

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

THE TRAINER'S GUIDE

A publication of the

 NATIONAL ORGANIZATION FOR VICTIM ASSISTANCE®

and the

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

under a Cooperative Agreement with the

Office for Victims of Crime

OVC

*Advocating for the Fair
Treatment of Crime Victims*

U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

165816
918591



Victim Services in Community Policing Programs is a package of three publications: *The Participant' Guide, The Trainer's Guide, and Sample Protocols, Policies, and Procedures*. They are the products of a cooperative agreement (number 95-MU-MU-K006) between the Office for Victims of Crime (OVC) in the U.S. Department of Justice and the National Organization for Victim Assistance (NOVA) and the International Association of Chiefs of Police (IACP). Views and opinions in these publications are those of NOVA and the IACP, and do not necessarily represent those of OVC.

OVC, NOVA, and the IACP have a long-term commitment to implementing the kinds of victim-oriented practices described in this guide, and welcome comments and suggestions from readers. They may be contacted as follows:

National Organization for Victim Assistance
1757 Park Road, N.W.
Washington, D.C. 20010
(202) 232-6682 fax: (202) 462-2255
e-mail: nova@try-nova.org
homepage: <http://www.try-nova.org>

International Association of Chiefs of Police
515 Washington Street
Alexandria, Virginia
(703) 836-6767 fax: (703) 836-4543
e-mail: firmanj@theiacp.org
homepage: <http://www.theiacp.org>

Office for Victims of Crime
Office of Justice Programs
United States Department of Justice
633 Indiana Avenue, N.W.
Washington, D.C. 20531
(202) 307-5983
homepage: <http://www.ojp.usdoj.gov/ovc/>

To order any of these publications, please contact the Office for Victims of Crime Resource Center at its Web site or at 1-800-627-6872.

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Introduction and Suggestions for Trainers

An Overview of Victim Assistance Programs in Law Enforcement Agencies

Three grassroots innovations – two rape crisis centers and a program aiding all victims of crime – began the victims' movement in the United States, and indeed the world. That occurred in 1972. Over the next two years, several more rape crisis centers were established. Then, in 1974, spurred by researcher Frank Carnavale's findings that improved treatment of witnesses in the criminal justice system would result in fewer failed prosecutions, the U.S. Justice Department helped start the first prosecutor-based victim and witness assistance programs.

At about the same time, several law enforcement agencies became interested in responding more effectively to crime victims. Police-based crisis intervention services were initiated in Ft. Lauderdale and Indianapolis, and through the International Association of Chiefs of Police, the National Sheriffs' Association, and others, law enforcement agencies nationwide were introduced to the idea of sponsoring or collaborating with new victim assistance programs.

In 1982, the President's Task Force on Victims of Crime articulated the hopes of the victim assistance movement with a set of 68 recommendations for many sectors of society, including the following recommendations to the law enforcement community:

- "1. Police departments should develop and implement training programs to ensure that police officers are:
 - "a. Sensitive to the needs of victims; and
 - "b. Informed, knowledgeable, and supportive of the existing local services and programs for victims.
- "2. Police departments should establish procedures for the prompt photographing and return of property to victims (with the prosecutor's approval).
- "3. Police departments should establish procedures to ensure that victims of violent crime are periodically informed of the status and closing of investigations.
- "4. Police officers should give a high priority to investigating witnesses' reports of threats or intimidation and should forward these reports to the prosecutor."

Many law enforcement agencies have adopted these recommendations, either on their own initiative or in response to state law. So today, for example, many law enforcement recruits receive specialized training on domestic violence and other victim issues, and departments are participating in a number of national training programs on responding to community-wide crises, domestic violence, bias crimes, and elder abuse (among others). These inducements to consider new ideas have been well received by individual officers and law enforcement agencies alike.

Perhaps more significantly, an increasing number of law enforcement agencies are housing their own victim assistance programs. In a 1990 Justice Department survey, 37 percent of the larger agencies (100-plus sworn officers) reported having a victim assistance unit. And having at least a designated contact person for victims is a requirement of departments obtaining accreditation by the Council on Law Enforcement Accreditation. Having victim advocates working within law enforcement is not only helping to implement the kinds of changes the Task Force supported but is also insuring that the changes fit the needs of the agencies.

Some of those police-based programs are well-developed, well-funded, and well-received. They not only offer to help any victims at the crime scene, they have earned their stripes in the patrol division so that patrol officers and investigators are no longer reluctant to call out the victim assistance staff and trained volunteers, day or night, whenever the officers find a victim in distress in need of more assistance than the officers can provide. Moreover, by observing their victim assistance

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colleagues performing “crisis intervention,” the officers also learn professional techniques to win rapport in interviewing victims and witnesses in high states of stress.

At the same time, it can be said of the great majority of the existing programs that they have not reached their potential. For example, their victim advocate(s) may be desk-bound, or if they have the ability to provide services at the crime scene, it is only for the most heinous violent felonies, or during limited hours. Some are very limited in scope and their existence is not even known to the average patrol officer in the department. Others may be barred from recruiting and training volunteers, who might otherwise expand the scope of their services. Or they may have no role in training officers either formally or by “modeling” behavior – or they may themselves have been given insufficient training to be fully professional counselor/advocates, much less teachers of new and useful skills.

And of course, the majority of law enforcement agencies sponsor no victim assistance programs whatever. That fact is actually somewhat misleading – a pioneer in providing on-scene crisis intervention services is the Pima County Attorney’s office, whose staff and volunteers are used extensively by both Tucson police officers and Pima County deputy sheriffs. Similarly, when a chief of a small department in Pennsylvania said he had no resources to start his own program, he was asked if he ever made use of the non-profit county victim services center, and he realized that of course, he and his officers did so fairly often. No one knows how many departments have the benefits of a collaborative, on-call victim assistance program housed in another agency, but those numbers may be large.

Enter “Community Policing”

During the growth of victim assistance in American law enforcement, there has also been a rebirth in the way that law enforcement agencies operate, one that evolved into what has been called the “community policing revolution.” That new philosophy of delivering law enforcement services has been warmly embraced by the U.S. Congress, which is funding 100,000 new officer positions for local departments that practice community policing, by all the leading law enforcement organizations in the country, and, most significantly, by hundreds upon hundreds of law enforcement agencies themselves.

For all the volume of literature on the subject of community policing (thanks to its close ties to the applied social sciences), there is not much written that shows the natural ties between community policing and victim services. Nonetheless, the community policing literature gives hints at the potential fit between this community policing revolution and the much-needed revolution in providing victim services.

An early proponent of community policing, Chris Braiden, saw that fit in “Bank Robberies and Stolen Bikes: Thoughts of a Street Cop” (*Canadian Police College Journal*, Vol. 10. No. 11986). Braiden’s approach to community policing holds that, despite impressive technological advancements in aid of law enforcement, the bulk of police work still involves human beings interacting with other human beings, and never is that more challenging than when they are the first responders to human tragedy and need. Thus, he reasons, street cops should be skilled victim advocates and adept at referring citizens to additional services, since they are the “gatekeepers of the criminal justice system.”

Clearly, the authors of this guide and its two companion manuals agree with Braiden’s viewpoint. In these publications, we are seeking to operationalize what it means for community policing officers to become “skilled victim advocates” – or, more precisely, to become community-oriented officers who borrow the skills of professional victim advocates to better manage their interactions with people in distress, and who make better use of the help of professional victim advocates, be they departmental staff or not, in helping victims.

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As police departments begin to embrace the community policing philosophy, we hope that there will emerge a universal effort to have their officers adopt victim-oriented interviewing skills, and to team their officers with all the victim assistance professionals the department can find. Just as important, we hope that departments following this path will “put it in writing” – that is, will write and implement victim-oriented protocols that spell out the departments’ expectations on the treatment of crime victims generally as well as in cases like domestic violence where more specific guidelines are useful.

Purpose of the Trainer’s Guide

The purpose of this training guide is to provide information and tools, to develop skills, and to promote basic protocols that encourage the merger of “victim-oriented” policing services with “community-oriented” policing. Specifically it is designed to:

- provide law enforcement professionals with information and strategies for working with victims at the scene of crimes and their aftermath.
- help law enforcement professionals improve their skills in interviewing and responding to victims.
- help strengthen partnerships between law enforcement agencies and victim assistance and compensation programs so that they can work more effectively in the community.

The Training Guide: Major Components and Key Features

This Trainer’s Guide has the complete text of the Participant’s Guide plus some clearly-delineated suggestions on how to present the material in each chapter. These are explained in more detail in the next section. At the end of each chapter are two resources for the trainer: first is an outline of the material within the chapter, as an aid for the trainer during the class; and second are a selection of key points within the chapter, suitable for reproducing as overheads or handouts.

It should be stressed that this is a *guide*: law enforcement trainers will need to impose on these materials laws and policies that govern their departments’ operations. Trainers will often have to fill in many of the “blanks” inherent in the text, such as the specifics of victim rights laws in their state, or the listing of victim assistance programs in their community. In some situations, they may find it useful to engage their trainees in these research activities.

While the training is primarily aimed at members of a department’s patrol division, many of the ideas it considers take on policy questions that can only be addressed by the department’s leadership. During pilot trainings of the materials, the IACP/NOVA team obtained permission from the departments’ leaders to raise ideas that might involve policy changes, and to encourage the patrol officers and mid-managers in the training to seek additional permission from the leadership to pursue some of the policy questions raised, typically through a task force that included victim advocates from their community. This worked to good effect in more than one of the host departments, and was, in effect, a tribute to the “problem-solving” approach that the departments had adopted as part of their community policing strategies. The *Sample Protocols, Policies, and Procedures* volume proved to be a constructive stimulus to this rethinking of departmental policy.

The Instructor’s Perspective

The curriculum in this package is intended for use by professional trainers in law enforcement and victim assistance.

The publication may be used as a guide for three different training formats. One is designed for a full day of training, the second is a three-day training, and the third is to be used for roll-call training.

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The content is similar in all three training formats but the substance is more detailed and practical in the longer courses. The training can be provided over a period of time or in a one- or three-day setting. Obviously, the trainer is free to choose fewer than all the chapters as the training topics.

Structure of Training

Each training chapter or module starts with the following suggestions:

1. Title
2. Place in training sequence
3. Time required (three options)
4. Objectives.
6. Suggested training methods.
7. Materials or equipment.
8. Content.

This guide is not meant to be used without the companion materials, **The Participant's Manual** and **Community Policing and Victim Assistance: Protocols for Action**. Materials in the Participant's Manual and the Protocols for Action are cross-referenced to the Training Guide. On the other hand, each of the companion materials stand alone as reference materials for law enforcement officers or others in the field of victim services.

Illustrations of a variety of training techniques which can be used with each training segment are provided, set off in boldface type. This effort is predicated upon two assumptions: different trainers feel comfortable with different techniques; and training techniques may be circumscribed by the resources available in each law enforcement agency. While different training techniques are discussed in each training segment and key points for emphasis, the Participant's Manual should be used to guide content discussions.

Adult Education

The training of adults is different from education designed for children or adolescents because the "student" is an experienced, self-directed individual. Trainers should keep the following basic facts from research on adult learners in mind:

1. Adults have various kinds of personal experiences, and learn best when allowed to use these experiences to build on. Adults may become insulted or even become hostile when their experience and knowledge are ignored.
2. Adults have many other concerns and interests besides the learning situation. They have family, social, and financial concerns. They do not want to waste their time, and frequently do not like to be distracted from outstanding work demands unless they can expect positive results.
3. Adults should be presented with real skills and vital information. Those who may want to spend time learning abstractions can be given reading lists or additional instruction.
4. Adults need to be self-directed as much as possible. They respond in various ways to externally-imposed authority and may resist attempts to control their behavior or environment.

As a result of these concerns, we present the following kinds of training methods:

- Self-training through readings supported by group discussions.
- Training through audio/visual materials supported by group discussions.
- Participatory exercises in which the participants fill out worksheets and discuss their results.

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- Training based on panel presentations followed by discussions. The panels will include victims or experts in various fields. Trainers should be cautioned that when victims are asked to speak about their experiences, the trainers should make sure they (or a victim advocate or counselor) talk to the victims before the training session and be ready to “debrief” them afterward in private. Any kind of public testimony can be traumatic for victims.
- Training based on individual presentations with questions and answer periods following. These different training methods should be mixed and modified to suit the individual trainer’s style and the training needs.

Logistics of Training

This package is designed to be used either “in-house” by law enforcement officers or at conferences and other professional training seminars. The following is a checklist on logistics:

1. Site selection

If the training is being planned for a conference or professional seminar, the organizers should make sure that the site is geographically accessible and has satisfactory housing and meeting facilities.

Whether the training is “out-of-office” or “in-house,” attention should be paid to ensuring that competing distractions during the meeting can be minimized. Such distractions may include:

- Adequate time allocations: if time for training seems to be constrained – because of another activity or because of competing job demands – people get restless and anxious for training to end.
- While questions are encouraged in most adult training programs, sometimes questions can be an interruption. In such cases, it will help to have a blackboard or easel available to record questions or comments and promise to return to them after the presentation.
- Uncontrolled light, such as uneven overhead lighting or flashes of sunlight through a window, can create glare problems and distractions.
- Temperature can be a distraction if it is too warm or too cold. Try to ensure adequate ventilation and adjustable thermostat controls.
- Physical appointments such as chairs and tables can be helpful or they can be a hindrance to training. If comfortable chairs are unavailable, make sure there are adequate stretch breaks so individuals can get their bodies realigned. Tables should be high enough so that people do not get cramped leaning over them.
- The training is most effective with smaller groups, although the one-day session can be presented to large groups quite easily. If a large group participates, smaller groups should be formed at discussion points. The curriculum includes indications of when such smaller groups are appropriate.
- When small groups are used, the ideal arrangement is a “U” type arrangement so long as no one sits inside the “U”. The “U” arrangement allows the instructor to move easily among the participants as well as to sit at a central point when his role is less active.
- Remember the breaks. If the participants appear to be or be becoming restive, take an unplanned stretch break rather than continue. Concentration is improved by such breaks.

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2. Program materials

- The basic content of the curriculum is found in the Participant's Manual. Suggestions for handouts and overhead transparencies are included at the back of each chapter of the Trainer's Guide for use at the discretion of the trainer.
- Videotapes are often helpful as a stimulus to learning; contact the IACP or the OVC Resource Center (contact information is behind the front cover) for recommendations.
- At certain points in the Guide, it is suggested that trainers use flipcharts for recording group discussion notes.

The Training Agendas in Outline

Format A – The One-Day Course

- 9:00 - 10:00 Introduction and Overview of Community Policing and Victim Assistance
10:00 - 10:30 Trauma of Victimization
10:30 - 10:45 Break
10:45 - 12:30 Crisis Intervention and Patrol Officer Response
12:30 - 1:30 Lunch
1:30 - 2:15 Victim Rights and Law Enforcement Responsibilities
2:15 - 3:00 Working with Victim Assistance Professionals and Your Community
3:00 - 3:15 Break
3:15 - 4:15 Protocols , Policies and Procedures
4:15 - 5:00 Law Enforcement Officers who Become Victims

Format B – The Three-Day Course

Day One

- 9:00 - 10:00 Introduction and Overview of Community Policing and Victim Assistance
10:00 - 10:15 Break
10:15 - 12:00 Victimization and Its Trauma
12:00 - 1:00 Lunch
1:00 - 3:30 Crisis Intervention and Patrol Officer Response to Victims
3:30 - 3:45 Break
3:45 - 5:00 Victim Rights and Law Enforcement Responsibilities

Day Two

- 9:00 - 10:30 Working with Victim Assistance Professionals and Your Community
10:30 - 10:45 Break
10:45 - 11:45 Sexual Assault Victims
11:45 - 12:45 Lunch
12:45 - 1:45 Domestic Violence Victims
1:45 - 2:45 Survivors of Homicide Victims
2:45 - 3:00 Break
3:00 - 4:00 Victims of Bias Crime
4:00 - 5:00 Elder Crime Victims

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Day Three

- 9:00 - 10:00 Child Victims of Crime
- 10:00 - 10:15 Break
- 10:15 - 11:15 Law Enforcement Officers Who Become Victims
- 11:15 - 12:15 General Protocol on Victim Assistance
- 12:15 - 1:15 Lunch
- 1:15 - 3:15 Victim Specific Protocols
- 3:15 - 3:30 Break
- 3:30 - 4:30 Community-Based Victim Assistance and Crime Prevention
- 4:30 - 5:00 Concluding Comments

Format C – Roll Call Training Program (based on 20 minute segments)

Section One: Community Policing and Victim Assistance

Section Two: Elements of Victim Assistance Programs

Section Three: Victim Trauma

Section Four: Crisis Intervention

Section Five: Patrol Officer Interview Techniques with Victims

Section Six: Principles of Victim Rights

Section Seven: Victim Rights in Your Jurisdiction

Section Eight: Program Resources in Your Jurisdiction

Section Nine: Understanding Victim Compensation

Section Ten: Responses to Sexual Assault Victims

Section Eleven: Responses to Domestic Violence Victims

Section Twelve: Responses to Survivors of Homicide Victims

Section Thirteen: Responses to Victims of Bias Crimes

Section Fourteen: Elderly Crime Victims

Section Fifteen: Child Victims

Section Sixteen: Law Enforcement Officers Who Become Victims

Section Seventeen: General Protocol on Victim Assistance

Section Eighteen: Victim Specific Protocols

Section Nineteen: Death Notification Protocol

Section Twenty: Community Policing: Leadership in Crime Prevention and Victim Assistance

Project Leadership

Victim Services in Community Policing Programs is a package of three publications: *The Participant' Guide*, *The Trainer's Guide*, and *Sample Protocols, Policies, and Procedures*. All are the products of a cooperative agreement (number 95-MU-MU-K006) between the **Office for Victims of Crime (OVC)** in the U.S. Department of Justice and the **National Organization for Victim Assistance (NOVA)** and the **International Association of Chiefs of Police (IACP)**. The following briefly describes the three collaborators on this project:

The **Office for Victims of Crime** was established by the Victims of Crime Act (VOCA) to serve as the Federal government's chief advocate for America's crime victims. OVC administers many formula and discretionary grants for programs designed to benefit victims, provides training for diverse professionals who work with crime victims, and develops projects to enhance victims' rights and services. Its mission is to provide victims with justice

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and healing. While an active participant in the project that produced the three volumes, OVC placed responsibility for the final products in NOVA and the IACP, whose views and opinions expressed in these volumes are their own and are not necessarily those of OVC or the Department of Justice.

The **National Organization for Victim Assistance** is a private non-profit membership organization of victim and witness assistance practitioners, victim service programs, criminal justice professionals, researchers, former victims, health and mental health professionals, clergy members, and others committed to the implementation of victim rights and services. NOVA's activities are guided by four purposes: national advocacy, providing direct crisis services to victims, serving as an educational resource to victim assistance and allied professionals, and promoting better communication among its membership.

The **International Association of Chiefs of Police** is a non-profit organization of approximately 14,000 members from the world's law enforcement community. IACP is dedicated to fostering cooperation and the exchange of information and experience of police officers throughout the world. IACP has a history of establishing and conducting innovative training programs. Its members consist of a vast pool of dedicated and experienced law enforcement professionals. Thirty standing committees, including the Victim Services Committee, helps the IACP Board of Governors develop its policies and programs.

OVC, NOVA, and the IACP have a long-term commitment to implementing the kinds of victim-oriented practices described in this guide, and welcome comments and suggestions from readers. A method of contacting the organizations is found on the inside cover.

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Chapter One: Overview of Community Policing and Victim Assistance Concepts

Format

- One-Day: 1 hour
Three Days: 1 hour
Roll Call: Two 20-minute sections

Objectives of session

1. To introduce the sponsor and trainers.
2. To handle housekeeping matters, to review the agenda, and to review the materials.
3. To establish the philosophy and goals of the overall training.
4. To allow participants to introduce themselves and express their expectations (in 3 day sessions only.)
5. To acquaint participants with the relevance of materials in their own work.

At the end of the session, the participants should be able to:

1. Understand the course agenda and handouts.
2. Describe the sponsors and the trainers.
3. Describe the goals of the course.
4. Describe the elements of community policing.
5. Describe the elements of victim assistance programs.
6. Describe the relationship of community policing to victim assistance.

Content

[Materials in brackets are guidelines for trainers]

I. Formal introductions and orientation.

- A. Welcome participants and acknowledge the progress made by their department in community policing and victim assistance.
- B. Tell them who the training sponsors are. [Overhead 1.1]
 - National Organization for Victim Assistance, a non-profit membership organization that has worked with victims of crime and crisis for twenty-plus years.
 - International Association of Chiefs of Police, a non-profit membership organization that serves as the Secretariat for the national community policing consortium.
 - Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice, which is the administrator of the Victims of Crime Act and the center for victim initiatives in the Federal government.
 - Any local co-sponsors.
- C. Introduce trainers and guest speakers.
- D. Present the purpose and goals of the training. [Overhead 1.2]
 - Purpose: To integrate victim assistance in community policing protocols, policies and procedures.
 - Goals:
 1. To provide law enforcement professionals with information and strategies for working with victims at the scene of crimes and afterwards.

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2. To help law enforcement professionals improve their skills in interviewing and responding to victims.
 3. To help strengthen partnerships between law enforcement agencies and victim assistance and compensation programs so that they can work more effectively in the community.
- E. Review the agenda of the course. [**Overhead 1.3; the trainer should modify the overhead to reflect any changes in the standard agenda.**]
- F. Review the course materials. Explain that all overhead transparencies appear in the Participant Manual.
- G. Explain logistical issues. [**The following list should be tailored to individual circumstances.**]
- The location of restrooms.
 - Smoking restrictions.
 - Continuing education credits.
 - Whom to see if there are any problems.
 - Any special events or dining arrangements.

II. Presentation: Overview of Community Policing and Victim Assistance

This is a short lecture to cover the elements of community policing and victim assistance.

A. Key Elements of Community Policing [**Overhead 1.4**]

[Based on "Community Policing: A Survey of Police Departments in the United States," Robert C. Trojanowicz, et al., National Center for Community Policing, Michigan State University, Federal Bureau of Investigation, U.S. Department of Justice, 1994.]

Community policing is a *philosophy* of full-service, *personalized policing* where the same officer *patrols* and works in the same area on a *permanent* basis, from a decentralized *place*, working in a *proactive partnership* with citizens to identify and solve *problems*.

- **Philosophy.** The community policing philosophy rests on the belief that contemporary challenges require the police to provide full-service policing, proactive and reactive, by involving the community directly as partners in the process of nominating, prioritizing, and solving problems, including crime, fear of crime, illicit drugs, social and physical disorder, and neighborhood decay. A department-wide commitment implies change in policies and procedures.
- **Personalized.** By providing the community its own community police officers (CPOs), community policing breaks down the anonymity on both sides – CPOs and community residents know each other on a first-name basis.
- **Policing.** Community policing maintains a strong law enforcement focus; CPOs answer calls and make arrests like any other officer, but they also focus on proactive problem-solving.
- **Patrols.** CPOs work and patrol in defined beat areas in their communities. The goal is to free them from the isolation of the patrol car, often by having them walk the beat or rely on other modes of transportation, such as bicycles, scooters, or horses.
- **Permanent.** Community policing requires assigning CPOs permanently (at least 18 months) to defined beats so that they have the time, opportunity, and continuity to develop the new partnership. Permanency means that CPOs should not be rotated in and out of their beats, and they should not be used as "fill-ins" for special assignments and absences of other personnel.

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- **Place.** All jurisdictions, no matter how large, ultimately break down into distinct neighborhoods. Community policing decentralizes police officers, often including investigators, so that CPOs can benefit from “owning” their neighborhood beats, in which they act as a “mini-chief,” tailoring the response to the needs and resources of the beat area. Moreover, community policing decentralizes decision-making, not only by allowing community policing officers the autonomy and freedom to act, but also by empowering all officers to participate in community-based problem-solving.
- **Proactive.** As part of providing full-service policing, community policing balances reactive responses to crime incidents and emergencies with a proactive focus on preventing problems before they occur or escalate.
- **Partnership.** Community policing encourages a new partnership between the people and their police that rests on mutual respect, civility, and support.
- **Problem Solving.** Community policing redefines the mission of the police to focus on solving problems, so that success or failure depends on qualitative outcomes (problems solved) rather than just on quantitative results (arrests made, citations issued – so-called “numbers policing”). Both quantitative and qualitative measures are necessary.

While not all community policing projects define their mission in these terms, all are guided by a written mission statement or philosophy. All employees of the department, both sworn and nonsworn, need both to reflect the philosophy in their attitude and behavior and to support its implementation. Even employees who do not have face-to-face contact with the public can still be supportive of the philosophy in their telephone contacts. By understanding the philosophy, they can explain it to friends, relatives, and neighbors. In addition, they can provide support and encouragement to the officers responding directly to the complaints.

B. Key Elements of Victim Assistance [Overhead 1.5]

The goal of victim assistance is to help victims restore their lives as completely as possible after suffering financial, physical or emotional injuries due to crime or other crises. The following are critical services that can be provided by victim assistance professionals or such allied professionals as law enforcement officers.

[Time permitting, have trainees identify functions which CPOs, other officers, can perform, and identify other people for tasks not performed by law enforcement officers. The following may be used as a checklist to guide the discussion:]

- **Crisis intervention services**
 - Crisis intervention counseling
 - Emergency referrals or direct assistance for medical care, shelter, and food
 - Emergency referrals or direct assistance for substance abuse treatment
 - Emergency referrals or direct assistance for clothing, money, child care, property repair, transportation
 - Death notification
 - Preparation for and accompaniment to in body identification
 - Crime scene cleanup
 - Protection through temporary restraining orders
 - Information and support at forensic examination

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- **Counseling and general advocacy services**
 - Supportive individual counseling
 - Assistance with victim compensation applications
 - Creditor, landlord, and employer intervention
 - Intervention with hospitals, medical, and mental health professionals – particularly where a forensic examination is involved, a concern about HIV infection exists, or where family violence is involved
 - Assistance with protective relocation or shelter for victims of drug-related crime or family violence
 - Information and referral services
 - Assistance with private insurance claims
 - Support groups for peer victims/survivors
 - Assistance with document replacement
 - Arrangements for property repair
 - Mental health referrals
 - Legal referrals concerning civil redress or assistance with the enforcement of victim rights in a criminal proceeding
- **Support services during criminal justice investigation**
 - Supportive accompaniment to lineups and photo lineup sessions
 - Supportive accompaniment to interviews
 - Information about case status
 - Brochures about the criminal justice process and victim rights handed out at the scene of the crime or at first contact
 - Information on status of any property stolen or removed, procedures and regulations governing property return, and assistance with expediting property return
 - Information on arrest status, bail or bond, and pre-trial release of the accused
 - Supportive accompaniment to forensic examination (and forensic exam paid for)
 - Information and assistance about victim compensation
 - Information about available protection, and restraining orders
 - Information on crime prevention
 - Emergency shelter and relocation services
 - Social services referrals
 - Supportive available crime-scene assistance for street-side identification
 - Restraining orders made an automatic condition of bail and prepared with complaint
- **Support services during prosecution**
 - Information on all victim rights available in the criminal justice system at first contact
 - Coordination of victim and witness appearances at hearings, interviews, and trial with goal of minimizing number of appearances
 - Timely information about case status
 - Personal support through hearings, interviews, and trial
 - Transportation or parking provided or reimbursements given
 - Employer, landlord, creditor intercession services
 - Information on restitution, and assistance in requesting it in every case
 - Appropriate clothing provided to the victim if necessary
 - Opportunity for input in decisions on diversions, dismissals, continuances, plea bargains, or sentences

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Assistance with victim impact statements

Information on what is expected of victims in the criminal justice process at each stage of the proceedings

A safe place is provided for victims and witnesses separate from the accused and defense witnesses

Information given to victim about witness fees

- **Support services after case disposition**

Information on victim rights after case disposition

Upon request, information about offender's status or release

Enforcement of restitution orders through monitoring restitution payments

Assistance with victim impact statements at probation revocation, parole, pardon or clemency hearings

Personal support and accompaniment during all appeals, motions for retrials, and post-conviction hearings

Upon request, information on, and assistance with, victim-offender mediation or dialogue programs

C. Three Steps for Integrating Victim Assistance with Community Policing [**Overhead 1.6**]

1. **Train all officers in crisis intervention techniques as tools for effective interviewing.**

Law enforcement officers are often the only 24-hour-a-day, 7-day-a-week service providers in the communities they serve. They are usually the first responders at the scene of a crime or the first contact victims make when reporting a crime. While their first priority is to identify and arrest criminals, responding to victims with the tools of crisis intervention is critical for several reasons. It helps –

- victims to serve as more capable witnesses during investigations and eventual prosecution.
- victims to restore a sense of safety, security, and stability in their lives.
- victims to increase their sense of community support and their trust in law enforcement.
- to prevent violence that might take place if victims feel frustrated and angry at the system.

Police-oriented crisis intervention skills are critical to formulating effective, compassionate response to victims. These are the the most useful, professional tools to put the “friendly-face” goals of community policing into practice in every one-on-one encounter with distressed citizens.

2. **Develop community partnerships with key agencies to ensure that victim needs are met in the aftermath of crime.**

A key to community policing is developing partnerships with citizens and other organizations and agencies to solve problems that may contribute to crime. Such partnerships are critical in providing victim assistance, particularly if there are few local victim service programs in the community. But even where many such programs exist, the community policing philosophy asks the department to revisit their relationships with each agency and to formulate compacts or “memoranda of understanding” so that every officer knows when and how to enlist the assistance of the outside agency whenever appropriate – and this goes beyond simply pulling an agency name and number out of a pocket referral book.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

3. Develop an on-scene crisis intervention team to initiate services to traumatized victims.

For the most traumatized victims, there are no more welcome services than those of a crisis team which begins its intervention as soon as the patrol officer completes a report – nor is there a more welcome backup service available to that officer. Here is why: the officer who has used crisis intervention *tools* in interviewing the victim will gain a better rapport with – and a better report from – the victim, but that officer will not be given significantly more time to obtain the report and then return to his or her patrol duties. The officer is gratified if that interview went well; more, if the officer can refer the victim to an assistance program that is in partnership with the department; and even more if that “hand-off” can be made right at the crime scene (or the hospital, sub-station, or other appropriate location). It should be stressed that the creation or expansion of an on-scene crisis intervention team can occur within the department or can involve in collaboration with an outside public or private agency.

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An Outline of Chapter One, “Overview of Community Policing and Victim Assistance Concepts”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter One:

Overview of Community Policing and Victim Assistance Concepts

Format

One-Day:	1 hour
Three Days:	1 hour
Roll Call:	Two 20-minute sections

Objectives of session

1. To introduce the sponsor and trainers.
2. To handle housekeeping matters, to review the agenda, and to review the materials.
3. To establish the philosophy and goals of the overall training.
4. To allow participants to introduce themselves and express their expectations (in 3 day sessions only.)
5. To acquaint participants with the relevance of materials in their own work.

At the end of the session, the participants should be able to:

1. Understand the course agenda and handouts.
2. Describe the sponsors and the trainers.
3. Describe the goals of the course.
4. Describe the elements of community policing.
5. Describe the elements of victim assistance programs.
6. Describe the relationship of community policing to victim assistance.

Content

[Materials in brackets are guidelines for trainers]

I. Formal introductions and orientation

A. Welcome participants and acknowledge the progress made by their department in community policing and victim assistance.

B. Tell them who the training sponsors are. [Overhead 1.1]

- **National Organization for Victim Assistance**, a non-profit membership organization that has worked with victims of crime and crisis for twenty-plus years.
- **International Association of Chiefs of Police**, a non-profit membership organization that serves as the Secretariat for the national community policing consortium.
- **Office for Victims of Crime**, Office of Justice Programs, U.S. Department of Justice, which is the administrator of the Victims of Crime Act and the center for victim initiatives in the Federal government.
- Any local co-sponsors.

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C. Introduce trainers and guest speakers.

D. Present the purpose and goals of the training. [Overhead 1.2]

- **Purpose:** To integrate victim assistance in community policing protocols, policies and procedures.
- **Goals:**
 1. To provide law enforcement professionals with information and strategies for working with victims at the scene of crimes and afterwards.
 2. To help law enforcement professionals improve their skills in interviewing and responding to victims.
 3. To help strengthen partnerships between law enforcement agencies and victim assistance and compensation programs so that they can work more effectively in the community.

E. Review the agenda of the course. [Overhead 1.3 – the trainer should modify the overhead to reflect any changes in the standard agenda.]

F. Review the course materials. Explain that all overhead transparencies appear in the Participant Manual.

G. Explain logistical issues. [The following should be tailored to the locality.]

- The location of restrooms.
- Smoking restrictions.
- Continuing education credits.
- Whom to see if there are any problems.
- Any special events or dining arrangements.

II. Presentation: Overview of Community Policing and Victim Assistance

[This is a short lecture presentation to cover the elements of community policing and victim assistance.]

A. Key Elements of Community Policing [Overhead 1.4]

Community policing is a *philosophy* of full-service, *personalized policing* where the same officer *patrols* and works in the same area on a *permanent* basis, from a decentralized *place*, working in a *proactive partnership* with citizens to identify and solve *problems*.

- Philosophy
- Personalized
- Policing

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- Patrols
- Permanent
- Place
- Proactive
- Partnership
- Problem Solving

B. Key Elements of Victim Assistance [Overhead 1.5]

The goal of victim assistance is to help victims restore their lives as completely as possible after suffering financial, physical or emotional injuries due to crime or other crises. The following are critical services that can be provided by victim assistance professionals or such allied professionals as law enforcement officers.

[Time permitting, have trainees identify functions which CPOs, other officers, can perform, and identify other people for tasks not performed by law enforcement officers. The following may be used as a checklist to guide the discussion:]

- Crisis intervention services
- Counseling and general advocacy services
- Support services during criminal justice investigation
- Support services during prosecution
- Support services after case disposition

C. Three Steps for Integrating Victim Assistance with Community Policing [Overhead 1.6]

1. Train all officers in crisis intervention techniques as tools for effective interviewing.

Responding to victims with tools of crisis intervention is critical for several reasons. It helps –

- victims to serve as more capable witnesses during investigations and eventual prosecution.
- victims to restore a sense of safety, security, and stability in their lives.
- victims to increase their sense of community support and their trust in law enforcement.
- to prevent violence that might take place if victims feel frustrated and angry at the system.

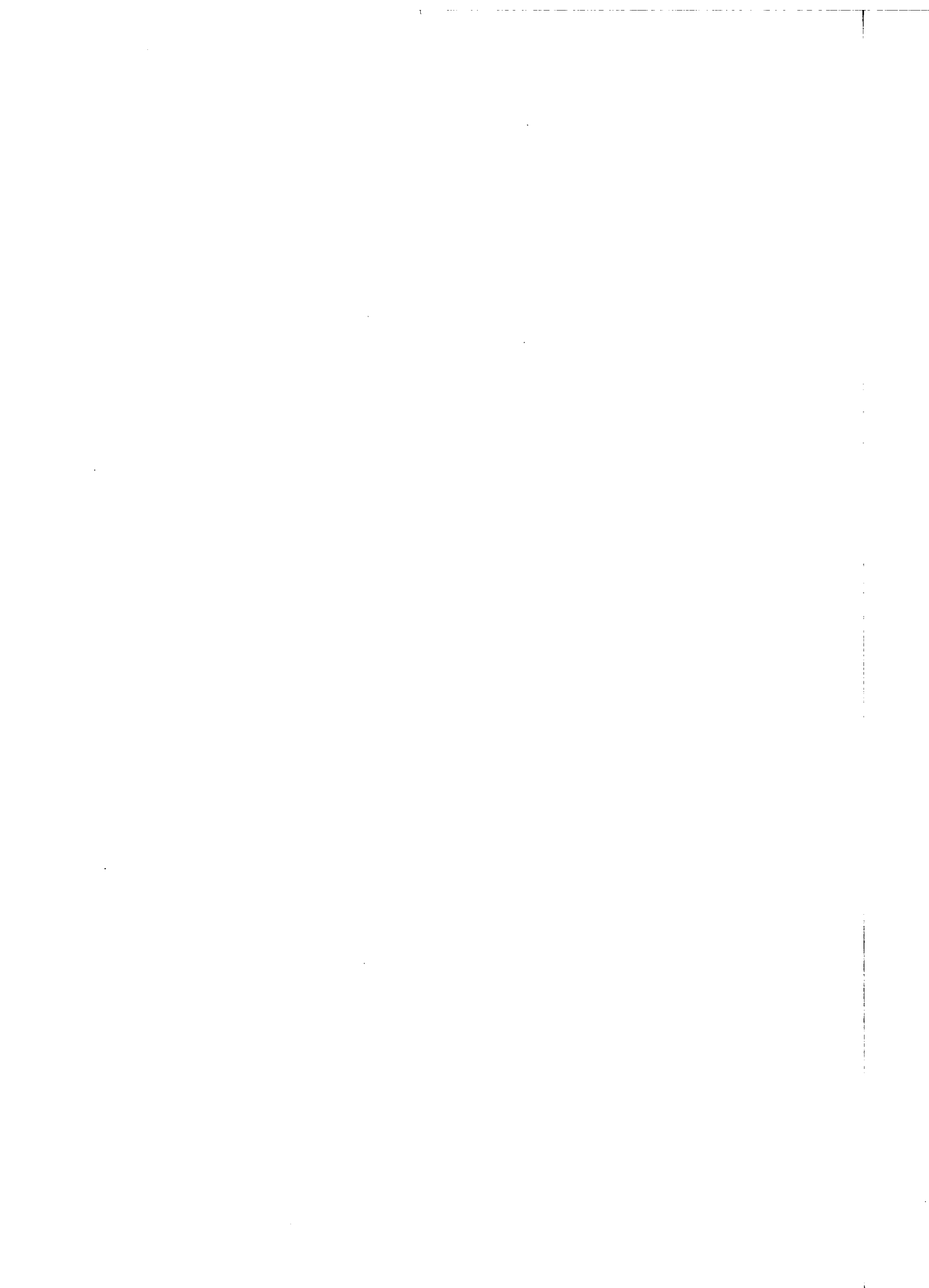
Police-oriented crisis intervention skills are critical to formulating effective, compassionate response to victims. These are the most useful, professional tools to put the “friendly-face” goals of community policing into practice in every one-on-one encounter with distressed citizens.

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2. Develop community partnerships with key agencies to ensure that victim needs are met in the aftermath of crime.

Useful tools in developing community partnerships are:

- interdisciplinary tasks forces.
 - the development of formal compacts or “memoranda of understandings” with victim service programs and other key resources in the community.
3. Develop an on-scene crisis intervention team to initiate services to traumatized victims.
 - for the most traumatized victims, there are no more welcome services than those of a crisis team which begins its intervention as soon as the patrol officer completes a report – nor is there a more welcome backup service available to that officer.
 - the officer who has used crisis intervention *tools* in interviewing the victim will gain a better rapport with – and a better report from – the victim.
 - the officer can refer the victim to an assistance program efficiently and effectively.



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Suggested Overheads or Handouts for Chapter One, “Overview of Community Policing and Victim Assistance Concepts”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.1 Training Sponsors

- National Organization for Victim Assistance
- International Association of Chiefs of Police
- Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice
- Your Local Host



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.2 Purpose and Goals of the Training

- **Purpose:** To integrate victim assistance in community policing protocols, policies and procedures.

- **Goals:**
 1. To provide law enforcement professionals with information and strategies for working with victims at the scene of crimes and afterwards.
 2. To help law enforcement professionals improve their skills in interviewing and responding to victims.
 3. To help strengthen partnerships between law enforcement agencies and victim assistance and compensation programs so that they can work more effectively in the community.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.3 Course Agenda

Day One

Introduction and Overview

Victimization and Its Trauma

Crisis Intervention and Patrol Officer Response

Victim Rights and Police Responsibilities

Day Two

Working with Victim Assistance Professionals

Sexual Assault Victims

Domestic Violence Victims

Survivors of Homicide Victims

Victims of Bias Crime

Elder Crime Victims

Day Three

Child Victims of Crime

Police Officers Who Become Victims

General Protocol on Victim Assistance

Victim Specific Protocols



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.4 Key Elements of Community Policing

[Based on Robert C. Trojanowicz's work.]

“Community policing is a *philosophy* of full-service, *personalized policing* where the same officer *patrols* and works in the same area on a *permanent* basis, from a decentralized *place*, working in a *proactive partnership* with citizens to identify and solve *problems*.”

- Philosophy
- Personalized
- Policing
- Patrols
- Permanent
- Place
- Proactive
- Partnership
- Problem Solving



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.5 Key Elements in Victim Assistance

“The goal of victim assistance is to help victims restore their lives as completely as possible after suffering financial, physical or emotional injuries due to crime.”

- Crisis intervention services
- Counseling and general advocacy services
- Support services during criminal justice investigation
- Support services during prosecution
- Support services after case disposition



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Introduction and Overview

1.6 Three Steps for Integrating Victim Assistance with Community Policing

1. Train all officers in crisis intervention techniques as tools for effective interviewing.
2. Develop community partnerships with key agencies to ensure that victim needs are met in the aftermath of crime.
3. Develop an on-scene crisis intervention team to initiate services to traumatized victims.

Chapter Two: Victimization and its Trauma

Format

One-Day:	30 minutes
Three Days:	1 hour 15 minutes
Roll Call:	20 minutes

Objectives of Session

1. To describe impact of crime on victims.
2. To define crisis.
3. To identify the symptoms of crisis.
4. To identify the symptoms of chronic stress.

At the end of the session, the participants should be able to:

1. Define and describe the three primary injuries in victimization.
2. Discuss factors contributing to the second assault in the aftermath of crime.
3. Identify common stress and crisis symptoms.
4. Describe long-term stress symptoms.

Content

[Materials in brackets are guidelines for trainers]

I. Overview

A. There are three primary injuries that victims face after crime victimization.

- Financial injury.
- Physical injury.
- Emotional injury.

B. Victims may often suffer from a “second assault” by social institutions after a crime.

- They may be stigmatized because they were victims.
- They may be blamed for their victimization.
- The impact of crime may be minimized by others.
- They may feel left out of the criminal justice process.

II. Elements of the Trauma of Victimization

A. Financial Injury

1. Financial injury may be caused by property loss or destruction, loss of money, loss of days at work or school, costs associated with medical care or counseling, burial, or participation in the criminal justice system such as transportation, parking, or childcare.
2. The impact of financial injury may be more severe if victims are poor or live on fixed incomes.
3. The destruction or theft of property may distress victims more when the property is something of sentimental value or irreplaceable.
4. It is estimated that residential burglary in the U.S. results in an average of \$1,000 loss for each household. Each year this translates into approximately \$5 billion dollars lost to victims of burglary.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

B. Physical Injury

1. Even when physical injuries such as cuts, bruises, or scrapes, appear to be minor, many victims still feel violated, and their distress should not be minimized.
2. Sexual assault is a crime causing physical injury even when the victim does not suffer external injuries; thus, it is inadvisable to ask, "Were you hurt?"
3. Approximately 6 million people are victimized by assaults each year.
4. While catastrophic physical injury is not common, its effects can be devastating.
5. Murder and vehicular homicide kills about 44,000 individuals every year. Surviving family members and friends face years of pain in the aftermath of sudden, random death.

C. Emotional Injury

1. Both financial and physical injury contribute to the emotional trauma of victimization. Even when such injuries are slight, victims can feel overwhelmed by the crisis and stress caused by criminal attack. It is important to understand the fundamentals of both the crisis reaction and long-term stress reactions in order to better respond to victims.
2. Understanding stress.

Stress can be described as a deviation from the general equilibrium which individuals have established in their lives. Behavioral equilibrium is based on the life's daily routines such as getting up, having breakfast, going to work, having lunch, coming home, having dinner, watching TV, and going to bed. Environmental equilibrium based on the use of clothing and shelter to moderate the effects of Mother Nature. Physical equilibrium is developed through exercise, nutrition, and sleep. Mental equilibrium is maintained by a balance of emotional, spiritual, and cognitive activities.

[One's "equilibrium" can be depicted as the highs and lows of our everyday life, like the curves drawn between two parallel lines, as shown here. Use a flipchart to recreate the chart as a freehand drawing.]



Within the bounds of an individual's equilibrium, the normal fluctuations of life are usually acceptable and are not the source of crisis or extreme change. When an event occurs which forces individuals beyond the bounds of equilibrium, that event may be termed a crisis precipitator and stress reaction occurs.

The severity of the stress reaction, however, is affected by several things: [Overhead 2.1.]

- the intensity of the event
- the suddenness of its occurrence
- one's ability to understand what is happening, and
- the stability of our equilibrium at the time of the event.

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For example, the sound of an alarm clock in the morning is, by design, a sudden violator of sleep equilibrium, but the reaction to that stressor is usually relatively mild. The intrusion is of limited duration and impact. While it is sudden, it is also understandable, even familiar, indeed pre-programmed. So the ringing of the alarm is not likely to cause a crisis.

By contrast, consider the reaction of a victim to the theft of his car stereo. The stress reaction may be mild or severe depending upon two of the four factors – the intensity of the event as perceived by the victim, and the stability of the victim's life at the time of the crime. Crime by its nature is sudden and seemingly arbitrary. If the victim has spent the last year working and saving money to buy the stereo, the theft could be felt intensely. Similarly, if the victim has been trying to cope with constant fluctuations in his life – illness, marital problems, financial pressures, and such – the pre-existing conditions of distress may cause this particular event to be felt more seriously.

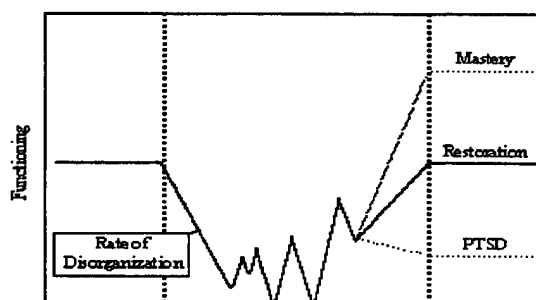
Stress can be either positive or negative. The acknowledged father of stress theory, Hans Selye, a physician and biologist, described the two types as “eu-stress” (short for “euphoric stress”) and “distress.” Most people think of stress entirely as distress. Yet the trial lawyer, the surgeon, and the car racer know that when they are using their talents to the best of their abilities, they experience a sense of control over a dangerous set of circumstances – evoking feelings that are tense but exhilarating.

Law enforcement officers get more than the normal opportunities to experience eu-stress. Hence, to these professionals, a discussion of stress may seem interesting but hardly urgent – particularly when the idea conjures up situations of coping well with very stressful forces.

“Distress” tends to occur in two situations. The first is when the stress precipitator causes individuals to lose control of their lives, as when an armed robber gets the drop on an officer and then gets the officer's weapon. The second is when positive stress has escalated over a period of time to a peak which cannot be sustained, as when an officer has been driving at maximum speed for, say, a half-hour.

There is a limit to how long our bodies can sustain either eu-stress or heavy and prolonged doses of distress. Hence, as the individual moves toward exhaustion, distress sets in. Over the long haul, the process of dealing with trauma-induced distress often shows periods of relapse and improvement, even among those who are diagnosed as having PTSD. The following chart illustrates this process [**Overhead 2.2**]:

**The Process of Reconstruction from Trauma
Involves Trial and Error**



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Selye defined stress as a “nonspecific response of the body to any demand on it,” whether positive or negative. He characterized the body’s response as the “general adaptation syndrome.” It involves three stages: the alarm reaction, the stage of resistance, and the stage of exhaustion.

The biological alarm reaction takes one of two forms, either a “syntoxic” reaction or a “catatonic” reaction. The syntoxic reaction provides the body with the ability to put up with the additional demands which threaten its equilibrium. The catatonic reaction attempts to destroy the stimulus which makes the demands. Both reactions produce concrete physiological changes.

The body produces large quantities of adrenaline which both numb pain sensation and heighten sensory capabilities such as vision, hearing, and taste. These heightened sensory capabilities may be very focused. For instance, the law enforcement officer in a high-speed chase will find his vision very acute but may lose all sense of taste as the body attempts to focus its reaction on the special stress demands of the chase. In addition, the reaction affects the immunological system. To accommodate the need to fight the stress stimulus, the body concentrates its energies on that effort and reduces normal functioning in areas not so threatened. Hence individuals suffering lasting or chronic stress become more susceptible to disease or contagion because their bodies have a lowered resistance to disease.

The behavioral reactions which accompany this physiological change have been characterized as the “fight-or-flight” syndrome. When faced with crisis, individuals revert to their pre-social, biological level of functioning, and they either fight the stress or attempt to flee from it.

Once the initial “alarm” has been activated and the course of action chosen, the individual will go into a stage of resistance to the stress. Physiologically, this involves the transferring of all energy to either the fight or the flight. Psychologically, resistance is a struggle to “put things back in place.”

The final phase of the stress response, physiologically, is exhaustion. The body finally tires of maintaining a defense and gives up. But both physiological and psychological exhaustion is not the optimum end state. Resolution of the stress precipitator prior to exhaustion is far more desirable. Hence the final phase might more appropriately be termed a “return to *an* equilibrium.” This new equilibrium is never the same as the one which existed prior to the stress precipitator.

