings when requested as well. The trainings offered this past year are as follows:

April: Department of Criminal Justice Information Services

May: Department of Youth Services

June: Department of Correction

September: Parole

October: MA Probation Service

November: Sex Offender Registry Board

The Children’s Cove, the Cape and Islands Child Advocacy Center, held their annual Champions for Children Seminar in May which a couple of staff members attended. The Seminar was a daylong event focusing on *Child Physical Abuse for the Non-Medical Professional – Understanding the Injuries*, presented by Dr. Neha Mehta, Board Certified Pediatrician..

Additionally in October the Children’s Cove sponsored a VWA to attend the *CAC-MDT Training Summit*. This seminar was a daylong event with three workshops and 3 presenters. The following topics were discussed: *Manipulation & Grooming in Child Abuse Investigations* | Bradley Graham, MS; *When Child Sexual Victimization Meets Technology* | Michael Galantino, JD; and *Child Labor Exploitation and Trafficking* | Amy Farrell, PhD.

Independence House, Cape Cod’s domestic and sexual violence advocacy center, also offers trainings and resources through their Domestic Violence Quarterly Meetings. A couple of examples from the past year included MA Probation Service and Victim Service Unit. The Annual Independence House Domestic Violence Awareness Month Community Breakfast is held in October which focused on the impact of domestic violence on individuals, families, and communities. The speakers at the Community Breakfast provide information on domestic violence, including how to aid someone that has been a victim of domestic violence. Domestic violence survivors share their experiences at breakfast and usually at least one survivor is from our own community. This year a survivor and a national expert on domestic violence, who survived a shooting by her intimate partner, spoke at the breakfast and shared her resilience and courage.

The Cape and Islands District Attorney’s Office VWAs also receive additional training and resource information throughout the year. This year several in-house trainings were held, these

Lunch and Learning meetings, were held for several months for VWAs to attend during lunch breaks from court. Each of these meetings were sponsored by different organizations that VWAs work with daily, examples include: *Independence House, Bay Cove Human Services, Barnstable District Court Probation Department, MOVA – Victim Compensation, and the MA Parole Board – Victim Services and General Counsel.*

In May, the Cape and Islands District Attorney's Office, Independence House and the Barnstable and Yarmouth Police Departments sponsored a *SDV Awareness Training Series: Collaborative Success in Sexual and Domestic Violence Cases*. This training was for a wide variety of professionals who interface or work with survivors of sexual and domestic violence, such as police officers, probation officers, nurses, social workers, and elder services providers. The presenters were seasoned professionals from the two police departments, a seasoned VWA from our office, MA Probation Services, Barnstable County Sheriff's Office and Independence House. There was also a survivor who spoke to her experience with the system and shared her insights with the group. Ultimately, participants learned best practices for their profession, services other agencies provide, and strategies to enhance a multidisciplinary response to sexual and domestic violence victims after having group discussion based on case studies.

In September, representatives of MOVA presented at the Cape and Islands District Attorney's Office regarding the Victims of Violent Crime Compensation process. In October, representatives from the MA Parole Board Victim Services and general counsel presented at the Cape and Islands District Attorney's Office regarding the services they provide, and how it pertains to the work of VWAs.

With the funding from a grant, one of the VWAs was able to attend the annual national Conference of Crimes Against Women, (CCAW), in Texas in May. The conference offers over 200 workshops to over 3000 participants over four days. There are a large variety of attendees, from VWAs, prosecutors, police officers, faith leaders, educators, judges and more. There are local and national presenters that participate in workshops that focus on a multidisciplinary approach that encourages a community response in combating crimes against women. A couple of examples of the workshops are: Vicarious Trauma: Enduring Traumatic Exposure for Providers; Suspending Death: The Intersection of Stalking, Strangulation and Homicide; The Use of Interpreters When Interviewing Victims of Domestic Violence; and Narcissism & Understanding Domestic and Gender Based Violence. On most days there are at least five workshops a day, followed by some evening activities for networking.

The above-mentioned trainings are examples, not an exhaustive list. Attending trainings is difficult for VWAs because of their large caseloads. VWAs spend most of their time providing direct services to victims and witnesses. Advocates also must maintain courtroom coverage to have current information regarding their caseloads. Time often does not allow for attendance at trainings because of the daily rigorous duties of Victim Witness Advocates. This year was especially difficult because of the changes in personnel.

Most of the year there was a shortage of VWAs, and our staff had to maintain a caseload larger than the norm. In the past years VWAs left to seek other employment opportunities that offer better salaries within the criminal justice system, or in the field of social work. Maintaining longevity in the profession is crucial to best serve victims and witnesses. It is imperative to have seasoned advocates who are fully aware of the intricacies of the process, including post-conviction issues. Hiring new advocates can be difficult due to fiscal constraints, as well as finding appropriate candidates from our area. The cost of living/housing costs are very high on Cape Cod. The ability to offer a greater salary, consistent raises, and continuing trainings in the field will help attract qualified candidates and retain experienced VWAs.

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