3. The crisis reaction

For crime victims, the stress response can be defined in terms of the crisis/alarm reaction, the struggle/resistance stage, and the exhaustion/recovery stage.

The crisis reaction is the emotional complement to the physiological alarm reaction. It is exacerbated, however, by the fact that the body cannot sustain the physiological response for long periods of time. Yet the mind is capable of sustaining a crisis reaction for days or months at a time. Hence, individuals facing the crisis reaction may find their body is besieged with the ebb and flow of adrenaline, which diminishes their capacity to function.

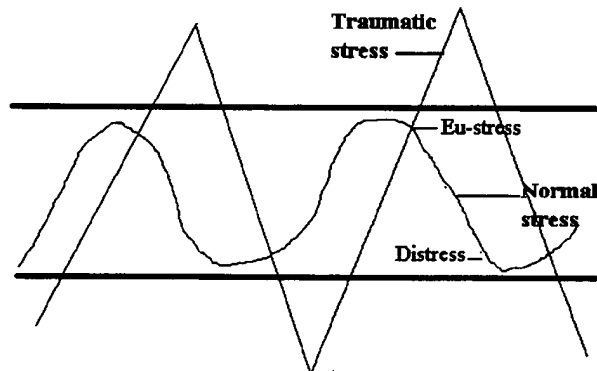
A serious problem for many who willingly work in high-stress situations is that they tend to diminish and ignore people who may be in serious distress or crisis, because they are either reinforced in their euphoric stress or have tried to insulate themselves against the possibility of succumbing to distress. The problem inherent in

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that kind of unconscious avoidance is that they may seem unsympathetic to others and may end up being unsympathetic to themselves, that is, become prisoners of their "can-do" attitudes.

In spite of, or because of, that insulation, it is important for law enforcement officers to examine the effect of those random events which may explode in people's lives. The crisis reaction can be documented as clearly as the stress reaction.

[Add "spikes" to the freehand drawing with a different colored marker, showing the effects of an experience that goes well outside one's normal range – and outside one's ability to cope.]



Betty Jane Spencer's story illustrates the components of crime's crisis. Her life was changed forever on Valentine's Day, 1977. She watched and heard her four sons die in a brutal massacre. She watched and heard the same assailants shoot and shoot again at her head. As she has put it, she and her sons were all murdered, except she survived. A writer chronicled her initial reactions.

- ***Shock and Disbelief***

"Betty Jane was standing in her kitchen... As she looked, a strange thing happened. The front door burst open and a young man with long, unkempt hair crashed into the house carrying a shotgun... For a full thirty seconds Betty Jane could not move a muscle. She could neither scream nor walk nor think. She had seen something that looked no more real than television. What was happening? A shot gun? There was something terribly wrong going on in the living room, but none of it made much sense..."

- ***Denial***

"Nurses were staring at her. What happened? She was having trouble making sense of it all. She didn't want to think about the boys and what had happened to them. She was alive. Maybe they were too."

"The words hung there while Betty Jane tried to make some sense of them. Other words like dead and autopsy floated through. Maybe she could do something to stop them. She didn't want them around. But all she could say was, 'Don't tell me how many are dead.'"

The first phase of the crisis reaction includes shock, disbelief, and denial. Betty Jane's experience is unique, more appalling than most lifelong police officers or prosecutors will have to deal with. But similar feelings accompany other attacks. The burglary which violates the psychic thing attaching to the word "home," and

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

also results in, say, the loss of a grandmother's legacy, does not produce the terror and tragedy of Betty Jane Spencer's experience, but the typical victim's reaction to such a burglary is like Betty Jane's: shock, disbelief, and denial.

The most common response to a victimization is: "I don't believe it happened." Police officers and crisis intervenors hear those words over and over again, and many times the symptoms of shock continue for days and even months. Barbara Kaplan, the lone survivor of a shooting which killed two of her colleagues and left her blinded in one eye, says, "For the first few months after the shooting I was in a daze. I was plagued by flashbacks to the shooting, but I only half believed it had been real... Friends commented on how brave and calm and strong I was. What they did not know was that I had not yet fully comprehended the enormity of what had happened."

- ***Emotional turmoil***

That initial crisis phase may be immediately followed or accompanied by great emotional turmoil.

Many victims react with intense **anger**.

Betty Jane said her "... anger didn't stop at God or at the murderers. She hated everything and everyone. It was a raw, ugly, destructive feeling that could rise in her and control her for days on end."

Rage at the uncontrollable events and the painful losses is normal, but it is often the most difficult to deal with. Sometimes the rage is directed at the offender. Other times it may be directed at the very people who are trying to help the victim. It is not unusual for victims to be furious at law enforcement officers who arrive at the scene of a crime because they didn't come soon enough. They may have arrived within moments of the crime, but the victims are angry because they wish that law enforcement aid had been there in time to prevent the crime not simply to take the report, investigate or even apprehend the criminal.

Victims often feel confused by their desire for revenge. That confusion is enhanced because social standards tend to disapprove of vengefulness. If victims feel helpless and unable to fight back during an attack, their instincts for self-defense may surface in violent dreams and fantasies later.

Fear and terror often accompany the rage. Jean Goldberg writes, "The fact that I could have been killed hit me with full force. I felt powerless and off balance. Would I feel frightened of everyone I didn't know?... I saw each stranger as a potential criminal. I envied those who walked trusting others, and I worried about becoming weak and fearful."

Dr. Martin Symonds, a psychiatrist and former New York City patrol officer, suggests that the terror victims feel arises from the fact that they have suddenly become aware that they can die at any time. Most people live their lives with a belief in their own immortality. That belief is shattered when they realize that another person has the power to kill them or their loved ones. Dr. Symonds also describes the horror that survivors of homicide victims face. They struggle to understand what their loved ones went through as they died.

Fear is connected not only with the thoughts of further victimization but the loss of trust that is peculiar to crime's crisis. A crime victim is made helpless by the intentional cruelty of another human being. Whether that helplessness, that loss of control, is momentary or extends over a period of time, the victim's fate for

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that time is in the hands of a totally undependable, irrational person. Order, reason, and trust are destroyed.

Trying to understand why the crime happened and what happened during a criminal attack leads to **confusion and frustration**. As victims try to piece together a coherent story, they are often plagued by fragmented memories of the event. They may spend days or weeks thinking about the crime or telling and retelling their story. Although it may try the patience of law enforcement investigators, crisis intervenors, or others, the victims' search for answers is often vital for their recovery.

This search for answers often results in feelings of **guilt** over being victimized. Anger turned inward becomes self-blame. Victims think that if they can understand why the crime happened to them, they can make sense out of it and can find a way to defend themselves in the future. Since many crimes are senseless acts of violence, one way of explaining them is to blame the victims: they must be guilty of some act of commission or omission in their lives.

An anonymous victim writes, "I knew why Alyssa was murdered. It was my fault. No matter that she was a grown woman living three thousand miles away, a mother is supposed to keep her child alive. I had tempted jealous gods by being too pleased with the way her life had turned out." Burglary victims blame themselves for failing to lock their doors or simply being away from home at the wrong time. Rape victims may blame themselves for sleeping with a window open, or walking down the wrong street. Assault victims blame themselves for carrying a wallet. And so it goes. Indeed, the pattern is so strong that one psychoanalyst has given a label to this syndrome of self-reproach. He calls it the "I-am-stupid" phase.

Self-blame is also accompanied by **shame and humiliation**. Crime victims have become losers in a battle that they did not choose to fight. The criminal has become the victor. Humiliation is increased when the criminal overtly demeans the victim, for example, a burglar who smears living room walls with feces or a rapist who calls his victim "a whore" or "a bitch."

Finally, the turmoil of emotions is complicated by **grief**. There is grief over tangible losses such as property, physical integrity, or the death of a loved one. But there is also grief over intangible losses. These losses may include a loss of one's sense of identity, loss of faith in God, or loss of trust in the world. One person explained it this way:

"If you think about it, everything we do in life depends on other people acting in a rational and predictable way. When you get in a car and drive it away, you're investing a lot of trust in every other driver on the road. So what happens when that trust is gone? Try driving down a two-lane highway with cars passing you at an effective rate of 100 or 120 miles an hour, passing you just a few feet over in the oncoming lane. Your guts will be in knots if you can handle it at all. When you start to see every faceless stranger as a potential madman or thug, you're not only scared but depressed. You really feel betrayed."

Victims also grieve over their sense of isolation and abandonment by the world. Many times no one seems to understand their pain and few want to listen to their story.

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- ***Reconstruction of a new equilibrium***

The crisis reaction is often described as involving a third stage: reconstruction of an equilibrium and integration of the crime and its aftermath into the victims' lives.

Most commonly this effort will involve remembering, re-experiencing, repetitive talking, and reliving the event over and over again. Perhaps, in the beginning, the victim will remember or talk about small portions of what happened. Some parts of the crime may be too terrifying or too upsetting to confront until more strength is developed. The movement back and forth between remembering and putting memories aside is a common and useful device to gradually adjust to one's feelings. Every victim must work at his own pace in this struggle. And, for some, the struggle will never end – especially for the “strong” ones who repress the memory except in their troubled sleep.

Some studies have suggested that much of the stress/distress which occurs in the aftermath of crime is because of the shattering of basic beliefs about the victim's perception of himself and his world. Such beliefs include a belief in personal invulnerability, a perception of the world as just and meaningful, and a belief in one's own worthiness and potency.

The establishment of a new equilibrium involves not only confronting the grief of one's loss but reinventing one's sense of the world.

3. Long term stress reactions

Many victims of serious crime suffer long term stress reactions.

Some of the more common long term reactions include depression, states of high anxiety, and reoccurrence of crisis reactions. The American Psychiatric Association's fourth edition of *Diagnostic and Statistical Manual of Mental Disorders*, usually called “DSM-IV,” has four clinical descriptions of long term stress reactions that are not uncommon in crime victims.

- ***Post Traumatic Stress Disorder***

The PTSD disorder contains both “tonic” and “phasic” features. Tonic features are those that are with the survivor most of the time and after the trauma helps to constitute a part of mental functioning. Phasic features are those which are evoked by a relevant environmental event, or “trigger,” like the smell of cologne a victim's attacker wore. The PTSD diagnosis contains these elements:

1. Existence of an extreme stressor
 - a. experienced, witnessed or confronted event including actual or threatened death or serious injury, or threat to physical integrity.
 - b. reactions of the victim or survivor are intense fear, helplessness or horror.
2. Re-experience the event both psychologically and with physiological reactivity.
3. Use of avoidance behaviors.
4. Experience sensory arousal, including hypervigilance and exaggerated startle reaction.
5. Symptoms last for one or more months.
6. The disturbance impairs functioning.
7. Acute PTSD is less than 3 months; chronic PTSD is more than 3 months; delayed onset occurs when symptoms do not begin until after six months.
8. PTSD is usually associated with neurologic hypersensitivity and psychological hypersensitivity.

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Resolution of psychological hypersensitivity means altering one's world view through integrating the trauma into an individual's existing framework of understanding the world, isolating the trauma as an exception to the existing worldview, or changing the worldview.

- ***Acute Stress Disorder***

1. Same precipitation as in PTSD
2. 3 or more dissociative symptoms such as:
 - a. numbing and detachment
 - b. being in a daze
 - c. derealization
 - d. depersonalization
 - e. dissociative amnesia
3. Re-experience the event as if it actually happening at the moment ("flashback")
4. Avoidance behaviors
5. Increased arousal
6. Impairment of functioning
7. May last from 2 days to 4 weeks but occurs within 4 weeks of the event.

- ***Adjustment Disorder***

1. Emotional and behavioral symptoms in response to the identifiable stressor within 3 months of the onset of the stressor
2. Symptoms are clinically significant in that there is more than "unusual," marked distress and there is impairment of function.
3. It is not another disorder.
4. It is not bereavement.
5. Usually ends within 6 months once the stressor is eliminated.

- ***Major Depressive Episode***

1. 5 or more symptoms within 2 weeks and a change in functioning; at least one symptom is depressed mood or loss of interest in things that were once pleasurable.
2. Types of symptoms include:
 - a. depressed mood
 - b. diminished pleasure
 - c. weight change
 - d. insomnia/hypersomnia (inability to get to sleep or to wake up)
 - e. psychomotor agitation or retardation
 - f. fatigue
 - g. feelings of worthlessness or guilt
 - h. lack of concentration
 - i. death thoughts

- ***DESNOS*** ("Diagnosis of Extreme Stress Not Otherwise Specified")

1. Another description of long term stress reactions that applies particularly to some cases of domestic violence or chronic child abuse has been called the Diagnosis of Extreme Stress Not Otherwise Specified. It is not yet included in the DSM but many observers think it is useful in understanding the reactions of some victims.
2. The symptoms may occur in victims who have survived complex, prolonged or repeated trauma in which they have been subjected to coercive control. Such

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control may be imposed through violence or threat of violence, control of bodily functions, capricious enforcement of petty rules, intermittent rewards, isolation, degradation, or enforced participation in the violence.

3. Symptomology

a. PTSD

b. Alternations of consciousness, affect, self-perception, and belief.

c. Changes in relationships

Finally, long term stress reactions should be understood in their impact on the physiology of victims.

• ***Biological Models of PTSD***

1. Inescapable shock – some studies indicate that victims suffering from PTSD experience a decrease in pain sensibility and the development of “phasic opioid-mediated stress-induced analgesia.” This is similar to the reactions of “learned helplessness” in animals who lived in circumstances of conditioned fear, having given up resistance.
2. Kindling – The phenomenon observed in animal experiments whereby cumulative electrical or pharmacological stimulation seems to sensitize limbic neuronal circuits and lower neuronal firing thresholds has been suggested as a model for the effect on the brain of exposure and re-exposure to traumatic stimuli.
3. Superconditioning – Neurohormones/neuroregulators may influence the strength of conditioned responses and the consolidation of memory traces. Thus, such hormones/regulators which are mobilized at the time of a traumatic event may mediate an over-consolidation of the memory trace of the event termed “superconditioning.”
4. Learned traumatic response – It is hypothesized that there is a brain “trauma center” and that activation of this center elicits fear behaviors similar to those observed in alarm reactions in PTSD.

Working with PTSD victims, as well as with rats and monkeys, John Krystal and his colleagues have learned that certain types of “acute and uncontrollable” stresses, such as those veterans are exposed to in combat and, among research animals, to electric shock, can cause long-term changes in the brain’s chemical messaging system. The most dramatic alteration, says Krystal, is found in the way the brain handles adrenaline, the “fight or flight” ingredient that is typically released in situations of high anxiety and fear. After a significant traumatic experience, the brain tends to be more easily provoked than usual into releasing adrenaline and is apparently less able to turn off the flow of the neurotransmitter.

5. Neuro-psychological sensitization – Excessive stimulation leads to synaptic changes related to hyper-sensitization while depression of synaptic processes allows habituation and discriminative perception.
6. Stress sensitization – Extreme or repeated stress may increase sensitivity to later lesser stressors.

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An Outline of Chapter Two, “Chapter Two: Victimization and its Trauma”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Two: Victimization and its Trauma

Format

One-Day:	30 minutes
Three Days:	1 hour 15 minutes
Roll Call:	20 minutes

Objectives of Session [Overhead 2.1]

1. To describe impact of crime on victims
2. To define crisis
3. To identify the symptoms of crisis
4. To identify the symptoms of chronic stress

At the end of the session, the participants should be able to:

1. Define and describe the three primary injuries in victimization
2. Discuss factors contributing to the second assault in the aftermath of crime
3. Identify common stress and crisis symptoms
4. Describe long-term stress symptoms

Content

[Materials in brackets are guidelines for trainers]

I. Overview

A. There are three primary injuries that victims face after crime victimization. [Overhead 2.1]

1. Financial injury
2. Physical injury
3. Emotional injury

B. Victims may often suffer from a “second assault” by social institutions after a crime [Overhead 2.2]

1. Stigma
2. Blame
3. Minimization
4. Isolation from justice

II. Elements of the Trauma of Victimization

A. Financial Injury

1. Types of financial injury
2. Impact of financial injury
3. Loss of sentimental or irreplaceable items
4. Costs of financial injury to individuals and communities

B. Physical Injury

1. Minor physical injuries should not be minimized
2. Sexual assault causes physical injury
3. Scope of physical injury assaults
4. Catastrophic physical injury is devastating
5. Murder and vehicular homicide kills about 44,000 individuals every year

C. Emotional Injury

1. Both financial and physical injury add to the emotional trauma of victimization
2. Understanding stress and emotional trauma

- a) Stress can be described as a deviation from the general equilibrium which individuals have established in their lives

[One's "equilibrium" can be depicted as the highs and lows of our everyday life, like the curves drawn between two parallel lines, as shown in Overhead 2.3. Use it or a flipchart to recreate the chart as a freehand drawing.]

- b) Fluctuations compared with crisis precipitators

- c) The severity of the stress reaction, however, is affected by several things: **[Overhead 2.4]**

- intensity of the event
- suddenness of its occurrence
- one's ability to understand what happened
- the stability of our equilibrium at the time of the event

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- d) Stress can be either positive or negative.
- e) The process of reconstruction after trauma involves trial and error [Overhead 2.2]:
- f) Three stages of Selye's "general adaptation syndrome:"
 - the alarm reaction
 - the stage of resistance
 - the stage of exhaustion

3. The crisis reaction

- a) the emotional complement to the physiological alarm reaction [Overhead 2.5 – or add "spikes" to the freehand drawing with a different colored marker, showing the effects of an experience that goes well outside one's normal range – and outside one's ability to cope.]
- b) Elements of the crisis reaction:
 - Shock and disbelief
 - Denial
 - Emotional turmoil
 - Intense anger
 - Fear and terror
 - Confusion and frustration
 - Guilt
 - Shame and humiliation
 - Grief
 - Reconstruction of a new equilibrium

3. Long term stress reactions

- a) Post Traumatic Stress Disorder (from "DSM-IV")
 - Existence of an extreme stressor
 - Re-experience the event
 - Use of avoidance behaviors
 - Experience sensory arousal
 - Symptoms last for one or more months
 - The disturbance impairs functioning
 - Acute PTSD is less than 3 months; chronic is more than 3 months; delayed is when symptoms begin after 6 months

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b) Acute Stress Disorder

- Same precipitation as in PTSD
- 3 or more dissociative symptoms such as numbing and detachment, being in a daze
- Re-experience the event as if it actually happening at the moment (“flashback”)
- Avoidance behaviors
- Increased arousal
- Impairment of functioning
- May last from 2 days to 4 weeks but occurs within 4 weeks of the event

c) Adjustment Disorder

- Emotional and behavioral symptoms within 3 months
- Symptoms are show marked distress and impaired function
- It is not another disorder or bereavement
- Usually ends within 6 months

d) Major Depressive Episode

- 5 or more symptoms within 2 weeks and a change in functioning
- Types of symptoms include: depressed mood or loss of interest (must be present), weight change, insomnia/hypersomnia (inability to get to sleep or to wake up), etc.

e) DESNOS (“Diagnosis of Extreme Stress Not Otherwise Specified”)

- Description of long-term stress reactions that applies particularly to some cases of domestic violence or chronic child abuse; not yet included in the DSM
- Symptoms found in those who have survived complex, prolonged, or repeated trauma
- Symptoms include PTSD, alternations of consciousness, and changes in relationships

f) Biological Models of PTSD

- Inescapable shock
- “Kindling”
- Superconditioning
- Learned traumatic response

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5. **Neuro-psychological sensitization** – Excessive stimulation leads to synaptic changes related to hyper-sensitization while depression of synaptic processes allows habituation and discriminative perception
6. **Stress sensitization** – Extreme or repeated stress may increase sensitivity to later lesser stressors

Suggested Overheads or Handouts for “Chapter Two: Victimization and its Trauma”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Victimization and Its Trauma

2.1 Factors Affecting the Stress Reaction

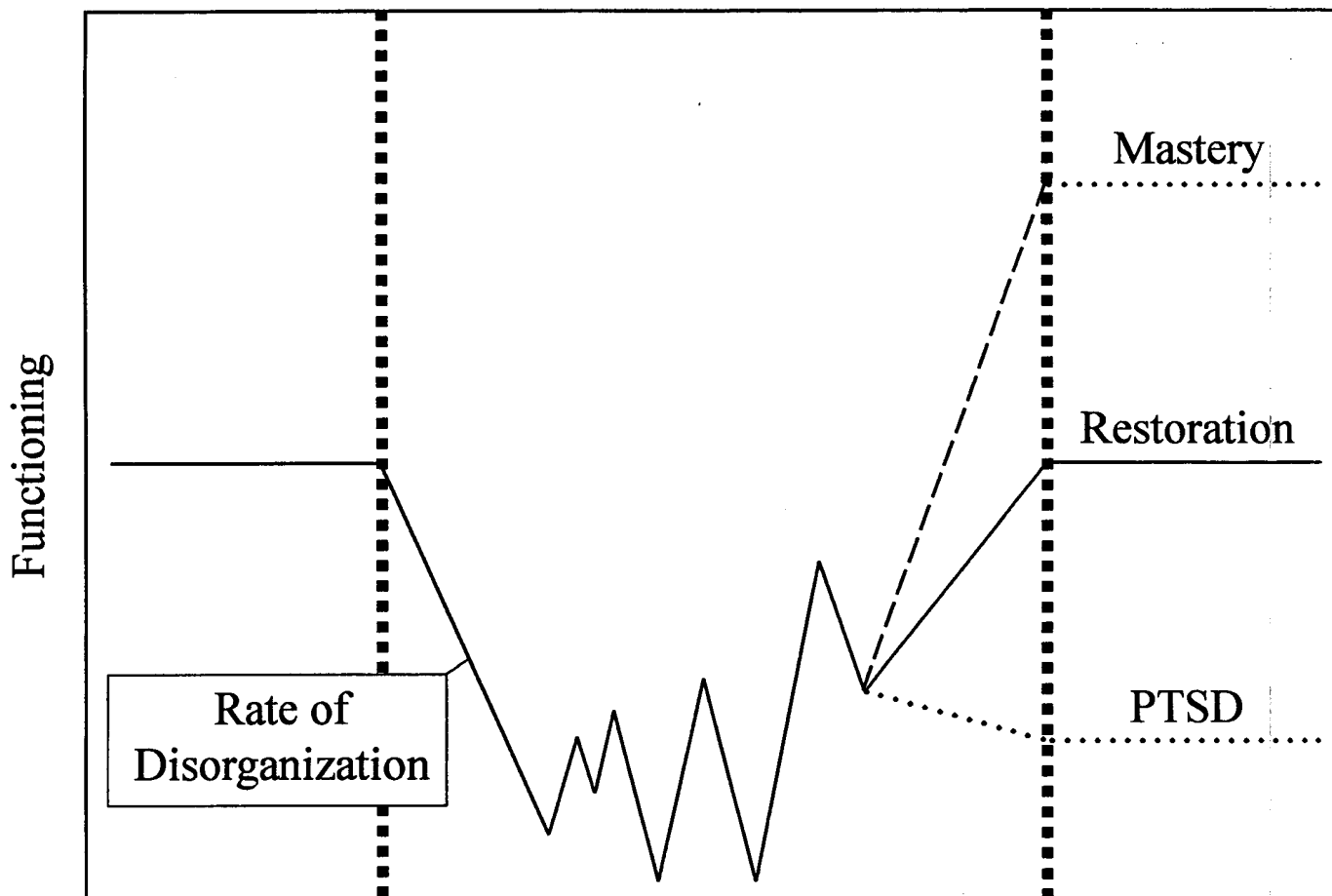
- The intensity of the event
- The suddenness of its occurrence
- Victim's ability to understand what is happening
- The stability of the victim's equilibrium at the time of the event



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Victimization and Its Trauma

2.2 The Process of Reconstruction from Trauma Involves Trial and Error



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Chapter Three: Crisis Intervention and the Patrol Officer Response

Format

One-Day:	1 hour 15 minutes
Three Days:	1 hour 30 minutes
Roll Call:	Two 20 minute segments

Objectives of session:

1. To describe best practices for integrating crisis intervention with interview techniques.
2. To illustrate how such practices assist patrol officers in reporting and investigating crime.

At the end of the session, the participants should be able to:

1. List four methods for interviewing victims of crime.
2. Understand how effective interviewing can increase victim satisfaction, crime prevention and apprehension of offenders.

Content

[Materials in brackets are guidelines for trainers]

I. Background

Scientific understanding of the ways in which crisis, stress, and PTSD (Post-Traumatic Stress Disorder) create problems for victims and for law enforcement officers who deal with them is limited but improving. What it tells us with certainty is that these problems have a major impact on whether the victim reports the crime, and on the success or failure of the investigation and prosecution – that is, whether the victim's quest for justice will be fulfilled. Ironically, victims' emotional crises are often the enemy of their emotional search for justice: they undermine their own case by giving surprisingly incomplete or inaccurate information.

Among other ways the crisis of crime can affect victims is to make them regress to a childlike state, and that can come out in a desire to please the responding officer – the rescuer – by giving answers that are sometimes more guesswork than true memories. Behind that problem is a deeper one: researchers have found that the emotional memories of a traumatic event are often improperly stored in the highly specialized filing systems of the brain.

Law enforcement officers often observe one illogical aspect of the way humans deal with an emotional crisis: the sense of terror or rage that arose during the crime can persist long after the offender and the objective danger are gone. The victims' sense that they remain in a crisis state can be heightened by the demands of the justice system when they report the crime and cooperate in the investigation. Each phase of questioning, identification of the accused, or determination of the extent of loss can further traumatize the victim.

Many victims and their counselors say that it seems impossible to complete the grieving or otherwise bring resolution to the event while there is no resolution of the fate of the supposed traumatizer. What that pattern seems to suggest is that human-induced traumas – ones that violate a basic sense of trust in the decency and reasonableness of others – are different from other kinds of catastrophic events. The destruction of a victim's sense of justice seems to be an integral part of the victim's ongoing trauma; his or her search for a restoration of justice may well be an integral part of the healing process.

The interrelationship of the "justice factor" and other aspects of crisis and stress reactions is quite interesting. For some victims, the long term stress symptoms may not occur until after the case is completed. Their concentration is so heavily placed on the prosecution itself that they do not allow themselves even unconscious interference with the process.

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For other victims, the preparation for a possible trial and the trial itself are themselves triggering events, bringing on a crisis reaction each time they revisit the crime in their minds. Other victims face the preparation for trial as a part of the confrontation they must make with the crime. For them, the story-telling, that is, the testimony, may be cathartic. However, a caution is in order, for the “catharsis” may involve moving from the crisis stage to a period of struggle, not yet on to recovery. Still others find the trial inadequate, no matter what the verdict. They are still lost and they may realize that only now might the healing begin.

Perhaps the biggest impact of the victim’s crisis from the law enforcement perspective occurs at the crime scene. Some traumatized victims may already be in a state of emotional turmoil, or, more likely, in a numbed state of shock. Either way, the victim may not be able to concentrate on the officer’s questions, or sort out what happened. They are too often still trying to understand that the attack occurred and cannot begin to remember all its elements.

Officers who hear victims say, “I can’t believe this happened” – and they may hear it often in their careers – are probably being told something close to the truth. Our minds often do not readily accept or absorb such frightening violations. That common statement is a clue of the state of a jumbled and disjointed mind – and that is the mind from which the officers are expected to gather critical evidence. Victims in crisis, in trying to help the responding officer, may be unable to run accurate playbacks of tapes in their memory banks, and will unconsciously create sensible pictures between the fragments of memories that are recalled. The fact that the actual sequence of events is prone to get scrambled can add other distortions to the story-telling.

Law enforcement officers are in a unique position to restore a victim’s sense of security, help them regain control of their lives, and begin to construct an accurate story of the event. The officer who can anticipate and understand the traumatized victim’s emotional needs, and then respond to them, is certainly doing a good public service – and is certainly meeting the expectations of what “community policing” is all about. But for the uniformed officer, being (or appearing to be) “nice” in a way that appropriate to the crisis reaction also serves an important criminal justice function: it gently pulls out more, and more accurate information, from the complaining witness. Moreover, the trust it builds between the victim and the responding officer rubs off on the victim’s attitude toward the investigators and prosecutors who may follow, and leading to the just conviction of more criminals.

We use the phrase “appearing to be nice” to make an important point, and to do so, it may help to look at another profession, that of medicine.

At one time, we put a high value on a family doctor who had a “good bedside manner.” Today, medical schools teach the techniques of what a “good bedside manner” is all about because, research has shown, it leads to better diagnoses of illness and to better self-care and healing of patients. In other words, by focusing on the emotional needs of their patients, doctors can achieve better professional outcomes. And the doctors who practice this approach do it with *all* their patients as best they can – they practice a good bedside manner with patients they like and with patients they do not like. That is their professional responsibility.

Patrol officers have parallel responsibilities to understand their clients’ needs and to respond to them professionally. Distressed victims have three groups of needs that patrol officers can respond to:

1. Safety and security
2. Ventilation and validation
3. Preparation and prediction

Responding to these needs, *and* in this order, is what crisis intervenors do in their work. In the next sections, we will suggest ways in which some of the insights and techniques of crisis intervention

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can be adapted to the work of patrol officers. Here, the “safety and security” issues of the crisis intervenor will become techniques for defusing the victim’s high emotions, especially fear; “ventilation and validation” will take on the substantive police interview; and “prediction and preparation” will become ways to conclude the interview that is most helpful to the victim.

It is worth keeping in mind that the main focus of crisis intervention is “emotional first aid” or “skilled compassion,” but when those skills are adapted to law enforcement, it is important to shift the focus from a humanitarian goal to one that, while still humane, is aimed at helping the officer collect and record the best quality evidence from the most important source of evidence in most cases: the victim.

In presenting the material that follows, we will describe the use of two or more “passes” of questioning the officer may make. In a similar way, the text will make more than one pass over several key issues, so that training participants will understand the context of new information when it is presented.

II. Addressing Victim Needs

A. Safety and Security

1. Victims of any age who have been subjected to a sudden emotional trauma may also take on the feelings of a hurt child – the feelings that look to “mommy” or “daddy” to make it better – or the feelings of hurt or anger at the parent who, in the child’s self-centered world, “let this happen to me.” To those victims, the uniformed patrol officer can easily become that benevolent authority figure while they seek to regain their sense of control. Given this possibility, the officer should put the old advice – to identify yourself clearly and maintain a calm manner – into a new perspective: be ready to comfort that “scared child” or that “scared-and-angry” child. This is not to say that the officer should think of himself or herself as a “parent figure” in approaching a victim, but rather as a law enforcement officer who is about to deal with an actual scared child.

There is no downside to this basic approach. Victims whom the officer discovers are not in crisis will still respond well to this attitude of a concern by the officer, and even people who eventually turn out to be suspects are sometimes lulled into incriminating statements by the concerned tone of an officer. The important thing is to start with the expectation that the victim had been very scared by the criminal event and remains scared – and the officer’s concerned approach can give the victim a welcome sense of security.

2. The officer should identify himself or herself, and ask the victim to say, in just a sentence or two, what happened. If there is any evidence that the victim was injured, attending to the victim’s medical condition always takes priority. Otherwise, asking the victim to briefly say what happened is sometimes the most delicate part of the interview process because, if the victim’s memories are uncertain, asking for this information now may complicate the later part of the interview. But of course, it is necessary in order to determine if the victim knows the suspect or has a good description of the suspect, getaway vehicle, or route, so that a “be-on-the-lookout” (or “BOLO”) can be called in immediately.

Former Washington, DC, police lieutenant James H. Ahrens used and taught a device to obtain a possible description quickly while also supporting interview techniques to be used later. He assumes that the victim is in distress, and is almost

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certainly fixated on his or her own problems. As soon as the officer gets a rough description of what happened, he or she should acknowledge the victim's distress by using sentences with "you" as the subject – "*You* have been through something pretty scary – I'm sorry." Then shift the subject to "we" – "*we* want to help catch the person who did this – and the department has patrol cars waiting to help." Then turn to "I," the officer – "Can you help *me*? Do you know who did this, or can you give me a description of the person?"

Mr. Ahrens encourages this "you-we-I" thinking throughout the interview process whenever the victim slips back into a self-absorbed state of fear, anger, or other memory-impairing emotional condition. It is not the three pronouns that are key, but the idea of using words of comfort whenever needed to help the victim help the department. His chart, below, of the effects of this approach could be applied to the other crisis-intervention tools that will be reviewed. [Overhead 3.1]

Victims Can Be Effective Witnesses: The First Responder's Role

Police Response	Results in Victim
Officer uses understanding of crisis; uses "you-we-I" approach, etc.	In better control of self More trusting Recalls key events More effective witness
Officer uses stand-off, "professional" approach: "Just the facts, ma'am"	Still feels out of control Still distressed Memory still impaired Confused, less trusting, less cooperative

3. When that questioning (and any needed call to the dispatcher) is done, the "real" interview will begin as soon as additional "defusing" steps are taken. In what may be a significant departure from the procedures of many departments, the officer using crisis intervention techniques should be concerned about *where* the interview will take place. The goal is to find a safe and private place to sit down – and, if possible, away from the crime scene.

Thus, in responding to a burglary, the officer may suggest they leave a room that has reminders of the crime in favor of one that does not. Victims should be asked if they want a friend or relative with them, if appropriate. While a third person may occasionally be disruptive, the chances are that the interview will be completed before that person arrives (while the victim knows that support is coming), or that the person will honor the officer's request to be supportive of the victim without interrupting the interview.

Plainly, there are times when a safe place to conduct the interview is not readily apparent, but if that remains a paramount goal, the officer may dream up a quick, imaginative solution. Perhaps the clerk in a nearby shop would let the officer and a mugging victim talk in a back room. Perhaps the officer could drive the victim to a quiet street a couple of blocks away, and then talk in the patrol car.

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Sitting down may not be the routine in many departments. If so, we recommend that the routine should be changed – every well-researched approach on how to conduct a positive interview shows that standing up is not helpful, while sitting down is.

4. The officer should convey the idea that he or she wants to talk to the victim. “Talk” is an important idea – it is quite different from what we think of in the phrase, “taking a report.” It goes beyond the use of words to certain kinds of body language. “Let’s talk,” for example, is communicated when the officer puts aside his or her hat and notepad to better concentrate on the victim for a minute or two. Some officers make a display of these “let’s talk” gestures, to make sure the victim understands the officer’s concern – and to defuse the anxiety that may be plaguing the victim’s emotions, jangling the victim’s mind, and, perhaps worst of all, impairing the victim’s memory.

Incidentally, the officer should not quickly judge the victim’s emotional state: most frightened or enraged victims display these emotions quite openly, and most calm victims are just that – reasonably calm. But with a large minority of seemingly-intact crime victims, the officer is facing someone who has put on the armor of “normality” to cope with a desperate emotional state. Another tip: do not judge the level of the victim’s distress just by the nature of the crime. There may have been something about an armed robbery that left its victim feeling surprisingly unharmed; there may be something about another victim’s toolkit that makes its theft a crisis-inducing event.

5. The officer can anticipate and relieve a victim’s anxieties with words of reassurance. Perhaps the two most powerful, defusing sentences the officer can say are, “I’m sorry this happened to you,” and, “You’re safe now.” Both are appropriate in the initial encounter and at any other stage when they might have a calming effect.

Regarding the first phase, crisis intervenors all report that many of the victims they have worked with will long recall, with gratitude, the intervenors’ using the “I’m sorry” phrase – a sentiment even relatives and friends often forget to express (and that too is remembered). Officers who make it a practice to use the phrase often report that it is an excellent icebreaker and trust-builder – even with victims who are in a very angry state. And community policing officers, who are far more likely to re-meet former victims they once interviewed than conventionally-assigned officers, find long-term payoffs in achieving good relations with those victims.

As for the phrase, “You’re safe now,” it seems illogical to need to say this – after all, if all has gone according to plan, the victim is in a safe, quiet place with a uniformed, armed law enforcement officer – so of course the victim is safe. But remember, traumatized victims will often carry with them the terrors of the crime with them for years, sometimes most especially right after the crime. So “stating the obvious” here is often the best way to help victims reduce their fears, in preparation for a productive interview.

Other thoughts which, coming from the officer, may have a reassuring effect include, “This was a terrible crime,” and “It was not your fault.”

6. Probably the central goal in the work of crisis intervention is to help victims regain a sense of control in their lives. Achieving that goal can be problematic, particularly in more brutal crimes. The officer can borrow from the crisis intervenor’s toolbox by asking the victims questions – little questions – which allow them to begin to make some decisions. Examples: “Would you like something to drink?” “Would you like a

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cigarette?” “May we sit down here?” Such simple questions can be answered easily and provide an avenue for self-assertion to the victim.

7. It is very helpful to address the victim by name – it tells him or her that, to the officer, “I am a name, not a number.” But to do it to best effect, the officer should ask how the victim prefers to be called: “You told me that your name is Shirley P. Jones – did I get that right? And how would you like me to call you, Ms. Jones?” Whatever answer she gives – “Shirley,” “Ms. Jones,” or perhaps a nickname – use it from time to time in the conversation. Asking for the victim’s preferred name is one of those “little” questions with a big payoff in its calming and “bonding” effects. And in making use of the victim’s answer by calling the victim by name, the officer is using a classic tool of salespeople in connecting with a customer.
8. This concludes the preliminary steps an officer can take to set up a more effective interview. To sum up: **[Overhead 3.2]**
 1. Use a concerned tone.
 2. Check for BOLO information.
 3. Find a safe, quiet place to sit down.
 4. Use “let’s talk” gestures, like removing hat, putting notepad aside.
 5. Express sorrow, underscore that victim is safe now.
 6. Ask little questions.
 7. Use the victim’s preferred name.
9. Before considering the substantive interview process, it is timely to take up two related questions whenever crisis intervention techniques are recommended as add-on methods of conducting police interviews: do you want the officers to themselves be crisis intervenors or social workers? And do the officers really have time to conduct interviews in this way?
10. As to the first question, it should be made clear that the officers have law enforcement duties to perform, and they do not have the task nor the time to serve as their victims’ crisis counselor. When they are asked to hone their skills for dealing with people in crisis, it is primarily for law-enforcement purposes – to get better leads, to file more complete reports, and to leave behind a more cooperative witness should the case go to court.

At the same time, officers should understand that they do routinely *intervene* in the *crises* affecting crime victims – and in that sense, they have no choice as to whether they will be *informal* crisis intervenors – only whether they will be more or less skillful in that task. So the issue is not whether they should become crisis counselors – they should not – but whether as law enforcement officers, within the time constraints of that profession, they should become more insightful and effective in managing people in crisis – and we believe they should.
11. As to the issue of time, there is no pat answer. On the one hand, in interviewing the very shaken victim of a cold burglary, it is possible for the officer to have achieved all the preliminary steps recommended above in a matter of three or four minutes (and the substantive interview is not likely to be a long one either, except, perhaps, in inventorying the victim’s losses). On the other hand, going through the same steps with an elderly pursesnatch victim may take considerably longer before she is over her fright, and it may also take extra time to find out if she has any remembered clues about her assailant. At the same time, it is also true that patrol officers functioning as “traditional” first responders are likely to take more time with such a victim anyway.

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On balance, however, it must be made clear that having the patrol officer work to put the victim at ease and conduct an investigator-like interview does take somewhat more time – time well-invested, we believe.

12. There are three other dimensions to bring into the time question – the way the department deals with periods of heavy calls for service (the “Saturday night exception” issue), the issue of how the department draws a line between the roles of patrol officers and investigators in certain cases, and the department’s expectations regarding its patrol officers who have community policing duties.
 - a. Saturday and other weekend nights *are* special for most departments, at least those which do not deploy their officers in a way that evens out an officer’s calls for service, no matter what the shift or day of the week. And even under those flexible deployment plans, where departmental resources roughly match crime patterns, there are times when criminality defies the law of averages, and many patrol officers have a stack of calls waiting for their response even as they ring the next crime victim’s doorbell.

The main answer to this problem is to say that such “street-level crises” are what frontline supervisors – sergeants and lieutenants – are supposed to manage. This means also that officers trained in the new interview techniques also need training on how to use them sparingly in times of emergency. It also means that frontline supervisors have to buy into the new approach, and stop considering patrol officers as being “out of service” when they are interviewing victims and witnesses and have no other pending calls for service to respond to. The “Saturday night special exception” – suspending the use of longer interviews – should be the exception, not the expected norm.

- b. In the next section, delving into the substantive interview, we will recommend techniques that borrow not only from crisis intervention practices but also from modern interviewing techniques often taught to law enforcement investigators. That raises the sometimes ticklish issue of how deep should a patrol officer go in the interview. Most departments, for example, ask first responders to get only very basic information from sexual assault victims and then turn them over to specially-trained investigators.

In seeking to upgrade patrol officers’ interviewing skills, most departments need not change any of their guidelines affecting the division of work between the patrol and investigative divisions, since there may be sufficient cases where the patrol officer is not expected to call out an investigator, or where the officer is expected to pursue leads until an investigator arrives. Experience can later guide the department in adjusting the patrol/investigator boundaries, if warranted.

- c. Finally, the issue of how much time and care patrol officers devote to interviewing victims takes on a new meaning with the introduction of community policing. In conventional patrol operations, it is often difficult for the first responder to invest a long-term concern in any particular victim because “it’s not my case” (it’s the investigator’s) or “I’ll have no future contact with that person” (except, rarely, during a prosecution that goes to trial).

Those dynamics change dramatically when the officer says, *that* victimization happened to a resident or worker in my permanent patrol sector during my permanent shift – a classic, if not universal, formulation of community policing.

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Whatever version of community policing a department employs, almost all of them share the philosophy of wanting the patrol officers to establish cordial relations with as large a group of community members as is possible – and that points to investing more time, care, and skills in the first responder’s handling of every victims’ call for help. The officer who sees every crime as affecting one of *my* people in *my* community will want to expand his or her techniques for bringing the case to a just and satisfying resolution.

B. Ventilation and Validation

1. Ventilation refers to the need victims have to tell what happened to them. The most common way humans try to make sense of something upsetting is to try to translate reactions, thoughts, and physical action into words. By talking about it, they try to identify feelings and to put things in perspective. Crisis intervenors assist in this process by encouraging it, by helping the victim give structure to the turmoil they are trying to describe, and to “validate” the intense feelings the victims are coping with, that is, to help them understand that these are normal human reactions to a traumatic event.
2. When officers simply ask the victim to say what happened, the officers are beginning to facilitate ventilation – which is a good step for the victim and can be a constructive step in the investigation. In this opening question, the officer mainly wants to test the victim’s emotional state, and secondarily to obtain the facts. So if from the outset the victim gives a complete and coherent account of the crime, good, the officer can begin taking notes and probing for details using techniques that will be discussed below. But with crimes that have had a strong impact on the victims, the officer is advised to let the victims just ventilate for a time during which the officer is checking for one of two broad emotional states that may impair the victim’s memory. As we pointed out earlier, some traumatized victims may be in a state of turmoil or a numbed state of shock.
3. The victim in a state of shock and disbelief is literally having difficulty believing that the crime happened, and while that common method of coping can be very good for the victim’s psyche in the long run, it can hurt the completeness and accuracy of the crime report in the immediate future.
4. The victim who is beyond being stunned and is in the grip of intense emotional reactions – anger or fear are common, as is a pattern of these and other feelings beating up the victim almost simultaneously – is also not the most reliable witness just yet.
5. Thus, it is wise to let the victim’s ventilation take its own course, without diverting interruptions. Instead of recalling events in a chronological order, the victims may fixate on the most vivid memory of the crime, which can be useful if it helps to bring out other recollections of the crime.

To make sure the victim “has permission” to ventilate, the officer should offer an open-ended question in a supportive manner, perhaps like this: “I want to hear the whole story, everything you can remember, even if you don’t think it is important. But I understand that telling me about it may be difficult at times, so if you need to pause or stop for a while, please let me know and we’ll take a break.”

6. If the first pass at getting the story shows holes and uncertainties, the officer should be ready to undertake a second round of questioning. Here are five generally-recognized tips on interviewing people in ways that help them reduce their stress. Though helpful at all stages, these may be particularly helpful in round two: **[Overhead 3.3]**

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- Active listening
- Appearance
- Reflective pauses
- Paraphrased or summarized responses
- Open-ended questions

There has been a great deal written in the study of communication about “**active listening**.” Basically it is the art of concentration and feedback (on feedback, see “paraphrasing,” below). The listeners should make the speaker aware of their concentration through eye contact and mannerisms. It is often useful in a police interview to put aside the notepad in the initial parts of the interview and only use it toward the end to show that the verbal report mattered to the officer – and to record the details.

Appearance contributes greatly to communication. Facial expressions and physical posture tend to send messages of support, or hostility, or positive or negative judgments, or lack of concern. Leaning a little forward in one’s chair and using eye contact regularly tell the speaker that the listener is very interested in what is being said; leaning back and avoiding eye contact gives the opposite message.

Professional speakers, counselors, and interviewers often videotape their practice sessions to see if they have any peculiar mannerisms which might unintentionally send a wrong message. This suggests two things to law enforcement officers: body language, mannerisms, and verbal gestures are as significant as the ideas the officers put into words when they are seeking information; and, for serious professionals, these are techniques worth studying and perfecting.

It is usually advisable to allow for “**reflective pauses**” following questions and answers. The victim may not be finished with an answer but rather trying to summon the courage to go on or is searching for a follow-up thought. “Reflective pauses” encourage communication and also convey a supportive sense to the victim. If the officer senses that the victim is getting uncomfortable in trying to find the words to speak, the officer can say, “You can take your time – I’m still listening.”

Paraphrasing or repeating back to the speaker what the listener thought he heard is a classic communication skill, and is typically used during the officer’s second pass at interviewing the victim. It allows the listener and the speaker to review what was said and examine what was meant. So, for example, the officer might say, “Let me ask you to pause for a second to see if I have this right – you had just parked a few yards from the building entrance when you saw the man in the green coat come out, and you were still in your car when he crossed the street – and only then you got out to look at his car? Is that right? Okay, let’s go on.”

The use of **open-ended questions** is helpful even in a round of questions that is probing for greater detail. Thus, “Did you recognize the state of the licence plate?” and not, “Was it a New Jersey licence plate?” Remember, victims and witnesses who are straining to help the officer may want to say “yes” to a closed-ended question as a sign of their cooperation, not as an accurate recollection from their still-confused memory.

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7. While these five devices may prove effective in bringing out a complete story in the second pass of questions, the officer may have reason to believe that the victim remains frightened, agitated, or otherwise unable to recall all that may be in the victim's memory bank. Depending on departmental policies regarding the division of duties between the patrol and investigative divisions, the officer may be free to conduct a third, fourth, or fifth round of questions – all borrowing from new investigative techniques, discussed below, dealing with memories under stress – and all consistent with similar techniques used by crisis intervenors.

Much of the following is drawn from the “cognitive interview” approach developed by R. Edward Geiselman and his colleagues. [Overhead 3.4]

- **Extended chronological review**

Ask victims to remember what they were doing some time before – a few hours, even a day – they were victimized. Were they coming home from work? What were they listening to on the radio? Fixing dinner? What did they eat? If they were sleeping, how long had they been asleep and what did they do prior to going to bed? Encourage them to give the details of every pre-crisis activity. This process can help victims get in the mind-frame of remembering details. And the memories of the ordinary events of their lives before the crisis can help them anchor their crime story in their everyday reality – a perspective that helps them place the storm of a bad event into a larger period of ordinary times.

The officer then proceeds into the chronology of the criminal event itself.

- **The search for “reactions”**

The NOVA model of crisis intervention attempts to help the victim look inward, to identify and put words to the intense emotions that are affecting them. However, under this model, the crisis intervenor is careful not to use terms like “emotions” or “feelings,” but rather “reactions.” In part, this is to avoid “touchy-feely” questions, which put many people off. It is also to bring out memories affecting the physical senses, which can contain powerful emotional elements, not to mention useful investigative clues.

As the following line of questions indicate, it is not difficult to conduct a “search for reactions.” The primary aim in this line of questions is to help the victim regain a sense of control. It is not specifically designed to uncover facts and clues, even though these may come out in the discussion. Its major usefulness to the interview is to clear away some of the emotional underbrush that is keeping the victim and the officer from getting the details of the crime. Here is that line of questions:

Ask the victims to describe what happened when they were victimized. Where were they? What do they remember seeing, hearing, smelling, touching or saying at the time they realized they were being victimized? (Note: in times of crisis, some of our most vivid memories are not about what we heard and saw but about what we touched, smelled, or tasted. Many victims will welcome an opportunity to describe memories of these physical reactions even if they shy away from describing their feelings about what happened – and even though the two often overlap). What were their reactions at the first part of the crime? At the next? And the next?

Far more often than not, the “reactions” the victims will describe will be ones of emotional recoil at what happened to them. When they expose those reactions to sunlight, it becomes easier for them to also recall details of the crime.

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As with each of the interviewing techniques under discussion, it is appropriate to “mix and match.” Thus, for example, when the extended chronological review brings the victim to the point of the crime itself, the officer can switch to the search for reactions.

- **“Videotape” review**

Here the officer encourages victims to think of the crime as if the victim had videotaped the event, and now, in going over the events, the victim is asked to imagine them being played back on a theater screen. At key moments, when the victim may have had the best opportunities to have seen or heard something useful, the officer asks the victim to “freeze” that scene on the screen, and then see if the victim can find some more details in that scene than before. Investigators have for some time used the device of asking victims to describe a suspect’s face as if it were on television – that picture is less frightening than the “true” and emotion-laden memory – and the same device often works in depersonalizing all the events, as in a videotape replayed at a clear, distant screen, a “tape” the victim can “stop” at will, to examine what is in that “freeze-frame” picture.

- **Walk-through**

A more vivid approach is to have the victim physically guide the officer through the activities that took place. Officers should be cautioned that such “re-enactments,” describing what happened where, at the actual crime scene, can be exceptionally traumatic. So if the interview is being done at or near the crime scene, and the officer senses a walk-through may be productive, the officer should ask the victim if he or she would mind showing where each thing happened – and be prepared to back off if the victim seems scared.

- **Reverse chronological order**

Another way to help the victims put some emotional distance between themselves and their memories is to have them recall each segment of the event in backwards order. So, for example, the officer might say, “Let’s review this in reverse order. Let’s start with the scene after the robber left. Can you describe that for me again?” – then back to the last part of the robbery, and then the middle part, and so on.

- **The “looks-like” approach**

Even without the stress of being victimized, most of us are not good at taking in details of what we have seen and heard, and even when we do have fairly good memories of what we have experienced, many of us have difficulty drawing a good “word picture” of that remembered face, that voice, that smell, or other sensory perception.

One way to help jog the victim’s memory as well as to get it into words is for the officer to ask, “Can you think of anyone at all who looks like the woman who did this? Perhaps she reminds you of a friend or a co-worker, or someone you’ve seen on TV? Take a minute to see if anyone comes to mind.” If the answer is that “she looks like an older and thinner version of my cousin Mary,” the officer can then get an “edited” word picture of that description.

8. Validation is the process of reassuring victims that their reactions to the crime are not uncommon. It is understandable that victims may be angry, fearful, confused, feeling guilty or ashamed, and sad. Many victims are frightened by the intensity of their feelings, which only makes things worse, so reassuring them that their strong reactions are natural and normal reduces that pressure cooker. Also, those intense feelings may come out in seemingly-strange ways – laughter is one that may seem inappropriate, for

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example, or a great concern over something that seems trivial or irrelevant. So it is important for the officer to avoid being judgmental about the victims' reactions.

C. Preparation and Prediction

If a police officer can first tell victims what will happen next and then prepare them for the event, it will remove some of the anxiety which was created – in part – by the arbitrary impact of the criminal violation. In addition, it can assist victims in negotiating their way through the challenges that lie in front of them – whether these include interviews, hearings, and a trial – or dealing with a crime which has no hope for solution.

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An Outline of Chapter Three, “Crisis Intervention and the Patrol Officer Response”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Three: Crisis Intervention and the Patrol Officer Response

Format

One-Day:	1 hour 15 minutes
Three Days:	1 hour 30 minutes
Roll Call:	Two 20 minute segments

Objectives of session:

1. To describe best practices for integrating crisis intervention with interview techniques.
2. To illustrate how such practices assist patrol officers in reporting and investigating crime.

At the end of the session, the participants should be able to:

1. List four methods for interviewing victims of crime.
2. Understand how effective interviewing can increase victim satisfaction, crime prevention and apprehension of offenders.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. Law enforcement officers are in a unique position to restore a victim's sense of security, help them regain control of their lives, and begin to construct an accurate story of the event.

B. Distressed victims have three groups of needs that patrol officers can respond to:

1. Safety and security
2. Ventilation and validation
3. Preparation and prediction

Responding to these needs, *and* in this order, is what crisis intervenors do in their work.

II. Addressing Victim Needs

A. Safety and Security

1. Victims of any age go through regression.
2. Protocol of immediate response.

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- a.) Officers should identify themselves and ask the victim what happened.
- b.) Priority is on attending to the victim's medical condition.
- c.) "You – we – I" [**Overhead 3.1**]

3. Introductory protocol

- a.) *Where* the interview takes place. The goal is to find a safe, private place to sit down with the victim – and, if possible, away from the crime scene.
- b.) *How* the officer behaves.
 - Remove hat
 - Set aside notepad
- c.) *What* the officer says.

Defusing statements

- "I'm sorry this happened to you"
- "You're safe now"
- "This was a terrible crime"
- "It was not your fault"

Little "empowering" questions

- "Would you like something to drink?"
- "Would you like a cigarette?"
- "May we sit down here?"

Using the name of the victim or survivor(s)

4. This concludes the preliminary steps an officer can take to set up a more effective interview. To sum up: [**Overhead 3.2**]
 - Use a concerned tone.
 - Check for BOLO information.
 - Find a safe, quiet place to sit down.
 - Use "let's talk" gestures, like removing hat, putting notepad aside.
 - Express sorrow, underscore that victim is safe now.
 - Ask questions of permission.
 - Use the victim's preferred name.
5. Questions about the protocol: do you want the officers to themselves be crisis intervenors or social workers? And do the officers really have time to conduct interviews in this way?

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- a. Officers should understand that they do routinely *intervene* in the *crises* affecting crime victims – and in that sense, they have no choice as to whether they will be *informal* crisis intervenors – only whether they will be more or less skillful in that task.
 - b. As to the issue of time, it must be made clear that having the patrol officer work to put the victim at ease and conduct an investigator-like interview might take more time but the report will be more accurate.
6. Dynamics change dramatically when the officer says, *that* victimization happened to a resident or worker in my permanent patrol sector during my permanent shift – a classic, if not universal, formulation of community policing.

B. Ventilation and Validation

1. Ventilation refers to the need victims have to tell what happened to them.
2. Officers begin to facilitate ventilation when they ask victims what happened in the first phase of questioning.
 - a. They test the victim's emotional state.
 - b. They obtain facts.
 - c. Traumatized victims should be allowed to talk for a time without interruption to allow officers to determine emotional reactions that might impair memory.
3. Victims in shock and disbelief
4. Victims in the grip of intense emotional reactions
5. Open-ended questions
6. Tips on interviewing people that help them reduce their stress. [**Overhead 3.3**]
 - Active listening
 - Appearance
 - Reflective pauses
 - Paraphrased or summarized responses
 - Open-ended questions

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7. Additional approaches to interviewing [Overhead 3.4]

- Extended chronological review
- The search for “reactions”
- “Videotape” review
- Walk-through
- Reverse chronological order
- The “looks-like” approach

8. Validation is the process of reassuring victims that their reactions to the crime are not uncommon.

C. Prediction and Preparation

1. Tell victims what will happen next.
2. Refer them to appropriate resources.
3. Help them prepare for what will happen next.

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Suggested Overheads or Handouts for Chapter Chapter Three, “Crisis Intervention and the Patrol Officer Response”

The following may be copied onto transparency sheets.



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Crisis Intervention and the Patrol Officer

3.1 Victims Can Be Effective Witnesses: The First Responder's Role

Police Response

Officer uses understanding of crisis; uses "you-we-I" approach, etc.

Officer uses stand-off, "professional" approach: "Just the facts, ma'am"

Results in Victim

In better control of self
More trusting
Recalls key events
More effective witness

Still feels out of control
Still distressed
Memory still impaired
Confused, less trusting, less cooperative



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Crisis Intervention and the Patrol Officer

3.2 Setting Up an Effective Interview

- Use a concerned tone.
- Check for BOLO information.
- Find a safe, quiet place to sit down
- Use “let’s talk” gestures, like removing hat, putting notepad aside.
- Express sorrow, underscore that victim is safe now.
- Ask little questions.
- Use the victim’s preferred name.



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Crisis Intervention and the Patrol Officer

3.3 “First Pass” Tools of Interviewing

- Active listening
- Appearance
- Reflective pauses
- Paraphrased or summarized responses
- Open-ended questions



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Crisis Intervention and the Patrol Officer

3.4 Techniques for Reinterviewing Victims

- The extended chronological review
- The search for “reactions”
- “Videotape” review
- Walk-through
- Reverse chronological order
- The “looks-like” approach

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Chapter Four: Victim Rights and Law Enforcement Responsibilities

Format

One-Day:	45 minutes.
Three-Day:	1 hour 15 minutes
Roll Call:	Two 20-minute segments

Objectives of session:

1. To describe the rights of victims in the criminal justice system.
2. To illustrate how these rights of victims should be integrated into how law enforcement officers perform their responsibilities.

At the end of the session, the participants should be able to:

1. To list seven basic rights of victims in the criminal justice system.
2. To identify the circumstances when victims should be provided with information and assistance about their rights.

Content

[Materials in brackets are guidelines for trainers]

I. Background

Over the last twenty years, laws concerning the rights of victims of crime as they interact with the criminal justice system have changed greatly. Such changes have increased the services and resources available to victims as well as increased the responsibilities of criminal justice personnel. The Federal government began to take a leadership role in ensuring victim rights in the 1980s. In 1982, the Victim and Witness Protection Act was passed establishing fair standards in the federal courts for victims of crime. In 1984, the Victims of Crime Act was enacted – amended in 1986, 1988, 1990, 1992, and 1994 – so that today it provides for the accumulation of all federal criminal fines each year to be distributed to victim compensation programs, local victim services programs, victims of federal crimes, and training and technical assistance to support such programs and services. In Fiscal Year 1996, that fund collected some \$500,000,000 to be distributed to state compensation and local victim assistance programs. In 1990, the federal Child Victims Bill of Rights became law. Congress passed the federal Victim Rights and Restitution Act, and in 1994, the Violence Against Women Act was enacted as a part of the comprehensive Crime Bill.

But, the Federal leadership action was only the tip of the iceberg. A brief summary of some of the significant changes at the state level illustrates the scope and breadth of legal innovations.

- In the early 'Seventies, there were only 16 states with victim compensation. Today, all 50 states have laws providing for some type of victim compensation.
- In the early 'Seventies, there were no states with laws allowing victims to have input at sentencing. Today all 50 states have such laws.
- In the early 'Seventies, there were no states providing funding for victim services on a statewide basis. At last count, there were 40 states with statewide funding schemes.
- In the early 'Seventies, the idea of litigation addressing victim rights or reparations in the civil or criminal courts was virtually unheard of. Today, there is a burgeoning area of civil law surrounding third-party litigation and victim-perpetrator suits, in addition to a growing set of cases addressing the implementation of victim rights.

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- In the early 'Seventies, courts were at the height of activity in expanding the rights of the accused and the convicted. Today, the pendulum has swung in the opposite direction, and, in a parallel but unconnected way, there has arisen a powerful movement to expand victim rights not just through statute but also through amendments to state constitutions. Twenty-eight states have amended their constitutions to give victims more participatory rights in criminal cases. (California passed a constitutional amendment providing victims with a right to restitution, rights at sentencing, rights at parole hearings, rights to safe school and addressing certain sentencing issues; and Georgia has an amendment that authorizes a victim compensation law.) A national victims constitutional amendment network has been established to urge the adoption of a federal constitutional amendment, which was first introduced in the 104th Congress.
- In August, 1992, the prestigious National Conference of Commissioners on Uniform State Laws recommended the enactment in all the states of a Uniform Victims of Crime Act. Some of its provisions are referred to throughout the following text regarding issues that many states have not addressed.

Law enforcement officers need to be aware of both the national trends on victim rights as well as the laws in their jurisdiction. In some cases these laws mandate increased responsibilities while in others they may dictate new procedures in processing cases. While each jurisdiction is governed by a different set of laws, the legal changes are similar enough that a review of the major concepts of victim rights should be useful. However, law enforcement officers are urged to compare these major concepts with relevant legislation in their state.

[Hand out state legislation for comparison by participants]

II. Victim-Related Legislation and Litigation on Victim Rights in the Criminal Justice System

The outline that follows uses a seven-point statement of principles promulgated by NOVA in 1980 to summarize the state of the law. These principles were guiding points in the drafting of the Victim and Witness Protection Act of 1982 and served as references for many state statutes.

A. Right to Protection

1. Original Intent

In 1980, the idea of the right to protection from intimidation and harassment was inspired by hearings held by the American Bar Association in 1979. These hearings addressed issues concerning intimidation of victims and witnesses. The findings of the hearings were that most laws concerning intimidation were extraordinarily weak and unenforceable. Since then new laws have been enacted concerning pre-trial intimidation and post-trial retaliation against victims and witnesses. Such laws usually address the following:

- broadening the definition of witnesses to include non-subpoenaed witnesses and others,
- increasing the charge of intimidation from a misdemeanor to a felony where threats or conspiracy are involved,
- treating attempted intimidation as seriously as successful intimidation, and
- increasing the scope of protective orders.

Forty-five states have changed their laws since 1979. In addition, the Violence Against Women Act of 1994 mandated that states give full faith and credit to protective orders issued in other states in order to broaden the range of protection when victims flee from their offenders across state lines.

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Perhaps the most interesting new development in laws addressing intimidation and harassment is the class of laws that emerged following the celebrated stalking and murder of Rebecca Holden in 1990. Since that time 48 states have enacted new "stalking laws" to address such crimes and the remaining two, Arizona and New Hampshire, provide special protections through similar laws on terrorism.

2. *Current State of the Law*

Other laws that address protection for victims include the following.

- **Victim privacy protections**

Protection of victims' privacy has chiefly centered around prohibitions against the publication or dissemination of victims' names and addresses. Twenty states provide for some type of protection for certain types of adult victims. In some cases that protection applies to the victim's name, in some it applies to the victim's address, and in some it applies to both. Oregon's statute allows the judge to protect "biographical" information about the victim. Three states – New Mexico, Idaho, and North Dakota – make private the victim's address in their bills of rights. Iowa's bill of rights includes a provision that makes all victim records confidential. This would seem to apply to both the defense and the media.

Nine states prohibit the publication of names or addresses of sexual assault victims. Illinois provides protection from the publication of names or addresses of domestic violence victims. Nineteen states have laws prohibiting the disclosure of the identity of child victims in the media. Three of those states restrict such protections to child victims of sexual assault or physical abuse. While these laws have been subject to constitutional challenge based on the freedom of the press, a recent case in Illinois upheld this prohibition and held that it did not violate the First Amendment (*In re a Minor*, 1992).

Protecting a victim's privacy is made increasingly complicated by the fact that 44 states allow cameras in the courtroom. Most states have guidelines that restrict the filming of certain victims' faces, but these laws are still untested and unchallenged. In *State of Iowa v. Iowa District Court in and for Johnson County* (Number 20344, 1988) cameras were allowed in the courtroom despite a motion filed by the prosecutor requesting them to be banned because of the trauma the victim had suffered. The victim had been in bed with her husband when burglars entered her home and shot her husband to death before fleeing with stolen goods. The trial court ruled that the victim did not qualify as a "victim" under its guidelines because it had been her husband who had been murdered and burglary was not one of the serious crimes cited in the guidelines.

Some states have enacted protection of names and addresses of the victim from the defendant or his lawyer unless a judge deems the release of such names and addresses to be critical to the development of a defense. Three states have laws that specifically address this issue. As many as 19 states have laws that protect the identities of child victims through a variety of methods.

The Uniform Victims of Crime Act provisions on protection, in Section 201, are as follows:

"If a victim requests confidentiality, neither a law enforcement agency, the prosecutor, nor the corrections department may disclose, except among themselves, the residential address, telephone number, or place of employment, except to the extent

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that disclosure is of the site of the crime, is required by law or the Rules of Criminal Procedure, is necessary for law enforcement purposes, or is permitted by the court for good cause.”

“A court may not compel a victim or a member of the victim’s family testifying in a criminal justice proceeding to disclose a residential address or place of employment on the record in open court unless the court finds that disclosure of the information is necessary.

“A law enforcement agency may not disclose to the public information directly or indirectly identifying the victim of a sex crime except to the extent that disclosure is of the site of the crime, is required by law, is necessary for law enforcement purposes, or is permitted by the court for good cause.” Section 201

- Separate waiting areas for the defendant and his or her family or friends and the victims and their families or friends.

Thirty-one states have laws that direct criminal justice personnel to provide separate waiting areas. Few jurisdictions follow the law. Most of the time the excuse is that existing structures lack space for this luxury and there are no resources to modify present buildings.

- Special protections for certain victim populations through legislation, litigation, and legal practices.

Some victim populations are considered more vulnerable than others both to the impact of the crime and the consequences of participating in the criminal justice system. States have sought to fashion laws that provide extra protections for such victims.

a. Victims of Bias Crimes

Twenty-four states have laws that have enhanced penalties for crimes such as trespassing or vandalism if they are motivated by prejudice or hate directed at ethnic groups. Thirty-four states have laws that have enhanced penalties for crimes motivated by prejudice or hate directed at religious groups. An increasing number of states have passed intimidation statutes that make it a crime for individuals to cause physical injury to another because of that person’s race, color, religion, national origin or sexual orientation, or make it a misdemeanor to physically threaten or harass another person because of statutorily-designated attributes.

The Federal Civil Rights Act has been used not only to prosecute those who deprive protected classes of their civil rights but also as a basis for suits for civil damages. The law provides for damages against government officers for committing acts that violate citizens’ civil rights and against private citizens who conspire to commit acts which injure persons and which are motivated by a purpose of depriving them of the equal protection of the law.

The Violence Against Women Act has established a separate federal civil cause for damages when someone causes physical injury to another because of that person’s gender.

Growing concern for the impact of bias crimes has resulted in the Office for Victims of Crime, in cooperation with the Educational Development Corporation, developing a special training package for law enforcement officers on bias crimes. The protocols on bias crimes in the companion book are drawn from that package.

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b. Victims of Domestic Violence

Fifty states have the option of issuing protective orders of some type when someone has been threatened or is threatened by the actions of another. Forty states allow for a warrantless arrest when law enforcement officers observe signs of violence or are in the presence of the commission of violence. Ten states provide for mandatory arrest when there is evidence of domestic violence.

While laws regarding domestic violence and partner abuse have changed radically over the last thirty years, policies and practices of criminal justice agencies may still prevent effective protection of victims of partner abuse. On October 22, 1992, Lisa Deruyscher was killed, and Anna Fochtman and Rachel Whitney were stabbed and beaten by Eric Taylor, the ex-boyfriend of Ms. Fochtman. Fochtman had sought treatment from an earlier beating and reported to a police officer that Taylor had kidnapped her and that she was afraid that he would kill her. She was told to wait three days before filing charges. The three-day waiting period for simple assault charges was departmental policy in Battle Creek, MI. (*Detroit Free Press*, Monday, November 9, 1992, B-1.) However, since the landmark case of *Thurman v. Torrington* [595 F. Supp. 1521 (1984)], law enforcement agencies have become increasingly vigilant in enforcing protection orders. In that case, the appeals court applied the "equal protection of the laws" provisions of Section 1983 of the Civil Rights to a member of a newly-recognized class – domestic violence victims – permitting Tracy Thurman to recover substantial damages from the police department which had ignored her repeated efforts to gain protection from her abusive husband.

c. Child Victims

Virtually all states have some types of special legislation that address protecting child victims. Such protections include speedy trial legislation, providing children with protections at deposition or when they testify through the use of videotape, closed-circuit television, or other device to shield a child victim from facing the defendant, extending the statute of limitations for child victims of sexual abuse such that charges may be filed years after the abuse has taken place or when the child becomes an adult; prohibiting the requirement of corroboration of a child's testimony and presuming the child's competence; admitting hearsay to corroborate a child's story; and allowing the child to be accompanied by someone in court.

d. Victims of Sexual Assault

New protections with regard to exposure to the Human Immunodeficiency Virus (HIV) have been enacted over the last several years. At least 30 states either already have laws criminalizing some activity which may result in the exposure of persons to HIV or have legislation pending before their legislatures. The Young Lawyers Division of the American Bar Association recommended the following:

"Be it resolved, that the American Bar Association encourages the enactment of state legislation making it a crime for a person to knowingly expose another person to HIV/AIDS through either (a) consensual sexual activity without disclosing that he or she has HIV/AIDS, (b) nonconsensual sexual activity regardless of whether disclosure that he or she has HIV/AIDS is made, (c) the donation or sale of blood, blood products, semen, tissue, organs, or other body fluids, and (d) the sharing with another person of a hypodermic needle, syringe, or both, for the introduction of drugs or any other substance into, or for the withdrawal of blood or body fluids from the other

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person's body without first informing that person that the needle syringe, or both, has been used by someone infected with HIV/AIDS." (October 26, 1992)

Another legal issue involving HIV/AIDS is whether there should be mandatory testing of persons who are arrested for a sexual crime. The Young Lawyers Division of the ABA recommended the following:

"Be it resolved, that the American Bar Association encourages the enactment of state legislation providing that any person who is arrested for a sexual crime involving the exchange of bodily fluids is to be tested for HIV/AIDS and the results of such test(s) to be disclosed to the prosecutor and the alleged victim of the sexual crime."

- Legal changes in the standards for release on bail and bond are also changing.

The prevailing trend is to allow law enforcement to retain the accused in custody, a practice known as preventive detention. The Federal Bail Reform Act of 1984 allows courts to deny bail to persons found by clear and convincing evidence to present a danger to the community. It also requires defendants to refrain from criminal activity as a mandatory condition of release.

Some jurisdictions are also considering allowing victim intimidation input at bail hearings. Such input would record victim concerns about continued harassment by the offender or actual threats at the scene of a crime. It has been suggested that if such input were allowed, law enforcement officers may be responsible for collecting and submitting the information to the court.

B. The Right to Information and Notification

1. *Original Intent*

To change laws so that victims had a right to receive information about the status of their cases and timely notification. All states now include the victims' right to information about the status of their cases in bills of rights. This is one of the most important legal rights with implications for law enforcement responsibilities.

2. *State of the Law Today*

- The right to information about case status and notification of selected events including the following (stages where law enforcement officials are specifically involved are marked with an asterisk).
 1. Arrest: 44 states*
 2. Pre-Trial Release: 31 states*
 3. Bail Hearings and Release: 27 states*
 4. Court Schedule Changes: 43 states
 5. Plea Agreements: 30 states
 6. Sentencing Hearings: 34 states
 7. Final Disposition (includes case dismissal, diversion): 34 states*
 8. Parole Hearings: 31 states
 9. Pardon or Clemency Hearings: 27 states
 10. Work Release: 31 states
 11. Prison Release: 39 states
 12. Escape of Offender: 22 states
- The constitutional amendments in at least 12 states raise questions about what "crucial" or "critical" stages of criminal proceedings means in the text of their amendments; these may include other stages such as notification and information about appeals or executions.

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- Questions have recently been raised about who should receive notification and information. The passage of a law in New Jersey providing for notification of a community when a sex offender is released in that community (commonly known as Megan's Law in recognition of a small child who was killed by a sex offender after release) sparked widespread controversy. Most states, with encouragement from the Federal government, have enacted similar laws.

C. Right to Counsel

1. *Original Intent*

The original intent behind the proposition that victims should have a right to counsel was based on the need to offer victims counseling and advocacy services. The goal was to establish state funding for services and encourage local support of such assistance. That goal has been broadened to include the right of victims to participate in decision-making processes. Some term this right as one giving victims the right to give and to receive information. In no state has such a right permitted victims to make decisions or determine sentences – “a voice, not a veto” is the extent of these participation rights.

2. *Current State of the Law*

- Funding for Services

State funding for victim services exists in a number of states – 33 for general victim services, 48 for domestic violence programs or shelters, and 24 for sexual assault or rape crisis programs. The source of the funding most often comes from general revenues or fines or penalty assessments. Domestic violence funding in some states is derived by a marriage license tax. Iowa funds child abuse prevention programs through a \$10 birth certificate fee. All states receive victim assistance funding from the federal Victims of Crime Act and the Violence Against Women Act, which are the primary federal subsidies of these services.

Funding has also been provided for victim assistance through local initiatives or the budgets of law enforcement agencies or prosecutor offices. As of 1990, 36% of all law enforcement agencies with 100 or more sworn officers had victim assistance units. In addition, many small agencies had improved victim services through training or active collaboration with established victim assistance programs.

- Confidentiality

Victims are often embarrassed by details of victimization or fear that offenders will retaliate if they learn of the victims' reports. For many, the duty to report a crime is compromised by such fears and embarrassment. Conflict may arise from the tension between the victims' desire for confidentiality and law enforcement officers' need for full information.

Well-trained victim assistance professionals can sometimes help to allay such conflict by serving as a filter between the victim and law enforcement officers. Privileged communications between victims and recognized professions such as the clergy, psychologists, and psychiatrists is established in most states, but victim advocates and counselors who have other backgrounds are not protected in most cases. Nineteen states have established privileged communications between victims and domestic violence counselors and 20 states have established that privilege between victims and sexual assault counselors. New York has privileged communications between psychologists or social workers and victims. New Jersey has the broadest confidentiality

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law, providing privileged communication between all victims and their counselors unless the counselors are staff in a prosecutor's office.

Due to the complexities involved in reporting and the protection of confidential information many of the confidentiality statutes include a requirement that counselors must have a minimum number of mandated training hours. Because of the limited nature of confidentiality on a state level, the federal Office for Victims of Crime, with Congressional encouragement, issued VOCA victim assistance guidelines that create a limited confidentiality privilege to clients whose counselors are supported by a VOCA subgrant. That "federal" privilege has been recognized as superseding state law on the issue, although both the guidelines and the courts seem insistent that no communication to any therapist or counselor may be kept confidential if it presents a reasonable case that child abuse has been committed. In that situation, a state's mandatory child abuse reporting law takes precedence.

- Participatory rights for victims

Twenty-four states allow victim input at the plea bargain stage, a right underscored in California in the case *People v. Stringham*, 206 Cal. App. 3d. 184 (1988). There, a guilty plea to a single count of voluntary manslaughter was found to be properly vacated when the sentencing judge found that the victim's survivor had not been permitted to comment on the plea; later conviction at trial for second-degree murder, kidnapping, and felony false imprisonment was upheld.

As in all consultation rights, the victim's right to be consulted should not be considered decision-making authority. A state prosecutor violated state legislation setting formal standards for plea negotiations when he conditioned his acceptance of a guilty plea on the approval of the proposed agreement by the parents of the murder victim. The court held that the condition constituted an impermissible delegation to the victim's parents of the prosecutor's statutory discretion. *State v. McDonnell*, Or. Sup. Ct. (1990).

Victim impact statements at sentencing are allowed in all 50 states. (In Alabama this is accomplished through judicial administrative policies rather than by statute.) Victim statements of opinion are allowed in 25 states. The constitutionality of victims' input at sentencing was questioned in *Booth v. Maryland*, 482 U.S. 497 (1987) and *South Carolina v. Gathers*, 490 U.S. 805 (1989), in which the Supreme Court ruled that such input was unconstitutional in death penalty cases. However, in 1991, the Supreme Court reversed itself in *Payne v. Tennessee* 112 S.Ct. 28 (1991) and held that testimony by the victim at sentencing was not unconstitutional. Several issues, however, remain unresolved.

- a. Who is responsible for facilitating the victim's opportunity for input?

Should victim impact information be collected or recorded during investigations? In some states, statutes describe specific responsibilities and designate the recording requirements.

- b. In states that allow the submission of the victim impact statement in conjunction with the Pre-Sentence Investigation Report, and where such reports are confidential, does the victim have a right to know the contents of the report? The Oregon Supreme Court in 1989 ruled that though the survivors' letters to the sentencing judge revealed their knowledge of the confidential PSI, the prosecutor committed no ethical breach since he described its contents rather than show them the report. *In*

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re Collins, 308 Or. 66 (1989). In *U.S. v. Schlette*, 842 Fed. 2d 1574 (1988), the victim's estate was allowed to examine the confidential PSI for evidence of possible negligence of the probation department.

c. The constitutionality of a victim's statement of opinion was called into question in 1991 when the U.S. Supreme Court let stand a ruling that family members of a murder victim who oppose capital punishment cannot ask jurors to spare the life of the convicted killer. Olan Robison was convicted of the 1981 killing of three people during a robbery. Family members of at least one victim sought to testify that they wanted Robison given a life sentence, rather than death. But the 10th U.S. Circuit Court of Appeals ruled that the *Payne* ruling does not give family members of victims who oppose capital punishment the right to formally ask the jury that the killer's life be spared. While the refusal of the Supreme Court to hear the case sets no precedent, it is interpreted as indicating that this ruling under *Payne* will not be disputed. *Robison v. Maynard*, 943 F. 2nd 1216 (10th Cir. 1991; cert. denied, 112 S. Ct. 445).

d. Some legal theorists have argued that while *Payne* held that victim impact statements were not *per se* unconstitutional in death penalty cases, it does not require the submission of such statements or indicate that they will always meet *state* constitutional norms. Indeed, one of the first state Supreme Court decisions after *Payne* found, on state constitutional grounds, that evidence concerning the emotional impact of crimes on the community and psychological and physical impact of crimes on the victims' families and the community was inadmissible victim impact evidence in a Georgia death penalty case. *Sermons v. State*, 417 S.E.2d 144 (Ga. 1992).

e. A number of victim-oriented criminal justice professionals are now suggesting that impact statements describe not only the impact of crime upon individual victims but also, where appropriate, the impact of crime on neighborhoods. This type of information may be best collected by community police or prosecutors. Neighborhood impact statements may be particularly important in dealing with drug-related crime, and is sometimes sought and submitted by the "neighborhood prosecutors" employed by the Multnomah County, Oregon, District Attorney, among others.

f. Victims also have a right to provide victim impact statements at parole hearings in 34 states. Allocution – the right to speak – is allowed at parole hearings in 30 states. After the passage of a constitutional amendment on victim rights in Michigan, the state Parole Board failed to ask for the input of victims or family members prior to paroling two felons. The Oakland County prosecutor, Richard Thompson, filed suit on behalf of the victims and survivors on the basis of the violation of state statutes and the constitution and reached an agreement that the Board apologize to the victims. (Hearing held in front of Judge Hilda Gagge, July 22, 1992.)

- The right to counsel can also be interpreted as a victim's right to have standing, to appear as a party, and to have representation in a criminal case.

Some have argued that the words "to be heard" in constitutional amendments should be interpreted as conferring on victims a limited right to be formally represented in the courtroom, and in fact, attorneys for the victim have been heard in hearings in Florida, Arizona, and other "amendment" states. There is some precedent for this kind of victim representation in this nation's history and in other countries.

In dozens of states there is statutory or case law retaining some vestiges of "private prosecution," which was the only way prosecutions were brought during the

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Colonial period and for a time thereafter. One scholar notes some 34 states give victims the right to seek private prosecution as an alternative to public prosecution in certain cases. [William MacDonald, "Towards a Bicentennial Revolution in Criminal Justice: The Return of the Victim," 13 Am. Crim. L. Rev. 648 (1976).]

The Tennessee Supreme Court ruled that employment of two private attorneys by murder victim's family to assist in the criminal prosecution, as authorized by statute (Tenn. Code Ann. Section 8-7-401), did not violate either the Fourteenth Amendment's Due Process and Equal Protection Clauses or Art. I, Section 8 of Tennessee Constitution. *Bennett v. Tennessee* 798 S.W. 2d. 783 (1990)

D. Right to Reparations

1. Original Intent

The goal of establishing this right is to ensure that victims are as fully reimbursed as is possible for their losses following victimization. The initial concern was that state victim compensation be established and that victims be informed of it and assisted with applications for state compensation.

2. Current State of the Law

- Victim compensation programs have been established by statute in all 50 states. They serve several purposes.
 1. They provide reimbursements for out-of-pocket expenses suffered by victims harmed by physical injuries caused by crime.
 2. They are a symbolic recognition by the state of the victims' losses.
 3. They validate victims' losses through that recognition.
 4. Many provide emergency reimbursements so that victims may begin the reconstruction of their lives as soon as possible.

A full recitation of eligibility requirements, benefits, and standards for compensation program services is found in Chapter Six. However, it should be noted that a number of issues still exist that interfere with the disbursement of compensation.

1. Funding for many of the programs is insufficient. In fact, in 1992, both Maryland and Connecticut suspended their programs due to lack of funds. Nebraska appropriated no more than \$100,000 for its program. While these programs are now fairly healthy, they are a reminder of all the programs' vulnerability. And even though federal funds subsidize the compensation programs under the Victims of Crime Act, those subsidies are granted to the states based on the amount of state-dollar awards paid out in the prior year. Thus, if a state's payouts are low, so is the federal grant-in-aid.
 2. Benefits vary from state to state. Most programs pay for needed, unreimbursed medical treatment and care, mental health counseling, lost wages or disability pay, physical and sometimes occupational rehabilitation, loss of support for survivors of homicide victims, and funeral expenses. Four states allow awards for pain and suffering. Eleven states allow for property recovery of a very limited nature.
 3. Many states have a backlog of claims or awards. Some take longer than a year to pay out benefits.
 4. A big deficiency in the compensation system in the U.S. is the lack of reciprocity that the states have with other countries.
- Restitution has always been a sentencing option at common law in all states. Its purposes include: holding the offender accountable for the losses the victim has

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suffered; sanctioning the offender for breaking the law; and, in some cases, holding the offender accountable for the damage done to the community as a whole.

The legislative trend has been to establish it statutorily and that it be mandated in all cases.

All states now do have statutory authority for ordering restitution, and 23 make it mandatory unless the judge gives written reasons for not ordering it in any specific case. Some states make restitution a condition of any release. There is also a trend toward legislation that makes restitution orders automatically a civil lien against current or future assets of a criminal once probation is terminated.

A recent issue has received considerable attention. Can a court order restitution for offenses or losses that are not connected with the conduct that caused the conviction? In *Hughey v. U.S.*, 495 U.S. 411 (1990), the Supreme Court held that the federal Victim and Witness Protection Act of 1982 authorizes restitution "only for losses caused by the conduct underlying the offense of conviction." The hardship in that reading of the law can be seen in a 150-count fraud indictment wherein 150 victims lost the same amount of money, but 125 were randomly dropped in reaching a negotiated guilty plea.

Congress responded to the decision by amending the statute to authorize the restitution broadly when the offense of conviction involved a scheme, conspiracy, or pattern [18 U.S.C. 3553 (a)(2)]. It also amended the law to allow a court to order restitution more broadly "to the extent agreed to by the parties in a plea agreement" [18 U.S.C. 3553 (a)(3)], thereby resolving a dispute among the circuits on whether existing law authorized this practice.

- "Notoriety for Profit" statutes seek to prohibit criminals from making a profit out of their criminal story by selling it for publication or writing their own account of it.

In 1990, 44 states had passed some type of notoriety-for-profit statute. The statutes vary from state to state in how they disperse any profits that are made from such sales. In some states the victim may be the recipient of any resulting profits, in others, the profits go into a fund to benefit victims in general, and in some, the profits help to fund victim compensation.

The complexities of the statutes have led to some strange results. In *MacDonald v. McGinnis*, convicted murderer Jeffrey MacDonald sued author Joe McGinnis after McGinnis published his account of the crime in the book *Fatal Vision*. The foundation of the lawsuit was breach of contract and fraud. MacDonald alleged that he agreed to do the book because McGinnis contracted to write it to help prove MacDonald's innocence. Instead, the book seemed to underscore his guilt. MacDonald won the suit and was awarded \$325,000 – \$275,000 for the breach of contract and \$50,000 for the fraud.

MacDonald's mother-in-law then sued MacDonald on the basis of California's notoriety-for-profit act and argued that MacDonald should not be given the money because it was a profit from the selling of his story. (*Kassab v. MacDonald* C672086) The court ruled that the \$50,000 was not subject to the act because it didn't relate to the story itself, but \$275,000 was susceptible to the suit. However, the judge ordered that \$92,000 of MacDonald's attorney's fees be deducted from the sum and that the remaining \$173,000 be divided between MacDonald's mother and his in-laws. (*National Law Journal*, February 6, 1989, p. 8)

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Most notoriety-for-profit acts were ruled unconstitutional by the Supreme Court in 1991 in *Simon and Schuster Inc. v. Members of New York Crime Victims Board*, 112 S.Ct. 501 (1991). State legislatures are seeking to revise legislation so that it meets the tests that appear in *Simon and Schuster*. Such revised legislation would either make available all "fruits of the crime" income for reparations, or significantly strengthen restitution laws, or both.

- Civil Litigation

Civil recourse for victims of crime can take several forms. One type of litigation takes place when the victim sues the offender. For years, such litigation was often viewed as untenable due to the myth that most offenders are impoverished and have few assets. However, civil litigation may be a viable option in certain types of crime – acquaintance rape, domestic violence, child abuse, and so forth.

In a related area of the law, in May, 1992, Judge Ken Kawaichi of Superior Court in San Francisco ruled that neighbors who contended that a 36 unit apartment building had become a public nuisance because it was a center for the sale and distribution of drugs. The owner, Albert C. Lew, was ordered to pay the neighbors \$218,325. Each will receive from \$1,000 to \$5,000. (*The New York Times*, May 21, 1992, Section A, page 24, Column 4.) This type of civil action may also involve findings from officers involved in community policing. They may be the most likely source of information concerning the scope and nature of public nuisances.

There is an old legal doctrine that certain people have a duty to protect from criminal harm their patrons, customers, tenants, and others with such a special relationship, and when that duty is broken, the third party, and not just the criminal offender, is liable for civil damages to the victim. Since 1976, when the University of California system was found liable for failure to relay threats made by a student in psychiatric counseling against a young woman whom he later killed, third-party wrongful death suits have been brought. Under this doctrine in recent years, victims have recovered civil damages from apartment owners, stores, hotel owners, schools, prison systems, and a host of other institutions.

New areas of liability have been found in recent years. In January, 1992, a Virginia jury ordered a gun store to pay \$100,000 to the family of a teacher who was shot to death by a student. The family had sought a \$3 million judgment against the store. Dennis A. Henigan of the Center to Prevent Handgun Violence said it was the first time a jury had held a store liable for damages in such a purchase. (*National Law Journal*, Feb. 10, 1992, page 3.)

Another landmark case emerged from the shooting spree in the Chicago suburb of Winnetka on May 20, 1988. Laurie Wasserman Dann went to Hubbard Woods Elementary School, entered a second-grade classroom, and shot six pupils, one fatally. She committed suicide later in the same day. The parents of the eight-year-old boy she killed brought suit against Dann's parents alleging that they knew their 30-year-old daughter was dangerous and that they had control and charge of their daughter's life *Corwin v. Wasserman*, 88 L 6369 (Cir. Ct. Cook Co., 1988). (*Chicago Tribune*, Chicagoland Section, p. 11, September 9, 1988.)

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E. The Right to Property and Employment

1. Original Intent

This concept was based in the fact that for years property that was recovered after a burglary or that was used as evidence in an investigation or prosecution was held by law enforcement for months and sometimes years before being returned to its rightful owners. Indeed, in many cases, property was never returned, or, in the case of recovered stolen vehicles, the victim was charged storage fees. Additionally, victims or witnesses who testified in a criminal case often were docked wages or, in some cases, fired because of the need to take time off from work or the stigma that accompanied the trial.

2. Current State of the Law

- The right to expeditious property return is designated by statute in 43 states.

However, in most cases the right is limited by the caveat that a judge may deem property necessary for trial or appeal. While most property can be photographed for criminal proceedings, many prosecutors feel that the having the property physically present in court is important to their cases.

Even if property cannot be expeditiously returned, it should be a right of a victim to have his or her property treated with respect and care. In some cases property is auctioned off or sold by law enforcement agencies without any attempt at identifying the owner. In other cases it is simply lost.

- States have addressed the issue of the right to employment primarily through statutes that provide for the right of a victim to have an advocate intercede with his or her employer to obtain relief. Some jurisdictions have agreements between the prosecutor's office and local employers to allow victims or witnesses to attend trials or to testify when necessary. However, only three states have laws that specifically make it a misdemeanor for an employer to refuse to pay wages or to fire an employee who must be present at criminal justice proceedings.

Section 207 of the Uniform Victims of Crime Act has the following provision:

"An employer may not discharge or discipline a victim or a representative of the victim for:

"1. participation at the prosecutor's request in preparation for a criminal justice proceeding; or

"2. attendance at a criminal justice proceeding if the attendance is reasonably necessary to protect the interests of the victim."

- For many victims, the loss of credit cards or the financial hardship caused by crime can cause them to be unable to pay bills or rent.

Twelve states have addressed this issue by providing for the right of a victim to have an advocate intercede with creditors. Some states also explicitly include landlords in such statutes. This has particular importance for many victims of domestic violence. Often landlords will refuse to rent to people involved in abusive relationships or to women who are trying to escape abusive relationships.

F. The right to due process during criminal proceedings.

1. Original Intent

This concept essentially sought to establish parallel rights for victims that exist for defendants. Such rights include such issues as the right to speedy trial, the right to attend court proceedings, the right to jury trial and the like. One narrow issue that has been

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partly resolved over the last two decades was the concern that in jury selection the prosecution should have the same number of pre-emptory strikes as the defense. In 1980, a number of states allowed the defense to have as many as three times the number of strikes as the prosecution; today, there are significantly fewer states permitting "unequal strikes."

2. *Current State of the Law*

- Twenty-three states now accord certain victims a right to a "speedy" disposition of their case.

Most such statutes are limited due the lack of enforcement provisions. If a defendant demands a speedy trial and does not receive it, the case is dismissed. Parallel remedies are not appropriate for the state or the victim. One remedy seriously considered is the idea of requiring the chief judge of a judicial district to bar any civil case from going to trial until the improperly-delayed criminal case is sent to trial. There is authority for that remedy in the state of Oregon where court rules state that no civil case can go forward while a criminal trial is pending.

Section 202 of the Uniform Victims of Crime Act contains the following provision:

"A prosecutor, if practicable, shall inform a victim of a pending motion that may substantially delay the prosecution. The prosecutor shall inform the court of the victim's position on the motion, if any.

"If a victim objects to a delay, the court shall consider the victim's objection and, if it grants the motion, state in writing or on the record that it has considered the objection."

- Court attendance by victims

Twenty-two states allow victims and family members to attend court proceedings.

Five of those states provide for such court attendance through the passage of state constitutional amendments and seventeen have separate statutes on the issue.

The first state to pass a court attendance statute was Alabama, in 1983. With the exception of states that have passed constitutional amendments, the Alabama statute is arguably still the most expansive. Its court attendance law grants victims the rights to be present in the court hearing their case and to be seated at the prosecutor's table; not to be excluded from that court or counsel table during any pertinent hearing or trial or portion thereof except for reasons that would also justify a defendant's removal; and to be exempt from rules and regulations or other laws that separate or exclude witnesses from court in criminal trials or hearings. While to some legal scholars the statute seemed a radical departure from general legal practices, in fact, a number of Alabama courts had traditionally operated in this manner. (Alabama is also one of the states that actively use private prosecution when victims request it.)

Section 205 of the Uniform Victims of Crime Act provides as follows:

"A victim or an individual designated by the victim may be present whenever a defendant has a right to be present during a court proceeding concerning the crime charged other than a grand jury proceeding, unless the court determines that exclusion of the victim or designated individual is necessary to protect the defendant's right to a fair trial (or the confidentiality or fairness of a juvenile proceeding). If the victim is present, the court, at the victim's request, shall permit the presence of an individual to provide support to the victim, unless the court determines that exclusion of the individual is necessary to protect the defendant's right to a fair trial.

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“Unless a victim requests otherwise, the prosecutor shall promptly inform the victim of the date, time, and place of each court proceeding relative to the disposition of the case at which the victim has a right to be present.”

- Trial by Jury

Some victims and their advocates have argued that the right of defendants to a trial by the jury of their peers does not necessarily mean that they have a unilateral right to waive a jury trial. Victims or the state should have a right to demand a jury trial, as well. While no state has a current statute providing for such a right, Illinois did pass a law giving victims the right to jury trial a few years ago. Following its enactment, a case was appealed to the Illinois Supreme Court in which a defendant argued that the right violated his due process rights. The Illinois Supreme Court found the statute unconstitutional but did not rule out the possibility that if the statute was reworded that it might be upheld as constitutional.

- Right to Relevant Evidence Presented in Criminal Proceedings

Another due process issue is one that could be described as a victim's right to have relevant evidence presented in criminal proceedings. The focus of this concern is the growing effort to persuade the judiciary that evidence regarding long-term stress effects of criminal victimization is relevant. (Such evidence includes the battered woman's syndrome, rape trauma syndrome, post-traumatic stress disorder, child sexual abuse accommodation syndrome, and may include the new descriptions of diagnosis of Disorders of Extreme Stress Not Otherwise Specified – DESNOS – proposed for, but not included in, the Fourth Edition of the American Psychiatric Association's *Diagnosis and Statistical Manual*.) There is no consistent rule of law regarding such evidence throughout the U.S. Whether it may be used as corroborating evidence of a crime, evidence in the assessment of the impact of crime, or evidence of the crime itself varies from state to state.

However, when such evidence is allowed, there may be increasing pressure on law enforcement officers to record appropriate information relating to long term stress reactions in investigative reports.

- Elimination of or lengthening the time of statutes of limitation in cases of child sexual abuse and incest

Twenty-nine states have changed their laws in two ways. They have extended the time period during which charges can be brought. And some have indicated that the time period does not begin with the alleged crime but with the moment of discovery of the crime by the victim. This revision attempts to deal with the concern that some victims of sexual abuse repress memories of the crime until adulthood.

As a result of these changes, law enforcement officers may have to open or reopen cases that are years old. An understanding of the impact of such cases over time and the scientific evidence required to support a successful prosecution will require intensive training and education on interviewing survivors of child sexual abuse and incest.

- Procedures for Discovery

Depositions are permitted in civil proceedings in all 50 states. But criminal cases are different. Thirty-eight states allow depositions in criminal trials only if a witness will be unavailable for trial. Six require court orders for depositions. The remaining six – Vermont, Florida, Indiana, Iowa, Missouri and North Dakota – do not require a court order.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

On October 2, 1992, the majority of the Arizona Court of Appeals, Division One, held that a defendant's due process right to present a defense trumps a victim's right under the Arizona Constitution to refuse to comply with discovery requests. Under the Arizona Constitution, the victim had a right to "refuse an interview, deposition, or other discovery request by the defendant. ..." However, a state's ability to restrict defendants' right to discover exculpatory information is limited by the doctrine of *Brady v. Maryland*, 373 U.S. 83 (1963), the majority decided. The case was remanded for *in camera* findings (with the judge alone reviewing the files) on, among other things, whether the records sought were exculpatory and essential to the defendant's assertion of self-defense. The ruling is a recognition that information essential to the defense must be made available to the defendant prior to trial to be useful. *State ex rel. Rowley v. Superior Court*, 836 P. 2d 445 (Az. Ct. App. 1992).

G. The right to be treated with dignity and compassion in the aftermath of crime.

1. Current State of the Law

- Consideration of victims needs or losses at sentencing.

While the victim impact statement laws have been enacted to help judges or juries to do this, some laws and legal policies also address sentencing issues more directly.

The sentencing of a man, who had sexually assaulted his 11-year-old stepdaughter in 1986, by Circuit Judge John F. Foley was based on Judge Foley's consideration, among other things, of how the sentence would affect helping the girl to recover. The Wisconsin Court of Appeals upheld the decision. *State v. Jones* 444 N.W. 2d. (Wisc. App. 1989) The court said a victim's needs may be considered where appropriate. In a concurring opinion, Appellate Judge Ralph Adam Fine went further, saying a victim's needs should be "an appropriate consideration in every case. ...A victim's suffering is not only a good measure of the crime's seriousness but, indeed, is a useful gauge with which to determine appropriate punishment. Criminals who intentionally inflict harm are also subject to penalty enhancement that will vary with the psychological needs of their victims."

- Vulnerable Victims

The Federal Sentencing Guidelines allow for escalation of sentences when victims of the crime are vulnerable. (Section 5K2.3 of the Guidelines.) There is considerable discussion of what constitutes a "vulnerable victim" for the purposes of these guidelines. The Third Circuit ruled that the repercussions of a fraudulent investment scheme that wiped out the savings of some elderly victims included the sort of "extreme psychological injury" that justifies an upward adjustment in offense level under the Guidelines. *U.S. v. Astorri*, 923 F. 2d 1052 (3rd Cir., 1991).

The Tenth Circuit Court of Appeals has indicated that without more than mere membership in that class of persons who are elderly, an enhancement is not allowable. *U.S. v. Lee*, 973 F.2d. 832 (10th Cir. 1992). However, the same circuit affirmed an enhancement based on a district court's determination that the victim was vulnerable based on her physical characteristics. In that opinion the Court of Appeals stated that the defendant selected and targeted the particular victim for a sexual assault because of her double mastectomy and her obvious weakened physical condition. *United States v. Pearce*, 967 F.2d 434 (10th Cir. 1992), cert. denied, 113 S. Ct. 341.

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- **Better Treatment of Victims Through Better Training of Criminal Justice Personnel**

Twenty states mandate training on some victim issues for law enforcement officers. New York and Montana explicitly include mandated training for prosecutors as well. There are more and more training curricula available for all types of professionals. Many advocates believe that there should be mandatory pre-service training for victim advocates or counselors in addition to regular in-service training programs.
- **Unassailable Rights for Victims**

While all states have some form of bills of rights for victims, in most states those rights only apply to victims of adult criminals. Victims of juvenile offenders are often denied similar rights because of the closed nature of the juvenile proceedings and because the law treats juvenile offenders significantly different from adult offenders. New York has a specific law providing for victim rights in juvenile proceedings. Legislation in Florida giving victims of crime the right to be informed, present and heard in juvenile court when the offender is under 18 years of age and the right to a prompt and timely case disposition became effective October 1, 1992.

Arizona is another state that has enacted wholesale legislative revisions of its juvenile system and an initiative drive would put a proposed constitutional amendment for victim rights in the juvenile system on the ballot in November, 1996.

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An Outline of Chapter Four, “Victim Rights and Law Enforcement Responsibilities”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Four: Victim Rights and Law Enforcement Responsibilities

Format

One-Day: 45 minutes.
Three-Day: 1 hour 15 minutes
Roll Call: Two 20-minute segments

Objectives of session:

1. To describe the rights of victims in the criminal justice system.
2. To illustrate how these rights of victims should be integrated into how law enforcement officers perform their responsibilities.

At the end of the session, the participants should be able to:

1. To list seven basic rights of victims in the criminal justice system.
2. To identify the circumstances when victims should be provided with information and assistance about their rights.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. Laws concerning rights of victims of crime have changed greatly

1. 1982 Victim and Witness Protection Act
2. 1984 Victims of Crime Act
3. 1990 Federal Child Victims Bill of Rights and Victim Rights and Restitution Act
4. 1994, the Violence Against Women Act
5. Significant changes at the state level
 - all 50 states have victim compensation.
 - input at sentencing - 50 states
 - funding for victim services - 40 states.
 - litigation addressing victim rights or reparations in the civil or criminal courts
 - 29 states amended constitutions to give victims rights

B. National victims constitutional amendment network established to adopt federal constitutional amendment [Hand out state legislation for comparison by participants]

II. Victim-Related Legislation and Litigation on Victim Rights in the Criminal Justice System

The outline that follows uses a seven-point statement of principles promulgated by NOVA in 1980 to summarize the state of the law.

A. Right to Protection

1. *Original Intent*

A. In 1980, right to protection from intimidation and harassment inspired by American Bar Association

- broadening definition of witnesses
- increasing the charge of intimidation
- treating attempted intimidation seriously
- increasing the scope of protective orders.

B. Forty-five states have changed laws since 1979

C. Violence Against Women Act of 1994 mandated states give full faith protective orders issued in other states

D. 48 states have enacted new “stalking laws” to address such crimes

2. *Current State of the Law*

A. Victim privacy protections

- victims' names and addresses
- Twenty states - certain adult victims
- Iowa - all victim records
- Nine states - names or addresses of sexual assault victims
- Illinois - names or addresses of domestic violence victims
- Nineteen states - identity of child victims
- complicated by 44 states allowing cameras in the courtroom
- Separate waiting areas for victims and their families - thirty-one states

B Special protections for certain victim populations through legislation, litigation, and legal practices.

a. Victims of bias crimes

- Twenty-four states - enhanced penalties for trespassing or vandalism
- Thirty-four states - enhanced penalties for crimes at religious groups
- increasing intimidation statutes
- Federal Civil Rights Act for civil damages
- Violence Against Women Act because of gender

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

b. Victims of domestic violence

- Fifty states - protective orders
- Forty states - warrantless arrest
- Ten states - mandatory arrest~
- landmark case *Thurman v. Torrington*

c. Child Victims

- speedy trial legislation
- videotape
- closed-circuit television
- extending statute of limitations for child sexual abuse
- prohibiting corroboration of child's testimony
- presuming child's competence
- admitting hearsay to corroborate child's story
- allowing child to be accompanied in court

d. Victims of Sexual Assault

- protections with exposure to Human Immunodeficiency Virus (HIV)
- 30 states have laws
- mandatory testing of persons who are arrested for a sexual crime

C. Legal changes in the standards for release on bail and bond

- Federal Bail Reform Act of 1984
- deny bail if danger
- refrain from criminal activity
- victim intimidation input at bail hearings

B. The Right to Information and Notification

1. *Original Intent*

To change laws so that victims had right to receive information about status of cases and timely notification.

2. *State of the Law Today*

A. right to information about case status and notification

1. Arrest: 44 states
2. Pre-Trial Release: 31 states
3. Bail Hearings and Release: 27 states
4. Court Schedule Changes: 43 states
5. Plea Agreements: 30 states
6. Sentencing Hearings: 34 states

7. Final Disposition: 34 states
8. Parole Hearings: 31 states
9. Pardon or Clemency Hearings: 27 states
10. Work Release: 31 states
11. Prison Release: 39 states
12. Escape Offender: 22 states

B. Constitutional amendments raises questions about “critical” stages

C. Questions on who should receive notification and information

C. Right to Counsel

1. *Original Intent*

- need to offer victims counseling and advocacy services
- goal to establish state funding and local
- goal to include the right of victims to participate

2. *Current State of the Law*

A. Funding for Services

- State funding for victim services
 - 33 for general victim services
 - 48 for domestic violence programs
 - 24 for sexual assault programs

B. Sources of funding

- Federal Victims of Crime Act and the Violence Against Women Act
- Local initiatives or budgets

C. Confidentiality

- Nineteen states: privileged communications between victims and domestic violence counselors
- 20 states: privilege between victims and sexual assault counselors
- limited confidentiality privilege to clients whose counselors are supported by VOCA funding

D. Participatory rights for victims

- Twenty-four states - victim input at plea bargain stage
- Victim impact statements: 50 states

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- Several issues unresolved
 - a. Who is responsible for facilitating the victim's opportunity for input?
 - b. Submission of the victim impact statement in conjunction with Pre-Sentence Investigation Report: does victim have right to know contents of report?
 - c. Constitutionality of victim's statement of opinion who opposes capital punishment .
 - d. State constitutional grounds and inadmissible victim impact evidence in Georgia death penalty case
 - e. Impact of crime on neighborhoods
 - f. Impact statements at parole hearings in 34 states
 - g. Allocution – at parole hearings in 30 states

E. Right to counsel

- “To be heard” conferring limited right
- 34 states give private prosecution

D. Right to Reparations

1. *Original Intent*

Goal to ensure victims are as fully reimbursed for losses

2. *Current State of the Law*

A. Victim compensation programs - 50 states

- Out-of-pocket expenses for physical injuries
- issues still exist that interfere with disbursement

B. Restitution

- Offender accountable for losses victim suffered
- offender accountable for damage to community
- Legislative trend statutorily be mandated: 23 states
- Condition of release
- Civil lien against current or future assets
- Congress amended law to order restitution broadly

C. “Notoriety for Profit”

- Prohibit criminals from making profit out of criminal story
- In 1990, 44 states had notoriety-for-profit statutes

D. Civil Litigation

- Victim sues the offender
- Third party is liable for civil damages

E. The Right to Property and Employment

1. *Original Intent*

- Property was held for months and years
- Victims or witnesses docked wages or fired

2. *Current State of the Law*

A. Expeditious property return: 43 states

B. Employment

- Advocate intercedes with victim's employer
- Three states: misdemeanor for an employer to refuse to pay or to fire
 "An employer may not discharge or discipline a victim or a representative of the victim for:

C. Financial hardship caused by crime

- 12 states - advocate intercede with creditors.
- Some states include landlords in such statutes

F. The right to due process during criminal proceedings.

1. *Original Intent*

- Establish parallel rights for victims that exist for defendants

2. *Current State of the Law*

A. Twenty-three states - "speedy" disposition of case

B. Court attendance by victims - Twenty-two states

C. Trial by Jury

D. Right to Relevant Evidence Presented in Criminal Proceedings

E. Elimination of or lengthening the time of statutes of limitation in cases of child sexual abuse and incest

- Twenty-nine states have changed laws
- Officers may have to open or reopen cases

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

F. Procedures for Discovery

- Thirty-eight states allow depositions
- Six require court orders for depositions

G. The right to be treated with dignity and compassion in the aftermath of crime.

1. *Current State of the Law*

A. Consideration of victims needs or losses at sentencing.

B. Vulnerable Victims

- Escalation of sentences
- What constitutes a “vulnerable victim”

C. Training of Criminal Justice Personnel

- Twenty states: law enforcement
- Mandatory pre-service training for advocates or counselors

D. Unassailable Rights for Victims

- Victims of adult criminals
- Victims of juvenile offenders

Chapter Five: Working with Victim Assistance Professionals

Format

One-Day:	45 minutes
Three Days:	1 hour 30 minutes
Roll Call:	Two 20-minute segments

Objectives of session:

1. To explain the program resources that may exist among victim assistance professionals.
2. To establish goals of victim assistance and crime prevention.
3. To explain the fundamentals of victim compensation and provide current program referrals.

At the end of the session, the participants should be able to:

1. Explain what kinds of programs provide the services involved in the eight victim assistance program elements.
2. Identify the goals of victim assistance and crime prevention for community police officers.
3. Describe victim compensation and identify the state program office in the relevant jurisdiction.

Content

[Materials in brackets are guidelines for trainers]

I. Background

Not every crime can be solved, not every assailant arrested, not every criminal convicted. If you took the job to do that, you might as well resign from the beginning. But every victim can be treated with dignity. And if you took the job to help people, then you can be proud of your work and your profession.

– Terry Thomas, then a detective in the Pinellas County, Florida, Sheriff's Office, now a Special Agent in the Florida Department of Law Enforcement

More and more law enforcement officers are acknowledging that treating victims well is not only a part of their job but also a source of satisfaction. Most such officers would like to have victim assistance units available in addition to their own skills, if only because they can then be assured that the victim will have support extending beyond the officers' help at the crime scene.

The extent of such services will depend upon the resources available within a jurisdiction, the commitment of the sheriff or chief, the length of time involved in creating such services, the cooperation of other community agencies, and a number of other factors.

A law enforcement agency interested in starting a victim assistance unit as part of its community policing program can learn much from the experience of others which have developed such programs. A sampling of these is found at the end of this chapter. But in a related project for the Office for Victims of Crime (OVC), the National Organization for Victim Assistance and the International Association of Chiefs of Police have published *Promising Practices in Law Enforcement and Victim Services*, which details scores of successful service innovations implemented by law enforcement agencies, both large and small; contact the OVC Resource Center at 1-800-627-6872 to obtain a copy.

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But even when the department has a clear idea of the kind of unit it wants to operate, it is always prudent to make sure it is well coordinated with other victim services in the community. A suggested method for identifying those services is offered in the next section.

II. Identifying Program Resources [Overhead 5.1]

A. Review of Program Elements

- Crisis Intervention
- Supportive Counseling and Advocacy
- Support During Investigation of Crime
- Support During Prosecution and Trial
- Support After Case Disposition
- Public Education
- Training Other Trainers
- Victimization Prevention

As we indicated in the overview of community policing and victim assistance, victim services can be divided into eight service delivery elements, within which there are numerous kinds of help which can be offered. An important step for law enforcement patrol officers and investigators is an analysis of which of the program elements exist in their communities and who provides the services within these elements.

The following tool is designed to help officers identify the program resources in their jurisdiction.

[The blank checklist which follows is also found in the Participant's Guide; the trainer may want to hand out the checklist with filled-in illustrations which is appended to this chapter. The trainer may also want to discuss who should take on assembling this resource list — officers, victim advocates, or others.]

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Desired Program Element/Services	Available Programs	Description/Limitations
1. Crisis intervention services		
a. Crisis intervention counseling: <ul style="list-style-type: none"> • telephone • on scene 		
b. Emergency referrals or direct assistance for: <ul style="list-style-type: none"> • medical care • shelter • food • substance abuse treatment • clothing • money • child care • property repair • transportation 		
c. Death notification.		
d. Assistance in body identification.		
e. Crime scene cleanup.		
f. Protection through temporary restraining orders.		
g. Information and support at forensic examination		

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Desired Program Element/Services	Available Programs	Description/Limitations
2. Counseling and general advocacy services		
a. Supportive individual counseling		
b. Assistance with victim compensation applications.		
c. Creditor, landlord, and employer intervention.		
d. Intervention with hospitals, medical, and mental health agencies – particularly where a forensic examination is involved, a concern about HIV infection exists, or where family violence is involved.		
e. Assistance with protective relocation or shelter for victims of drug-related crime or family violence.		
f. General information and referral services		
g. Assistance with private insurance claims.		
h. Support groups for peer victims/survivors.		
i. Assistance with document replacement.		
j. Arrangements for property repair.		
k. Mental health referrals.		
l. Legal referrals for civil redress or help with the enforcement of victim rights in a criminal proceeding.		

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Desired Program Element /Services	Available Programs	Description/Limitations
3. Support services during criminal justice investigation		
a. Supportive accompaniment to lineups and photo lineup review sessions.		
b. Supportive accompaniment to interviews.		
c. Information about case status.		
d. Brochures about criminal justice process and victim rights handed out at the scene of the crime or at first contact.		
e. Information on status of any property stolen or removed, procedures and regulations governing property return, and assistance with expediting property return.		
f. Information on arrest status, bail and bond, and pre-trial release.		
g. Supportive accompaniment to forensic examination available and forensic examination paid for.		
h. Information and assistance about victim compensation.		
i. Information given to victim about available protection, and restraining orders.		
j. Information on crime prevention.		
k. Emergency shelter and relocation services.		

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Desired Program Element/Services	Available Programs	Description/Limitations
l. Social services referrals		
m. Crime-scene assistance for street-side identification.		
n. Restraining orders made an automatic condition of bail and prepared with complaint.		
4. Support services during prosecution		
a. Information on all victim rights available in the criminal justice system at first contact.		
b. Coordination of victim and witness appearances at hearings, interviews, and trial with goal of minimizing number of appearances.		
c. Timely case status information.		
d. Personal support through hearings, interviews and trial.		
e. Transportation or parking provided or reimbursements given.		
f. Employer, landlord, creditor intercession services.		
g. Information on restitution, aid in requesting it in every case.		
h. Appropriate clothing is provided to the victim if necessary.		
i. Aid in input on diversions, dismissals, continuances, pleas, sentences.		
j. Assistance with victim impact statements.		

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Desired Program Element/Services	Available Programs	Description/Limitations
k. Information on what is expected of victims in the justice process at each stage of the proceedings.		
h. A safe place is provided for victims and witnesses separate from the accused and defense witnesses.		
i. Information given to victim about witness fees.		
5. Support services after case disposition		
a. Information on victim rights after case disposition.		
b. Upon request, information about offender's status or release.		
c. Monitoring, enforcement of restitution orders.		
d. Aid with victim impact statements at probation revocation, parole, pardon or clemency hearings.		
e. Accompaniment at appeals, post-conviction hearings.		
f. On request, assistance with victim-offender intervention/mediation services.		

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

III. Models of Victim Assistance and Community Policing

As indicated in Chapter One, victim assistance and community policing are natural allies in the effort both to prevent victimization and to respond to those who are victimized. The following outline suggests how the three models presented in Chapter Two can be illustrated in practice.

A. Train all officers in crisis intervention techniques.

B. Develop community-based partnerships with key agencies to ensure that victim needs are met in the aftermath of crime.

Few law enforcement agencies have developed comprehensive community-based partnerships to provide victim assistance, but community policing has been integral to the development of partnerships that target particular victim populations. Two are reviewed.

1. The Child Development-Community Policing Program, New Haven Connecticut

a. Philosophy

“The Child Development-Community Policing Program was developed out of the shared concerns of the leadership within the New Haven Department of Police Service and the Yale Child Study Center faculty. The Program is a collaborative effort aimed at facilitating the response of mental health professionals and police to the burdens of violence, on children, families, and the broader community . . . the Program attempts to change the ‘atmosphere’ of police departments in relation to children and to increase the competence of police officers in their varied interactions with children and families. Fundamentally, the Program attempts to reorient police officers in their interactions with children in order to optimize the psychological roles which they can play as providers of a sense of security, positive authority, and models for identification.

“... The focus of community-based policing on early intervention and crime prevention – rather than on incident response – provides officers with a conceptual framework to support their efforts on behalf of children. The practical strategy of placing individual officers on long-term assignment in particular neighborhoods provides officers with opportunities for developing relationships and assuming roles in children’s lives that would not occur in a more impersonal, incident-driven policing system. The CD-CP Program aims to provide the ongoing psychological training and support that officers need to make the best use of these new opportunities.” [Community Policing, Violence, and Families At Risk: The Yale Child Study Center-New Haven Department of Police Service Model, Steven Marans, et al., Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, 1994]

b. Program Components

- Child Development Fellowships

Child Development Fellows are police supervisors who spend several hours a week over a course of several months in the collaborating mental health agency.

A major goal of the Fellowship is to establish relationships between the Fellows and the child mental health professionals with whom they will be collaborating.

- Education of Police Officers

Police officers attend a seminar that meets weekly for ten weeks focusing on child development, human functioning and policing strategies in order to provide officers with both knowledge and a sense of personal empowerment to think about and intervene positively with children and families.

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- Consultation Services

The Consultation Services of the CD-CP Program allows the police to make referrals and to have clinicians respond to officers' immediate needs for guidance, especially following children's traumatic experiences.

- Program Conference

Police officers and clinicians meet weekly to discuss difficult and perplexing cases that arise from the officers' direct experience.

c. *Results of the Program*

- In the first two years, all 450 members of the New Haven police force were trained in the use of the Consultation Service; 150 officers completed the seminars on child development and human functioning; 16 police supervisors and the Assistant Chief of Police completed the fellowship and met in the weekly Program Conference.
- The Consultation Service received over 150 calls from officers in the field regarding over 150 children.
- Changes in police practices and procedures have included the following:
 - Relatively stable assignment to a specific district in order to develop and sustain relationships with community members.
 - Protocols and supervision that establish a standard of involvement with children and families at scenes of violent crime.
 - Training in basic principles of child development and human functioning relevant to policing strategies.
 - Availability and use of immediate and follow-up consultation with mental health colleagues on a 24-hour basis regarding all acute episodes of violence involving children as well as concerns about at-risk and delinquent behavior.
 - Regular and ongoing contact between mental health colleagues and police officers about clinical referrals and coordination of services and activities, program development, as well as opportunities for discussing the emotional and strategic responses of both police and mental health professionals involved in specific cases.
 - Ongoing discussion of the collaborative process at the institutional/administrative level.
 - Increased contact between officers, school personnel, clergy, social services and community leaders regarding concerns about incidents of violence, potential gang related disputes, and civil disturbances brokered by policing supervisors and mental health colleagues.
 - Review of cases involving juvenile offenders in order to provide more immediate access to treatment interventions where appropriate.
 - Follow-up and assessment of need for clinical intervention for any children on the scene of drug raids carried out by officers assigned to the narcotics division.

2. Triad

a. *Background of Triad*

Older Americans comprise the most rapidly growing segment of the population. The American Association of Retired Persons (AARP), the International Association of Chiefs of Police (IACP), and the National Sheriffs' Association (NSA) signed a

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cooperative agreement in 1988 to work together to reduce both criminal victimization and unwarranted fear of crime affecting older persons. The three national organizations agreed that police chiefs, sheriffs, older leaders, and those who work with seniors, working together, could devise better ways to reduce crimes against the elderly and enhance law enforcement services to older citizens. This, they believe, is true community policing, providing better service to a population which appreciates, respects, and supports law enforcement.

Triad consists of a three-way effort among the sheriff, the police chief(s) in the county, and AARP or older/retired leadership in the area who agree to work together to reduce the criminal victimization of older citizens and enhance the delivery of law enforcement services to this population. Triad provides the opportunity for the exchange of information between law enforcement and senior citizens. It focuses on reducing unwarranted fear of crime and improving the quality of life for seniors. A Triad is tailored to meet the needs of each town/city/county and is governed by a senior advisory council ("Seniors and Lawmen Together," or SALT).

There are now over 400 jurisdictions throughout the United States that have Triad operating in their areas. The following summary is taken from the TRIAD Training Programs sponsored by the National Sheriffs' Association, International Association of Chiefs of Police, and the American Association of Retired Persons in cooperation with the Office for Victims of Crime. For additional information on Triad, call 800-424-7827.

b. Triad's operational structure

The senior advisory council or SALT is the key component for the success of a Triad. In each community the SALT Council acts as an advocacy/advisory group and provides a forum for the exchange of information between seniors and law enforcement.

Council members are selected and invited by the chief(s) of police, the sheriff, and someone representing older citizens – such as an energetic, knowledgeable senior or someone from the Agency on Aging, AARP, RSVP, or ministerial association, etc.

Council members can be a valuable source of input. They can assist in determining the concerns of the community's elderly persons, assess the availability of existing services and programs for the elderly, and recommend additional strategies. SALT Council members may also take part in the crime prevention and victim assistance portions of the Triad program and help to identify potential volunteers to carry out Triad activities.

c. Triad activities

Triad is a way to involve law enforcement and older Americans. The focus is determined by both, after assessing the needs of the particular community. Areas with more serious crime problems may focus on crime prevention and victim assistance. Places where older persons are not often targets for crime may decide to concentrate on reassurance programs, training for law enforcement, and involving volunteers within the law enforcement agencies.

The SALT advisory council plans activities and programs which will involve and benefit both law enforcement and seniors.

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Some Triads sponsor:

- Crime prevention programs for older persons
- Information on how to avoid criminal victimization
- Expanded involvement in Neighborhood Watch
- Home security information and inspections
- Personal safety tips
- Knowledge of current frauds and scams
- Training in coping with telephone solicitations and door-to-door salesmen
- Elder abuse prevention, recognition, and reporting information
- Training for deputies and officers in communicating with and assisting older persons
- Reassurance programs for older citizens
- Telephone call-in programs by and for seniors
- Adopt-a-senior visits for shut-ins
- Buddy system for shut-ins
- Emergency preparedness plans by and for seniors
- Senior walks at parks or malls
- Senior safe shopping trips for groceries
- Victim assistance by and for seniors
- Courtwatch activities
- Refrigerator cards with emergency medical information
- Older persons volunteering within law enforcement agencies

d. Triad Plans of Actions

- Chief and sheriff meet to discuss:
 - Crimes against seniors
 - Possible areas of Triad involvement
 - Composition of senior council (SALT)
 - Selection of SALT chairman
- SALT group is chosen
 - Topics for discussion of SALT Council:
 1. Demographics of aging
 2. Countywide senior statistics
 - a. Numbers of older persons
 - b. Crimes against seniors
 - c. Problems faced by seniors
 - d. Fears of older persons
 3. Programs currently available
 4. Possible unmet needs
 - Subcommittees assigned such as:
 1. Survey of fears, concerns, needs, interest of older citizens determined and Triad volunteers indicated
 2. Crime Prevention
 3. Volunteers
 4. Speakers/publicity
 5. Law enforcement training

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- Crime prevention education launched:
 - Senior events such as sponsored breakfast or lunch, senior fair
 - Programs for and by seniors at:
 1. Senior housing
 2. Neighborhood Watch groups
 3. Senior centers
 4. Churches
 5. Mall walks
 - Topics:
 1. Update on current crimes affecting older persons
 2. Combat unwarranted fear of crime with facts
 3. Plan programs on fraud, scams, home security, marking of valuable property, etc.
- Victim assistance program initiated or expanded:
 - Volunteers to work with senior victims
 - Tactics to increase victim reporting
- Training for law enforcement officers:
 - Concerns of elderly citizens
 - Effective communicating with older persons
 - Possibility of older persons conducting parts of training
- Expansion:
 - Evaluating activities and success periodically
 - Volunteer responsibilities increase

C. Establish a victim assistance unit in the law enforcement agency.

Hundreds of law enforcement agencies have established an internal victim assistance unit. The Delaware State Police Victim Assistance Unit is seen by many as an especially interesting model because of its statewide coverage – true, Delaware is a small state, but it might be seen as a huge, populous county – and its mix of sworn and civilian personnel as victim advocates. A brief overview follows:

The Delaware State Police has been committed to a community policing initiative since 1988, and it had the vision to see a connection between the philosophy of community policing and the development of a Victim Services Unit. In 1988, the Victim Services Unit was developed to provide services to victims and witnesses of crime and to survivors of sudden death. The Unit provides immediate, median, and long-term follow-up and referral services. Each of the Victim Services officers is committed to providing holistic counseling. They have been trained to work in cooperation with social services agencies to ensure that the victim/witness/survivor is aware of all services available to help them with the traumatic experience.

In addition to serving as crisis counselors and referral agents, it developed and implemented a victim services training curriculum for all Delaware State Troopers and for a number of municipal police departments in Delaware.

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Appendix

The following is a sample checklist of victim assistance resources, using hypothetical agencies.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Desired Program Element/Services	Available Programs	Description/Limitations
1		
Crisis intervention services a. Crisis intervention counseling: <ul style="list-style-type: none"> • telephone • on scene 	Community Mental Health Victim/Witness Mobile Unit	24 hours, all victims 24 hours, all victims
b. Emergency referrals or direct assistance for: <ul style="list-style-type: none"> • medical care • shelter • food • substance abuse treatment • clothing • money • child care • property repair • transportation 	Ace Ambulance Service Refuge, Inc. Salvation Army Community Food Bank Drug and Alcohol Treatment Center Salvation Army Victim/Witness Unit Tiny Tots Day Care Project Safe, Program of Victim/Witness Unit Refuge, Inc. Area Agency on Aging Law enforcement	24/7, all victims 24/7, females & children under 12, domestic violence 24/7, homeless victims 8 - 6, all victims 8am - 6pm, after 24 hrs of sobriety 8 - 6, all victims 9 - 6, all victims, \$50 limit 7 - 6, referral screened by Victim/Witness Unit Repairs from 8 - 6, housing safety repairs only 24/7, dom. violence victims 8 - 5, seniors over 65 24/7., all victims, priority to sexual assault victims
c. Death notification.	Victim/Witness Unit; Volunteer Chaplains	24/7., available to assist law enforcement officers
d. Assistance in body identification.	Victim/Witness Unit; Volunteer Chaplains	24/7, assisting law enforcement officers & coroner

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Desired Program Element/Services	Available Programs	Description/Limitations
e. Crime scene cleanup.	Victim/Witness Unit	24/7.
f. Protection through temporary restraining orders.	Victim/Witness Unit; Refuge House	24/7, all; Refuge House, domestic violence only
g. Information and support at forensic examination	Rape Crisis Center	24/7
2. Counseling and general advocacy services		
a. Supportive individual counseling	Taylor Neighborhood Center; POMC; MADD	All by apptmt; for victims in Taylor neighborhood, for homicide survivors, drunk driving victims, respectively
b. Assistance with victim compensation applications.	Victim/Witness Unit	8-5
c. Creditor, landlord, and employer intervention.	Victim/Witness Unit	8-5
d. Intervention with hospitals, medical, and mental health agencies—particularly where a forensic examination is involved, a concern about HIV infection exists, or where family violence is involved.	Rape Crisis Center (sexual assault & child sexual abuse), Refuge House (domestic violence), General Hospital social services	24/7
e. Assistance with protective relocation or shelter for victims of drug-related crime or family violence.	Refuge House (domestic violence)	24/7; no programs for other victims
f. General information and referral services	Victim/Witness Unit; Community Hotline	8-5; 24/7 (Victim/Witness most knowledgeable)
g. Assistance with private insurance claims.	Victim/Witness Unit	8-5
h. Support groups for peer victims/survivors.	Victim/Witness Unit; POMC, Refuge House, Rape Crisis Center	5-9 By appointment: all victims; homicide survivors; domestic violence/sexual assault

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Desired Program Element/Services	Available Programs	Description/Limitations
i. Assistance with document replacement.	Victim/Witness Unit	8-5
j. Arrangements for property repair.	Project Safe, a program of Victim/Witness Unit	8-5
k. Mental health referrals.	Victim/Witness Unit	8-5
l. Legal referrals concerning civil redress or assistance with the enforcement of victim rights in a criminal proceeding.	Victim/Witness Unit	8-5
3. Support services during criminal justice investigation		
a. Supportive accompaniment to lineups and photo lineup review sessions.	Victim/Witness Unit	8-5, or as needed
b. Supportive accompaniment to interviews.	Victim/Witness Unit	8-5, or as needed
c. Information about case status.	Law enforcement; Victim/Witness Unit	8-5
d. Brochures about criminal justice process and victim rights handed out at the scene of the crime or at first contact.	Law enforcement; Victim/Witness Unit	24 /7
e. Information on status of any property stolen or removed, procedures and regulations governing property return, and assistance with expediting property return.	Law enforcement; Victim/Witness Unit	8-5
f. Information on arrest status, bail and bond, and pre-trial release.	Law enforcement; Victim/Witness Unit	8-5
g. Supportive accompaniment to forensic examination available and forensic examination paid for.	Rape Crisis Center or Victim/Witness Unit	24/7

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Desired Program Element/Services	Available Programs	Description/Limitations
h. Information and assistance about victim compensation.	Law enforcement; Victim/Witness Unit	8-5
i. Information given on available protection, and restraining orders.	Law enforcement; Refuge House	24/7
j. Information on crime prevention.	Law enforcement; Victim/Witness Unit	8-5
k. Emergency shelter and relocation services.	Refuge House; Salvation Army; Law enforcement	24/7
l. Social services referrals	Law enforcement; Victim/Witness Unit	8-5
m. Crime-scene assistance for street-side identification.	Law enforcement; Victim/Witness Unit	24/7
n. Restraining orders made an automatic condition of bail and prepared with complaint.	Law enforcement; Victim/Witness Unit	24/7
4. Support services during prosecution		
a. Information on all victim rights available in the criminal justice system at first contact.	Law enforcement; Victim/Witness Unit	24/7
b. Coordination of victim and witness appearances at hearings, interviews, and trial with goal of minimizing number of appearances.	Victim/Witness Unit	8-5
c. Timely case status information.	Victim/Witness Unit	8-5
d. Personal support through hearings, interviews and trial.	Victim/Witness Unit	8-5
e. Transportation or parking provided or reimbursements given.	Victim/Witness Unit	8-5
f. Employer, landlord, creditor intercession services.	Victim/Witness Unit	8-5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Desired Program Element/Services	Available Programs	Description/Limitations
g. Information on restitution, aid in requesting it in every case.	Law enforcement; Victim/Witness Unit	8-5
h. Appropriate clothing is provided to the victim if necessary.	Victim/Witness Unit	8-5
i. Aid in input on diversions, dismissals, continuances, pleas, sentences.	Law enforcement; Victim/Witness Unit	8-5, or as needed
j. Aid with impact statements.	Victim/Witness Unit	8-5
k. Information on what is expected of victims in the justice process at each stage of the proceedings.	Law enforcement; Victim/Witness Unit	8-5
h. A safe place is provided for victims and witnesses separate from the accused and defense witnesses.	Victim/Witness Unit	8-5
i. Information given to victim about witness fees.	Victim/Witness Unit	8-5
5. Support services after case disposition		
a. Information on victim rights after case disposition.	Victim/Witness Unit	8-5
b. Upon request, information about offender's status or release.	Corrections Dept.; Victim/Witness Unit	8-5
c. Monitoring, enforcement of restitution orders.	Corrections Dept.	8-5
d. Aid with victim impact statements at probation revocation, parole, pardon or clemency hearings.	Corrections Dept.; Victim/Witness Unit	8-5
e. Accompaniment at appeals, post-conviction hearings.	Victim/Witness Unit	8-5
f. On request, assistance with victim-offender intervention services.	Corrections Dept.; Victim/Witness Unit	8-5

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An Outline of Chapter Five, “Working with Victim Assistance Professionals in Your Community”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Five:

Working with Victim Assistance Professionals in Your Community

Format

- One-Day: 45 minutes
Three Days: 1 hour 30 minutes
Roll Call: Two 20-minute segments

Objectives of session:

1. To explain program resources that may exist among victim assistance professionals.
2. To establish goals of victim assistance and crime prevention.
3. To explain fundamentals of victim compensation and provide current program referrals.

At the end of the session, the participants should be able to:

1. Explain what kinds of programs provide services involved in eight victim assistance program elements.
2. Identify goals of victim assistance and crime prevention for community police officers.
3. Describe victim compensation and identify state program office in relevant jurisdiction.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. Treating victims well is source of satisfaction

B. Extent of services depend upon resources, sheriff or chief, cooperation, and other factors

- *Promising Practices in Law Enforcement and Victim Services* details innovations
- OVC Resource Center 1-800-627-6872

II. Identifying Program Resources [Overhead 5.1]

A. Review of Program Elements

- Crisis Intervention
- Supportive Counseling and Advocacy
- Support During Investigation of Crime

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- Support During Prosecution and Trial
- Support After Case Disposition
- Public Education
- Training Other Trainers
- Victimization Prevention

The following tool is designed to help officers identify the program resources in their jurisdiction.

[The blank checklist which follows is also found in the Participant's Guide; the trainer may want to hand out the checklist with filled-in illustrations which is appended to this chapter. The trainer may also want to discuss who should take on assembling this resource list – officers, victim advocates, or others.]

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Suggested Overheads or Handouts for Chapter Five, “Working with Victim Assistance Professionals in Your Community”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victim Assistance Professionals

5.1 Services of Victim Assistance Professionals

- Crisis Intervention
- Supportive Counseling and Advocacy
- Support During Investigation of Crime
- Support During Prosecution and Trial
- Support After Case Disposition
- Public Education
- Training Other Trainers
- Victimization Prevention

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Chapter Six: Working with Sexual Assault Victims

Format

One Day: 0 minutes

Three Days: 1 hour.

Roll Call: 20 minutes

Objectives of Session:

1. To explain the unique concerns of victims of sexual assault.
2. To explain how law enforcement officers can understand those concerns.
3. To explain how that understanding can help in responding to a victim and investigating a case.

At the end of the session, the participants should be able to:

1. Identify the unique concerns of victims of sexual assault.
2. Explain how law enforcement officers can respond to those concerns.
3. Explain how those concerns can become a priority in your agency.

Content

[Materials in brackets are guidelines for trainers]

I. Background

Our society faces sexual assault with uncertainty. Our official posture is that rape is a criminal act of great repugnance. But behavioral and attitudinal reactions to rape are less certain.

There is little agreement on the definition of sexual assault or rape. Jurisdictions have substantial differences in their evidence requirements and the elements necessary to establish that a crime took place – check your state statute(s) on sexual assault, including those that address marital rape, and any relevant case law. However, for the sake of a better understanding of sexual assault and its effect on victims, we can define it in these generic terms:

Sexual assault: An act of violence in which force is used or threatened. It is committed by one person against another without that person's consent. It involves sexual acts such as penetration of a woman's vagina by a man's penis but is not limited by gender, relationship of offender, or method/weapon used in penetration or orifice involved. Sexual assault in the first degree, or rape, normally involves penetration but sexual assaults without penetration may be equally serious.

Sexual assault can take place within marriages or between intimates. It may be used as a tool in the course of domestic violence. Repeated sexual assaults during a single encounter can result in multiple charges of rape.

[Trainer should spend some time discussing any differences between this definition and the relevant statutory or case law.]

II. Addressing Myths About Rape

Public myths concerning sexual assault are often believed by even those who are familiar with such crimes. Some common misstatements about rape include the following. **[Overhead 6.1]**

A. Some women could never be raped.

Rape involves intimidation, violence and threat of death. No matter what kind of resistance is offered, how strong a person is, or what type of situation exists, any women could be

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

raped. Some are even sexually assaulted after death. In fact, all females, from infants to the very old, are potential rape victims, as are all males (though the risks are lower for males).

B. Most rapes occur after midnight in a public place.

Most rapes occur in the afternoon and evening, and often occur in one's home or place of employment. As a result, many rape victims feel increased fear and anxiety since the violation occurred at a time and place where they thought they were safe.

C. Rape is primarily a crime committed by strangers.

Rape is most often committed by relatives, friends, neighbors, or other acquaintances of the victim.

D. Rape is motivated by sexual desire.

Rape is a crime of violence that is acted out sexually. Eighty-seven percent of rapists either carry a weapon, are violent, or threaten the victim with violence or death. Whether the crime is committed by a stranger or an acquaintance, violent threats are the norm.

E. Women secretly want to be raped.

Women may fantasize about aggressive sexual intercourse. They do not want to be hit, brutally assaulted, or threatened with death in reality. Fantasies differ from sexual assault because the person has mental control over the beginning and end of the fantasy.

F. Most rapes are interracial.

The overwhelming majority of rapes involve persons of the same race or culture.

G. Women sometimes "ask" to be raped through their dress or their actions.

Most rapes are planned or are crimes of opportunity and are based on the rapist's perception that someone is a vulnerable target. Dress is rarely a predisposing factor.

Some people think that the prior sexual history of a female should be considered as evidence of her willingness to submit to sexual intercourse. Rape shield laws are designed to prevent the use of such histories as evidence for the defense. More importantly, consent to have sexual intercourse with one person should not be construed as consent to have sexual intercourse with that person at some future time or with anyone else.

Forced sexual intercourse is never explainable or excusable based on behaviors of the victim.

H. Rape is more likely to happen to young, pretty females.

While young females are more likely to be victims than older women, looks are not a relevant factor. More importantly, rape victims may be infants or among the very elderly. All socio-economic classes, races, ethnicities, religions, education levels, physical or mental disabilities, and sexual orientations are represented among rape victims.

I. A woman must say no or fight in order to establish non-consent.

Fear can render women unable to say no or fight. Circumstances may contribute to the inability to consent. Non-consent can be also established in many jurisdictions by lack of capacity to consent (such as age, mental disability, or inebriation).

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J. Rape is a crime against women.

Rape is a crime against women *and* men. Not only are men raped by other men, contrary to popular belief, men can be raped by women.

K. Victims often lie about rape.

Victims rarely lie about rape. While some cases are unfounded, the disadvantages to reporting a rape far outweigh any motivations to falsify police reports. False accusations of sexual assault have been estimated to occur at the rate of 2% – similar to the rate of false reporting by men and women reporting any violent crime.

L. There is nothing you can do about rape.

There are ways to reduce the risk of a rape through increased awareness and safety precautions. But there is no way to guarantee that it will never happen.

M. Rape is an impulsive act.

Approximately 60% to 70% of rapes are planned.

N. If a woman agrees to some degree of sexual intimacy, she wants to have intercourse.

If someone agrees to sexual intimacy short of sexual intercourse, that is all that person has agreed to. Any attempt to go further needs to be clarified in a verbal discussion of the person's wishes.

III. Unique Attributes of Sexual Assault Victimization

Having discussed some common beliefs about rape, it perhaps is clear why rape and other sexual assault victims are often afraid to report the crime and fear the humiliation of prosecuting. Not only does the victim face an unsympathetic public, but in many jurisdictions their own credibility and lifestyle are placed on trial.

It is difficult to talk about any victimization, but it is particularly difficult to discuss sexual assaults. One obvious reason is that it is difficult to discuss sex – and that is the euphemism for rape, “sexual assault” (though the term now covers crimes other than rape). One victim said, “I wish they would stop calling it a ‘sexual’ assault. It is an assault – more brutal than most because it violates your internal physical integrity, but it is an assault. The attachment of the word ‘sexual’ seems to suggest affection. And assault is violent.” Dr. Morton Bard, in *The Crime Victim's Book*, says short of murder, rape is the most serious kind of criminal violence that can be perpetrated on a victim.

It is useful to describe some of the unique attributes of sexual assault in terms of the general injuries faced by victims: financial, physical, emotional and social.

A. Financial Injuries

- Sexual assault victims may be responsible for making initial payments for forensic examinations that accompany reporting the crime.
- Even if victims do not pay for the actual forensic examination, they may face charges for needed medical or diagnostic treatment such as testing for venereal diseases, HIV, or pregnancy.
- Victims may lose their jobs due to the impact of sexual assault or the stigma associated with it. Some students drop out of school, thus losing their educational benefits.

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- Costs of long term counseling are rarely covered by insurance programs or compensation programs.

B. Physical Injuries

In addition to violence which causes bruises, broken bones, or mutilation, sexual assault can result in the following:

- Sexual dysfunction,
- Pregnancy,
- Venereal disease or HIV infection, and/or
- Permanent damage to reproductive organs.

C. Emotional Injuries

Crisis may occur as a result of any crime, but the intensity of the crisis is exacerbated in the cases of sexual assault because of the physical violation and humiliation as well as the fact that in most instances the rape victim is put in fear of being killed.

It is important to be aware that, while the crisis response follows the pattern reviewed in Chapter III, the manner with which the victim deals with this response will be unique. It will depend on several factors:

- The characteristics of the incident itself (amount of force used, relationship with the assailant, length of time involved in the attack, and such complicating features as torture, burglary, type of sexual assault),
- The victim's perspective of sexuality, sex, and sexual assault,
- The stability of the victim's interpersonal relationships,
- Previous experience as a crime victim, especially of a sexual assault,
- The victim's developmental stage, and
- The victim's previously-established method of dealing with crisis.

Each victim of sexual assault will respond differently and often the manifestation of these responses are deceiving. The fact that a victim seems to be calm and in control of herself following an assault should not be viewed as evidence that the rape did not take place or that she is "feeling fine." A common sign of deep shock is to continue life as though nothing has happened – a process of denial. Indeed, many victims go for days and even months before confronting their fear, anger, guilt, or frustration. It is not unusual for such victims to "fall apart" suddenly as a consequence of a "triggering event," such as smelling a person wearing the same cologne as the rapist had on.

These symptoms have been characterized as the "rape trauma syndrome" which is but one variation of the "post-traumatic stress syndrome." The standard pattern of rape trauma syndrome is as follows:

The first phase has been entitled "Impact." It could also be called the alarm reaction. It is the stage of shock, disorganization, disorientation, and disbelief which follows the assault itself. It can last from hours to days after the assault. The expression of emotion varies. However, despite the unreality of the situation to the victim, she still must deal with constant intrusions from the outside world – the police, the rape examination, notification of family and friends, and other everyday issues, such as child care, her job, the repair of locks, and so on.

The second phase has been called the stage of "adjustment." In Chapter III, a similar phase is described as one of emotional turmoil. It is characterized by the efforts of the victim to return to normality. Unfortunately, normality is not always as simple as it appears. It most

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often involves ups and downs while the victim tries to resume what used to be “normal” life and discovers that her previous equilibrium is no longer comfortable or useful. That discovery precipitates more crisis and the cycle continues.

“Resolution” and “integration” are the third and fourth phases. The resolution aspect emerges when the victim feels the need to deal with the assault and wants to confront her reactions to it. That confrontation results in a new life, one which incorporates an acknowledgment of the assault and the feelings which accompanied it.

The important part of understanding this syndrome for law enforcement officers is two-fold:

- It can produce inconsistent statements and stories at different stages of the investigation.
- There has been a growing recognition that the rape trauma syndrome is a valid psychological description of the state of mind which follows a rape victimization. And some courts have accepted it not only as a reaction affecting consent but also as evidence corroborating that a rape took place.

The range of emotions which may emerge are important in preparing a case. Many of those emotions are exacerbated in sexual assault cases because of the unique features of the crime.

It is not unusual for a rapist to threaten his victim and warn her that he will return. Since sexual assault victims are often put in fear of their lives, the threats add both to their specific fears and to a new generalized anxiety about other people. Such fears affect the victim's willingness to report or cooperate with an investigator as well as her reaction to identifying her attacker in a lineup or seeing him in court. Victims often feel that if a conviction does not occur, the offender will retaliate against her for reporting.

Guilt, self-blame, and embarrassment are common emotions in any crime, but are often more acute in sexual assault. Many victims have internalized the myth that a woman cannot be sexually assaulted against her will or unless she “asked for it.” Victims who suffer serious physical injury fighting an assault may have fewer guilt feelings than others because of their physical efforts to resist. Victims who know the assailant often suffer a confusion of feelings, worrying about whether they are to blame and if they can trust their own judgment in the future. In addition, victims feel embarrassed by the fact that the most intimate parts of their bodies were exposed, and must be exposed again in the investigation. Some victims feel that their bodies are no longer “their own.”

Guilt and self-blame are particularly problematic in some investigations. It is not unusual for a rape victim to say “it was my fault” as she tells the story. Those words, if found in a police report or recorded elsewhere, may haunt the prosecution in the future as the defense seeks to destroy the credibility of the victim and to suggest a consensual relationship.

D. Social Injuries

1. Stigma

Many rape victims are stigmatized because they may be blamed for their victimization; perceived as “soiled or unclean;” or be seen as having less moral value due to their loss of sexual integrity.

2. Disbelief by criminal justice authorities

In some jurisdictions, victims are subjected to polygraphs or psychological tests to assess the veracity of their story or their mental stability.

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3. The forensic examination

The necessity of gathering evidence may cause victims to feel assaulted again during the medical examination. Even where the examination is conducted according to rigorous protocols, the collection of semen or plucking of pubic hairs is often embarrassing and humiliating.

4. Public perception

- A Newsweek Poll conducted April 18-19, 1992, concerning the public's view of the publication of names of rape victims reflects some of the issues facing sexual assault victims. Results included:
 - Should names of rape victims be reported by the news media like the names of other crime victims? 19% Yes 77% No
 - Do people tend to think negatively of a woman if they know she has been raped? 57% Yes 38% No
 - Does reporting the names of women who have been raped show that society does not attach special shame to being a rape victim, and treats male and female victims of crime equally? Or does it make a special hardship for women? 9% Equal treatment 86% Special hardship
 - Do you think that a woman is more likely or less likely to report being raped if she knows her name will be made public, or doesn't it make much difference? 4% More likely to report 86% Less likely to report 8% Doesn't make much difference
 - Is a rape victim partly to blame if she was provocative with a man or went off with him? Or doesn't this matter if the woman finally says no to sexual relations? 26% Partly to blame 68% Doesn't matter

(Newsweek, April 29, 1992)
- Adolescents often have distorted beliefs about forced sex. A survey of boys and girls, 11 to 14 years of age, found that:
 - 51% of boys and girls said forced sex was acceptable if the boy spent a lot of money on the girl.
 - 31% of boys and 32% of girls said it was acceptable for a man to rape a woman with past sexual experience.
 - 87% of boys and 79% of girls said sexual assault was acceptable if the man and woman were married.
 - 65% of boys and 47% of girls said it was acceptable for a boy to rape a girl if they had been dating for more than six months.

IV. The Role of Law Enforcement Personnel

A. General Principles

Law enforcement as a whole has three primary roles in sexual assault cases: [Overhead 6.2]

- **To protect, interview, and support the victim;**
- **To investigate and attempt to apprehend the assailant;**
- **To gather and preserve evidence that will make prosecution possible.**

In pursuing these roles, it is always important for law enforcement to realize that without a calm, stable victim, there will probably be far less chance that a case can be developed.

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B. Guidelines for Police Dispatchers

When the victim calls for help, she may act in a number of different ways. She may be calm or hysterical. She may tell the respondent exactly what happened or may use inexact words like "attack." She may be confused about what to do or even about where she is. Since she is still in crisis, the first thing the respondent should do is to ensure that she is in a safe place and then reassure her that help is on the way.

The following information should then be obtained: where the victim is calling from, where and when the incident took place, any description or name of the assailant if the victim has such information, any information on the direction or means of the assailant's flight, and any information on the possible whereabouts of the assailant.

The dispatcher should obtain the victim's name, if possible. However, some victims are reluctant to identify themselves even when they call for help. If such a reluctance is manifest, the victim should be reassured of her privacy. If the victim continues to feel uncomfortable about giving her name, there is no need to press for the information on the telephone.

Finally, the victim should be cautioned not to wash, douche, change clothes or touch anything that might be used as evidence or be a place from which evidence may be collected. If the victim is concerned because she has already done any of those things, she should be reassured but asked to forego any further efforts to clean up. This is a very traumatic time for the victim since she must remain in a state of disarray while waiting for law enforcement arrival.

The victim may want to talk to the respondent until the law enforcement officer arrives. If it is possible, someone should remain on the line to help provide her with a sense of security.

If the victim does not want law enforcement response but merely wants to make the agency aware of the assault, the respondent should try to get as much additional information as possible concerning the details of the crime. The victim should be reassured that she does not have to press charges even if she talks to an investigator. She should be advised to go to a hospital for treatment and collection of evidence even if she is reluctant to report the assault. In states where the rape examination is paid for by the state or the local law enforcement agency, the victim should be told under what conditions such payment is made.

If the victim refuses aid from the law enforcement agency, she should be referred to the local rape crisis center or victim/witness unit. These resources can be vital to her recovery and in some cases may assist her in deciding to file a report.

C. The Patrol Officer

Once the patrol officer arrives to speak with the victim, he should help to stabilize the victim through standard interview techniques. However, if another investigator will be handling the case or conducting an in-depth interview, the patrol officer should focus his interview on issues which will help to identify the assailant. The officer should also note the victim's appearance and behavior since both may be helpful in later efforts to prosecute. Any behavior which exhibits crisis should be noted. Tears or hysteria are common symptoms, but the officer should remember that "inappropriate affect" – a manner that doesn't fit the circumstances – is also common.

D. The Investigator

If an investigator is going to do the in-depth interview, the patrol officer should secure the scene of the assault while the investigator takes the victim to the hospital. If at all possible,

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only one investigator should be assigned to the victim throughout the investigative and prosecutorial process. Sexual assault victims are particularly sensitive about explaining the details of a sexual assault over and over again to different strangers.

The investigator should attempt to establish a rapport with the victim and should be alert to a number of possible concerns. Privacy may be a major issue to the victim. Another common anxiety is what a boyfriend, husband, or parent will think of the attack.

The investigator should explain what will happen during the medical examination and why it is important. He should also notify the hospital of the arrival of the victim and ask for a private room in which the victim can wait for the examination. The investigator should accompany the victim to the hospital.

While it is the role of the medical examiners to actually collect the evidence, in many jurisdictions the investigator should ensure that standard protocols are followed. If there is no protocol in your jurisdiction, you should encourage a meeting between law enforcement, prosecution, and medical officials to discuss standardizing the method by which evidence is gathered in all sexual assault cases. The general protocol suggested by the American Medical Association is found at the end of this chapter. A number of jurisdictions have excellent evidence kits that can be used as resources.

The sexual assault investigator should not be present during the examination but should be sure that the victim signs a consent form so that the investigator can obtain a copy of the hospital report. The investigator should wait at the hospital with the victim and also make sure that anyone she wants with her – such as a friend, family member, or rape crisis counselor – is available.

A private room should be requested if the investigator intends to interview the victim at the hospital. Although some investigators prefer to wait a bit after the crisis and allow the victim to have a chance to begin to recover after the initial shock, many departments require the investigative interview to take place as soon as possible after the assault. Wherever and whenever it takes place, an emphasis should be placed on protecting the victim's privacy and safety.

E. Special Considerations in Interviewing Sexual Assault Victims

Theoretically, sexual assault cases are no different than other criminal cases: the victim is typically a main source of evidence that the crime occurred and that the defendant committed it. However, in most sexual assault investigations and prosecutions, the victim's role is much more important since there is usually no other witness to the rape. Hence, the ability of the victim to testify is fundamental to building an effective case.

Police officers should receive specialized training in interviewing rape victims and investigating rape cases. While some prosecutors support the use of polygraphs to verify the report of rape in selected cases, there is heavy opposition to its use as a requirement prior to filing sexual assault charges. Hence, if it is used in your jurisdiction, it is imperative to have it administered by a polygraph expert who is also schooled in the unique aspects of rape and the rape trauma syndrome.

The investigative interview should take place in privacy and without distractions. If the victim would like to have a rape crisis counselor with her, she should be allowed such support. If female investigative officers are available, the victim should be asked if she would prefer to be interviewed by one of them. It should not be presumed that the victim wants to talk only to a female. Many victims prefer a male officer and often the man can have a positive

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therapeutic affect in helping the victim reaffirm a positive relationship with men in general following such a brutalization.

The kinds of questions which are common in the in-depth interview are as follows:

1. When did the assault occur?
2. Where did it occur?
3. Can you describe what happened during the assault?

Prompts:

- a. Were any weapons used? If so, what were they? Can you describe them? How were they used?
 - b. Were any threats made? If so, what were they?
 - c. Did you fight or struggle?
 - d. Were you hurt in any other way?
 - e. What sexual acts did he perform on you or force you to perform on him?
 - f. Did he ejaculate?
4. Did you know the assailant? If so, for how long and how well? If not, can you describe the assailant?

Prompts:

- a. Can you guess about how old he was?
 - b. Do you remember the color of his hair?
 - c. Do you remember what he was wearing?
 - d. Do you remember any particular feature?
 - e. Can you guess about how much he weighed or how tall he was?
5. How long was the assailant with you?

In dealing with some of these questions, caution should be used. Often descriptions are easier if photographs or other identification aids are used. The investigator should be aware that initial descriptions and interviews are going to be affected by the crisis reaction of the victim. While some people find comparisons helpful in getting a description – “Was he taller or shorter than me?” – if the interview takes place immediately after the assault, the victim may well use comparisons as a way to be responsive to the questions when she cannot yet remember the true details. It is no secret that some suspect descriptions that are broadcast on police radios in reality describe the police officer who conducted the interview with the victim rather than the assailant.

There is some disagreement over whether an investigator should inquire into prior sexual relationships with the assailant. While such information may have relevance to the eventual prosecution of the case, the information may have little to do with the apprehension of the assailant and it certainly does not interfere with the establishment of the elements of the crime. Hence, some would argue that recording such information gratuitously only interferes with later prosecution rather than helping the case.

At the conclusion of the initial investigative interview, the investigator should talk to the victim about any additional assistance she may need. Counseling services are always advisable and the investigator may wish to explain the normal reactions to rape trauma syndrome and that they may cause the victim to feel as though she is going crazy at times.

The victim may also have concerns about her family and the investigator may wish to talk to them as well. Families can be a source of enormous pressure and without their support the victim may decide to abandon the case.

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It is usually advisable for the investigator to have several follow-up interviews. It is normal for the victim to want to forget the incident and, in fact, to forget momentarily details which are difficult to confront.

F. Questions which are useful in pursuing the case and in determining a rapist's profile

[This material is taken primarily from the following sources: "The Behavior-Oriented Interview of Rape Victims: The Key to Profiling," Robert R. Hazelwood, *FBI Law Enforcement Bulletin*, September, 1983; "Rape, Power, Anger and Sexuality," A.N. Groth, A.W. Burgess, and L. L. Holmstrom, *American Journal of Psychiatry*, Vol. 134, November, 1977; "Sexual Dysfunction During Rape," A.N. Groth and A.W. Burgess, *New England Journal of Medicine*, Vol. 297, No. 4, 1977.]

While the above questioning pattern is normal, a number of departments are beginning to use additional interviews to develop criminal personality profiles which may be used to track repeated crimes or offenders. The FBI Academy has been assisting local law enforcement agencies since 1978 in investigating violent crimes by analyzing crime or crime scene data for offender behavior. By using research developed by Drs. Ann Burgess, Nicholas Groth, and Lynda Holmstrom, they have been able to prepare rapist profiles which are useful in apprehending suspected assailants.

The following is a summary of techniques which have proved useful.

First, in preparation for developing the rapist profile, three essential steps have been identified: **[Overhead 6.3]**.

The following is a summary of techniques which have proved useful.

1. Steps in interviewing

First, in preparation for developing the rapist profile, three essential steps have been identified:

- Careful interview of the victim regarding the rapist's behavior
- Analysis of the behavior to try to ascertain the motivation underlying the assault, and
- Compilation of a profile of the individual likely to have committed the crime.

Since the victim is the primary factor in setting the stage for the analysis, the victim interview is critical for the investigator.

While rapport is important in any victim interview, the need for it in interviewing the victim about the offender's behavior is essential. The kinds of questions which must be asked concerning the assault are personal and often more detailed than the ordinary investigative interview. In addition, the questions tend to involve three personalities: the victim's, the assailant's, and the interviewer's.

2. Rapist Profile categories

The following areas of concern are those which should be pursued in attempting to develop the rapist's profile: **[Use Flipchart on "Questions on Rapist Behavior"]**.

- Method of approach used by the offender
- Offender's method of maintaining control over the victim
- Offender's reaction to resistance by the victim
- Type of sexual dysfunction suffered by offender
- Type of sexual acts
- Type of verbal activity of offender
- Type of verbal activity of victim
- Changes in offender attitude during attack
- Related criminal behavior

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3. Offender's method of approach

Studies indicate that the rapist chooses the method of approach by which he attacks based on his own personality profile and his analysis of what might be most successful. Types of approach have been categorized into three general methods – the “Con,” the “Blitz,” and the “Surprise” approaches. **[Overhead 6.4]**

a. The elements of the “con” approach include:

- Open approach to victim with either a subterfuge or ploy
- Initially pleasant, friendly and charming
- Sudden change of attitude once victim is within control

The sudden change of attitude seems to be based on one of two factors, either a need to convince the victim that the assailant is serious about the rape or a reflection of hostility and anger against the victim.

b. The elements of the “blitz” approach are:

- Direct and immediate physical assault
- Often gags, blindfolds, or binds victim
- Frontal or rear attack

The offender in these cases is often openly hostile toward women and such hostility is often apparent in other relationships he has with women.

c. The “surprise” approach consists of the following factors:

- Approach from rear or while victim is asleep
- Uses threats or weapons to subdue victim
- Often targets or selects victim

The assailant who uses this approach often exhibits lack of confidence and self-esteem along with his hostility.

4. Offender's methods of maintaining control

Once the assailant has made the initial attack, he must maintain control. The method of control is based not only on the offender's personality but also on the behavior of the victim. There are four ways by which such control is sustained: **[Overhead 6.5]**

- Mere presence
- Verbal threats
- Display of weapon
- Use of physical force

While many women and men think that the logical response to a criminal attack is resistance of some kind, victims do not always respond with resistance for several reasons. The victim may be terrified and unable to respond in any manner. The victim may also be convinced based on knowledge required beforehand that resistance would place her in more danger. Hence the mere presence of the rapist and knowledge of his intent may sustain his control.

Often the rapist will accompany the attack with verbal threats. It is helpful when the victim can remember these threats in detail and can provide information on whether or not they were carried out. Often the same type of verbal threats are given from crime to crime by the same rapist.

The display of a weapon is informative both in the timing of the display and its use. In some cases the rapist may simply display it and then put it away. In others, he may threaten the victim with it and maintain control of it and her throughout the attack. It

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is also important to note whether or not the weapon was one which the rapist brought with him through choice or one which he grabbed on the premises such as a kitchen knife, scissors, or such.

If physical force is used, the amount of force is a valuable insight into the rapist's motivations. Since victims tend to have different perspectives on what kind of force is used, it is helpful to give some reference points within which she can categorize the level of violence. The following four levels of assault may provide such a reference:

- Minimal force – mild slapping or shoving with little or no verbal abuse;
- Moderate force – heavy slapping with abusive profanity;
- Excessive force – beatings which cause bruising and lacerations accompanied by extreme profanity and derogatory remarks
- Brutal force – sadistic torture with the intentional infliction of physical and emotional pain.

5. Offender's reaction to resistance

Another key behavioral factor is the offender's reaction to any resistance which the victim may in fact attempt. In order to understand the reaction it is necessary first to consider the kinds of action that might be offered by the victim. Three methods of resistance have been suggested: passive, verbal, and physical.

- *Passive resistance* is often overlooked by interviewers. It is most often consciously employed when a rapist tells the victim to do something and she doesn't comply. In attacks where the rapist does not direct the victim to do anything but simply forcibly assaults her, passive resistance is less obvious, although the victim may assume a "lifeless" posture.
- *Verbal resistance* can be manifested in a number of ways including screaming, refusals, attempts to reason or negotiate, pleading, or crying.
- *Physical resistance* is any action which would delay, reduce, or actually stop the attack. It includes kicking, scratching, hitting, and such.

When a victim resists, the assailant's reactions can be helpful in developing a profile. Five rapist reactions have been found in response to resistance. These include: **[Overhead 6.6]**

- Ceasing the demand
- Compromising
- Fleeing
- Use of threats
- Use of force

Ceasing the demand does not mean leaving the scene of the rape but rather changing one demand to another method or phase of the attack. *Compromising* results when the rapist suggests to the victim that he will alter his course of action but continues some kind of assault. In some cases this might involve an assault without penetration or a change from oral sex to vaginal sex. Leaving the scene of the attack prior to the completion of the assault is categorized as *fleeing*.

Rape counselors often suggest that victims not resist when under attack since some evidence would suggest that resistance can cause increased harm. *Verbal or physical threats* tend to provide support for this and may bring the victim into compliance. There is also some evidence that some rapists like some resistance since it exacerbates the violence and the sense of power when they overcome it. Hence some rapists respond to resistance with more *force*.

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6. Offender's sexual dysfunction

A significant dynamic in sexual assault cases is that some 34% of rapists suffer sexual dysfunction during the assault. Since many people are unaware of this, investigators may not even ask whether dysfunction occurred. Yet, it is quite useful in establishing the identity of some rapists. Even if investigators ask about sexual dysfunction, the victim may not respond since she may be embarrassed by certain aspects of the dysfunction or she may not have even recognized the incident as sexual dysfunction. Hence the FBI training sessions recommend explaining varieties of sexual dysfunction and then asking about the occurrence of each type.

Four types of dysfunction are defined: **[Overhead 6.7]**

- Erectile insufficiency
- Premature ejaculation
- Retarded ejaculation
- Conditioned ejaculation

Groth and Burgess suggest that *erectile insufficiency* is the most common dysfunction among rapists. In terms of rape, it seems to exist in two forms. In one kind, the male is unable to obtain or maintain an erection. In the other, the male can only obtain an erection if certain acts take place such as oral or manual stimulation, anal stimulation, verbal profanity by the victim, visual stimulation, and so on.

Premature ejaculation includes both ejaculation which occurs immediately before or after penetration. In the Groth and Burgess studies this type of dysfunction was documented in 3% of the rapists.

Retarded ejaculation occurs when the male cannot ejaculate or has difficulty in ejaculation. Retarded ejaculation may account for multiple and extended assaults by rapists. The Groth and Burgess studies indicate that it occurs in as many as 15% of all rapists.

Conditioned ejaculation has not been researched but is defined as occurring when the male has no difficulty obtaining an erection but cannot ejaculate unless certain acts take place. Once again such acts tend to include such things as particular sex acts.

7. Types of sexual acts

The type and sequence of sexual acts may provide some clues to the motivations of the rapist. The most common considerations tend to involve whether the assailant is combining the violence with fantasy, experimenting with sex, or attempting to punish or degrade the victim. Type and sequence of sexual acts is a common point overlooked by investigators. Police reports often refer to repeated assaults but do not document the kinds of assault.

Victims are normally reluctant to go into much detail in describing multiple assaults or sexual acts which deviate from vaginal sex because of embarrassment and shame. While interviewers may ask about anal, oral, and vaginal sex, they may fail to include questions pertaining to other types of sexual activity. Such information not only is important in identifying assailants but also can be extraordinarily effective in prosecutorial efforts.

8. Offender's verbal activity

Questions which address the verbal activity of the rapist may also help elicit answers which reveal a great deal about the rapist. Hence these questions should encourage the victim to give a full disclosure about any conversations which took place including the tone, attitude, and what was said.

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The FBI suggests that it is important for an investigator not only to write down what a victim tells him was said but also an adjective which describes the offender's statements. The following examples are offered:

"You are a beautiful person" (complimentary)

"Shut up, bitch" (hostility)

"Am I hurting you?" (concern)

Precision is important in remembering the language and attempting to translate the intent of the rapist.

9. Offender's change of attitude

In some rape cases the offender may demand that the victim say certain things to him during the attack. Once again these can be revealing in building a profile of the rapist. Such verbal items may range from the victim telling the rapist "I love you" to demands that the victim scream or plead with the rapist.

A sudden change in the offender's attitude during an attack may indicate a number of things. Perhaps the most important implication is how the assailant may respond to stress. Rape is stressful to both the victim and the assailant. The assailant worries about rejection, being caught, being identified, being injured, and so on. If the investigator can isolate some precipitating factors which indicate attitudinal changes in response to stress, he has gained a useful psychological tool.

In addition to changes in attitude, the type of action the offender takes to try to avoid detection may provide insight into the experience level of the rapist. The projected experience level in turn helps the investigator to make a judgment on whether this assailant may be involved in a series of rapes or perhaps is a novice.

10. Offender's related criminal behavior

Finally, most rapists commit simultaneous criminal actions along with the rape itself. Such actions may involve burglaries, thefts, arsons or other property crime. In fact the FBI suggests that "almost without exception, police record the theft of items from rape victims." However, they go on to say, "All too often, however, investigators fail to probe the matter further unless it involves articles of value." These missing items may not only suggest personality features of the rapist but also become major pieces of evidence in prosecution.

Missing items fall into three categories: evidentiary, valuables, and personal. Rapists who take items which are clearly evidentiary, such as an item of clothing on which ejaculation has occurred, are often offenders with a prior criminal history of similar offenses. Rapists who take valuables may in fact be in financial difficulty. Rapists who take personal items such as photographs or lingerie may want to remember the incident and the victim. Rapists in this category may be most likely to return to the scene of the crime and perhaps be most threatening to the victim.

These additional concerns should be useful to investigators in preparing a comprehensive report on rape. Clearly such questioning has a profound affect on the victim, for in many cases it will make her remember things which she has tried to block out or thrust aside. However, law enforcement officers who have begun to employ this type of interview have found it to be of major value in understanding the personality involved in any particular crime of rape.

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G. General Rules for Collecting Evidence

Most patrol officers and investigators know the basic rules for collecting evidence but it is probably useful to reiterate them and then to review some of the important medical-legal evidence that is peculiar to sexual assault crimes. [Overhead 6.8]

The rules can be described as follows:

- Protect the crime scene. Although most law enforcement officers are aware of the need for protecting the crime scene in homicide cases, there is often less attention to the issue in sexual assault cases or burglaries.
 - Photograph the scene and any evidence at the scene. Make sure to note any evidence of struggle.
 - Process for fingerprints and other fragile evidence such as hair, fibers, cigarette butts, towels used to cleanse genital areas, and so on.
 - Soil and vegetation samples should be collected and casts of footprints or tire marks made if the attack occurred outside.
 - The scene should be searched for all foreign items such as torn clothing, rope, tape, and such. Signs of burglary should be noted.
 - Use caution not to damage, mark, or contaminate the evidence.
 - Document each piece of evidence with identifying marks, the date and time of acquisition.
 - Keep a record of the chain of evidence throughout the investigation.
 - Place evidence in appropriate containers, seal, and initial.
 - Any evidence which must be sent to the lab should be prepared according to laboratory specifications.
 - After the medical examination, the officer or a special agency delegate should pick up the following evidence, in separate containers, and take it to the laboratory at one time: physical evidence gathered at the scene of the crime, the victim's clothing, the rape examination kit, the suspect's clothing, and physical evidence from the suspect.
 - After the laboratory examination is done, the evidence should be locked up in the Evidence Room until needed by the court.
1. The medical exam

The importance of a properly-conducted medical examination cannot be overemphasized. It is important for the victim's well-being and for the collection of good evidence. While the law enforcement officer or investigator is not directly involved in the examination, he should be involved in explaining what will happen and why it is necessary. Hence the following brief explanation is useful for officers dealing with sexual assault.

In some jurisdictions the rape examination is guided by special rape evidence kits which have been developed to make sure that all important procedures are followed. Other jurisdictions use detailed protocols in training emergency room staff. If neither is used in your jurisdiction, you should encourage a community effort to institute such safeguards. The following list indicates some key items which can be documented through the examination:

- a. The emotional status of the victim. This is particularly important to record since the reaction of the victim may be vital at a later stage in documenting the rape trauma syndrome. In some jurisdictions, evidence of rape trauma has been introduced in court cases to substantiate lack of consent and to corroborate the victim's testimony.

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- b. Pulse, blood pressure, and temperature are physical indicators of physical ailments as well as the possibility of severe physiological reaction to stress.
 - c. Clothes. Many times the clothes of a sexual assault victim will carry evidence such as blood, semen, hair, skin particles, secretions, etc. Clothing should be sealed in a sterile bag and clearly identified for the police.
 - d. Examination of the victim's body. The medical personnel should look for bruises, bites, lacerations, semen, blood, and evidence of trauma on the victim's body. Fingernails may contain scrapings from scratches. All alien matter such as dirt, grass, foreign pubic hair, etc., should be sealed in a sterile bag or envelope. Possible dried fluids should be collected on saline-soaked swabs or flaked off into an envelope. All evidence should be clearly identified for the police. Photographs should be made of any injuries and should be clearly marked.
 - e. Pelvic Examinations: External genitalia, thighs, anus to be examined for trauma and dried secretions. The vagina should be inspected for lacerations, bleeding, and seminal fluid. The uterus size and position, size of ovaries and tubes, and unseen vaginal tears and internal damage should be recorded. Similar examination should be made of the rectum and the pharynx and throat if anal or oral intercourse occurred. A urine analysis can show sperm up to 12 hours after vaginal intercourse.
 - f. Medical Treatment: The victim should be treated for any immediate wounds. If the victim has been stabbed, cut, or scraped, tetanus shots may be in order. Venereal disease may be tested for immediately, but if it seems too traumatic, it can be delayed. The victim may be worried about pregnancy and so should be reassured that it is very rare in rape cases. Decisions about prevention of pregnancy may be delayed, but if the victim is very concerned, immediate action is recommended. Prophylactic treatment for venereal disease is almost always available and is almost routinely given in many jurisdictions.
2. Safety, security, and follow-up

Finally, following the hospital examination and the police interview, the victim will need to return home or be taken to an alternative shelter if she is afraid to go back home. The law enforcement officer or investigator should make sure that she returns safely and that a friend or family member is called to stay with her. In some jurisdictions, a rape counselor may be available to continue to work with the victim though in many jurisdictions that is still not available.

The law enforcement officer should leave the victim with a brief explanation of crisis and stress and the probability that she may experience post-traumatic stress symptoms in the next few months. She should be told what to expect both in terms of her emotional reaction as well as further investigative steps. If the investigator will continue to be working with the victim, he should ensure that she knows where to contact him and that she understands that such contact is important if she feels threatened or intimidated following the crime.

The law enforcement officer might also suggest that the victim keep a diary of anything she remembers about the assault in the days and months following the crime. In many cases additional memories will emerge as the immediate crisis subsides.

Sexual assault victimization is one of the most traumatic kinds of criminal attack. The special needs of the rape victim should be understood by law enforcement officers

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and investigators alike, not only in order to respond to the victim better, but also to help the authorities build better cases and guide more effective prosecutions.

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Appendix: Notes on Sexual Assault Common Elements of a Rape Kit Protocol American Medical Association

The following are frequently included components of a rape protocol. Sexual assault protocols are undergoing rapid change because of the growing role of DNA profiling. There is controversy about the collection of hair evidence, the importance of semen, mandatory reporting, pregnancy testing and prophylaxis for sexually transmitted diseases (STDs). *Physicians must determine to what extent the following guidelines do or do not apply in their state or county.*

Rape kits generally contain laboratory forms, rape examination recording forms, and equipment and labels for clinical samples. These materials ensure correct documentation and are designed to facilitate maintaining the chain of evidence. After collection, appropriate laboratory samples are immediately refrigerated, and all evidence is kept under lock and key or direct observation until given to the designated police authorities. The results *will not* be returned for the physician's use in treating the patient. The physician must, therefore, anticipate when a duplicate sample is needed for clinical care or if a medical procedure can be done at the same time an evidence sample is being collected.

Have the patient disrobe on a piece of cloth or clean paper sheet. Have the patient bag each item of clothing in a separate paper bag, then have the patient place the folded cloth or sheet in an additional paper bag.

This process allows the collection of particle evidence from the location where the assault occurred, as well as physical evidence such as hairs or fibers from the assailant. Clothing may also contain bodily fluid from the assailant. Only the victim touches the cloth/paper sheet and clothing, so that physical contact with another person does not contaminate the evidence. If necessary, trained personnel wearing gloves may assist. Paper bags are used because plastic ones can result in mildew that also contaminates evidence. Promptly seal and label each bag according to the protocol to prevent tampering or contamination.

Give the patient a gown immediately and help them lie on the exam table. Do not drape the patient or place their feet in stirrups until it is time for the genital exam.

Collect blood samples dictated by protocol, using the equipment in the kit. The most common blood samples taken are for blood typing and DNA analysis. Again, if blood samples are needed for clinical diagnosis and particularly STDs, these samples should be taken at this time, using hospital equipment.

Perform an oral examination for injuries and collect saliva for secretor status. These steps can be done together. However, it is preferable to collect saliva samples before the physical assessment if a tongue depressor will be used.

Injuries to the mouth and oral cavity can occur during forcible oral penetration. Two common injuries to the mouth among sexual assault patients are a torn frenulum of the lip and a torn frenulum beneath the tongue.

Many kits contain filter paper or cotton-tipped swabs and a tube, cardboard box, or envelope for saliva samples. Saliva swabs may collect semen and sperm that accumulate in areas where the gums meet the teeth or between the lower wisdom teeth and cheek. Swabs from the recesses of the mouth are often tested for prostatic acid phosphatase (ACP). ACP is found naturally in both men and women; however concentrations are significantly higher in semen. ACP deteriorates rapidly in the vagina and anus. Its presence in saliva can indicate recent sexual contact. Its usefulness in establishing a time of attack from motile sperm is controversial.

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Saliva can also be used for ABO blood typing of the attacker. About 80% of individuals can be genetically typed from this marker.

Collect finger nail scrapings from under all the patient's nails. Most kits contain specifications and materials for collecting fingernail scrapings; some include collection of nail clippings as well. Scraping should be taken from under and around all ten nails. They can reveal skin, blood, and other secretions, as well as hair or fiber traces, that may help to identify the assailant.

Document all physical injuries. It has been estimated that patients have no visible physical injuries in 40% to 60% of sexual assaults. Male victims are more likely to sustain physical injuries, and their physical injuries are more likely to be severe. Note all observable injuries on the traumagram. Describe the size, shape, and location of each injury in the written medical record as well (e.g., *"Five red bruises are observable on the patient's upper right arm. They are oval shaped and approximately one inch in diameter. Four are located on the outer portion of the upper arm, and one is noted on the inside of each upper arm"*).

Common injuries resulting from sexual assault are:

- abrasions and bruises on the upper limbs, head, and neck
- forcible signs of restraint — rope burns on wrists or ankles, mouth injuries sustained during gagging
- petechiae of the face and conjunctiva, secondary to choking
- broken teeth, swollen jaw or cheekbone, eye injuries from being punched or slapped in the face
- muscle soreness or stiffness in the shoulder, neck, knee, hip, or back from restraint in postures that allow sexual penetration.

If available, use a Wood's light to inspect the patient. A Woods light is often available and can be used to locate dried semen on the patient's body. As the light is passed over the patient's body, dried ejaculate will fluoresce. These areas should be noted in the medical record. The collection of dry and wet mount slides from areas where ejaculate is found is controversial. False positives also can occur from other sources of fluorescence.

Conduct a genital exam. Pelvic and rectal examinations should be performed gently and slowly. If the patient reports flashbacks of the attack, their report should be documented and the exam discontinued until the patient is stabilized and ready to continue. *External exams for injury and evidence collection should be performed before the internal exam.*

Collect samples of the patient's body, head and pubic hair. Rape kits sometimes contain forceps, scissors, and specimen envelopes for hair samples that help to identify the victim. There is forensic debate about the value of plucking hair to get the growing anagen roots for comparison and DNA analysis. Cuttings of hair without the root is of little forensic use. At this time "forensic analysts agree that a combination of combings for foreign hairs and pulling known hairs from the victim provides the best samples for comparative studies." The number of hairs needed for studies vary from state to state. Hair samples should be sealed, with the instruments used to collect them in the labeled specimen envelopes or containers provided.

Collect pubic hair and other hair combings. This procedure is done largely to gather foreign hairs from the assailant. When gathering pubic hair, a large paper towel is placed under the patient's pelvis. The collected combings, together with the towel and comb are placed in an envelope. Forensic testing can be used to differentiate the patient's older telogen and catagen hairs from those of the assailant.

Use only bacteriostatic saline during the genital exam. Standard lubricants and toluidine blue dye should not be used during the external or internal genital samplings. These products, typically used during

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genital exams, can impede forensic testing for sperm motility and acid phosphatase. After all evidence samples are collected, however, some experts recommend an augmented exam — using toluidine blue — to identify otherwise invisible abrasions in the vagina, cervix, or mucosal membranes.

Inspect external genitalia for physical trauma and particulate evidence. Vaginal injuries are typically accompanied by pain or bleeding indicating small tears in the fourchette, erythema, abrasions, or bruising. Women of reproductive age who are sexually active often have lacerations higher in the vagina. Lacerations of the vaginal wall of younger adolescents or post-menopausal women often occur near the entrance of the vaginal canal. Anal assault can result in erythema, edema, bleeding, mucosal tears, fissures, hematoma, sphincter laxity or sphincter spasm. Document all injuries and collect any particulate evidence present.

Conduct internal examination and collect vaginal and/or anal swabbings. Explain to the patient the saline solution will be used on the speculum instead of traditional lubricants. Digital rectal exam should be done with gloved finger, using saline as a lubricant. Patients should be warned that this may be uncomfortable but is being done to preserve evidence.

There is significant variation among state protocols as to the type of specimens to collect, how to collect them, and how to preserve them. Historically the presence of spermatozoa has been the most accepted positive evidence of sexual assault. Patients for whom sperm was not identified tended to be regarded with greater suspicion. Motile sperm can indicate a recent attack. Survival times of sperm in vaginal, oral, and rectal areas vary widely. Sperm can remain motile in the vagina up to 24 hours and even longer in the cervical mucosa. They can remain up to several hours or more in the rectal cavity if the victim has not defecated since the assault. Genetic material for DNA profiling is most easily found in sperm.

In the absence of sperm, seminal plasma component p30\ACP is regarded as conclusive evidence of semen. ACP is the only presumptive test for the presence of semen. Further, some genetic markers (ABO blood groupings) used to identify the perpetrator are located in the seminal plasma.

Methods to collect sperm and semen evidence vary. Swabbing, aspiration of vaginal or anal contents using a pipette, vaginal washings, and pap smear procedures are sometimes called for. If swabbings are called for, it is best to collect them before other procedures. Aspiration and washing procedures seek to obtain a sufficient concentration of semen for genetic markers.

Many protocols call for prompt wet mount examination of material from the vaginal fornix (or other orifices) to identify sperm and sperm motility. However, specialized skill is needed to avoid the moderately high risk of false results. *In general, it is recommended that identification of sperm and other samples be left to forensic experts and should not be attempted by ED physicians without specialized training.*

Ask the patient to supply a urine specimen. There is debate over when urine samples should be collected. If collected before the internal examination is completed, useful evidence may be lost. On the other hand, patients needing to urinate before the internal exam should be allowed to do so, with a notation being made in the medical record. Physicians will probably want additional specimens for pregnancy or drug screening. To maintain the chain of evidence, patients should be accompanied to the bathroom door. After waiting nearby, take the samples and label them promptly, securing them with the rest of the evidence collected.

To preserve the chain of evidence and the freshness of the samples, check to ensure they are properly labeled, sealed, refrigerated when necessary, and kept under observation or properly locked until rendered to the proper legal authority.

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An Outline of Chapter Six, “Working with Sexual Assault Victims”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Six: Working with Sexual Assault Victims

Format

One Day: 0 minutes

Three Days: 1 hour.

Roll Call: 20 minutes

Objectives of Session:

1. To explain unique concerns of victims of sexual assault.
2. To explain how law enforcement officers can understand those concerns.
3. To explain how that understanding can help in responding to victim and investigating case.

At the end of the session, the participants should be able to:

1. Identify unique concerns of victims of sexual assault.
2. Explain how law enforcement officers can respond to those concerns.
3. Explain how those concerns can become priority in agency.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. Society faces sexual assault with uncertainty

B. Sexual assault: An act of violence in which force used or threatened

- without consent
- sexual acts
- can take place within marriages

II. Addressing Myths About Rape

A. Some women could never be raped.

B. Most rapes occur after midnight in a public place.

C. Rape is primarily a crime committed by strangers.

D. Rape is motivated by sexual desire.

E. Women secretly want to be raped.

F. Most rapes are interracial.

G. Women sometimes “ask” to be raped through their dress or their actions.

- H. Rape is more likely to happen to young, pretty females.**
- I. A woman must say no or fight in order to establish non-consent.**
- J. Rape is a crime against women.**
- K. Victims often lie about rape.**
- L. There is nothing you can do about rape.**
- M. Rape is an impulsive act.**
- N. If a woman agrees to some degree of sexual intimacy, she wants to have intercourse.**

III. Unique Attributes of Sexual Assault Victimization

A. Financial Injuries

- Forensic examinations accompany reporting
- Medical or diagnostic treatment for venereal diseases, HIV, or pregnancy
- Lose jobs or drop out of school
- Costs of long term counseling

B. Physical Injuries

- Sexual dysfunction
- Pregnancy
- Venereal disease or HIV infection
- Permanent damage to reproductive organs

C. Emotional Injuries

- Characteristics of the incident itself
- Victim's perspective of sexuality, sex, and sexual assault
- Stability of the victim's interpersonal relationships
- Previous experience as a crime victim
- Victim's developmental stage
- Victim's method of dealing with crisis.
- "Rape trauma syndrome" – variation of "post-traumatic stress syndrome"
- "Impact"
- "Adjustment."
- "Resolution"
- "Integration"
- Important part of understanding syndrome
- Can produce inconsistent statements
- Valid psychological description

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

D. Social Injuries

1. Stigma
2. Disbelief by criminal justice authorities
3. The forensic examination
4. Public perception

IV. The Role of Law Enforcement Personnel

A. General Principles

Law enforcement three primary roles in sexual assault cases: **[Overhead 6.2]**

- To protect, interview, and support victim
- To investigate and to apprehend assailant
- To gather and preserve evidence

B. Guidelines for Police Dispatchers

- Information obtained:
- Where victim calling from
- Where and when incident took place
- Description or name of assailant
- Direction or means of assailant's flight
- Victim's name – reassure privacy
- Victim should be cautioned not to wash, douche, change clothes or touch anything
- Remain on line to provide sense of security
- Referred to the local rape crisis center or victim/witness unit

C. The Patrol Officer

- Stabilize victim
- Focus to identify assailant
- Note victim's appearance and behavior

D. The Investigator

- One investigator assigned to victim throughout investigative and prosecutorial process
- Explain medical examination
- protocol: American Medical Association
- Friend, family member, or rape crisis counselor
- Protect victim's privacy and safety

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E. Special Considerations in Interviewing Sexual Assault Victims

- Ability of victim to testify fundamental to building case
- Specialized training in interviewing
- The kinds of questions which are common :
 1. When did the assault occur?
 2. Where did it occur?
 3. Can you describe what happened during the assault? Prompts:
 - a. Were any weapons used? If so, what were they? Can you describe them? How were they used?
 - b. Were any threats made? If so, what were they?
 - c. Did you fight or struggle?
 - d. Were you hurt in any other way?
 - e. What sexual acts did he perform on you or force you to perform on him?
 - f. Did he ejaculate?
 4. Did you know the assailant? If so, for how long and how well? If not, can you describe the assailant? Prompts:
 - a. Can you guess about how old he was?
 - b. Do you remember the color of his hair?
 - c. Do you remember what he was wearing?
 - d. Do you remember any particular feature?
 - e. Can you guess about how much he weighed or how tall he was?
 5. How long was the assailant with you?
- At conclusion of interview, talk to victim about additional assistance
- Advisable to have follow-up interviews

F. Questions which are useful in pursuing the case and in determining a rapists's profile

First, in preparation for developing the rapist profile, three essential steps have been identified: [Overhead 6.3].

Summary of techniques which have proved useful

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1. Steps in interviewing

Three steps identified:

- Careful interview of victim regarding rapist's behavior
- Analysis of behavior in attempt to ascertain motivation underlying assault
- Compilation of profile of individual likely to have committed crime
- questions asked are personal and detailed
- Questions involve three personalities: victim's, assailant's, and interviewer's

2. Rapist Profile categories

Following areas to develop rapist's profile: [Use Flipchart on "Questions on Rapist Behavior"].

- Method of approach used by offender
- Offender's method of maintaining control over victim
- Offender's reaction to resistance by victim
- Type of sexual dysfunction suffered by offender
- Type of sexual acts
- Type of verbal activity of offender
- Type of verbal activity of victim
- Changes in offender attitude during attack
- Related criminal behavior

3. Offender's method of approach

- Based on own personality profile
- Three general methods: "Con," "Blitz," and "Surprise" approaches [Overhead 6.4]
 - a. "Con"
 - Open approach to victim with either subterfuge or ploy
 - Initially pleasant, friendly and charming
 - Sudden change of attitude once victim is within control
 - b. "Blitz":
 - Direct and immediate physical assault
 - Often gags, blindfolds, or binds victim
 - Frontal or rear attack
 - c. "Surprise":
 - Approach from rear or while victim is asleep
 - Uses threats or weapons to subdue victim
 - Often targets or selects victim

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4. Offender's methods of maintaining control

Four ways by which such control is sustained: **[Overhead 6.5]**

- Mere presence
- Verbal threats
- Display of weapon
- Use of physical force
- Minimal force – mild slapping or shoving with little or no verbal abuse
- Moderate force – heavy slapping with profanity
- Excessive force – beatings which cause bruising accompanied by profanity and derogatory remarks
- Brutal force – sadistic torture with infliction of physical and emotional pain.

5. Offender's reaction to resistance

Three methods of resistance by victim:

- Passive resistance
- Verbal resistance
- Physical resistance

Five rapist reactions include: **[Overhead 6.6]**

- Ceasing the demand
- Compromising
- Fleeing
- Use of threats
- Use of force

6. Offender's sexual dysfunction

Four types of dysfunction are defined: **[Overhead 6.7]**

- Erectile insufficiency
- Premature ejaculation
- Retarded ejaculation
- Conditioned ejaculation

7. Types of sexual acts

- Reports refer to repeated assaults but do not document kinds of assault.
- Include questions pertaining to other types of sexual activity

8. Offender's verbal activity

- Encourage victim to give full disclosure about conversations
- Write down adjectives which describe offender's statements

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9. Offender's change of attitude

- Isolate precipitating factors
- Action offender takes to avoid detection

10. Offender's related criminal behavior

- a. Other property crimes
- b. Theft of items from rape victims
 - Evidentiary
 - Valuables
 - Personal

G. General Rules for Collecting Evidence

1. Medical-legal evidence that is peculiar to sexual assault crimes. [Overhead 6.8] The rules can be described as follows:

- Protect the crime scene
- Photograph the scene and any evidence
- Process for fingerprints and other fragile evidence
- Soil and vegetation samples, casts of footprints or tire marks
- Scene searched for all foreign items
- Not to damage, mark, or contaminate evidence
- Document each piece of evidence
- Keep record of chain of evidence
- Place evidence in appropriate containers
- Prepare evidence according to laboratory specifications
- After medical examination, pick up following and take to laboratory:

2. Physical evidence at the scene

3. Victim's clothing

4. Rape examination kit

5. Suspect's clothing

6. Physical evidence – suspect.

- After laboratory examination, evidence locked up in Evidence Room

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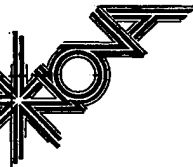
7. The medical exam

- a. Importance of a properly-conducted medical examination cannot be overemphasized
- b. Key items which can be documented through examination:
 - Emotional status of the victim
 - Physical ailments as well as physiological reaction to stress
 - Clothes of victim carry blood, semen, hair, skin particles, secretions, etc.
 - Examination of the victim's body
 - Pelvic examinations
 - Medical treatment

8. Safety, security, and follow-up

Suggested Overheads or Handouts for Chapter Six, "Working with Sexual Assault Victims"

The following may be copied onto transparency sheets.



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Working with Sexual Assault Victims

6.1 Common Myths about Rape

- Some women could never be raped
- Most rapes occur after midnight in a public place
- Most rapes are committed by strangers
- Rape is primarily a sexual crime
- Women secretly want to be raped
- Most rapes are inter-racial
- Women sometimes “ask” to be raped through their dress or their actions
- Rape is more likely to happen to young, pretty females
- It is not really possible to rape a non-consenting, adult female
- Rape is a crime against women
- Victims often lie about rape
- There is nothing you can do about rape



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Working with Sexual Assault Victims

6.2 Roles of Law Enforcement in Sexual Assault Cases

- To protect, interview, and support the victim
- To investigate and attempt to apprehend the assailant
- To gather and preserve evidence that will make prosecution possible



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Working with Sexual Assault Victims

6.3 Steps to Establishing Rapist Profile

1. Steps in interviewing
2. Rapist Profile categories
3. Offender's method of approach



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Working with Sexual Assault Victims

6.4 Methods of Approach by Rapist

- The “con” approach
- The “blitz” approach
- The “surprise” approach



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Working with Sexual Assault Victims

6.5 Methods of Sustaining Control During Rape

- Mere presence
- Verbal threats
- Display of weapon
- Use of physical force



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Sexual Assault Victims

6.6 Rapist Responses to Resistance

- Ceasing the demand
- Compromising
- Fleeing
- Use of threats
- Use of force



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Working with Sexual Assault Victims

6.7 Sexual Dysfunctions During Rape

- Erectile insufficiency
- Premature ejaculation
- Retarded ejaculation
- Conditioned ejaculation



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Sexual Assault Victims

6.8 General Rules for Collecting Evidence

- Protect the crime scene
- Photograph the scene and any evidence
- Process for fingerprints, other fragile evidence
- Collect soil and vegetation samples
- Search for foreign items such as torn clothing
- Do not damage, mark, contaminate evidence
- Document each piece of evidence
- Keep chain of evidence
- Place evidence in containers
- Prepare evidence according to lab specs
- Deliver all lab evidence at one time
- Lock processed evidence in Evidence Room

Chapter Seven: Working with Domestic Violence Victims

Format

One Day:	0 hours
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session

1. To explain the issues victims of domestic violence.
2. To explain how law enforcement officers best respond to these issues.

At the end of the session, the participants should be able to:

1. Identify the unique concerns of victims of domestic violence.
2. Explain how law enforcement can respond to those concerns.
3. Explain how those concerns can become a priority in your community.

Content

[Materials in brackets are guidelines for trainers]

I. Background

In 1994, Congress enacted the Violence Against Women Act to encourage a focus on one of the major hazards to health in the United States, especially the harm women suffer as a result of family and intimate violence.

Despite growing public awareness of the problem, there is still one social system in which crimes are allowed and are in some ways encouraged: it is the family system, a protective haven for assaults, thefts, robberies, and rapes – a haven so sanctified that in many jurisdictions only murder tends to evoke concern from the outside.

The concept of the family haven hides some of the most brutal and shocking facts with regard to crime in the United States. FBI crime statistics indicate that at least a fifth of the homicides and perhaps an even larger proportion of the assaults, batteries, and burglaries in the United States are committed within families or within intimate relationships. Victimization studies suggest an even greater problem of violence. The American Humane Society reports that 200,000 children are physically abused every year. Researcher David Finkelhor suggests an estimated 20% of all children suffer from sexual molestation and assault, while researcher Murray Straus estimates that 50-60% of all marriages experience violence.

In addition, studies indicate that 10% of our elderly are abused by their relatives. The National Crime Survey indicates that 60% of violent incidents involved actual attacks in which objects were thrown, weapons used, or victims bodily mistreated in some other fashion.

Such statistics may underreport the facts. The FBI believes that marital violence is the most unreported crime, probably ten times more so than the crime of rape.

The focus in this chapter will be on spouse abuse. But it needs emphasizing that this is but one part – a central part, to be sure – of what many have seen as an intergenerational cycle of violence. It should also be remembered that the dynamics of domestic violence may occur in non-spousal partnerships, including same-sex relationships, and that in some cases of domestic violence, it is the male who is battered and the female who batters. In order to understand the problem of domestic violence,

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it is essential to look first at the origins and characteristics of domestic violence, second, at its impact, and third, at how law enforcement may better respond to the problem. Later chapters will address the victimization of children and the elderly.

II. Origins and Characteristics of Spouse Abuse

The origins of spouse abuse can be traced to three psycho-social dimensions: historical precedents, psychological reactions to aggression and conflict, and socio-cultural attitudes toward family violence. [Overhead 7.1]

A. Psycho-social Dimensions

1. *Historical precedents*

It has been generally found that women have been mistreated by virtually every "civilized" culture in recorded history. The Talmud, the Old and New Testaments, the Koran, Greek and Roman secular laws, and other sources of moral authority all support the dominance of husbands over wives. Anthropologists suggest that a number of reasons have contributed to the subjugation of women as a result of the progress of civilization.

In pre-agrarian society, there is evidence that women and men often shared an equal role or indeed the woman was dominant. It was characterized by nomadic life in which the ancestry of an individual and the family ties could only be traced through the female line. Women were free and highly respected, often serving as the dominant figure in the tribal clan. Even today, some tribal systems in Africa reflect such status. The Ashanti of West Africa are characterized by an emphasis on women's contribution to the tribe's well-being and in the involvement of women in religious, ritual, and governmental life. The Mbuti Pygmies revere women as the source of life, and women of that culture share in all work and decision-making.

However, in general, it would seem as groups became pastoral and banded together in small communities, there was a growing dominance of men over women. Reasons suggested for this include: the physical weakness of women, which made them less fit for hard labor than men; the move from polygamy to monogamy, whereby ancestry was traceable to the male and the female, lost the unique importance associated with the genesis of human life; and finally, women's fear of rape and violence led them to submit to monogamous mating to protect themselves, resulting, in many cultures, in their being treated like chattel.

Perhaps the combination of these and other reasons provide a background to such dominance, but the importance is that history documents that the treatment of women deteriorated with the rise of patriarchy.

Legal systems reflected the culture by translating habit into law. Napoleon acknowledged men's ownership of women such that he favored the direct punishment of a criminal's wife in order that she share her husband's misfortune. Blackstone's *Commentaries* from the 18th century state that "as the husband is to answer for his wife's misbehavior, the law thought it reasonable to entrust him with this power of chastisement." Wifebeating was not illegal in France until 1924 or in Scotland and Italy until the 1970's.

With the exception of pre-colonial times in the United States when women evidently had property rights, rights of divorce, and equal rights in litigation with men, the laws of the United States have paralleled the European experience and were marked by the following characteristics.

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- **Personal merger**

A wife's merger with her husband's identity was complete. As Blackstone's *Commentaries* continue, "By marriage the husband and wife are one person in law, that is, the very being or legal existence of the woman is suspended during marriage or at least is incorporated and consolidated into that of the husband." A wife could not contract, bring lawsuits or be sued, move freely, or own property.

- **Property merger**

Marriage automatically meant that a woman's husband took control and ownership of a woman's property. Everything a woman owned became her husband's. She could not keep her own earnings or establish her own residence without her husband's permission.

- **Right of chastisement/Rule of Thumb**

The right of chastisement arose out of the husband's role as head of the family and the need to instill "right" behavior in all family members. "The Rule of Thumb" essentially put a limit on the amount of punishment – by indicating that a husband could not beat his wife with a rod or whip thicker around than his thumb. That rule was adopted in the United States in *Bradley v. State*, (Mississippi Supreme Court, 1824).

These general principles have gradually been eroded. But the cultural aftermath has lingered on.

Married Women's Acts were passed giving a married woman a separate legal identity and separate ownership of her property. The effect of these changes caused courts to rethink the idea of "marital merger." The result in the Twentieth Century was the promulgation of the idea of "non-interference." The state would not interfere with the sanctity of the family without strong evidence of abuse or misbehavior.

While laws today may reflect changes, even those changes reflect our biases: spouse abuse is one of only a few crimes that legislatures in some states have felt needed to be cast in terms of mandatory reporting and mandatory arrests – making it in turn a crime not to report and not to arrest. Such laws suggest that the public and its law enforcement officers may be reluctant to do either without legislative directive.

State tolerance for violence within the family has been reaffirmed by prosecutors, police, judges, social service agencies, and friends and neighbors of abused spouses.

B. Psychological Dynamics

History has given women little comfort or hope for rapid change. If history tracks the growth and acceptance of spouse abuse, it does little to explain why battering occurs. Individual psychology may be more helpful on that score. We will examine three aspects of the dynamics of family conflict: first, the basic motivations to violence; second, stress factors which trigger combative conflict; and third, characteristics of abusing relationships.

1. Theories of aggression

There are two basic theories of human aggression that have been used to analyze family violence.

The first postulates that violent behavior is rooted in a territorial instinct associated in the human species with a drive for power. Violence is one method for exerting control over territory and manifesting power over others. It is less often used, on the one hand, when a person is self-confident, has high self-esteem or, on the other, when a person is convinced there is no way to win a violent confrontation.

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In the domestic situation, it is suggested that the batterer is often a male who has low self-esteem but sees his dominance of physically weaker females or children as an illustration of his power. His need for control and power may escalate as he "wins" small battles or observes the vulnerability and increased powerlessness of his victims. It also may escalate when that need is made more complex by two other factors:

- the victim is a symbol of other failures or vulnerabilities in his life.
- the victim seeks to escape his control.

The second theory suggests that aggression is a learned behavior in response to stress and that it is acquired through modeling and positive reinforcement for aggressive behavior. Once it is learned, the victimized spouse's inability to stop the aggression is reinforced by societal attitudes.

This theory suggests that when stress arises, a batterer chooses to fight rather than flee. However, the instinct to fight is diverted from the source of the stress to the nearest vulnerable target – his victim. His victim, on the other hand, when facing the threat of aggression, reacts by either adapting or fleeing in the face of conflict.

2. *Stress and power factors precipitating family violence* [Overhead 7.2]

Certain factors in abusive relationships exacerbate violence by contributing either to the stress in the relationship, the opportunities to exert power, or the relative powerlessness of the victim. These factors are:

- Geographic isolation

Couples who live in isolated rural areas or who have moved away from family and friends may have no personal outlets and social support networks. The increasing social/employment mobility in our society complicates this issue.

- Social isolation

Some couples are extremely emotionally dependent on one another and/or expect that their spouse should adequately meet all of their needs. This type of extreme interdependency tends to exclude social contacts, intensify the relationship, and increase stress related to meeting the partner's demands. Certain jobs increase social isolation, *i.e.*, law enforcement officers, judges, doctors.

- Financial problems

The unemployment or underemployment of a spouse may result in doubts regarding self-worth and may cause conflicts over financial matters. This is especially difficult if the husband, who generally is still expected to be the "breadwinner," is unemployed and so is unable to live up to his own and his spouse's expectations. Inadequate economic resources also result in inadequate housing, diminished social outlets, and external pressure from creditors. It should be noted that inadequate resources may be a perception of even wealthy families. Financial problems often surface with regard to all kinds of economic choices, not just ones affecting basic necessities. Further, if the wife is employed while the husband is not, the reversal of traditional roles and the increased diminution of self-esteem of the husband may cause extraordinary stress as well as a need to establish more power in the relationship. Recessions generate great surges in family violence.

- Family relationships

Power relationships within the nuclear family, such as tensions between father and son, may also influence how power structures are perceived in partner relationships. Stress may also be inherent within the family structure due to the influence of extended family members.

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- Medical problems

Chronic illnesses or disabilities may increase the dependence of individual family members and can result in stress to the entire family structure.

- Inadequate parental skills

Popular mythology suggests that all "good people" are "good parents", that "mothering" comes naturally, etc. But, most anthropologists and biologists say that there is little that is natural about being a good parent. Lack of learned parental skills, conflict over parental roles, and problems in managing children all contribute to family stress. It is probably no small coincidence that 80-90% of women seeking shelter assistance have two or more children.

- Pregnancy

The period of pregnancy is stressful to both mother and father. The mother may be depressed or ill as a result of the pregnancy and the father may be anxious about providing for another child or may simply be jealous of a new demand on his wife's attentions. Studies indicate as many as 40% of all domestic violence cases may involve pregnancies.

- Alcohol or drug interference

Many people suggest that alcohol abuse is intrinsic to family violence. However, there is little substantiation of a direct correlation although recent studies have indicated a physiological connection between substance abuse and violence itself. Police reports indicate a large percentage of family violence cases are reported in which one or both participants had been drinking. The question is whether alcohol or drugs are used as an excuse for violent behavior or whether there is a causal relationship.

3. *Characteristics of abuse and abusing relationships*

a. *Abusing relationships*

There are four aspects of abusing relationships that are of significance. The first results from the use of a learned pattern of reaction to stress. This suggests that certain individuals are more prone to become batterers than others and certain individuals are more prone to become battered.

The second deals with the dynamics of the violent relationships. It traces the short-term cycle of violence that perpetuates the battering relationship and which parallels the stress-reaction response cycle.

The third describes the types of violence which can take place within that cycle of violence.

The fourth describes the long-term cycle of violence which abusing relationships tend to perpetuate through generations.

b. *Characteristics of abusers* [Overhead 7.3]

- Victims of abuse as children

Since violence is a learned choice in the array of stress reactions, it is understandable that batterers often grow up in a family in which violence was acceptable. They either witnessed battering among other family members or were battered themselves. They also learn through such observation that those who are violent are "more powerful" and those who are not, are "weak".

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- Emotionally isolated

In many abusive relationships, the abuser perceives his victim as the only person who can meet his emotional needs. However, he may not have learned to communicate through verbal or rational means. He may have grown up in an environment where violence is the method of communication. It may be a manifestation not only of an obsessive fear of loss of control of the partner, but also of love.

- Externalization of problems

Some abusers tend to attribute both positive and negative things that happen in their lives to forces in the outside world. They think they must control such events by controlling others. They fail to examine their own contributions to problems and excuse their behaviors based on what others have done to them.

- Control or dominance in the individual's life

At the same time as the individual attributes his successes or failures to things out of his control, he tries to exert a profound control over the minute parts of his everyday environment. Rigidity and obsessiveness may characterize his decisions with regard to such things as the rolling of toothpaste tubes, his weight control, the time he eats dinner, etc.

- Manipulation

The need for control and power in the abuser's life often leads to manipulative, amoral behaviors. Abusers may seem to lead lives based on strong moral principles, but in fact, their lives are often characterized by lies, distortions, and charades. It is not unusual for an abuser to be known among his friends or colleagues as a congenial, likeable person. Yet, behind closed doors, he may commit – and excuse – hideous acts.

- Denial

Denial accompanies such manipulations. Most abusers minimize the harm they cause and any violence they commit. Some deny the incidents entirely. If they are faced with the consequences of the violence, they will blame the victim or other circumstances rather than admit culpability.

- Anger

Many abusers are perpetually angry at the world in general. The anger is derivative of their externalization of problems and their own emotional inadequacies. While anger may be a part of precipitating violence, it is also used as an excuse to be violent.

- Depression/ suicide

Many abusers are prone to severe depressions and may become suicidal after a bout of violence because of his fear, shame, and sorrow about what he has done. Such depressions are more complicated because they exist under a veneer of denial.

c. *Characteristics of the victim* [Overhead 7.4]

It is not unusual for characteristics of the abuser to be mirrored by the victim. These similarities may make a victim think she understands the nature of the abuse and should be able to deal with it. Such “understanding” may be self-defeating since it tends to sustain the battering relationship rather than stopping the violence.

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- **Childhood experience**

Many victims grow up in a battering environment. They often witnessed battering or were the subject of battering as a child. The lessons they learn are ones of physical submission, acceptance of the abusiveness of others, and sometimes the idea that love is expressed through violence.
- **Emotionally isolated**

The victim often does not feel she can talk about being abused because of the shame, stigma and self-blame associated with it. As a result of her inhibitions, she may withdraw completely within herself.
- **Socially isolated**

Victims may enter a relationship with feelings of inferiority. The abuser may be seen initially as a rescuer – from another abusing relationship, loneliness, even self-loathing. The abuser may increase the social isolation of the victim by methodically decreasing social contacts with potential support systems.
- **Belief in helplessness**

Some victims have a strong belief in their own helplessness – to change their own lives, or accomplish anything. Sometimes this sense of helplessness has been learned over time. It may arise from a history of abuse or sometimes it results from childhood histories in which they were specially cared for. Some specialists have termed the latter the “Dresden Doll Complex.”
- **Self-blame**

Victims may feel they are to blame for their abuse. They believe it when abusers tell them they haven't done something right, or are too ugly, thin, fat, or stupid. They can become obsessed with their own contributions to the violence.
- **Low self-esteem**

Low self-esteem is often the basis of social isolation, helplessness, and self-blame.
- **Lack of available alternatives**

Many victims feel so helpless and lack confidence to look for alternatives in their lives. However, even those who actively seek a way out of an abusive relationship may find it difficult due to economic circumstances, lack of available shelter, childcare, or family pressures.
- **Depression/suicide**

Victims may become chronically depressed, suffer long term stress reactions, and, if abuse continues, may become suicidal or homicidal in reaction. The psychological description of DESNOS is quite useful in understanding the symptoms of long term stress in chronically abused victims.

d. *Why do victims stay in abusive relationships?*

There are many reasons that abusive relationships continue and that victims become caught in the center of chronic violence. The parallel reciprocity of the characteristics described above explains some of the bonds between abuser and the abused. However, other factors often contribute to the decision to stay.

- **Economics**

Many women do not have adequate sources of financial support outside of their abusive partner. Since they often have children to care for, they are reluctant to subject them to hunger, homelessness, interrupted educations, or lack of medical care.

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- **Resources**

Even when women have some resources, it is difficult to find temporary shelter during periods of escape and transition. There are some 2,000 domestic violence shelters in the United States. That does not begin to fill the demand for bed space by women who seek to leave their abusive partners. In addition, many shelters have short term limits on how long a woman can reside in the shelter, prohibitions against children or school-age children, or inadequate protections of privacy. Lack of transportation may make shelters inaccessible and may limit their ability to find a job. Often women escaping abuse have minimal job skills and are not able to find work expeditiously.
 - **Social networks**

In some cases, if a woman leaves her partner, she leaves her only social network. She may be ostracized by family and friends. If she moves to escape, she often moves to a new and "foreign" environment. This is particularly true in military communities. If a spouse divorces or is separated from her active duty husband, she may lose all military benefits, her housing, medical care, and her community of friends and colleagues.
 - **The reality of abuse is the only reality the victim knows**

A more complex reason for staying is based on the victim's perception of reality. If she has never been exposed to life without abuse, or stable interpersonal relationships, she doesn't know what to expect. Fear of the unknown may be more terrifying than the known violent environment. This feeling has been expressed not only by domestic abuse victims, but by victims in inner-city areas who refuse to be relocated to the suburbs or another state to escape intimidation and violence, and by victims of war who fear fleeing to safety in another country.
 - **Terror**

Fear of being killed or seeing their children killed, is another important reason victims may stay. Chronic violence reinforces the knowledge that the abuser has the power to control their lives. He can choose to beat or kill them at any time. Escape offers no sure solution. Too many women have watched or heard of other women who have left their abuser only to be stalked or followed and killed.
 - **Love**

While all of the above reasons may be sufficient for any individual victim to make a decision to stay in the abusive relationship, for some victims, the main reason for staying is that they love their partners. This is often overlooked by outside observers of the violent relationship. Love is a powerful force and some victims retain for years the hope that the loved partner will change or the belief that the violence is a manifestation of that love that must be endured, especially during the loving phase of the cycle described below.
- e. ***The "Cycle of Battering"***
- Many practitioners think that much of battering is cyclical in nature. While a battering cycle can often be traced, one must be careful to avoid thinking that the phases of such cycles are always prolonged. The entire cycle of battering may stretch over a month or more – or it may be completed in one day. And if there is a loving phase, it may encompass no more than an hour. It also must be stressed that, in very violent cases, the battering may never cease except when the partners are separate – and some women never see an alternative side to the violence.

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Bearing in mind these cautions, it is useful to know the cyclical pattern in order to recognize it when it does exist. [Overhead 7.5]

1. Phase One: The Tension-Building Phase
2. Phase Two: The Battering Phase
3. Phase Three: The Loving Phase

f. The types of abuse

Although most people think of abuse in terms of physical abuse, there are other types of abuse which can be equally debilitating. The following typology is often used: [Overhead 7.6]

- Financial abuse: the abuser's control of all money, ownership of all property assets, denial of lack of access to financial accounts, conversion of victim's property for abuser's use.
- Physical abuse: involves bruising, punching, slapping, whipping, other forms of physical assault, and sexual violence.
- Psychological abuse: verbal abuse, humiliation or embarrassment in front of others, intimidation, social isolation, and other forms of injury.
- Abuse of property and pets: violence against property and pets may substitute for violence against an individual in the mind of the batterer, or it may be used to intimidate the individual. In some cases the destruction of such things are far worse than violence against their owner: urination on family heirlooms or killing a small pet may leave the owner suicidal in the wake.

g. The intergenerational cycle of violence

What is perhaps most distressing about battering relationships is that they are often only vignettes out of the long lives of misery. The victims may have survived a childhood of battering, endured spouse abuse, and fear abuse by their children in their older years. More and more research indicates that violence suffered when young is repeated by those same victims when they are old enough to become offenders.

These psychological attributes of individual behavior tend to affect our socio-cultural attitudes over time. So the final origin of the institution of battering may be traced to social influences.

C. Socio-Cultural Attitudes Toward Violence [Overhead 7.7]

1. Violence in society

Individual aggression is often reflected in social aggression. That has been particularly true in the social history of the United States. American history has been one of revolution and war. Some of those revolutions have been sources of pride – and perhaps some have been sources of shame.

U.S. history is touched by our devotions and religions. The country has encouraged freedom of religion and freedom of belief. But, what has been unfortunate in the manifestation of some religions has been the affirmation of proprietary ownership of women by men and by the encouragement of the rod or a retributive eye-for-an-eye philosophy.

The frontier ethic has mandated even further individual violence. Guns and fists became the only way to defend family and property. And in rural areas they still may seem the only way – in lieu of adequate law enforcement response and public concern.

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And recent rebellions – even in the face of illusions of peace and freedom – have been marked by demonstrations and riots.

Social conflict may arise from legitimate fears and anger, but the legitimacy is often turned into heresy by television, films, and newspapers which magnify the effect of violence and turn it into righteous outrage. In this age of telecommunication and computer technology, children grow up with even more chance of being exposed to violence as entertainment.

2. *Violence against women*

Violence in society is expressed most forcefully in everyday violence against women. Women have been stereotyped into sex roles which emphasize learned helplessness – as Cinderella or Sleeping Beauty – or emphasize evilness through aggression – as in the wicked Queen or the wicked Stepmother. Women are often degraded in media through pornography and even “regular” marketing media.

3. *Barriers to identification and service*

All of the above history, psychological attributes, and socio-cultural characteristics contribute to today’s barriers to identification of family violence and the provision of services. Many believe that violent aggression termed “macho behavior” and that women who stay with aggressors are “masochistic.”

Such attitudes are not only held by the general members of the public but those who would serve victims themselves. Service providers often hold the bias that they would never put up with such behavior.

III. Impact of Domestic Violence

Abusive relationships often result in a host of problems, including depression, difficulty in obtaining, maintaining, and adjusting to employment, perpetual social isolation, substance abuse, chronic illness, breakup of the family unit, disabling injuries, recurring violence, homicide, and suicide.

The impact on children may be even worse in its progression to lifelong misery. The children who merely witness parental abuse, even those who are not themselves abused, tend to begin life with low self-esteem, depression, aggressive behavior toward other children, poor school adjustment, alcohol/drug experimentation and abuse, runaway episodes and possible detention, lack of a joyful childhood, early marriage, suicide, and homicide

These costs of violence upon individuals can be readily identified, but their impact of violence on communities is often overlooked. Communities suffer from the birth of future offenders – not just in terms of family violence but in criminal behavior in all parts of society, as well as expansion of violence into the community, the perpetuation of myths and outworn social roles, and the exacerbation of violence.

IV. The Law Enforcement Response

As a result of a number of progressive law enforcement programs, there is evidence that appropriate intervention by law enforcement can be extraordinarily effective in spouse abuse cases. The following procedural guidelines for law enforcement response are based on work done by the Police Executive Research Forum, the Center for Women Policy Studies, the Police Foundation, and a number of local jurisdictions which have implemented changes in their response to spouse abuse problems.

The underlying key to these guidelines is that spouse abuse is a crime and should be treated as such within the criminal justice system. The guidelines are predicated on the observation that abusers need more than counseling, they need to be told that society will not tolerate such violence.

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The role of law enforcement officers in spouse abuse cases is not far removed from their role in any other case. What is unique is that traditionally they have been encouraged to forego that role rather than enforce the law. The primary responsibilities of a law enforcement officer should focus on the following purposes: **[Overhead 7.8]**

- Providing safety and security for the crime victims – preferably within the home but, if necessary, through emergency relocation
- Documentation of the incident, assessment of whether a crime has been committed, and enforcement of the law
- Assisting the victims with support and referrals where appropriate
- Immediate arrest where appropriate

An important issue in translating these responsibilities into action is the fact that the type of stress and crisis involved in spouse abuse differs from the crisis caused by other crimes. Most of those crisis reactions are predicated upon the sudden, arbitrary occurrence of a traumatic event. While spouse abuse involves trauma, it is based on long-term intrapersonal and interpersonal stress. Hence, the police role is somewhat circumscribed.

Law enforcement cannot resolve or treat the problem. The actual call for help is probably as a result of a specific incident of abuse. But, that incident is most likely only a tiny illustration of the problem as a whole. The roots are imbedded in many years of conflict. The two individuals who are existing in the relationship may not have any idea of what the problem is. And, the mechanisms with which both cope with the stress are not immediately conducive to change.

However, despite the role limitation, law enforcement agencies still have the authority, the responsibility, and some unique capabilities for intervening. The authority and responsibility derives from the fact that spouse abuse is a crime and hence there is an obligation to protect the victim from the crime and society from the perpetuation of violence. The unique capabilities evolve from the fact that law enforcement officers do have an ability to provide immediate response and they are equipped and trained to deal with violence.

Having reviewed the general role and responsibility for law enforcement response, it may be useful to summarize effective procedures for providing that response.

A. Operator/Dispatcher Response

As in sexual assault cases, the likelihood is that the first person to receive the call will be the police operator-dispatcher. Most departments have removed much of the discretion from operators and simply dispatch a car in response to any call reflecting an incidence of domestic violence. Their policy stems from the fact that they perceive immediate law enforcement response as a crime prevention activity. Since FBI statistics indicate that a large number of homicides stem from violence between intimates, the assumption is that if law enforcement can interrupt that violent pattern early enough, law enforcement can effectively prevent many of those homicides.

However, for most departments, the operator-dispatcher is responsible for deciding whether a police officer is needed at the scene and how quickly a response is necessary. To assist in making that decision, the operator-dispatcher should immediately ask questions which would indicate whether the conflict is still in progress, whether a weapon is involved, and where the conflict is occurring. If conflict involving a weapon or physical violence is in progress, a car should be immediately dispatched and the operator-dispatcher should continue to collect further information where possible.

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Threats of violence should also be treated seriously, especially where there is a history of violence in the relationship or if children are involved. If someone has been injured, a response should be made quickly and the suspect's whereabouts and state of mind (*e.g.*, alcohol or drug consumption, intent to return) should attempt to be ascertained.

The operator should let the caller know how soon a car will be arriving on the scene and if any other actions are also being taken. In addition, the operator should try to keep the victim on the telephone until the officer arrives in order to monitor the incident and to provide support and a sense of reassurance to the victim.

B. Initial Patrol Officer Response at the Scene

When the officers respond to the scene, it is prudent to do so without using lights or siren unless weapons are involved. Even then, it may be advisable to avoid the use of such alarms in the vicinity of the disturbance. Often the assailant will be emotionally out of control and may turn the weapons on the officers if he is alerted that they are coming.

Where possible, officers should arrive in pairs. They should park their cars a short distance away from the scene and lock them prior to approaching the residence. If they do not know much about the incident, they should look for evidence that children live in the house.

Officers should be concerned for their own safety in approaching the scene. It is advisable to walk a short distance apart with one officer in front of the other. This pattern will mitigate damages if there is an ambush by the assailant.

Once at the door, the officers should listen for a few seconds for any sounds. If there is a window, they should look through it to see if they can spot a disturbance. Prior to knocking on the door, the officers should place themselves on either side of the door to minimize the possibility of injury when it is opened.

There are several possible situations that the officers may face once they knock at the door. The most likely situation is that someone will come to the door and ask what they want. The officers should explain who they are and that they were called because someone inside might be injured. They should ask to come in to make sure everything is all right. In most cases, the officers will be admitted.

However, in some cases they will be refused admission. If such a refusal occurs, they should force entrance if they see or hear anything which gives them reasonable cause to think that someone is in danger. Alternatively, the victim may answer the door and give immediate admittance.

In cases where the assailant opens the door, the officers may confront a hostile and violent situation. However, often the assailant minimizes the incident and tries to convince the officers that nothing serious has happened.

If no one responds to the knock, the officers may consider a forced entrance if they feel that someone inside is still in danger. To assist in that decision, officers may find it prudent to interview neighbors or other potential witnesses.

C. Law Enforcement Officer Response in the Home

Once the officers are in the home they should try to assess the situation and determine the nature and degree of conflict. If the disputants are actively involved in violence, the officers must of course separate the parties and establish control. If the assailant is on the premises but not in the immediate room, the officers should locate him or her and all other occupants of the home and eliminate any weapons.

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If the victim has been seriously injured, medical assistance should be summoned as quickly as possible. At times it may be difficult to assess injuries since the victim may not know the extent of injury herself.

Even if the parties are not actively involved in violence, the police officers should separate them and interview them separately, although most departments require that the two officers remain in each other's sight, for safety reasons. The following items are elements which help to establish probable cause:

1. Nature and extent of the violent acts,
2. Nature and extent of any physical injuries,
3. Use of weapon by assailant,
4. Use of threats by assailant,
5. Nature of conflict which precipitated the violence,
6. History of past conflict or violence,
7. History of past involvement with the police,
8. Legal status between victim and assailant, and
9. Any relevant existing restraining orders, peace bond, probation conditions, or pending charges against the assailant.

Use of alcohol or drugs may be relevant, although they are not elements which address the issue of probable cause.

While interviews which seek to gain information on the above items may be conducted with the victim, if the officers feel an arrest is probable, they must inform the assailant of his rights.

The officers should interview any witnesses at the scene or who witnessed the violent episode. Children should be questioned with care and kindness. They are already frightened and upset. Signs of trauma or severe distress should be noted.

In addition, officers should be attentive to indications of abuse of the children as well. It is not uncommon for spouse abuse to be linked with child abuse. Chapter Eleven will discuss some of the indicators of abuse, but it is important to note its possibility here as well.

Once the situation has been assessed, the officers need to determine what to do. In making that determination, they may wish to consult with the victim. There are usually several options. The first is that the victim will reject interference or assistance. Unless the officers are in a mandatory arrest jurisdiction, it will be difficult to act under these circumstances.

Where the victim is asking for help, she may want to go to a local shelter for the night or a couple of days. The officers can help her to a shelter. Even where charges are not filed, it is advisable to encourage a separation for the evening. While it is most common for the victim to leave, more and more individuals are suggesting that it is the assailant who should leave so that the victim and any children are not disrupted. Of course, if the abuser is violation of any order, he should be removed on those grounds alone.

If charges are to be filed, normally they are either based on felony assault or a misdemeanor assault. Felony assaults normally occur when weapons have been used or the assault inflicted serious bodily harm to the victim. Misdemeanor assaults result in physical injury involving substantial pain. For years, misdemeanor assaults could not be dealt with by arrest unless the law enforcement officer witnessed the incident. Virtually all states now have laws which provide that probable cause is now sufficient for misdemeanor

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arrests, and some require an arrest when there is probable cause that a misdemeanor domestic assault occurred.

Once an arrest is made, the officers must take the assailant into custody. While such cases are difficult to prosecute more and more jurisdictions are approaching them in one of two ways: a) they are making counseling and treatment a mandatory condition of probation with the opportunity to dismiss the charges should the treatment program be completed successfully; b) they are refusing to dismiss charges once filed and subpoenaing the witnesses has occurred. This latter course of action removes the responsibility for criminal prosecution from the shoulders of the victim.

A unique approach in Quincy, Massachusetts, also includes publishing the name and picture of offenders who are in violation of probation after being convicted on a spouse abuse charge and asking for community involvement in identifying and reporting them.

These procedures provide only a brief review of some of the actions that law enforcement officers may use in responding to spouse abuse cases. A fuller exposition of law enforcement response to spouse abuse is found in the curriculum developed by the Police Executive Research Forum, which may be ordered by calling 888-202-4563. Readers are also referred to the companion volume of protocols, and to the NOVA/IACP report on *Law Enforcement's Promising Practices in the Treatment of Crime Victims*; to order, call 800-627-6872.

D. Policy Issues for Law Enforcement Response to Spouse Abuse

It is important that law enforcement officers take a leadership role in the community in responding to spouse abuse. Spouse abuse not only perpetuates violence itself in the family and society, but it is a serious hazard to the police officer. The best evidence would suggest that a forceful and sure reaction by the criminal justice system can make a major difference in the lives of both the assailant and the victim. Law enforcement officials should join with other community partners and support: **[Overhead 7.9]**

1. Immediate arrest of spouse abuse offenders when probable cause exists that a felony or a misdemeanor took place;
2. Prosecution of such cases without placing the onus for prosecution on the victim;
3. Public education on the nature, causes and impact of spouse abuse.
4. Development of sufficient emergency shelters.
5. Preventive education for children on alternative mechanisms for coping with aggression.

The insidious problem of family violence holds a serious threat for our future. Only by a concerted criminal justice response can we stem the rising tide of abuse and violence.

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An Outline of Chapter Seven, “Working with Domestic Violence Victims”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Seven: Working with Spouse Abuse Victims

Format

One Day: 0 hours
Three Days: 1 hour
Roll Call: 20 minutes

Objectives of session

1. To explain issues victims of domestic violence.
2. To explain how law enforcement officers best respond to these issues.

At the end of the session, the participants should be able to:

1. Identify unique concerns of victims of domestic violence.
2. Explain how law enforcement can respond to concerns.
3. Explain how those concerns can become priority in community.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. 1994 Violence Against Women Act

B. Family hides brutal and shocking facts:

- One-fifth of all homicides
- Larger proportion of the assaults, batteries, and burglaries
- 200,000 children physically abused every year
- 20% of all children experience sexual assault or molestation
- 50-60% marriages experience violence
- 10% elderly abused by relatives
- 60% of violent incidents involve weapons or victims bodily mistreated
- Statistics may underreport the facts

C. Essential to look at:

- Origins and characteristics of domestic violence
- Its impact
- How law enforcement may better respond

II. Origins and Characteristics of Spouse Abuse

Origins of spouse abuse traced to three psycho-social dimensions:

- Historical precedents
- Psychological reactions to aggression and conflict
- Socio-cultural attitudes toward family violence. **[Overhead 7.1]**

A. Historical precedents

1. Treatment of women deteriorated with rise of patriarchy.
2. Legal systems reflected culture. Examples in our culture:
 - a. Personal merger
Wife could not contract, bring lawsuits or be sued, move freely, or own property.
 - b. Property merger
Marriage meant that woman's husband took control and ownership of a woman's property
 - c. Right of chastisement/Rule of Thumb: husband could not beat his wife with a rod or whip thicker around than his thumb
 - d. Married Women's Acts passed giving married woman separate legal identity
 - e. "Marital merger"
 - f. State tolerance for violence within family

B. Psychological Dynamics

Three aspects of the dynamics of family conflict:

- Motivations to violence
- Stress factors
- Characteristics of abusing relationships

1. *Theories of aggression*

Two theories to analyze family violence:

- Drive for power
- Aggression is learned behavior

2. *Stress and power factors precipitating family violence* [Overhead 7.2]

- Geographic isolation
- Social isolation
- Financial problems
- Family relationships
- Medical problems
- Inadequate parental skills
- Pregnancy
- Alcohol or drug interference

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3. *Characteristics of abuse and abusing relationships*

- a. Abusing relationships – four aspects of abusing relationships:
 - Learned pattern of reaction to stress
 - Cycle of violence
 - Types of violence within cycle
 - Long-term cycle of violence

- b. Characteristics of abusers [**Overhead 7.3**]
 - Victims of abuse as children
 - Emotionally isolated
 - Externalization of problems
 - Control or dominance in the individual's life
 - Manipulation
 - Denial
 - Anger
 - Depression/ suicide

- c. Characteristics of the victim [**Overhead 7.4**]
 - Childhood experience
 - Emotionally isolated
 - Socially isolated
 - Belief in helplessness
 - Self-blame
 - Low self-esteem
 - Lack of available alternatives
 - Depression/suicide

- d. Why do victims stay in abusive relationships?
 - Economics
 - Resources
 - Social networks
 - The reality of abuse is the only reality the victim knows
 - Terror
 - Love

- e. The “Cycle of Battering” – cyclical pattern in order to recognize it when it exist [**Overhead 7.5**]
 - Phase One: The Tension-Building Phase
 - Phase Two: The Battering Phase
 - Phase Three: The Loving Phase

f. The types of abuse [Overhead 7.6]

- Financial abuse
- Physical abuse
- Psychological abuse
- Abuse of property and pets

g. The intergenerational cycle of violence

- research indicates violence suffered when young is repeated when old enough to become offender
- Traced to social influences

C. Socio-Cultural Attitudes Toward Violence [Overhead 7.7]

1. Violence in society
2. Violence against women
3. Barriers to identification and service
 - Many believe violent aggression termed “macho behavior” and women who stay with aggressors are “masochistic”

III. Impact of Spousal Violence

A. Problems

1. Depression
2. Employment
3. Social isolation
4. Substance abuse
5. Chronic illness
6. Breakup of the family unit
7. Disabling injuries
8. Recurring violence

B. Impact on children

C. Impact of violence on communities

IV. The Law Enforcement Response

Primary responsibilities of a law enforcement officer: [Overhead 7.8]

- Providing safety and security for crime victims
- Documentation of the incident and enforcement of law
- Assisting the victims with support and referrals
- Immediate arrest where appropriate

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

A. Operator/Dispatcher Response

- Most departments simply dispatch
- Whether conflict still in progress
- Whether weapon involved
- Where conflict occurring
- Threats of violence treated seriously
- History of violence
- Children involved
- Injury
- Suspect's whereabouts and state of mind
- How soon car scene
- Keep victim on telephone to monitor

B. Initial Patrol Officer Response at the Scene

- Often the assailant emotionally out of control
- Arrive in pairs
- Safety

C. Law Enforcement Officer Response in the Home

1. Assess the situation
2. Separate and interview
3. Elements to establish probable cause:
 - Nature and extent of the violent acts
 - Nature and extent of any physical injuries
 - Use of weapon by assailant
 - Use of threats by assailant
 - Nature of conflict which precipitated the violence
 - History of past conflict or violence
 - History of past involvement with the police
 - Legal status between victim and assailant, and
 - Any relevant existing restraining orders, peace bond, probation conditions, or pending charges against the assailant.
4. Use of alcohol or drugs
5. Inform the assailant of rights
6. Interview witnesses
7. Attentive to abuse of children
8. Officers need to determine what to do

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9. Charges based on felony assault or misdemeanor assault

10. Jurisdictions are approaching

a) Counseling and treatment mandatory condition of probation

b) Refusing to dismiss charges

- Fuller exposition in curriculum by Police Executive Research Forum (888-202-4563) and NOVA/IACP report on *Law Enforcement's Promising Practices in the Treatment of Crime Victims* (800-627-6872).

D. Policy Issues for Law Enforcement Response to Spouse Abuse

Law enforcement officials should join with other community partners and support: **[Overhead 7.9]**

1. Immediate arrest of spouse abuse offenders when probable cause exists
2. Prosecution of such cases without placing onus on victim
3. Public education on nature, causes and impact of spouse abuse
4. Development of sufficient emergency shelters
5. Preventive education for children on alternative mechanisms for coping with aggression

Suggested Overheads or Handouts for Chapter Seven, “Working with Domestic Violence Victims”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.1 Psycho-Social Dimensions of Domestic Violence

- Historical precedents
- Psychological reactions to aggression and conflict
- Socio-cultural attitude toward family violence



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.2 Stress Factors

- Geographic isolation
- Social isolation
- Financial problems



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.3 Characteristics of the Abuser

- Victims of abuse as children
- Emotionally isolated
- Externalization of problems
- Control or dominance in personal life
- Denial
- Anger
- Depression/suicide

7.4 Characteristics of the Abused

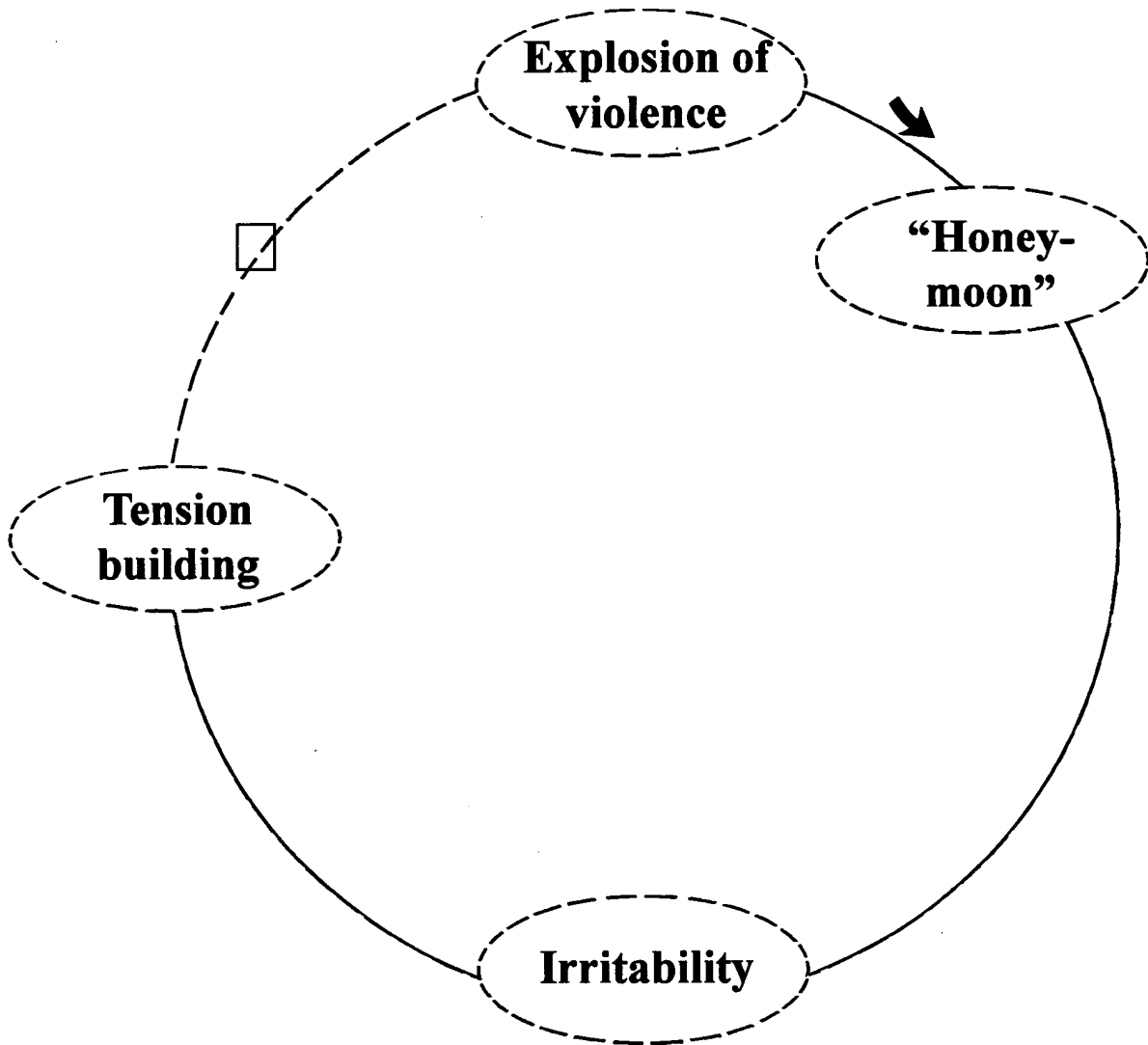
- Childhood exposure to abuse
- Emotionally isolated
- Belief in helplessness
- Self-blame
- Low self-esteem
- Lack of available alternatives
- Depression/suicide



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.5 The Cycle of Battering





VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.6 Types of Abuse

- Financial abuse
- Physical abuse
- Psychological abuse
- Abuse of property and pets

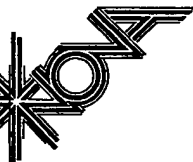


VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.7 Socio-Cultural Attitudes Toward Violence

- Violence in society
- Violence against women
- Barriers to identification and service



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Working with Domestic Violence Victims

7.8 Law Enforcement Responsibilities in Domestic Violence Cases

- Providing safety and security
- Documentation of the incident, assessment of whether a crime has been committed, and enforcement of the law
- Assisting the victims with support and referrals
- Immediate arrest where appropriate



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Domestic Violence Victims

7.9 Policy Issues for Law Enforcement on Domestic Violence Cases

- Immediate arrest of offenders
- Prosecution without placing the onus for prosecution on the victim
- Public education on the nature, causes, and impact of spouse abuse
- Development of sufficient emergency shelters
- Preventive education for children on alternative mechanisms for coping with aggression

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Chapter Eight: Working with Survivors of Homicide Victims

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session

1. To explain the unique concerns of survivors of homicide victims.
2. To explain how law enforcement officers can understand those concerns.
3. To explain how that understanding can help a case.
4. To explain the similarities between survivors of murder victims and law enforcement survivors of the use of deadly force.

At the end of the session, the participants should be able to:

1. Identify the unique concerns of survivors of homicide victims.
2. Explain law enforcement officers can respond to those concerns.
3. Explain how those concerns can assist in developing a case.
4. Discuss some of the psychological issues surrounding death, dying, murder, and other violent deaths.

Content

[Materials in brackets are guidelines for trainers]

Murder is the most damaging of all crimes. It tears apart the surviving family members and friends and often whole communities. While one of the most difficult jobs for law enforcement officers is death notification, a notification of a murder is even more traumatic. Victim advocates who have worked with law enforcement officers over a number of years in crisis situations learn rapidly that they are most welcome in situations where individuals must be told of the death of a loved one. Law enforcement officers are perhaps more sensitive to problems in dealing with death and murder because of their exposure to notification situations and their sense of their own mortality, but sometimes the pain of the survivors is overwhelming.

Survivors of homicide victims tell horror stories about their treatment by the criminal justice system and society as a whole. A judge in New York told a murdered girl's mother that "the victim was dead," so now he had to worry about the accused. A doctor notified the parents of a child who had been killed while the doctor was still wearing clothes spattered with the child's blood. Media coverage of murder often includes photographs of body bags and anguished faces of loved ones who are grieving.

Despite the fact that the murder of a loved one often means the loss of something more valuable than anything else a criminal could steal – often more valued than the surviving relative's own life – most of society has not realized that murder is a crime which produces more than one victim.

There are a number of reasons why law enforcement officers should be concerned with working closely with families and friends of homicide victims, including:

1. Part of the patrol officer's job in many law enforcement agencies is providing death notifications to families and friends.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

2. Most homicide investigations involve meeting with, interviewing, and understanding survivors.
3. Problems of death and the confrontation with mortality is perhaps closer to law enforcement officers than any other part of the criminal justice system because they more often than most face death in the line of duty.

This chapter will first describe the unique stresses which affect survivors as victims and witnesses, then discuss some techniques of providing death notifications, and finally, consider some of the problems that most people have when confronting death.

I. The Stress and Crisis of Murder

Murder is the ultimate criminal violation and hence it is understandable that the consequences of murder for those who survive its victims is the ultimate crisis.

In part, the shock of murder is the shock of death. But the shock of murder is more – it involves the confrontation with human cruelty, intentional and random viciousness, and senseless destruction. How the victim died is often as traumatic as the death itself.

The severity of the stress which accompanies death is affected by a number of variables. The first is its unpredictability

Unexpected death is often more stressful than death after a long-term illness. If death is preceded by a deteriorating condition, family members have an opportunity to grieve as they await the end. The emotional depletion of this period of waiting often works as a period of mourning. Unexpected death throws the survivors completely off-balance.

A typology of grief helps to explain this. There are three types of grieving processes: natural anticipatory grief, unnatural anticipatory grief, and grief caused by sudden, random loss. *Natural anticipatory grief* occurs when death happens to someone who is old and is expected to die due to “natural causes.” Survivors have usually recognized the aging process and begun to prepare for the final event. *Unnatural anticipatory grief* happens when a younger person dies due to a terminal illness. There is shock at the first discovery of the illness, a struggle to find a cure or to stop the death from happening, sorrow when the struggle is unsuccessful, and eventual reconciliation with the fact that the loved one is dying. Much grieving is done prior to the actual death. *Sudden, random death* results in shock at the loss of loved ones, shock and anger at the cause of death, and delayed, often unresolved, grief.

Next, if survivors are facing other events which are stressful, the intensity of their reaction to the death may increase. Since personal and other resources may be reduced as a result of the other stress factors, the emotional scramble following the shock of death may be difficult to overcome.

For instance, one survivor reported that she had been robbed three weeks before her brother and his wife were murdered. She indicated that she had always felt guilty because she continued to feel awful about the robbery. She said, “I was lucky and my brother wasn’t. But, I don’t feel lucky. I feel awful about the robbery and about my brother’s murder. And I keep thinking about how grateful I was, I wasn’t murdered as well. I keep waking up at night feeling guilty about being alive.”

Sudden death results in additional urgent tasks for survivors. There are funeral arrangements, estate settlement issues, insurance claims, and so on. Lack of finances may complicate these tasks. Even when money may be available through compensation or insurance benefits, survivors may find it psychologically difficult to complete the necessary forms.

When a loved one dies, the roles of survivors shift. When a mother dies, a daughter may feel it necessary to take on her responsibilities. She becomes the “mother” to her siblings. One eleven-year-old girl spoke of her grief and her anger toward her mother for dying. She said, “Since Mom

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died, I haven't been able to stay after school to play with my friends. I have to get home to fix dinner." Incidentally, anger at the dead loved one is a regular part of the grief cycle.

Economic consequences of death may also lead to further stress. The death of a father may leave a family in financial peril, particularly if he was the sole wage-earner. Families lose their homes because they cannot make mortgage payments, and others are evicted because they cannot pay the rent.

Families can fall apart after a death. Each member has his or her own grief cycle and it may be entirely different from other family members'. They often do not feel emotional support from the ones they love nor are they able to give it. As one sibling stated, "Grief is not peaceful or calm, it is vicious and it can be deadly." The pain becomes self-sustaining and divisive.

Murder is always unexpected. It is always cruel. It may be accompanied by thousands of demands beyond those which are involved with more ordinary deaths: interviews with the police, and with if there is an arrest the prosecutors if there is an arrest, a trial (or sometimes a trial and one or more retrials), sentencing, and appeals. **[Overhead 8.1]**

Death by murder may create unusual financial losses: the loss or cost of recovering property that belonged to the deceased, costs of investigation, and costs of becoming involved in the criminal justice system. In some cases, the unexpected financial burden of the hospital or funeral costs are debilitating. Betty Jane Spencer, the sole survivor of a murderous invasion of her home that took the lives of her four sons, says that the initial costs of the crime were over \$22,000. "Do you have any idea of what it costs to bury four people?" she asked one audience.

Murder exacerbates all the ordinary turmoils of death – confusion over the senselessness of the violence, anger over its purposefulness, terrors attaching to the crime itself, fears when the killer is still at large, and guilt about what might have been done to avert the murder. If grief can be harsh when any death occurs, it is searing in the aftermath of murder. It is coupled with the knowledge that the person did not "have to die" – someone killed that person.

Survivors can learn to live with the aftermath of murder but, it is not easy. So often the sympathizing friend wishes that the survivor had found a different kind of resolution, one that led to a sad but enjoyable new life instead of only a sad life. One important part of giving the survivors a chance for a future-oriented resolution is to reestablish for them a sense of justice.

It is essential to remember that murder can obliterate the survivors' trust in the world, including their belief in the possibilities of social order and justice. Appropriate response by law enforcement can help restore some of the trust and belief that is necessary for survivors to begin a new life.

Many survivors of deaths become caught in one of two problems which impede mourning – obliteration or idolization. Obliteration involves the attempt to wipe away the former existence of the deceased. Idolization is the exact opposite. It involves a worship of the dead person which includes endowing the person with qualities of perfection.

Survivors of murder victims are far more likely to become involved in a different impediment to mourning – avoidance. Avoidance is most often illustrated by an effort to keep busy and to work so hard that there is little time to think about the murder and its consequences.

Many times, self-help group members will comment that someone has become so active that he does not have time to grieve. Indeed, avoidance is a method of pushing the grieving process away. One reason that it seems to be a dominant mode in survivors of murder victims is that the activity in which the survivors become involved is the search for justice. Survivors who must deal with a trial postpone grieving until after the trial is over. When the survivors face years awaiting the trial or must face several re-trials, the emotional toll can be catastrophic.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

A successful effort to resolve feelings about the murder is dependent upon an atmosphere in which all feelings are permitted and communication is encouraged from the survivors. In some cases this necessitates moving out of the normal network of family and friends since communication may be problematic among people who are grieving at separate levels. However, most survivors find the support which they need among some parts of that network. Survivors will often talk about how a certain relative, neighbor, or acquaintance with whom they had not previously felt very close was the key person in the mourning process.

In some cases the law enforcement investigators become major recipient of grief communications which various family members feel unable to share with each other. The processing of grief and the ability to cope with the death can significantly influence the ability of survivors to cooperate with the prosecution and sustain participation during long years of court proceedings.

II. Death Notification

[Trainer may use the film "Death Notification" to start this part of the presentation and then use the following text with appropriate overheads to provide instruction in addition to the discussion which is sure to follow from the film.]

Providing notification to the family of the murdered victim is one of the most difficult jobs a law enforcement officer must undertake. It is a good illustration of one of the most important areas of application for stress and crisis theory. The following guidelines are based both on some the implications of that theory and practical experience.

For survivors, the beginning of their reactions the death of loved ones is the death notification process. It is important that death notification be handled as well as possible because it is the critical point of trauma for most survivors. Properly done it can begin a healing process. When it is done improperly or without insight into the survivor's possible reactions, it may delay the process of reconstructing the survivor's life for years.

A. General Guidelines for Notification Procedures

1. Before Notification

- a. Obtain as much information about the deceased as possible: what happened, when did it happen, where did it happen, how did it happen, and what is the source of positive identification if it is available.
- b. Get as much information about the person(s) to be notified as possible. Try to insure that the *appropriate* closest adult relative receives notification first.

2. Elements of Notification

- a. Is the notification in person? If so:
 - Make notification in pairs.
 - Do not take any personal items with you to do the notification.
 - If you visit the home of a survivor, ask to enter the home before making notification; at a place of work, speak to a supervisor first in order to get a very private place to give the notification.
 - Encourage survivors to sit and sit down with them when you talk to them.
 - The person making the actual notification should take the lead in all of the discussion. The person assisting the notifier should remove obvious objects of danger, monitor the survivors for danger signs to themselves or others, and be prepared to care for children if needed.

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- The person making the actual notification should tell the survivors simply and directly: “We have come to tell you some terrible news. Your son was killed when a man opened fire on a bus as your son was going to work. I am so sorry.” Do not build up to the idea of death. For most people, your appearance, your demeanor, and the ritual involved will give them clues that something horrible has happened. Do not prolong natural anxiety. Do not use euphemisms even if they are culturally based. Leave no room for doubt or false hope.
 - Be prepared to present confirming evidence in a clear and convincing fashion in the face of denial. Answer all questions tactfully but directly.
 - Focus on immediate needs of survivors. If survivors want, help them to notify others. Help them to explore options over the next few days as they deal with the practical aspects of death. Do not be judgmental about their reactions or thoughts.
 - Do not leave survivors alone. Leave them with someone and with a “safety net” – a point of contact. Respect survivors’ needs for privacy, but ensure protection.
- b. Is the notification to be done by telephone? When a law enforcement officer is asked by an immediate survivor to inform others who are close to the victim, it will often be necessary. If so, consider the following:
- Arrange for someone to be with the survivor when he or she receives the call, if possible, and without breaching confidentiality. For very close relatives who are in a different jurisdiction, it is best to enlist their local law enforcement agency to make the notification, while you offer to provide details by telephone.
 - When you are the telephone notifier, say, “I am calling to inform you that a medical emergency involving your son has occurred. Will you please sit down while I explain what has happened.”
 - If no other adult is present when the notification is made, ask for permission to call a neighbor, friend, or emergency service officer to come to the home to stay with the survivor.
 - Follow the general guidelines for personal notification with regard to questions, being judgmental, and looking to the near future.
 - If you are notifying a number of family members and friends by telephone who may know each other, let each of them know who else you have notified.
- c. Is the notification to a large group of people awaiting notice of the results of the deaths in a disaster? Employ the following guidelines:
- Try to ensure that several different trained notifiers are involved in the notification and that the group can be divided into small clusters of relatives and friends.
 - Provide separate facilities for those who are survivors of loved ones who have died after notification, and also separate facilities for those who are being told that their loved ones have survived the disaster.
 - If more than one person has died, information on all deaths should be released as simultaneously as possible.
 - While notification should be done individually, confirm after notification with a group announcement.
- d. Are there people who need notification that their loved ones are missing?
- When people are given notification that a loved one is “missing” it begins to the process of “anticipatory grief.” A confirming death notification should be provided as soon as a determination is made.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- If there is doubt as to who was killed and the identity of the deceased needs confirmation, then think about the following phrases to tell survivors: "I have come to talk with you about your son. We think he was killed in the plane crash, but we need someone to identify him . . ." or "We are trying to determine for sure his identity. Is there any way you might help us?"
- If there will be a delay in identification or there is a possibility that there will never be a final identification, remember to keep the survivors informed of what the circumstances are.

B. Guidelines for Viewing the Body

Upon notification of death, survivors may want to view the body of their loved one.

The guidelines for assisting such viewing are:

1. The decision to see or not to see the body should be made by the loved ones; however, some jurisdictions do not allow that decision to be made by the survivors.
2. The viewer should be accompanied.
3. If the viewer wants to touch or hold the body, be supportive of that desire.
4. If the body is mutilated or distorted, tell the viewer prior to viewing the precise nature of the distortions and, if optional, let the viewer make a choice if he or she wants to see the body after hearing the description or seeing photographs of the body upon death.
5. Do not be surprised at reactions: crying, laughing, anger and the like.
6. Offer to drive the viewer to and from the viewing.

III. Interviewing Survivors of Homicide Victims

While death notification is very difficult, interviews with survivors of homicide are also very stressful. While the investigator is aware that the survivors are grieving, there may also be reason to believe that they are suspects. Even if there is no reason for such suspicion, the survivors of homicides can often provide valuable information in a homicide investigation. And most want to be involved.

If the survivors are eyewitnesses there are special problems involved in the interviews. However, even if they are simply sources of additional evidentiary information or clues to the possible identity of the assailant, they should be interviewed as soon as possible.

There are different dynamics involved when dealing with eyewitnesses than when dealing with survivors who have not witnessed the crime itself but are witnesses in another capacity. [**Overhead 8.2**]

Eyewitnesses often go through the patterns of crisis in a manner very similar to victims who endure the "direct" victimization. They have seen something happen which they did not expect and which resulted in the death of a loved one. While the death is no more profound for the survivor who is an eyewitness than the survivor who hears of the event, the added dimension of being present and helpless while the brutalization took place is often overwhelming.

All eyewitnesses can have difficulty remembering details when their minds block out some of the more terrifying memories of the event. It may be necessary to review with the witness over and over again the sequence of events as he or she remembers it. The law enforcement officer should be aware that different details may emerge in this repetitive process.

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The investigator should also understand that the process of remembering can be painfully cathartic for the witnesses – they may remember something which catapults them back into crisis because it was so horrible. Because of this possibility, investigators should work closely with counselors or advocates to help out if the survivor needs support or reassurance in the midst of such crises.

The witness to a horrific event may have experienced a heightened awareness of all the senses on that occasion, and may remember smells, noises, or visual detail with extraordinary accuracy. On the other hand, crisis may impair the witnesses' cognitive faculties and so they may become confused in their attempts to recall the sequence of events or even the visual picture of the offender. It is therefore always useful to question eyewitnesses about other sensory memories other than sight.

Interviewing anyone is a skill, but interviewing a person about witnessing a severe trauma such as homicide takes particular care and understanding. An investigator should remember that, at any time, the person may re-experience the emotion of the crisis itself and hence, they should be schooled in crisis-oriented interviewing (see Chapter Three).

Individuals who are not eyewitnesses but who may become a part of the case as a result of their knowledge of the case or of the victim face slightly different problems.

Often such individuals are the source of countless memories which can be useful in identifying or linking the assailant with the murdered victim. In addition, the investigator and the prosecutor is aware that in a murder trial, as in a sexual assault case, defense attorneys sometimes attempt to make the best defense through a "good offense." If they can establish that the victim was a bad person or someone of little consequence in society, their client may be the beneficiary of the devaluation of that life. Survivors become a sole source of information which re-establishes the credibility of the victim and the value of that life as well.

Whether the survivors are witnesses are not, they should be told the details of the crime if they are involved in the case. It will be far more traumatic for that survivor to hear the facts of the crime for the first time in the courtroom or to read it in a newspaper than to hear it in a private setting where they can try to comprehend what is being said.

In some cases the details will be upsetting to the survivor. The victim may have suffered a great deal before the death or perhaps the victim was living a life of which his loved ones were unaware and would disapprove. A husband may have been murdered while he was on a date with a woman other than his wife. A daughter may have been murdered while she was taking drugs. Parents may find out that their son was a homosexual as a result of the murder. These things may be very painful, but a good rule of thumb is, tell them the bad news up front. One reason to do so is that the investigator earns and maintains the trust of the survivors by being honest. Conversely, being caught withholding unpleasant facts can sour the relationship.

Good investigators visit the home of the deceased victim and interview family members whether or not those individuals seem to have any knowledge which is relevant to the case. Such home visits can reveal information which is useful in case preparation even if it is not useful in actually proving a case. Information may be obtained which is helpful in corroborating a witness's story or establishing the credibility of the witness.

For example, one law enforcement investigator found out in informal chats with the murder victim's family that the victim had been terrified of the murderer and had tried to avoid him. In the original investigatory interviews such information was not revealed because the mother who knew of the girl's fear had been afraid to tell the police for fear her daughter would be blamed for her own death. The gradual development of trust with the investigator lead to her willingness to confide the story and changed the entire course of the case.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Another law enforcement investigator was able to solve a case because of a conversation that a friend of the murder victim had with the victim's parents some weeks after the homicide. The acquaintance related information which could not have been known unless he had been involved in the incident. It was only through successive interviews with the parents that the conversation came to light.

IV. Issues in Confronting Death

One of the greatest problems that law enforcement officers have in dealing with the survivors of homicide victims is that the officers often must confront their own proximity to death.

Law enforcement officers may be called upon to kill other people and may be injured or killed themselves. The fear of killing or being killed and even worse, the reality of killing or having a friend and colleague killed, can impair the functioning of officers. It is important that law enforcement officers are able to discuss that aspect of death and understand it if they are to understand many of the reactions of survivors of homicide.

Police psychologists warn that officers who are involved in a fatal shooting typically become less aggressive and more introspective on the job. They have to deal with their own reactions to death, to killing, and to the inquiries of internal affairs officers. They may feel estranged from their families and subject to an odd scrutiny by other people and fellow officers. They often have flashbacks, nightmares and other symptoms of post-traumatic stress. They may be beset with guilt and anxiety. Avoidance of duties that are reminders of the event is common, as is the misuse of alcohol or drugs.

While such officers have different burdens than survivors, the symptoms are very similar. Survivors too feel unable to concentrate on the job or in their families. They have to deal with their reactions to death and murder, as well as being interrogated either as a suspect or a witness. They often feel estranged from their families, and most of their friends avoid them. Their guilt and anxiety often includes feelings of responsibility for the death of their loved one. They may be plagued by nightmares and flashbacks to the scene of the murder or the notification.

Acknowledging and confronting issues surrounding death, itself, is important for the health of law enforcement officers as well as the basis for understanding some of the basic reactions of survivors.

A. Acknowledgment Begins with Definition

Each person has his or her understanding of death based on his or her personal beliefs. Some people believe in life after death and some do not. The reality is that the dead person is gone from this life forever – in life as we know it. It is important for family, friends and responders not to impose their beliefs on those who are in grief.

B. For Many, Death is Associated with Fear

In Western cultures, many people fear death. Some of those fears are associated with the expectations that face survivors, and others are associated with the inability to comprehend what the deceased has gone through due to the fact that we know little about the death experience.

The following fears of death are placed in order of lowest priority to highest priority in their emotional content. They are designed to highlight some of the concerns of survivors as they struggle to understand the impact of death on their lives.

1. Practical fears

- Fear for loved ones – there are fears for what may happen to loved ones who have died. What have they experienced and what will they experience? But more often

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this fear is for the loved ones who survive. A dying person may worry about what will happen to his or her loved ones – will they have financial, physical or emotional resources to cope with the dying person's absence? Survivors often share the same anxieties even as they deal with their grief.

- Fear of changes in role – closely related to fear of the practical changes in a loved one's life are the practical changes that occur in a loved one's role due to the loss of another. A wife becomes a widow. A parent becomes a parent of a murdered child. A sibling feels compelled to take on the role of an older sibling who died. All such forced role changes are traumatic and result in emotional stress.
- Fear of loss of family and friends – this is another closely related fear. This loss is the companion to missing someone deeply. The question, "When will I see you again?" evokes its poignancy. That poignancy is more painful when it is answered, "Never in this life again," or simply, "Never."
- Fear of dying process – this fear includes both the fear of the possible pain of the dying process and also what might be available to comfort loved ones through the pain. There are some who have lived through a "near death experience" who tell of a sense of peacefulness and resolution. There are others who tell of feeling frantic and a need to return to life. But, no one knows what the process truly will be when lived through – or rather died through – to completion.

2. Fears of the unknown

The fear of what will happen to loved ones or what will happen in the dying process and all the practical fears are related to fears of the unknown.

- Fear of God or spirits – for many the fear of the unknown begins with the fear of confrontation with God, or reconciliation with God – and how that occurs. Does God demand a recounting for our lives? Is God the final arbiter of our living? Will we face hell and damnation, and what does it take to get to Heaven? For others, there is often a fear of spirits who might revisit us, much as some experience visitations of their deceased loved ones in their dreams.
- Fear of judgment and finality – the fear of finality and judgment has little to do with the spiritual world, in this context, but may be as important. Most people want to believe that their life was significant by some measure. That measure might be in terms of the children they have raised, the reputation they have made, the legacy they have left – but there is a need to have been significant. Death ends all potential at ensuring that one's life was significant.
- Fear of being alone – for many people, there is an ultimate terror at being left alone. There is nothing quite so alone as dying to the best of our knowledge. When you are born, you are connected to your mother. But, when you die, you are connected to no one – in this world.

3. Fears of loss of connection with life.

These two fears may be the ultimate fears of death.

- Fear of loss of body – there is no culture that condones the mutilation or destruction of the human body, at least, not without ritual. There is a sanctity connected with the body, and there is a physical conception of identity that each person carries with him or her to the grave. The idea of the body being torn apart, mutilated, or destroyed is abhorrent to human society.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- Fear of forgetting or being forgotten – finally, there is the fear that loved ones will be forgotten or that the survivors themselves will forget. That fear is based on the truth, one that most people try to ignore. However, most of us will be forgotten one hundred years from now and we will over time forget one another.

C. Grief and Loss

Those who work with people grieving over a loved one's violent, sudden death often come to understand the grieving process. But in law enforcement, it may be useful to observe grief and loss through a wider lens, because "grief" can be part of the normal reactions to any kind of loss inflicted by crime.

1. Kinds of losses

- Loss of life – death
- Physical losses
 - invasion of body through sexual assault or incest
 - loss of bodily integrity
- Material losses
- Intangible losses
 - loss of trust – there is often a sense of loss in the ability to trust other people after a major tragedy.
 - loss of faith: sometimes people lose their faith in God, whether temporary, or permanently in this life.
 - loss of identity: crises may cause some survivors to completely change their personality.
 - loss of history and its connections to the future: disaster and death create a hiatus in the present. Nothing that has happened in the past will ever be viewed again except through a vision colored by the death. And there is no prediction of the future because of the bedlam of change.
 - loss of time: while history and its connections to the future seem to have gone through a time warp, so does the sense of the future. There is for many a sense that time goes by without them, and that time lasts for years. When they "wake up," they are old and growing older and there is a never going back.
 - loss of values: for some, the victimization by crime suggests a response of victimizing others. And within that number, there are some who regret that change in their behavior.
 - loss of feeling: people may talk of having no ability to respond emotionally after a tragedy.
 - loss of innocence: if a disaster was caused by a human crime or accident, the human perpetrator may be perceived as being evil. The confrontation with evil causes some people to feel they have lost their innocence.
 - loss of hope: tragedy may throw people into despair. All the intangible losses accumulate and become overwhelming and people lose hope.

2. Elements of grief

Some literature on death and dying describes the grief response in terms of one pattern. There are actually many responses to death, dying, grief, and loss. And there are differences in response between death that is caused by disaster and that which is suffered due to anticipated causes. The sorrow is similar but the responses to loss

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reflects different types of suffering. The following is an outline that reflects some of those differences.

Anticipatory grief

Natural anticipatory grief in this manual is defined as grief over the expected death of an aged loved one. It may occur in response to mini-strokes, dementia, Alzheimer's disease or increased fragility. Reactions often occur in the following pattern:

- Initial shock happens in reaction to changes that are recognized in the loved one during life.
- Sporadic bouts of sorrow occur as family and friends acknowledge that their loved one will die in the near future.
- Family and friends begin to prepare and plan for final loss and the expected change in their roles.
- Upon death, detachment is filled with sorrow, missing, and loneliness. However, in anticipatory natural death, this phase is usually relatively short.
- After the death of the loved one, the survivors implement the plan for change. There is a gradual acceptance of the immutable fact that death is a natural consequence of life.
- Remembrance is usually a planned affair and memorials may or may not be a part of such process.

Unnatural anticipatory grief

This is the process of grieving over a death that follows a terminal illness when the dying person is still young, middle-aged, or young-old. This process involves the following overlapping phases.

- Denial: characterized by an unexpected loss syndrome but occurring during the life of the dying and precipitated by the announcement of the terminal illness.
- Protest/anger: this phase is often manifested through survivors bartering with God, with doctors, with anyone who might delay the death of the person who is diagnosed as dying. It usually occurs prior to death due to the fact that the delayed dying process means that the survivors begin to work through some grief prior to actual death.
- Despair will follow the protest and anger prior to death because despair is the corollary of hopelessness.
- Disengagement occurs since most people cannot sustain the impact of despair for long periods of time and so they go in and out of extreme grief in order to survive.
- Finally, there occurs a preparatory period and planning for final loss.

If the loved one and the dying person go through this period separately, without communicating their respective feelings, it will inhibit survivors from being able to cope.

Death following separate preparations will usually cause additional shock, anger, sorrow and detachment.

Death following mutual communication and planning will help the survivor respond to death with detachment, implementation of a plan for survival, acceptance, loneliness and focus on remembrance.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Sudden, random death and consequent grief

For many survivors the impact of sudden, random death and the consequent grief has an enduring pain that reflects different patterns than anticipatory grief.

- Denial and shock still are manifested in confusion, avoidance, and refusal to participate in acknowledgments. Unremitting crying, physical pain, weakness, nausea, sleep disturbances, and loss of appetite often occur. However, the denial and shock are paralleled by the other emotions that follow.
- Rather than protest, most survivors concentrate on anger. They know their loved one died. Their denial and shock occur in response to death not in the expectation of death. There is no longer anyone on whom one can rely to defy death—no doctors, no lawyers, no God. So protest becomes anger, but anger aimed at self, loved one, God, or the world. It usually manifests itself in irritability, lack of concentration, frenzied activity, and eventually fatigue.
- Despair follows anger. There is depression, hopelessness, agony. Survivors often experience an inability to think or act. There may be an urge to recover what was lost but a recognition that there can be no recovery.
- No one can maintain the sense of despair that exists after the suddenness of loss. So, as in the response to anticipatory unnatural grief, there is a time in life where many people need to become detached. Being engaged in everyday living is too painful.
- Reconstruction of life: spasms of grief, a loss is forever. For most people, grief eventually subsides and a new life can be constructed. However, most people will also suffer spasms of grief during the rest of their lives.

3. Special grief issues.

- In sudden, random, arbitrary death, grief is often delayed due to the initial crisis reaction to the disaster that caused the death. Individuals are often consumed for months or years over “how” their loved one died. As a consequence, they may avoid confronting the loss and put off grieving for a long period of time.
- When death is sudden, often survivors grieve over the fact that they did not have a chance to say a formal goodbye to the person who died.
- When there have been difficulties in the relationships between the survivors and the person who has died, it can exacerbate sorrow.
- People grieve differently based on their attributes and the relationship they had with their loved one.
- Some relationships are overlooked or minimized in the aftermath of death. People who may be ignored include former spouses or partners, stepparents or stepchildren, adopted children where biological children also exist, foster children, extended family members such as grandparents, godparents, aunts, uncles, and so on, teachers, employers, colleagues, or simply, friends.
- Attributes of a particular death may also affect the grieving process. Anytime a loved one dies and she or he has been tortured or the dying process is protracted, there will be an additional level of grief. Death due to intentional human cruelty usually causes additional anger and outrage in the aftermath. Suicide causes particularly complex reactions in the surviving loved ones. Grief is often accompanied by a sense of betrayal, guilt, and misunderstandings.

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For some survivors the following way of viewing death by suicide is helpful. Suicide may be thought of as a homicide in which the perpetrator is also the victim. The survivors can grieve and remember with love the victim while at the same time feel outrage and anger at the perpetrator.

- While patterns of grief are similar, everyone grieves differently. It is important to remind survivors that their grief will be manifested differently than their surviving loved ones. If survivors are not aware of this, grief in the aftermath of death can destroy even very loving relationships.

V. Conclusion

Death is an inevitable fact of life. Most survivors face grief and sorrow. Survivors of violent death also face the anger and frustration of dealing with the consequences of human cruelty. Law enforcement officers can do much to provide comfort and care when giving death notifications as well as while they investigate murders. The words of German theologian Dietrich Bonhoeffer have served to provide additional support to some survivors as they try to live through the time when everything hurts.

Nothing can make up for the absence of someone whom we love, and it would be wrong to try to find a substitute; we must simply hold out and see it through. That sounds very hard at first, but at the same time, it is a great consolation, for the gap, as long as it remains unfilled, preserves the bonds between us. It is nonsense to say that God fills the gap, he does not fill it, but on the contrary, keeps it empty and so helps us to keep alive our former communion with each other, even at the cost of pain.

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An Outline of Chapter Eight, “Working with Survivors of Homicide Victims”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

Chapter Eight: Working with Survivors of Homicide Victims

Format

One-Day: 0 minutes
Three Days: 1 hour
Roll Call: 20 minutes

Objectives of session

1. Explain concerns of survivors of homicide victims
2. Explain how law enforcement officers can understand concerns
3. Explain how understanding can help case
4. Explain similarities between survivors of murder victims and law enforcement survivors of use of deadly force

At end of session, participants should be able to:

1. Identify unique concerns of survivors of homicide victims
2. Explain law enforcement officers can respond to concerns
3. Explain how those concerns can assist in developing case
4. Discuss psychological issues surrounding death, dying, murder, and other violent deaths

Content

[Materials in brackets are guidelines for trainers]

Introduction

Murder is most damaging of all crimes

Survivors of homicide victims tell horror stories about their treatment by the criminal justice system and society

Reasons why law enforcement officers should work closely with families and friends of homicide victims:

1. Death notifications
2. Investigations involve survivors
3. Problems of death closer to law enforcement

I. The Stress and Crisis of Murder

A. Shock of murder

B. Unpredictability

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

C. Three types of grieving processes:

1. Natural anticipatory grief
2. Unnatural anticipatory grief
3. Grief caused by sudden, random loss
 - Survivors facing other stress
 - Additional urgent tasks for survivors
 - Roles of survivors shift
 - Economic consequences
 - Families can fall apart
 - Interviews with the police, etc. [**Overhead 8.1**]
 - Murder exacerbates ordinary turmoils of death
 - Giving survivors sense of justice
 - Obliteration
 - Idolization
 - Avoidance
 - Successful effort to resolve feelings dependent upon atmosphere

II. Death Notification

[Trainer may use the film “Death Notification” to start this part of the presentation and then use the following text with appropriate overheads to provide instruction in addition to the discussion which is sure to follow from the film.]

A. General Guidelines for Notification Procedures

1. Before Notification
 - a. Obtain information: what happened, when did it happen, where did it happen, how did it happen, and what is the source of positive identification
 - b. Get information about the person(s) to be notified
2. Elements of Notification
 - a. In person:
 - Notification in pairs.
 - Do not take personal items
 - If home - enter home before notification

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- b. At work - speak to supervisor – get private place
 - Encourage survivors to sit (sit down with them)
 - The person making the actual notification should take the lead in all of the discussion. The person assisting the notifier should remove obvious objects of danger, monitor the survivors for danger signs to themselves or others, and be prepared to care for children if needed.
 - Tell survivors simply and directly
 - Answer questions tactfully but directly
 - Focus on immediate needs of survivors
 - Do not leave survivors alone

- c. Notification by telephone:
 - Arrange for someone to be with survivor
 - In different jurisdiction, enlist local law enforcement agency
 - When you are telephone notifier:
 - Medical emergency involving your "son "
 - Please sit down while I explain
 - Call a neighbor, friend, or emergency service officer to come
 - Follow general guidelines for personal notification
 - Notifying family and friends by phone - let know who notified

- d. Notification to large group:
 - Several trained notifiers
 - Separate facilities for survivors of ones:
 - Who have died
 - Who have survived
 - Confirm with group announcement.

- d. Notification of missing:
 - Confirming death notification as soon as a determination
 - Doubt who was killed - identity of deceased needs confirmation
 - Delay in identification - keep survivors informed

B. Guidelines for Viewing the Body

1. Decision
2. Viewer accompanied
3. Touching body
4. Mutilated or distorted

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5. Do not be surprised at reactions
6. Offer to drive viewer

III. Interviewing Survivors of Homicide Victims

A. Survivors of homicides provide valuable information

B. Different dynamics: eyewitness and survivor [Overhead 8.2]

C. Eyewitnesses

1. Remembering details
2. Heightened awareness of senses
3. Re-experience crisis

D. Not eyewitnesses

E. Survivors told details of crime

F Good investigators visit home of deceased and interview family

IV. Issues in Confronting Death

- While officers have different burdens than survivors, symptoms similar
- Acknowledging and confronting issues

A. Acknowledgment Begins with Definition

B. For Many, Death is Associated with Fear

1. Practical fears

- Fear for loved ones
- Fear of changes in role
- Fear of loss of family and friends
- Fear of dying process

2. Fears of the unknown

- Fear of God or spirits
- Fear of judgment and finality
- Fear of being alone

3. Fears of loss of connection with life

These two fears may be the ultimate fears of death.

- Fear of loss of body
- Fear of forgetting or being forgotten

C. Grief and Loss

1. Kinds of losses

- Loss of life – death
- Physical losses
 - invasion of body through sexual assault or incest
 - loss of bodily integrity
- Material losses
- Intangible losses
 - loss of trust
 - loss of faith
 - loss of identity
 - loss of history and connections to future
 - loss of time
 - loss of values
 - loss of feeling
 - loss of innocence
 - loss of hope

2. Elements of grief

Anticipatory grief

- Initial shock
- Sporadic bouts of sorrow
- Prepare loss and change
- Detachment filled with sorrow, missing, and loneliness
- Gradual acceptance
- Remembrance

Unnatural anticipatory grief

- Denial
- Protest/anger
- Despair
- Disengagement
- Preparatory period

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

- Death following mutual communication and planning will help survivor respond to death detachment, implementation of plan for survival, acceptance, loneliness and focus on remembrance

Sudden, random death and consequent grief

- Denial and shock - paralleled by other emotions
- Rather than protest - anger
- Despair
- Detached
- Reconstruction of life

3. Special grief issues

- Grief is often delayed
- No formal goodbye
- Difficulties in relationships can exacerbate sorrow
- People grieve differently
- Some relationships minimized
- Attributes of death affect grieving

V. Conclusion

Words of German theologian Dietrich Bonhoeffer:

Nothing can make up for the absence of someone whom we love, and it would be wrong to try to find a substitute; we must simply hold out and see it through. That sounds very hard at first, but at the same time, it is a great consolation, for the gap, as long as it remains unfilled, preserves the bonds between us. It is nonsense to say that God fills the gap, he does not fill it, but on the contrary, keeps it empty and so helps us to keep alive our former communion with each other, even at the cost of pain.

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Suggested Overheads or Handouts for Chapter Eight, "Working with Survivors of Homicide Victims"

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Survivors of Homicide Victims

8.1 Stress Factors Associated with Murder

- The criminal justice dimension
- Unusual financial strains
- The dimension of human cruelty
- Isolation and stigma
- Blame and guilt



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Survivors of Homicide Victims

8.2 Survivors as Witnesses

- Provide safe place for the interview
- Pay heed to witnesses' opening words
- Allow for ventilation
- Talk to witness several times before court appearance
- Reassure witness
- Ask witness what crime meant to him or her

Chapter Nine: Law Enforcement Response to Victims of Bias Crimes

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session:

1. To promote greater understanding of cultural influences in everyday life.
2. To outline strategies that facilitate the investigation of bias crimes.
3. To acquaint law enforcement officers with guidelines for working with victims of bias crimes.

At the end of the session, the participants should be able to:

1. Understand the impact of culture on bias crimes.
2. Describe how law enforcement officers can better assist victims of bias crimes.

Content

[Materials in brackets are guidelines for trainers]

I. The Impact of Culture

Introductory note: growing concern for the impact of bias crimes has led the Office for Victims of Crime, in cooperation with the Educational Development Center, to develop *National Bias Crimes for Law Enforcement and Victim Assistance Professionals* (manual available through the OVC Resource Center; call 1-800-627-6872). This chapter and the protocols on bias crimes in the companion book are drawn from that training package. Readers may also refer to Chapter II of the NOVA/IACP *Promising Practices* report.

All professionals working with victims need to understand the influence of culture on their own behavior and that of victims. Cultural misunderstandings can escalate interpersonal and community tensions and impede communication. Understanding cultural similarities and differences can build harmonious community relations.

All of us bring to our work biases and prejudices shaped by our cultural experiences. These include attitudes and beliefs about important life concepts on the value of life and death, marriage, birth, aging, gender relationships, work and leisure, social status, power, measurements of wealth, and so forth.

Cultural values are transmitted through the generations through education – both formal and informal. The values often control how individuals perceive their control over the world, their sense of community, their understanding of conflict, their thoughts about fairness, and other ways of seeing ordinary life.

A. Identifying cultural differences and similarities

The chart that follows deserves time for thought – on how the reader locates his or her cultural identity, and how others find their sense of identity. The “Sources of Cultural Identities” along the top line include ethnicity, but it guides the reader to many other ways in which many people, particularly Americans, find their cultural roots. After the reader selects those (or adds those) which best describe his or her base of cultural identity, the reader may then examine the sampling of “Attitudes and Beliefs Shaped by Culture” on the side. Most readers will discover, not surprisingly, that many of their strongest beliefs – ones that distinguish them from some people, and link them to others – derive from their cultural identities. [Overhead 9.1]

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Sources of Cultural Identities:

Attitudes and Beliefs Shaped by Culture:	Nationality	Income	Education	Rural/urban	Gender	Ethnicity	Religion	Age	orientation	Sexual	Mental/physical abilities	Profession	"Location in life"
Birth													
Marriage													
Death													
Male/female													
Language/ Dialect													
Spirituality													
Individualism													
Communitarianism													
Ambition													
Acquisitions													
Power													
Wealth													
Children													
Elderly													
Homosexuality													
Dress													
"Differentness"													

B. How cultural differences and similarities affect reactions of, and to, victims.

1. Most people hold some biases or prejudices about some population groups. Such attitudes may result in labelling, stereotyping, or negative actions or reactions toward members of those groups. Many times people are unaware of their own prejudices until confronted with specific situations that require them to interact with people against whom they are prejudiced.
2. Even people who do not feel negatively about certain populations may find it difficult to work with members of those populations because of communication barriers. The most common include:
 - Anxiety: Individuals are often anxious about whether their behavior or speech is appropriate, proper, or offensive.
 - Disconfirmed expectancies: Behaviors and speech of people from different cultures may differ significantly from each other's expectations.

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- Ambiguity: People learn appropriate responses to a wide variety of social stimuli in their own culture. In another culture, appropriate behavior is difficult to determine because the stimuli people receive cannot be understood.
3. Some principles of prejudice reduction and cultural awareness are: [Overhead 9.2a and 9.2b]
- Prejudice Reduction Principles***
- Be non-judgmental
 - Respect others
 - Be neutral
 - Value differences
 - Recognize differences
- Cultural Awareness Principles***
- Observe
 - Research
 - Educate yourself
 - Seek assistance through persons from the cultures with whom you are dealing
 - Ask questions
4. Despite cultural differences most people agree that reactions to trauma are similar. Manifestation of such reactions may differ. In talking with or interviewing persons from another cultural reference in the aftermath of crime, the following principles are useful.
- Always say “I’m sorry this happened to you.”
 - Acknowledge cultural differences.
 - Express appreciation for cultural strengths of the victim’s community.
 - Acknowledge the limitations of your understanding of the culture.
 - Ask victims or survivors to tell you if you do or say anything that might be offensive to them.
 - Ask victims or survivors if they want anyone with them during an interview or if there are others with whom you should talk about the impact of the crime.
 - Let them tell what happened in their own words.
 - Ask them to describe their reactions and what the crime meant to them.
 - Be prepared to honor customs and traditions of the culture and to participate if requested.

II. Bias Crime

A. Definition

1. Bias crimes are crimes motivated by “hatred against a victim based on his or her race, religion, sexual orientation, ethnicity, or national origin.” (Federal Hate Crimes Statistics Act definition)
2. Not only is the individual personally touched by these offenses victimized, but the entire class of individuals residing in the community is affected.

B. Unique Features of Bias Crime [Overhead 9.3]

1. Bias crime is more likely to be seriously injurious or lethal than any other personal injury crime.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

2. Bias crime, in part motivated by fear, often escalates when the members of the dominant culture think they are under attack. This issue emerged during the 1991 Gulf War, when some Arab-Americans were harassed or even physically abused.
3. Bias crimes are usually perpetrated in groups. (The notable exception is found in sex offenders who commit acts of sexual assault or other abuse out of a clear hatred of their victims.) Group-instigated crime has a significant impact on the victim for several reasons.
 - First, there is a diffusion of responsibility so that no one person must take the blame.
 - Second, the group seems to generate courage, reducing cowardice (and common sense) among its members.
 - Third, group involvement tends to exacerbate the viciousness of the crimes committed.
4. The most egregious type of victim trauma of all hate crimes are mass murders and/or assaults. Hatred has been thought to be one of the primary motives in the following mass crimes:
 - In 1995, Timothy McVeigh carried out his vengeful hatred of the U.S. Government by bombing the Murrah Federal Building in Oklahoma City, OK, killing 168 people and injuring many more.
 - In 1989, 300 children were playing when Patrick Purdy walked onto the Stockton, California, playground and fired 66 rounds in their midst. Five children died and twenty-nine children and one teacher were wounded in less than two minutes. Many have thought it was Purdy's racial hatred that caused him to attack the school, where close to 70 percent of the student body and of Purdy's victims were of Southeast Asian origin.
 - The World Trade Center bombing and other acts of political and ethnic terrorism.
5. Bias crimes have also emerged in response to the AIDS epidemic. According to the Presidential Commission on the Human Immunodeficiency Virus Epidemic, "Increasing violence against those perceived to carry HIV, so-called 'hate crimes' are a serious problem."
6. A large number of bias crimes seem to be aimed at individuals who are not only members of an identified group but who are perceived as infringing on another group's sovereignty. Northeastern Professor Jack McDevitt has analyzed 452 cases of bias crime that occurred in Boston from 1983 to 1987 and found that 57 percent of the crimes were attacks on persons walking, driving through, or working in "someone else's" neighborhood, or on a family moving into the area. (McDevitt, J. and Levin, J. 1993. *Hate Crimes: The Rising Tide of Bloodshed & Bigotry*. New York: Plenum Publishers)

C. Unique Impact of Bias Crimes [Overhead 9.4]

Like other victims, bias crime victims often suffer from shock, disbelief, and denial. Their emotional turmoil is comprised of rage, terror, confusion, frustration, blame and grief. These emotional reactions are compounded in several ways.

- One psychological defense many victims use is that the criminal chose his or her target randomly and without purpose. In contrast, there is a purpose to bias crime, and that purpose adds an extra dimension of fear for the victim.
- Terror is exacerbated because society has been slower to respond to bias crimes than to the random "stranger crime." Bias crimes put all members of a certain group in fear.

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- There is an extra dimension of devaluation or diminishment of victims when they realize that a crime not only targeted them, but also their culture, gender, sexual orientation, or other characteristic.
- Bias crime victims' grief can be more intense than other reactions, arising in part because victims lose their sense of community or feel betrayed by the American system.

D. Bias Crimes: Victim and Community Impact

1. Victim Impact [Overhead 9.5]

- Victims of bias crimes have been attacked for being different, for being misunderstood, and for being hated. Because the basis for their attack is their identity, they may suffer a deep personal crisis.
- Victims of bias crime are targeted due to a core characteristic of their identity which is immutable. This may lead to increased vulnerability.
- Victims may reject the aspect of themselves that was the target for their attack.
- When a bias crime is committed against a member of a minority group, the victim frequently perceives the offender as a representative of the dominant culture in society, echoing the offender's stereotyping.
- If their membership in a target group is readily visible, victims of bias crimes may feel particularly vulnerable to a repeat attack. This heightened sense of vulnerability may result in the feeling of hopelessness.
- Victims may become afraid to associate with other members of the group that has been targeted or may fear seeking needed services, believing that these actions increase their vulnerability.
- As a result of the victimization, bias crime victims may respond by more strongly identifying with their group – or, conversely, by attempting to disassociate themselves or deny a significant aspect of their identity.
- Assumptions about life or a world view may be shattered. For bias crime victims who are minorities this may be particularly devastating because their view may have been very different than the dominant culture's world view.
- It is very difficult for the bias crime victim to resolve that the crime was motivated by hatred as opposed to another motive such as economic.

2. Community Impact [Overhead 9.6]

- When individuals are targets of hate because of their race, religion, ethnicity, gender, or sexual orientation, their victimization is projected outward to all members of their wider community.
- Other members of the same group feel victimized; members of other commonly targeted groups are reminded of their vulnerability to similar attacks.
- Places of worship are often targeted by bias crime offenders; these attacks on sacred spiritual symbols may harm victims more than other acts of vandalism, while also harming other members of the community.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

III. Strategies for Working with Bias Crime Victimization

A. Special Considerations for the Collection and Preservation of Evidence in Bias Crime Investigations [Overhead 9.7]

1. Language: law enforcement officers should pay particular attention to any words or phrases that may be bias-related. Exact words and expressions should be documented as evidence.
2. Graffiti: photographs of graffiti consisting of racial, ethnic, religious, gender, or sexual orientation epithets and/or symbols should be taken immediately following the incident. This secures evidence and allows offensive language and/or symbols to be removed quickly before other community members are victimized by viewing them.
3. Coordination: The overall effectiveness of law enforcement agencies responding to bias crime can be enhanced through policies that promote emergency training, information exchange, and multiagency law enforcement cooperation.
 - Agencies should develop cooperative relationships with county prosecutors and other concerned federal, state, and local law enforcement agencies, as appropriate.
 - The investigation should be coordinated with other law enforcement agencies in the area to analyze patterns of bias crimes and to determine if an organized hate group is involved.

B. Strategies for Conducting Effective Bias Crime Investigatory Interviews of Victims [Overhead 9.8]

1. Only one officer should conduct the interview. Any other officers present should remain inconspicuous and not interfere with the interview.
2. Allow the victim to tell the whole story in his or her own words. Do not distract the witness or interrupt the story unnecessarily.
3. Do not ask a victim "Was this a bias crime?" or in any way press for an admission that the crime was motivated by bias. The victim may not want to acknowledge the motivation of their victimization. Instead say, "People sometimes get attacked because of their [race, ethnicity, religion, sexual orientation]. Was there anything in the incident that might point in that direction?"
4. Do not make assumptions about the victim that may be inappropriate, such as assuming the victim's sexual orientation. For example, do not ask, "Are you gay?"
5. Do not allow personal value judgments of the victim's behavior, lifestyle, or culture to intrude. Do not blame the victim for the incident. If the victim blames himself or herself for the incident, gently respond that the incident was not their fault.
6. Do not question the victim's judgment in terms of his or her own safety. What you may interpret as victims placing themselves in unsafe situations, they may interpret as exercising their rights.
7. In the case of bias crimes, language is often the key evidence. Have the victims recall to the best of their ability the exact words of the offender(s).
8. Use appropriate terminology. Do not use stereotyped or biased terms that can revictimize the victim, shut down communication, or otherwise impede the investigation.
9. Continuously update the victim on the status of the case and what is being done by the police department. Victims of bias crime are often particularly sensitive to law enforcement responsiveness to their needs. Victims from other cultures may need more direct involvement from law enforcement to overcome cultural and linguistic barriers.

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10. Refer the victim to individuals or organizations that can provide support and assistance. These may include victim assistance agencies (court-affiliated or community-based), social service organizations, and clergy in the victim's religious denomination.

C. Strategies for Enhancing Witness Cooperation in Bias Crime Cases [Overhead 9.9]

1. Canvas the entire community, utilizing interpreters as needed. Appeal to community members' sense of civic responsibility and the chance for them to assist in ridding their community of these crimes. Canvassing the entire community sends a message to the community and potential offenders that the police department does not tolerate such crimes.
2. Offer rewards for information regarding the case.
3. Remember that bias crime cases often involve individuals of different races and/or ethnicities from the witnesses of the incident. The stereotypes and biases of witnesses may consciously or subconsciously influence their perception of the incident.
4. Be aware that witnesses with the same prejudices and stereotypes of the offender(s) may present a distorted or inaccurate view of what occurred. Be aware also that witnesses who want to deny to themselves and/or to others the existence of hatred in their community may provide inaccurate versions, as well.
5. Establish memoranda of understandings with local civil rights groups that spell out referral policies, mutual support of certain procedures, etc.

D. Strategies for Effective Bias Crime Report Writing [Overhead 9.10]

1. Information contained in the report should comply with the Federal Hate Crime Statistics Act and the FBI's Uniform Crime Reporting System depending upon the state bias crime reporting laws. Under current federal law, the FBI's UCR Program does not collect bias data on gender or disability bias motivations. However, for local or state purposes, law enforcement agencies may collect these or any other additional bias motivations, but such data need not be forwarded to the FBI.
2. Include all relevant bias indicators:

Racial, Ethnic, Gender, and Cultural Differences

- Different racial, religious, ethnic/national origin, handicap, or sexual orientation group of victim and offender.
- Victim is a member of a group which is overwhelmingly outnumbered by members of another group in the area where the incident occurred.
- Victim was engaged in activities promoting his or her group.
- Incident coincided with a holiday or date of particular significance to the victim's group.
- Victim, although not a member of the targeted group, is a member of an advocacy group that supports the victim group, or the victim was in the company of a member of the targeted group.
- Historically established animosity exists between the victim's group and the suspect's group.

Comments, Written Statements, Gestures

- Bias-related comments, written statements, or gestures were made by the offender(s).

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Drawings, Markings, Symbols, and Graffiti

- Bias-related drawings, markings, symbols, or graffiti were left at the scene of the incident.

Representation of Organized Hate Groups

- Objects or items that represent the work of organized hate groups were left (e.g., white hoods, burning crosses), or an organized hate group claimed responsibility for the incident.

Previous Existence of Bias Crime/Incidents

- Victim was visiting a location where previous bias crimes had been committed against members of the victim's group.
- Several incidents occurred in the same area, and the victims were members of the same group.
- Victim has received previous harassing mail or phone calls, or has been the victim of verbal abuse based on his or her affiliation with a targeted group.

Victim/Witness Perception

- Victims or witnesses perceive that the incident was motivated by bias.
- Suspect was previously involved in a similar incident or is a member of, or associates with members of, an organized hate group.

Lack of Other Motives

- No clear economic or other motive for the incident exists.
3. Indicate that the incident may have been motivated by bias.
 4. Because language is often the key to determining whether an incident constitutes a bias crime, it is critical for the police officer to capture the exact expressions used by the suspect(s) in the report.
 5. Coordinate the bias crime report with other police department reports of similar incidents to analyze trends and patterns.
 6. If additional information regarding the incident becomes available after the initial report is submitted, the report should be amended to include the additional information and resubmitted to the crime reporting unit. This may occur frequently in bias crime cases, because the victim initially may not comprehend the motivation for the attack or may be in denial and not able to convey important details until later in the investigation.

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An Outline of Chapter Nine, “Law Enforcement Response to Victims of Bias Crimes”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Nine:

Law Enforcement Response to Victims of Bias Crimes

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session:

1. To greater understanding of cultural influences
2. To outline strategies that facilitate investigation of bias crimes
3. To acquaint law enforcement officers with guidelines for victims of bias crimes

At the end of the session, the participants should be able to:

1. Understand impact of culture on bias crimes
2. Describe how law enforcement officers can assist victims of bias crimes

Content

[Materials in brackets are guidelines for trainers]

I. The Impact of Culture

- *National Bias Crimes for Law Enforcement and Victim Assistance Professionals* (manual available through the OVC Resource Center (800-627-6872))
- Chapter II of the NOVA/IACP *Promising Practices* report
- Influence of culture on behavior and victims

A. Identifying cultural differences and similarities

- Strongest beliefs derive from cultural identities. [Overhead 9.1]

B. How cultural differences and similarities affect reactions of, and to, victims

1. Most hold biases about some population groups
2. Communication barriers:
 - Anxiety about behavior
 - Disconfirmed expectancies
 - Ambiguity
3. Principles of prejudice reduction and cultural awareness: [Overhead 9.2a and 9.2b]

Prejudice Reduction Principles

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- Be non-judgmental
- Respect others
- Be neutral
- Value differences
- Recognize differences

Cultural Awareness Principles

- Observe
 - Research
 - Educate yourself
 - Seek assistance from cultures
 - Ask questions
4. Reactions to trauma similar
- Always say “I’m sorry this happened to you”
 - Acknowledge cultural differences
 - Express appreciation for cultural strengths of victim’s community
 - Acknowledge limitations
 - Ask victims or survivors: anything might be offensive
 - Ask victims or survivors:
 - Want anyone during interview
 - Are others to talk to
 - Tell in own words
 - Describe reactions
 - Honor customs and traditions

II. Bias Crime

A. Definition

1. Hatred against a victim based on race, religion, sexual orientation, ethnicity, or national origin
2. Entire class affected

B. Unique Features of Bias Crime [Overhead 9.3]

1. Seriously injurious
2. Motivated by fear
3. Perpetrated in groups (exception is sex offenders)
 - Diffusion of responsibility
 - Generates courage
 - Exacerbates viciousness

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

4. Most egregious mass murders and/or assaults • In 1995, bombing Federal Building in Oklahoma City
 - In 1989, Stockton, California, five children died and twenty-nine children and one teacher wounded -70 percent Southeast
 - World Trade Center bombing - political and ethnic terrorism
5. Bias crimes in response to AIDS epidemic
6. Individuals perceived as infringing on another group's sovereignty
 - (McDevitt, J. and Levin, J. 1993. *Hate Crimes: The Rising Tide of Bloodshed & Bigotry*. New York: Plenum Publishers)

C. Unique Impact of Bias Crimes [Overhead 9.4]

- Purpose to bias crime
- Terror is exacerbated
- Devaluation or diminishment
- Grief more intense

D. Bias Crimes: Victim and Community Impact

1. Victim Impact [Overhead 9.5]

- Deep personal crisis.
- Increased vulnerability.
- Reject the aspect of themselves that was the target
- Perceives offender as dominant culture
- Readily visible - vulnerable to repeat attack
- Afraid to associate with group targeted or fear seeking services
- May respond by strongly identifying with group or by disassociating
- Assumptions about life be shattered
- Difficult to resolve hatred

2. Community Impact [Overhead 9.6]

- Victimization projected outward to wider community
- Other group feel victimized
- Places of worship are often targeted

III. Strategies for Working with Bias Crime Victimization

A. Special Considerations for the Collection and Preservation of Evidence in Bias Crime Investigations [Overhead 9.7]

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1. Language

2. Graffiti

3. Coordination

- Develop cooperative relationships with local law enforcement agencies
- Investigation coordinated with law enforcement agencies

B. Strategies for Conducting Effective Bias Crime Investigatory Interviews of Victims [Overhead 9.8]

1. One officer should conduct interview

2. Allow victim to tell story

3. Victim may not want to acknowledge motivation of victimization

4. Do not make assumptions about victim

5. Do not allow personal value judgments of victim's behavior

6. Do not question the victim's judgment in terms of safety

7. Language is often key evidence

8. Use appropriate terminology

9. Update victim on status of case

10. Refer victim

C. Strategies for Enhancing Witness Cooperation in Bias Crime Cases [Overhead 9.9]

1. Canvas community

2. Offer rewards

3. Biases of witnesses may influence perception

4. Witnesses with same prejudices and stereotypes

5. Memoranda of understandings

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

D. Strategies for Effective Bias Crime Report Writing [Overhead 9.10]

1. Comply with Federal Hate Crime Statistics Act and FBI's Uniform Crime Reporting System
2. Include all relevant bias indicators:

Racial, Ethnic, Gender, and Cultural Differences

- Different racial, religious, ethnic/national origin, handicap, or sexual orientation group of victim and offender.
- Victim is member of group overwhelmingly outnumbered
- Victim engaged in activities promoting group
- Incident coincided with date of significance
- Victim is member of advocacy group
- Animosity between victim's and suspect's group

Comments, Written Statements, Gestures

Drawings, Markings, Symbols, and Graffiti

Representation of Organized Hate Groups

- Objects that represent organized hate groups

Previous Existence of Bias Crime/Incidents

- Several incidents
- Victim received previous harassing

Victim/Witness Perception

- Motivated by bias
- Suspect involved in similar incident

Lack of Other Motives

- No clear economic or other motive

3. Indicate incident motivated by bias
4. Capture exact expressions used by suspect(s)
5. Coordinate bias crime report with other police reports
6. Report should be amended to include additional information

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Suggested Overheads or Handouts for Chapter Nine, “Law Enforcement Response to Victims of Bias Crimes”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.2a Prejudice Reduction Principles

- Be non-judgmental
- Respect others
- Be neutral
- Value differences
- Recognize differences

9.2b Cultural Awareness Principles

- Observe
- Research
- Educate yourself
- Seek assistance through persons from the cultures with whom you are dealing
- Ask questions



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.3 Unique Features of Bias Crime

- More likely to be seriously injurious or lethal than other assaultive crimes.
- Likely to be generated, in part, by fear, escalating when the dominant culture is under attack.
- Usually perpetrated in groups which may
 - diffuse responsibility
 - become more daring
 - exacerbate the viciousness of the attack
- In addition to other targeted groups, bias crimes are now aimed at victims of AIDS.
- A large number of bias crimes are reactive or aimed at individuals who are perceived to be infringing on another groups' sovereignty.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.4 The Unique Impact of Bias Crimes

The impact of victimization on bias crime victims is compounded in several ways:

- There may be additional fear for bias crime victims because they were chosen as a target for a specific purpose.
- Terror may be exacerbated because society may be slow to respond to bias crime.
- Grief may be more intense because victims may lose their sense of community or feel betrayed by the American system.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.5 Bias Crimes *Victim* Impact

- Because the basis for their attack is their identity, victims may experience a deep personal crisis.
- Stress and vulnerability are heightened or prolonged.
- Victims may reject the aspect of themselves that was the target for their attack.
- Assumptions about life may be shattered; world view may be painful because it differs from that of the dominant culture.
- Bias crimes may seem senseless and random, unlike, say, a crime motivated by economics.
- Victims may feel diminished because of stereotyping, prejudice, or institutional indifference.
- Victims may feel vulnerable to repeat attack, may disassociate with other members of the group, or fail to seek needed services.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.6 Bias Crimes *Community* Impact

- The victimization of individuals who are targets of hate because of race, religion, ethnicity, gender, or sexual orientation is projected outward to all their community members.
- Members of commonly targeted groups are reminded of their vulnerability.
- Attacks on places of worship and their spiritual symbols may harm victims more than other acts of vandalism. These attacks also harm other members of the community.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.7 Special Considerations for the Collection and Preservation of Evidence

- **Language:** officers should pay particular attention to any words or phrases that may be bias-related. Exact words and expressions should be documented as evidence.
- **Graffiti:** photographs of graffiti consisting of racial, ethnic, religious, gender, or sexual orientation epithets and/or symbols should be taken immediately following the incident.
- **Coordination:** the investigation should be coordinated with other law enforcement agencies in the area to analyze patterns of bias crimes and to determine if an organized hate group is involved.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.8 Strategies for Conducting Investigatory Interviews

- Only one officer should conduct the interview.
- Let victim to tell the whole story in own words.
- Do not ask a victim “Was this a bias crime?”
- Do not make assumptions about the victim.
- Do not blame the victim or use value judgments.
- Do not question victim’s fears over his/her safety.
- Language is often the key evidence. Encourage the victim recall the exact words of the offender(s).
- Use appropriate words – do not use biased terms.
- Update the victim on the status of the case.
- Refer the victim to individuals or organizations that can provide support and assistance.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.9 Strategies for Enhancing Victim Cooperation

- Canvas the entire community, using interpreters as needed.
- Offer rewards for information regarding the case.
- Remember that biases of witnesses may consciously or subconsciously influence their perception of the incident.
- Be aware that witnesses wanting to deny the existence of hatred in their community may provide inaccurate accounts.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Victims of Bias Crime

9.10 Strategies for Effective Bias Crime Report Writing

Include all relevant bias indicators:

- Racial, ethnic, gender, and cultural differences
- Comments, written statements, gestures
- Drawings, markings, symbols, and graffiti
- Representation of organized hate groups
- Previous existence of bias crimes/incidents
- Victim/witness perception
- Lack of other motives

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Chapter Ten: Working with Elderly Crime Victims

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	Two 20 minutes sections

Objectives of session

1. To describe the developmental effects of the aging process.
2. To describe the vulnerabilities of the elderly to crime and victimization.
3. To describe the most common types of victimization and abuse.
4. To suggest useful strategies for providing appropriate response to elderly victims of crime and abuse.

At the end of the session, the participants should be able to:

1. Identify the financial, physical and emotional vulnerabilities of elderly victims.
2. Identify the most common types of crime committed against the elderly.
3. Identify the key elements of elderly abuse.
4. Describe how interview techniques may be modified to better respond to elderly victims.
5. Describe useful resources that may assist in investigation of cases of crime and abuse among the elderly.

Content

[Materials in brackets are guidelines for trainers]

I. Background

A. Size and growth of the elderly population will change tremendously over the next 10 years.

Between 1989 and 2030, the 65-plus population is expected to double. By the year 2030, there will be proportionately more elderly than young people in the population: 22 percent of the population will be 65-plus and 21 percent will be under 18. The population size of 85-plus is expected to triple in size between 1980 and 2030.

There will be over 100,000 people over the age of 100 by the year 2000.

B. Criminal victimization of the elderly can have devastating effects.

Even if the elderly person suffers only minor injuries, their financial and physical vulnerability makes the psychological impact of crime more profound for them.

C. The elderly are more likely to be fearful of crime and alter their lifestyles to minimize their potential exposure to crime. Often elderly persons withdraw from social contacts by staying at home and not participating in social events after dark.

D. While stranger crime is relatively infrequent, the elderly fear it. At the same time, elder abuse by intimates and care givers is not unusual.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

II. Vulnerabilities of the Elderly

A. Older people become increasingly more vulnerable to crime and its impact because their developmental changes parallel crime's impact.

B. Financial vulnerability

1. Older people have a lower economic status than other adults in society primarily due to changes in circumstances associated with aging. Retirement causes loss of income and older people become dependent upon Social Security, pensions and assets that they may have accumulated over the years. More than a fourth of the elderly have incomes and other economic resources below or just barely above the poverty level. Cash resources are even more restricted. The median income of families with heads age 65 or older was about 63% of the median income of families between age 25-64. For elderly people living alone, the median income was about 46% of that of nonelderly people. Because of these discrepancies, many older people are less able to cope with a sudden financial loss or the costs of property damage or loss.
2. Sometimes the loss of property involves items of sentimental value that particularly affects the victim, such as the theft of an engagement ring, the destruction of valued family photographs, or the death of a favorite pet or plants.
3. While some older people may seem to be economically self-sufficient, the perception of financial loss may be terrifying. Many older people grew up during the Great Depression and do not feel secure unless they have money in hand to take care of emergencies. Even though they may have most of their money in banking institutions, the nest-egg of cash under the mattress may provide a sense of financial security.

C. Physical vulnerabilities

1. Old age is not synonymous with disease and disability. In fact, most older people rate their own health as very good. There are, however, a number of physiological changes that almost everybody who lives to a certain age experiences.
2. Sensory changes.
 - Visual loss which begins when most people are in their 40s increases such that over 90% of those over 65 have visual loss that can only be compensated for through the aid of glasses.
 - Visual loss limits mobility, increases the likelihood of accidents, impedes recreational activities, and can lead to fear and isolation.
 - Hearing loss is common to everyone and usually begins as early as in one's twenties. About one-third of those over the age of 65 have hearing losses that should be addressed through hearing aids.
 - Changes in hearing include the loss of ability to hear high frequencies, tinnitus – ringing in the ears – hypersensitivity to very loud speech, or loss of ability to localize where a sound is coming from.
 - Most older people have reduced tactile sense such that they experience less pain and may be less likely to notice injuries. The change in sensations of touch as well as changes in hearing may affect the sense of balance and result in increased vulnerability to falling.

3. Physical changes

- Up to the age of 30, people's bone content increases. It remains constant until about age 45. Thereafter, bone content declines. Such musculo-skeletal changes may make it difficult for older people to perform daily tasks.
- The combination of these physical losses often results in a loss of functional ability. Older people may be limited in their abilities to get out of bed in the morning or sign legal documents.
- Older people are often afflicted with acute or chronic illnesses. People over the age of 65 visit the doctor eight times a year, compared with five visits by the general population. They are hospitalized over three times as often as the younger populations, stay 50 % longer, and use twice as many prescription drugs. Limited activity and mobility are most commonly caused by arthritis, which affects 50% of the elderly, hypertension, which affects 39%, and heart disease, which affects 26%.

4. Mental Loss due to Physiological Changes

- Mental abilities often decline with aging as well. Short term memory loss is a common pattern. An older person may remember that an awful event took place, but not be able to remember the details, or their memories may simply be slower to surface than a younger person.
- Some older persons suffer from mental diseases such as senility or Alzheimer's disease, which is the leading cause of cognitive impairment in old age. Such afflictions affect 1 of every 10 older persons living in a community. They may be called incompetent and dismissed. But, in questionable cases, it is useful to give older people the benefit of the doubt. Assessments of capacity are difficult because tests are designed by people without such limitations. For instance, asking older persons how old they are may be irrelevant if the person does not care about their age or does not wish to disclose it.

III. Nature of Crime and Abuse Among the Elderly

A. Crime

1. The elderly are the least victimized by direct, stranger crimes of any age group. However, older people fear victimization more than others because of a sense of vulnerability and crime's potential impact on their lives. Injuries to older crime victims can be more serious, and even a broken hip, leg, or arm can rob older people of their independent living. This has led some to believe that the hidden impact of crime in a community is its incapacitation of the elderly members in enjoying a good life.
2. The elderly are particularly vulnerable to certain types of crime: consumer fraud, including telemarketing schemes, street assault and purse snatch, theft, vandalism, and burglary.
3. The elderly are also often co-victims when their loved ones are victimized. When young people or children are assaulted, robbed, or murdered, there are often grandparents and other older people among the extended family of those in crisis.

B. Abuse

1. Estimates of the prevalence of elder abuse in the United States has ranged from 4 to 10 percent. However, there has been no accurate national prevalence data collected over a span of years to identify more precisely the scope of the problem or whether

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abuse is on the increase. Most professionals believe that reported incidents only represent a fraction of the problem – as little as one-tenth of the cases. A survey of over 2,000 non-institutionalized elderly found that 3.2 percent had experienced physical abuse, verbal aggression, or neglect since they had reached the age of 65. That survey did not include financial abuse nor did it address the victimization of the elderly residing in long-term care facilities. More recent findings from the National Center on Elder Abuse indicates that reported abuse of elderly people increased from 117,000 in 1986 to 241,000 in 1994. But the center estimated that probably 818,000 elderly Americans were victims of neglect or physical, emotional, sexual and financial abuse that year.

2. All states have a system for receiving and investigating reports of elder mistreatment but there remains considerable ambiguity over definitions and how to implement a response. Most such systems were developed through legislation based on the prototype of child abuse laws. Research over the last decade has suggested that this model, along with mandatory reporting, may not be the most effective ways of dealing with suspected cases. Safeguards have been introduced in many states to protect rights of to self-determination for the elderly.
3. One study suggested that three distinct profiles of elder abuse help to define it.
 - a. Physical abuse characterized by:
 - Long-term, complex family dynamics and relationships that may be highly charged due to illness or financial need. Spouse abuse is the most common source of physical abuse.
 - Early onset spouse abuse is abuse continued from earlier stages of life. It is particularly complex because abuse may cause greater injury to the older victim and often traditional domestic violence programs and shelters are not equipped or trained to deal with the needs of the older victim.
 - Late onset spouse abuse often relates to stresses precipitated by caregiving, retirement, personality changes due to medication, or dementia.
 - Physical abuse by offspring or younger relatives often is perpetrated by people with drug, alcohol, or mental health problems. A contributing factor may be that the pre-existing relationship between the caregiver and the older person was not healthy or mutually beneficial.
 - Physical abuse by caregivers in institutional settings may be precipitated by high caseloads, caregiving stresses, and lack of training and education.
 - Victims in non-institutional settings are likely to be in poor emotional health but relatively independent in activities.
 - Perpetrators are likely to be dependent on the victim for financial resources.
 - Little is known about sexual abuse among the elderly, although it is suspected that early-onset spouse abuse involving sexual violence may continue and that older people suffering from Alzheimer's disease or dementia are particularly vulnerable.
 - b. Neglect cases characterized by:
 - Relationships that lack emotional or physical proximity.
 - Victims are likely to be single, very old, cognitively and physical impaired, and have few social contacts.
 - Perpetrators are likely to be caregivers under stress due to the dependency needs of the victim.

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– Active neglect is willful or intentional. It may result when the caregiver is unwillingly acting as such, or for financial gain.

– Passive neglect occurs when the caregiver unintentionally fails to provide adequate care. It may take place when the perpetrators lack knowledge on how to provide care, are unable to cope with the stress of caregiving, or are in poor health themselves.

c. Financial abuse characterized by:

- Family or stranger relationships in which the physical or mental condition of the victim may or may not be important.
- Victims are likely to be single, lonely, and have few social contacts.
- Perpetrators are likely to be acting out of greed and easy opportunity.

d. Psychological abuse characterized by:

- Pervasive connection with all other types of abuse.
- Manifestation of attitudes and prejudices associated with ageism in addition to specific personal abuse.
- Victims likely to be socially isolated or stigmatized within their primary social support network.
- Perpetrators may either act out of ignorance or intentionally.

C. Indicators of Abuse

1. Physical abuse

a. Physical Evidence

- Bruises or welts
 - Bruises in the shape of articles such as belts, buckles, or electrical cords
 - Bilateral bruises (bruises which appear on opposite sides of the body) to the arms may indicate that the older person has been shaken, grabbed, or restrained. Bilateral bruises on the inner thighs may indicate rape or other types of sexual abuse.
 - “Wrap around” bruises (bruises which encircle the older person’s arms, legs, or torso) may indicate that the person has been physically restrained.
- Burns from cigarettes, appliances, or hot water.
- Abrasions on arms, legs, or torso that resemble rope or strap marks may indicate inappropriate constraint.
- Fractures, sprains, lacerations or abrasions.
- Injuries caused by biting, cutting, poking, punching, whipping, or twisting limbs.
- Disorientation, stupor, or other effects of overmedication.
- Internal injuries may be evidenced by unexplained reported pain, difficulty with normal functioning of organs, or bleeding from body orifices.
- History of similar injuries and/or numerous suspicious hospitalizations

b. Behavioral indicators in the victim:

- Is easily frightened or fearful.
- Exhibits denial.
- Is agitated or trembling.
- Is hesitant to talk openly.
- Offers implausible stories.
- Makes contradictory statements.

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- c. Behavioral indicators in the suspect:
 - Conceals the victim's injuries (*e.g.*, brings the victim to a different medical facility for treatment each time there is an injury).
 - Offers inconsistent or implausible explanations for the victim's injuries.
 - Threatens the older person with physical abuse, withdrawal of care, loss of relationships, desertion, or nursing home placement.
 - Is obstructive to investigation. He or she may speak for the elderly person, dominate the interview, refuse to allow the elderly person to be interviewed alone, try to divert the interviewer from the subject, or act defensively.
 - Handles the older person roughly or in a manner that is threatening, manipulative, sexually suggestive, or insulting.
 - Is unreasonably critical of and/or dissatisfied with social and health care providers and changes them frequently.
2. Sexual abuse
 - a. Physical indicators
 - Sexually transmitted disease.
 - Genital or anal infection, irritation, discharge, bleeding, itching, bruising, or pain.
 - Painful urination and/or defecation, or retention.
 - Difficulty walking or sitting.
 - Torn, stained, or bloody underclothing.
 - b. Behavioral indicators in the victim and suspect:
 - Demonstrate inappropriate sex-role relationship.
 - Exhibit inappropriate, unusual, or aggressive sexual behavior.
 - Reveals extreme anxiety, including difficulty eating or sleeping, fearfulness or compulsive behavior (victim).
 - Appears to be overly protective or dominant (suspect).
3. Neglect
 - a. Physical indicators
 - Neglected bedsores.
 - Skin disorders or rashes.
 - Untreated injuries or medical problems.
 - Poor hygiene.
 - Hunger, malnutrition, or dehydration.
 - Pallor, or sunken eyes or cheeks.
 - Absence of necessities in home, including food, water, or heat.
 - Absence of prescribed medication.
 - Lack of clean bedding or clothing.
 - Unsanitary or unsafe living conditions.
 - Absence of needed dentures, eyeglasses, hearing aids, walkers, wheelchairs, braces, or commodes.
 - b. Behavioral indicators in the victim
 - Is unresponsive or helpless.
 - Appears detached.
 - Exhibits hopelessness.
 - Expresses unrealistic expectations about his or her care (*e.g.*, claims that his or her care is adequate when it is not, or insists that the situation will improve).

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- c. Behavioral indicators in the suspect
 - Isolates the elderly person from the outside world, friends, or relatives.
 - Lacks caregiving knowledge and skills.
 - Isolates the victim emotionally by not speaking to, touching, or comforting him or her.
 - Refuses to apply for economic aid or services for the elderly person and resists outside help.
- 4. Financial abuse
 - a. Practical indicators
 - Older person is living alone with few social supports or contacts.
 - Unusual volume or type of banking activity, or activity inconsistent with victim's ability (*e.g.*, use of ATM by a bedridden victim).
 - Non-payment of bills leading to eviction notices or threats to discontinue utilities.
 - Legal documents, such as deeds or powers of attorney, exist that the older person did not understand at the time he or she signed them.
 - Withdrawals from bank accounts or transfers between accounts that the older persons cannot explain.
 - Bank statements and canceled checks no longer going to the older person's home.
 - Care of the older person is not commensurate with size of the estate.
 - Missing belongings or property.
 - Suspicious signatures on checks or other documents.
 - Absence of documentation about financial arrangements.
 - Caregiver has no means of support.
 - b. Behavioral indicators in the victim
 - Gives implausible explanations about his or her finances.
 - Is unaware of, or does not understand, financial arrangements that have been made for him or her.
 - c. Behavioral indicators in the suspect
 - Expresses excessive concern about cost of caring for the victim, or reluctance about spending money or paying bills.
 - Recent acquaintance expresses interest in the older person's finances, promises to provide assistance or care, or ingratiates him- or herself to the older person.
 - Gives implausible explanations about the elderly person's finances.
 - Isolates victim from friends and family.
- 5. Psychological Abuse
 - a. Behavioral indicators in the victim
 - Shows exaggerated symptoms of emotional disorders, dementia, depression, and other conditions associated with aging.
 - Reports sleep, eating, or speech disorders.
 - Expresses helplessness or hopelessness.
 - Demonstrates fearfulness and insecurity.
 - Exhibits agitation or anger.
 - Expresses confusion.
 - Seems disoriented.
 - Constantly seeks permission to do ordinary things.
 - Harbors low self-esteem.
 - Seeks attention and affection.

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- b. Behavioral indicators in the suspect
 - Controls what the victim says and does.
 - Threatens the victim.
 - Speaks poorly or condescendingly about the victim.
 - Makes fun of the victim.
 - Ignores the victim and his or her needs.
 - Changes the victim's routine or organization of things.

IV. Law Enforcement Response to Elderly Crime Victims

A. The role of law enforcement in responding to elderly crime victims.

That role is to protect the victims, assist them in participating in the reporting and investigation processes, prevent and stop abuse and exploitation, enforce the law, arrest offenders, and provide referrals to other agencies and resources who can help them with ongoing problems or concerns in the aftermath of crime.

B. Law enforcement response to elderly crime victims is made more complex because it may be governed by four sources of law.

1. Elder Abuse Reporting Laws
2. Criminal Codes
3. Civil Protection Codes
4. Mental Health Codes

C. Response to elderly crime victims is also complicated by their practical vulnerabilities. Emergency situations are triggered by the following in both stranger crime and abuse.

1. When the older person who cannot meet his or her own needs is left alone.
2. When an Adult Protective Services (APS) worker or other human service provider has received a report of serious abuse and cannot gain access to investigate because a possible abuser is preventing him or her from doing so.
3. When an APS or other human service provider has received an abuse report and has reason to believe that investigating the complaint will place him or her in danger.
4. When an offender is on the premises in violation of a restraining order.
5. When the older person is at risk of losing money or property if immediate action is not taken.

D. There are four unique aspects to law enforcement's response to elderly crime victims: the need to involve a multi-disciplinary response, the occasional need for forced entry, the occasional need for emergency removal of the victim, and the need to adapt communication techniques to the mental, emotional, and physical capabilities of the victim.

1. Multi-disciplinary response

In many cases, other agencies should be involved in initial law enforcement response. Law enforcement agencies should consider the following prior to responding to elderly crime victimization.

- Are police required to report to APS or other agencies (or to conduct joint investigations) under state reporting laws?

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- Are there local policies or procedures for joint investigation or cross-reporting?
- Are other professionals needed to effectively assess the situation (*e.g.*, to perform mental health or physical examinations)?
- Does it appear likely that the victim will need follow-up services that law enforcement cannot provide, such as emergency housing or caregiving services?
- Is there a local victim assistance program that is experienced in helping older victims cope with the aftermath of crime?

In pursuing a case, law enforcement officers can be greatly assisted by other community agencies and professionals. The following sources of information and assistance should be considered.

- a. Medical professionals can provide:
 - Histories of injuries or hospitalizations.
 - Health histories, including changes in health status, loss of weight, or noncompliance with medical regimes, which may demonstrate patterns of neglect.
 - Examinations, evaluations, and interpretations of injuries that can corroborate or negate the plausibility of explanations.
 - Information about the victim's health or mental status that may be needed to determine his or her ability to provide testimony.
 - b. Governmental aging resources exist in most counties, and include:
 - Area Agencies on Aging provide a focus for service and advocacy for older people. They must have a formal plan developed with the advice of other community agencies and older people. Not only do they serve a coordinating function but also provide home-delivered meals, transportation, senior centers, homemakers, public education, training, and legal aid.
 - Adult Protective Services addresses vulnerable and at-risk adults through referrals and abuse reports; conducts service assessments; and develops service plans.
 - Long-Term Care Ombudsman is designated to protect the welfare, health, safety and rights of older persons who reside in long term care facilities.
 - c. Mental health professionals can provide:
 - Mental health assessments to substantiate whether a victim is mentally capable of giving testimony, consenting to help, or refusing assistance.
 - Mental health histories to determine whether the victim was capable of giving consent or transacting business at a certain point in time.
 - d. Guardians, conservators, or lawyers can provide:
 - Legal records that may document financial transactions.
 - Observation of a victim's capacity.
 - e. Victim assistance professionals can provide:
 - Immediate crisis intervention.
 - Information and referral.
 - Assistance with food, transportation, clothing, or shelter.
 - Assistance in the criminal justice process.
2. Forced entry

Forced entry may be necessary in some situations. In effecting a forced entry, the same care should be exercised as in any domestic violence case.

Forced entry should be made if:

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- There is reason to believe that a crime is in progress.
 - There is reason to believe that evidence is being destroyed (*e.g.*, the suspect is removing or destroying financial records).
 - There is a medical emergency.
 - An older person who is in need of care or supervision has been left alone.
 - There is a court order.
3. Emergency removal of the victim
- Examples of when emergency removal of the victim from the home might be required are:
- When the victim is in need of hospitalization as a result of serious illness, neglect, or injury.
 - When the condition of the home poses a serious health or safety risk.
 - When the victim is in danger of retaliation or further criminal acts from an offender who is at large.
 - When the victim is too debilitated to care for him or herself and there is nobody available to provide care in the home.
- Removing a victim from his or her home is emotional and physically traumatic. It is often difficult to find alternative accommodations. Most elderly victims want to remain in their home. For these reasons, law enforcement should be consider:
- The level of threat to the elderly victim's health or safety if he or she remains in the environment.
 - The effect of removal from familiar surroundings.
 - The victim's wishes and his or her right to exercise self-determination.
 - The extent of the victim's disabilities, mental impairments, and assistance needs.
4. Unique communication skills
- The basic protocol for interviews with victims is applicable to working with the elderly with the following considerations:
- Older people may be fearful of cooperating with law enforcement officers for several reasons, including that:
 - They may fear retaliation by the offender.
 - They may fear that the officer may think them incompetent.
 - They may think that if family members find out that they were victimized, the family will consider them incompetent, seek to move them out of their home, or attempt to place them in a retirement facility.
 - They may feel guilty about allowing themselves to have been defrauded or betrayed by a family abuser.
 - They may doubt their ability to live up to the expectations of law enforcement.
 - Social and cultural backgrounds may contribute to a general distrust of law enforcement officers.
 - Older people may be confused about what happened to them in that:
 - They may not understand how they became a victim of the crime.
 - They may not be able to remember exactly what happened and feel frustrated as a result.
 - Older people may have difficult communicating due to visual or hearing impairments as well as a difficulty in translating their thoughts into words.

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In order to address these considerations, law enforcement officers should keep the following guidelines in mind:

- Make the victim as comfortable as possible.
- Tell the victim what to expect – how long the interview will last, what types of questions might be asked, and what the purpose of the questions is.
- Minimize the number of interviews that might be needed.
- Minimize the number of people present.
- Coordinate the number of investigations in elder abuse cases with Adult Protective Services or the Ombudsman when possible. *Caution:* coordination should not be at the expense of allowing victims to talk to one individual at a time if that facilitates communication.
- Reassure victims of their competence and respect their efforts to communicate. Be aware that many victims may be unable to articulate their story but may be able to describe it in another manner. They may need time to collect their thoughts and they may act out reactions rather than give words to them.
- Assure victims of confidentiality of communication whenever possible.
- If another person must be or asks to be present in the room during the interview, seek the victim's assent.

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An Outline of Chapter Ten, "Working with Elderly Crime Victims"

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Ten: Working with Elderly Crime Victims

Format

- One-Day: 0 minutes
Three Days: 1 hour
Roll Call: Two 20 minutes sections

Objectives of session

1. To describe developmental effects of aging process
2. To describe vulnerabilities of elderly to crime and victimization
3. To describe most common types of victimization and abuse
4. To suggest useful strategies for providing response to elderly victims of crime and abuse

At the end of the session, the participants should be able to:

1. Identify the financial, physical and emotional vulnerabilities of elderly victims
2. Identify most common types of crime committed against elderly
3. Identify key elements of elderly abuse
4. Describe how interview techniques may be modified to respond to elderly victims
5. Describe useful resources in investigation of cases of crime and abuse among elderly

Content

[Materials in brackets are guidelines for trainers]

I. Background

- A. Size and growth of elderly population will change tremendously over next 10 years**
 - 100,000 people over the age of 100 by 2000
- B. Criminal victimization of elderly can have devastating effects**
- C. The elderly are more fearful of crime and alter lifestyles to minimize exposure to crime**
- D. While stranger crime is relatively infrequent, elderly fear it**

II. Vulnerabilities of the Elderly

- A. Older people more vulnerable to crime**
- B. Financial vulnerability**

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1. Economic status associated with aging
2. Loss of property involves sentimental
3. Perception of financial loss terrifying

C. Physical vulnerabilities

1. Number of physiological changes
2. Sensory changes.
 - Visual loss
 - Hearing loss
 - Reduced tactile sense
3. Physical changes
 - Bone content declines
 - Loss of functional ability
 - Acute or chronic illnesses
4. Mental Loss due to Physiological Changes
 - Mental abilities decline with aging
 - Mental diseases such as senility or Alzheimer's

III. Nature of Crime and Abuse Among the Elderly

A. Crime

1. Elderly are the least victimized but older people fear victimization more
2. Vulnerable to: consumer fraud, telemarketing schemes, street assault and purse snatch, theft, vandalism, and burglary
3. Co-victims when loved ones are victimized.

B. Abuse

1. Estimates from 4 to 10 percent
2. States have a system for investigating
3. Three distinct profiles of elder abuse:

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a. Physical abuse characterized by:

- Long-term, complex family dynamics
 - Early onset spouse abuse from earlier life
 - Late onset spouse abuse precipitated by caregiving, retirement, personality changes
 - Physical abuse by offspring or younger relatives
 - Physical abuse by caregivers in institutional settings
- Victims in non-institutional settings
- Poor emotional health
- Independent in activities
- Perpetrators are dependent for financial resources
- Little known about sexual abuse

b. Neglect cases characterized by:

- Relationships that lack emotional or physical proximity.
- Victims are single, very old, cognitively and physical impaired, have few social contacts
- Perpetrators are caregivers under stress due to dependency
 - Active neglect is willful or intentional
 - Passive neglect: fails to provide adequate care

c. Financial abuse characterized by:

- Physical or mental condition of victim may not be important.
- Victims are single, lonely, and have few social contacts
- Perpetrators are out of greed and opportunity

d. Psychological abuse characterized by:

- Connection with types of abuse
- Attitudes associated with ageism in addition to personal abuse
- Victims socially isolated or stigmatized
- Perpetrators act out of ignorance or intentionally

C. Indicators of Abuse

1. Physical abuse

a. Physical Evidence

- Bruises or welts
- Burns from cigarettes, appliances, or hot water
- Abrasions on arms, legs, or torso
- Fractures, sprains, lacerations or abrasions

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- Injuries caused by biting, cutting, poking, punching, whipping, or twisting limbs
- Effects of over-medication
- Internal injuries by unexplained pain, difficulty with functioning of organs, or bleeding from body orifices
- History of similar injuries and suspicious hospitalizations

b. Behavioral indicators in the victim:

- Easily frightened or fearful
- Exhibits denial
- Agitated or trembling
- Hesitant to talk openly
- Implausible stories
- Contradictory statements

c. Behavioral indicators in suspect:

- Conceals victim's injuries
- Offers inconsistent or implausible explanations
- Threatens older person
- Obstructive to investigation
- Handles the older person roughly
- Is unreasonably critical of providers

2. Sexual abuse

a. Physical indicators

- Sexually transmitted disease
- Genital or anal infection, irritation, etc.
- Painful urination and/or defecation, or retention
- Difficulty walking or sitting
- Torn, stained, or bloody underclothing

b. Behavioral indicators in victim and suspect:

- Inappropriate sex-role relationship
- Inappropriate sexual behavior
- Extreme anxiety, fearfulness or compulsive behavior (victim)
- Overly protective or dominant (suspect)

3. Neglect

a. Physical indicators:

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- Neglected bedsores
 - Skin disorders or rashes
 - Untreated injuries or medical problems
 - Poor hygiene
 - Hunger, malnutrition, or dehydration
 - Pallor, or sunken eyes or cheeks
 - Absence of necessities in home
 - Absence of prescribed medication
 - Lack of clean bedding or clothing
 - Unsanitary or unsafe living conditions
 - Absence of needed dentures, eyeglasses, hearing aids, walkers, wheelchairs, braces, or commodes
- b. Behavioral indicators in the victim
- Unresponsive or helpless
 - Detached
 - Hopelessness
 - Unrealistic expectations about care
- c. Behavioral indicators in suspect
- Isolates elderly
 - Lacks caregiving skills
 - Isolates the victim emotionally
 - Refuses to apply for economic aid or services
4. Financial abuse
- a. Practical indicators
- Few social supports or contacts
 - Unusual banking activity
 - Non-payment of bills
 - Legal documents exist that older person did not understand
 - Withdrawals from bank accounts older persons cannot explain
 - Bank statements longer going to older person
 - Care not commensurate with size of estate
 - Missing belongings
 - Suspicious signatures on documents
 - Absence of documentation about financial arrangements
 - Caregiver has no means of support
- b. Behavioral indicators in the victim
- Implausible explanations
 - Does not understand financial arrangements

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- c. Behavioral indicators in suspect
 - Excessive concern about cost of caring for victim
 - Recent acquaintance expresses interest in older person's finances
 - Implausible explanations about elderly person's finances
 - Isolates victim

5. Psychological Abuse

a. Behavioral indicators in victim

- Exaggerated symptoms of emotional disorders
- Reports sleep, eating, or speech disorders
- Expresses helplessness or hopelessness
- Demonstrates fearfulness and insecurity
- Exhibits agitation or anger
- Expresses confusion
- Seems disoriented
- Seeks permission to do ordinary things
- Low self-esteem
- Seeks attention and affection

b. Behavioral indicators in suspect

- Controls what victim says and does
- Threatens victim
- Speaks poorly victim
- Makes fun of victim
- Ignores victim and needs
- Changes victim's routine

IV. Law Enforcement Response to Elderly Crime Victims

A. Role of law enforcement se to elderly crime victims is made more

B. Governed by:

1. Elder Abuse Reporting Laws
2. Criminal Codes
3. Civil Protection Codes
4. Mental Health Codes

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

C. Response to elderly victims complicated by:

1. When person who cannot meet needs is left alone
2. When service provider cannot gain access to investigate
3. When investigating causes danger
4. When offender is in violation of restraining order
5. When person is at risk of losing money or property

D. There are four unique aspects to law enforcement's response to elderly crime victims:

1. Multi-disciplinary response

- Required to report or to conduct joint investigations
- Policies for joint investigations
- Professionals needed to assess
- Follow-up services
- Victim assistance

a. Medical professionals:

- Histories of injuries or hospitalizations
- Health histories
- Examinations, evaluations, and interpretations of injuries
- Information victim's health or mental status

b. Governmental aging resources include:

- Area Agencies on Aging
- Adult Protective Services
- Long-Term Care Ombudsman

c. Mental health professionals provide:

- Mental health assessments
- Mental health histories

d. Guardians, conservators, or lawyers provide:

- Legal records
- Observation victim's capacity

e. Victim assistance professionals provide:

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- Crisis intervention
- Information and referral
- Assistance with food, transportation, clothing, or shelter
- Assistance in criminal justice process

2. Forced entry

- Crime in progress
- Evidence being destroyed
- Medical emergency
- Person in need of supervision left alone
- Court order

3. Emergency removal of the victim

- Victim in need of hospitalization
- Home poses health or safety risk
- Victim in danger of retaliation
- Victim too debilitated
- Removing victim from home is emotional and physically traumatic.

Reasons to consider:

- Level of threat
- Effect of removal
- Victim's wishes and right
- Extent of victim's needs

4. Unique communication skills

Basic protocol for interviews with following considerations:

a. Fearful of cooperating:

- Retaliation by offender
- Officer may think them incompetent
- Family will consider them incompetent
- Guilt
- Doubt ability
- Social and cultural

b. Confused about what happened :

- Not understand how became victim
- Not able to remember

c. Difficult communicating due to impairment - following guidelines:

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d. Officers should use the following guidelines:

- Make victim comfortable
- Tell victim what to expect
- Minimize number of interviews
- Minimize number present
- Coordinate investigations when possible
- Reassure victims of competence
- Assure victims of confidentiality
- If another present during interview, seek victim's assent

Suggested Overheads or Handouts for Chapter Ten, “Working with Elderly Crime Victims”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.1 Objectives of session are to describe

- the developmental effects of the aging process.
- the vulnerabilities of the elderly to crime and victimization.
- the most common types of victimization and abuse.
- useful strategies for providing appropriate response to elderly victims of crime and abuse.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.2 Vulnerabilities of the Elderly

Older people become increasingly more vulnerable to crime and its impact

Financial

Physical

Psychological



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.3 Types of Stranger Crime Affecting the Elderly:

- Pursesnatch, street assault
- Consumer fraud, telemarketing schemes
- Theft, vandalism, and burglary.
- Co-victimization

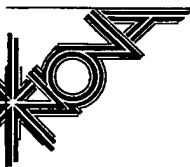


VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.4 Types of Abuse

- Physical abuse
- Neglect
- Financial abuse
- Psychological abuse



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.5 Indicators of Physical Abuse

- Bruises or welts
- Burns
- Abrasions that may indicate inappropriate constraint.
- Disorientation or other effects of overmedication.
- Internal injuries
- History of similar injuries
- Victim is easily frightened or fearful.
- Exhibits denial.
- Is agitated or trembling
- Is hesitant to talk openly
- Offers implausible stories or contradictory statements



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.6 Indicators of Sexual abuse

- Sexually transmitted disease
- Genital or anal infection or irritation
- Painful urination or defecation
- Difficulty walking or sitting
- Torn, stained, or bloody underclothing
- Inappropriate sex-role relationship
- Inappropriate sexual behavior
- Extreme anxiety



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.7 Indicators of Neglect:

- Bedsores, skin disorders, or rashes
- Untreated medical problems
- Poor hygiene
- Malnutrition or dehydration
- Pallor, or sunken eyes or cheeks
- Absence of necessities in home
- Absence of prescribed medication
- Unsanitary or unsafe living conditions
- Absence of needed aids
- Victim is unresponsive or helpless.
- Appears detached.
- Exhibits hopelessness.
- Isolated



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.8 Indicators of Financial abuse

- Older person is living alone
- Unusual volume or type of banking activity
- Non-payment of bills
- Bank statements and canceled checks no longer going to the older person's home
- Care of the older person is not commensurate with size of the estate
- Missing belongings or property
- Suspicious signatures on checks, other documents
- Absence of documents about finances
- Caregiver has no means of support
- Victim is unaware of, or does not understand, financial arrangements made for him or her



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.9 Indicators of Psychological Abuse

- Victim shows exaggerated conditions associated with aging
- Reports sleep, eating, or speech disorders.
- Expresses helplessness or hopelessness.
- Demonstrates fearfulness and insecurity.
- Exhibits agitation, anger or confusion
- Constantly seeks permission to do ordinary things.
- Has low self-esteem.
- Is overly dependent on caregiver.



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Working with Elderly Crime Victims

10.10 Law Enforcement Role in Responding to Elderly Crime Victims

To protect the victims, assist them in participating in the reporting and investigation processes, prevent and stop abuse and exploitation, enforce the law, arrest offenders, and provide referrals to other agencies and resources who can help them with ongoing problems or concerns in the aftermath of crime.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.11 Four Sources of Law

1. Elder Abuse Reporting Laws
2. Criminal Codes
3. Civil Protection Codes
4. Mental Health Codes



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Working with Elderly Crime Victims

10.12 Four unique aspects to law enforcement's response to elderly crime victims:

- Multi-disciplinary response
- Occasional need for forced entry
- Occasional need for emergency removal of the victim
- Adaptation of communication

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Chapter Eleven: Child Victims of Crime

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session

1. To explain the unique problems of child victims and witnesses.
2. To explain how law enforcement personnel can understand those concerns.
3. To explain how that understanding can help a case.

At the end of the session, the participants should be able to:

1. Identify the unique problems of child victims and witnesses.
2. Describe strategies for effective law enforcement response.
3. Describe how those concerns can become a priority in community policing.

Content

[Materials in brackets are guidelines for trainers]

I. Background

The man does not remember the hand that struck him, the darkness that frightened him, as a child; nevertheless, the hand and the darkness remain with him, indivisible from him forever, part of the passion that drives him whenever he thinks to take flight.

– James Baldwin

The American Medical Association has reported that there are 1.7 million reports of child abuse, 140,000 childhood injuries from abuse, and 1,100 childhood deaths from abuse each year. Within these figures are 250,000-450,000 cases of child sexual abuse.

School crime is hard to calculate, but its potential ramifications were clear in a study by the National Institute of Justice which found in a one-year period in twenty-six cities a total of 212,244 incidents of student victimization and another 59,053 incidents of crimes against teachers.

While the National Crime Survey does not collect data on the personal victimization of children under the age of 12, the rates of victimization of young people ages 12-19 exceed all other age groups. Such victimizations include rape, robbery, assault, and crimes of theft. Seventeen percent of murders and non-negligent manslaughters are the cause of death to children under the age of 19. These figures do not include children who are victimized through the witnessing of violence in the home or on the street, an experience that seems to induce many such witnesses to later resort to violence themselves.

Over the last decade numerous studies have been made of the effects of crime and violence on children. The results have been consistent. Many victims of child abuse – particularly sexual abuse – suffer long-term psychological trauma. Such trauma may impede development of healthy relationships, create a propensity towards substance abuse, suicidal behavior, or violence, disable learning skills, or distort moral values.

The response of caring adults at the scene of violence and their continued support during criminal justice proceedings can be crucial to restoring children's sense of safety in the world and trust in their community. Law enforcement officers are often a critical link in this restorative process.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

II. Understanding Children's Reactions

Community law enforcement officers are often in a unique position to observe and relate to children in their home and school environments. This provides them with opportunities to assess children's progress through development stages, provide early interventions when children are exposed to risk factors, and respond directly to victimization when it occurs. In order to take advantage of these opportunities, it is necessary to understand development issues and children's reactions to traumatic events.

A. General Concepts

1. Children need to have security and stability in their environment. It is needed to foster their efforts to grow. Healthy children learn to gradually expand their activities from their home to their school, and from their school to their job. They expand their relationships from their parents to their friends, and later to spouses or significant loved ones. Throughout these efforts, people always need a sense of a home and family for security.
2. Children grow up to adulthood through development stages. These stages are associated with specific age groups but such groupings should not be considered rigid. Individuals do not follow exactly norms or patterns. They are, however, helpful to identify key aspects which have importance with any particular child.
3. Children usually cope well with change – even traumatic change – because their lives are changing constantly. However, if care and nurturing does not reinforce their natural abilities to cope, they are at risk for long term trauma reactions.

B. Development Stages

1. Pre-School (Ages 2 to 6)
 - Children usually become verbal between two and four. Preschool children often speak very well. They can tell about what they eat and toys they play with, but do not understand less tangible concepts.
 - They may not be able to discuss events or incidents in terms of time and space, because their understanding of those concepts are related only to personal concerns. If children are asked when something happened – in terms of a month, day, or year – they may not be able to answer. But if they are asked whether an event happened before or after their birthdays, specific holidays, the beginning of school or other significant events, they are likely to provide a reasonable response.
 - The focus for children of this age is on their immediate life. Nonessential details, for them, are often forgotten or perhaps integrated with their own perception of important events.
 - The most common communication device for the preschool child is playing. Playing remains a key communication for older children as well. It is a non-threatening language which can mask direct confrontation with unthreatening issues. But while playing is an important mode of communication for all children, it is extraordinarily important in pre-schoolers. Their verbal ability can be good, but their security remains more intact through “acting-out” than through language.
 - Fantasy is an integral part of play. It serves a useful purpose in providing children with an outlet for their fears, hopes and dreams. They often use it to reconstruct reality when the real world is painful to them. Most can distinguish between fact

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and fantasy, although in today's world, sometimes they may become confused with what is "real" on television and what is real life.

2. School-Age Children (Ages 6-10)

- School-age children tend to be able to formulate and articulate concepts but may not understand what the dimensions of those concepts are. For example, they usually have been exposed to death and have thoughts about it, but may not think of it as a permanent or lasting condition. Their thoughts also may be shaped by misperceptions and myths overheard from others or see in the media.
- School-age children grow in their understanding of time and space. In part this occurs because they begin to develop relationships with other people and things outside of their own home. The fact that they must be at school at certain times and days gives them a more precise frame of reference. Weekdays now become distinguishable from weekends.
- As children grow older they often become very conscious of right and wrong. Things seem to be black or white. There is very little room in their thoughts for the grays. If they think that they did something wrong, guilt may be overwhelming.
- Play is an important part of communication for school-age children. However, the children's verbal explanation of drawings, skits, or patterns of play activities is an important part of their expression.
- School-age children often create "savior" endings when they retell stories of trauma in an effort to reestablish a sense of safety.

3. Early Adolescence (10-13 for girls, 12-15 for boys)

- This stage of development may well be one of the most awkward and difficult for most children. The abruptness of physical change along with the related emotional upheavals that accompany increasing needs for independence and greater feelings of insecurity are major sources of stress to children. More and more children in this age group talk about stress-related symptoms: nausea, headaches, sleep disturbances, frequent crying spells, and so on.
- The emotional roller-coaster that a child deals with at this age is clearly exacerbated if she or he becomes a victim of crime. The fact that they are more and more interested in the opposite sex and their own feelings of sexuality make them quite vulnerable to sexual assaults.
- In early adolescence, children become more preoccupied with peer relationships and begin to distrust adult interpretations of the world.
- There is a tendency to invest emotional intensity in all phases of their lives. Events are often perceived symbolically.
- Ideals and commitments are viewed as a sacred trust. Betrayal of promises, vows, or relationships is rarely tolerated even when being faithful to them may be harmful to the children who hold them.
- Words mean a great deal to the pre-adolescent and the adolescent child. Stories, plays, poetry, and music lyrics often serve as a basis for expression – both those written by others and those created by the child.

4. Adolescence (13-17)

- Normally adolescence tends to increase the emotional upheaval of pre-adolescence. This adjustment period seems designed biologically to help us move to

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

adulthood. However, the world is so complex that such growth still may seem to come too fast. Children often want independence, but, in reality, are unable to work within such independence and hence may simultaneously want more guidelines and structure in their lives. This may be particularly true if the child has been abused and they feel out of control.

- Their behavior tends to seem very inconsistent. Adolescents often love and hate the same person at the same moment. Anger may manifest itself as rage and sorrow, and adolescents may become suicidal. As a corollary to their need for independence, they often have a great need for privacy and hence become very secretive. Confidences may be offered sporadically and may be peppered with untruthfulness when shared with adults.
- Because of their emerging sexual identity, feelings associated with experiencing sexual assault, incest, and molestation can be devastating. They may confuse their natural attraction to the opposite sex with guilt about perhaps contributing to the assault. Similarly, they may feel strong bonds to relatives who are abusing them and hence be deeply concerned about what will happen if they report such abuse to outsiders.
- They often express themselves by acting out and through experimenting with new behaviors. Violence may be used as an expression of manhood by some young males, and young females have become more violent in our culture. Substance use and violation of the law may be perceived as a statement against adult standards or as admission to the adult world.
- Most adolescents are creative and energetic and they want control over how those energies are channeled. They are likely to question adult authority and decision-making in which they are not active participants.
- Their creativity increasingly is manifested through the creation of their own symbols, activities and words to express themselves. Slang, fashion fads, dance fads, alternative music styles are all examples of this need for creative expression.

C. General Issues in Communication with Children

To improve communication with distressed children, adults may wish to:

- Establish a safe environment.
- Establish non-judgmental rapport and connection.
- Adapt language to age-appropriate modes of expression.
- Adapt to children's limited concentration span.
- Tolerate children's tendency to regress in times of stress.
- Identify and answer the questions of children.
- Involve children in decision-making and problem-solving.

D. Risk Indicators of Child Victimization

1. Perpetrators of child abuse
 - Parental history of abuse as a child
 - Parental history of criminal behavior
 - Substance abuse or mental illness
 - Lacked the nurture of good parenting
 - Current low-self esteem

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- Social isolation
 - Current multiple crises or stresses
 - Suffers long-term trauma reactions or depression
 - Violence between parent partners
 - Unrealistic child expectations
 - Belief in harsh punishment for a child
 - Ambivalence about child prior to birth (*e.g.*, had considered an abortion)
 - Perception of child as difficult
2. Child victims of physical and sexual abuse
- Social withdrawal or isolation
 - Aggressive behavior
 - Depression
 - Lying or stealing
 - Chronic regressive behaviors
 - Substance abuse
 - Engagement in risky sexual behaviors
 - School performance problems
 - Running away
 - Self-endangering or suicidal behaviors
3. Child victims of sexual abuse
- Precocious sexualization
 - Pseudo-maturity
 - Extreme overcompliance or obedience
 - Dissociative symptoms
 - Eating disorders
 - Resentment towards parents or adults
 - Protection of abuser or family unit

4. Child survivors of homicide victims

In the aftermath of the killing of a relative or friend, child survivors often face these special problems:

- Child is not acknowledged as a grieving survivor.
- Child is not provided adequate information about the death.
- Child is not included in decision-making or post-death activities.
- Others seem to minimize or devalue the worth of the loved one.
- Parents or other significant adults become caught up in criminal justice processes to the exclusion of the child.

Common reactions in such children include:

- Either fearfulness or the denial of fear, or both
- Withdrawal from social contact or loss of interest in previously enjoyable pleasures
- Fatigue due to sleep disturbances
- Hyperalertness
- Aggressive behaviors
- Complaints of aches or pains
- Preoccupation with death in talk or play reenactments
- Self-blame as the cause of death
- Remorse if the last encounter was an unpleasant one

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

III. Law Enforcement Response to Child Victims: Interview Guidelines

Community law enforcement officers should talk to children on a daily basis in their communities. This will often provide them with a baseline to make assessments of the behavior of children after a victimization. While not many officers will be responsible for detailed investigation of a crime involving children, they will find that they may be the first law enforcement officer to hear the story because they are in the community. Although the following are described as interview guidelines, they could equally well be described as “talking points” for any on-scene intervenor.

A. General Guidelines

1. Interviewing children about crime is difficult. It is particularly hard to interview young children. Sometimes they do not want to talk to adults because they fear they may not be believed or that they will be blamed for what happened. If they do talk, their perceptions may seem confusing – they do not have the same time, space, and ideological concepts that adults have.
2. Interviewers should try to think like a child through remembering their own childhoods. For instance, some interviewers find it difficult to understand that most children love their parents even when they are being abused. But, if interviewers think back to their youth, most will probably remember that they loved their parents even when they didn't like them. Whoever was the source of shelter, food, and other comforts was also an object of affection and gratitude. If that person also caused pain, it may have been confusing or enraging, but usually the person remained a central focus of childhood.
3. When children are victims of crime, their normal physiological and psychological adjustment to the world has been disrupted. They now must face the challenge of developing in an altered environment, often with people who are strangers. As a result, it is important to help child victims realize there are some “safe” places in the world and that there are some “safe” people.
4. Children must deal with the trauma of victimization in each succeeding development stage of life after the crime. When children suffer multiple traumas, they are constantly seeking to integrate the experiences with their life's perspective. It is not unusual for a current trauma to revive vivid memories of past victimization. It is not unusual for a child who has survived successive victimizations to find even a minor crime too much to handle at some point in time.

B. Interview techniques with the preschool child

1. For young children, familiar home settings are best, unless the home provokes fear because it was the site of the crime or they are afraid to talk in front of family members. Police stations or hospital emergency rooms are frightening to most people, and so, at the very least, if you must conduct an interview there, you should try to find a quiet setting. The presence of a parent or someone the child trusts can be very important in helping the child feel as though they are secure in the interview. Obviously if the parent was the attacker or an accomplice, some other trusted figure should be asked to be present. The interviewer will need to exercise careful judgment in this regard.
2. Many people who work with children use candy or cookies as an icebreaker. One problem with this technique is that it may remind the child of similar devices used by

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their assailant. Toys, dolls, books, drawing paper, and other recreational aides may be more useful in the long-run. If the child is uneasy, the interviewer may want to leave him or her to his own devices for a time. As the child plays, he or she will feel less shy and more relaxed and talkative. Later, the doll or a drawing may help the child describe what happened.

3. There are two important factors in deciding when an interview should occur following a crime that involves a child. The first factor is the child's ability to recollect. Although young children have great recall, they can have difficulty separating the event from later happenings if too much time elapses. And all witnesses tend to suffer memory lapses over a period of time.
4. The second factor is the condition of the child. The child may be restless, tired or cranky as a result of the criminal attack or subsequent treatment procedures. If this is the case, it may be very hard for anyone to interview the child immediately, and it may be advisable to let the child rest overnight before talking to him or her.
5. The length of the interview and repetition of interviews by different agencies are also problems for children. Sustained questioning may be impossible with children. It often is advisable with young children to conduct a series of interviews rather than try to get all of the necessary information at once. If more than one agency is involved, the agencies should take it upon themselves to coordinate their interviews and/or use tape recordings made by one of the investigating agencies.
6. The use of art, clay or and drawings are very useful in interviews at all ages up to adolescence. Children tend to act out at this stage and express themselves through play and so it is natural to provide them with the tools to accomplish that expression.

C. Interview techniques with school-age children.

Security and safety is still a primary concern at this age. However, it may be inappropriate to have parents in the room for the interview. Sometimes children at this age are reluctant to talk about crimes with their parents. They are often hesitant about admitting to things for which they may assume the blame or in which their parents are involved. Some children are even afraid to say they had their lunch money stolen because they are afraid of retribution.

School-age children may pretend to know much more than they really do about the world – including sexual matters. They may have learned and use street terminology or they could have been taught more formal language. Either way it is important that the interviewer not assume the child knows a great deal and that he or she allows the child to tell his or her story in the language the child is most comfortable with.

The interview should be ended with praise for the child's willingness to talk to you and told to contact you again if he or she remembers anything more about the incident(s). Predicting what will happen next and preparing the child for possible outcomes as a result of his or her report is very important at this age. It reduces the child's insecurity and gives him a sense of what is going to happen.

D. Interviewing the pre-adolescent

Talking with the pre-adolescent can be very difficult. It can be particularly hard for an adult male to conduct a successful interview with a pre-adolescent girl about a sexual assault. Hence, serious consideration should be made to obtaining the services of an

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advocate, if such a situation should emerge. Advocates who appear youthful often are received more readily than older advocates who may remind the child of his or her parents. Since pre-adolescents tend to orient themselves strongly to their peer group, it can sometimes be helpful to interview them with a friend – particularly if they have already confided to the friend.

While it may be inappropriate to have parents involved in an initial interview because of the sensitivity of the child to parental scrutiny and embarrassment, it may be advantageous to have the parents of the child's best friend or some other outside party present so that the child feels more secure.

Perhaps the most important issue that the interviewer needs to be aware of is that sexual issues can cause enormous embarrassment at this age and hence the child may be extraordinarily ambivalent about discussing such problems.

E. Interviewing the adolescent

The biggest difficulty in interviewing the adolescent is that most adolescents are natural actors. They can hide their emotions quite well and have learned to cover their general awkwardness and uneasiness with the world under somewhat sophisticated exteriors. If they do decide to tell the story of abuse, they may take much longer than smaller children and intersperse the tale with their own perceptions of guilt and self-blame.

A second barrier to interviewing adolescents is their fear of betraying their peers. This is especially true of adolescents involved in gang activity, but is also true of adolescents who have been victimized by their peers in other acts of crime and violence. Fear may be exacerbated due to bullying or social peer abuse.

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An Outline of Chapter Chapter Eleven, "Child Victims of Crime"

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Eleven: Child Victims of Crime

Format

One-Day: 0 minutes
Three Days: 1 hour
Roll Call: 20 minutes

Objectives of session

1. Explain unique problems of child victims and witnesses
2. Explain how law enforcement personnel can understand concerns
3. Explain how understanding can help a case

At the end of the session, the participants should be able to:

1. Identify unique problems of child victims and witnesses
2. Describe strategies for effective law enforcement response
3. Describe how concerns can become priority in community policing

Content

[Materials in brackets are guidelines for trainers]

I. Background

- American Medical Association:
- 1.7 million reports of child abuse
- 140,000 childhood injuries from abuse
- 1,100 childhood deaths from abuse each year
- 250,000-450,000 cases of child sexual abuse
- 212,244 incidents of student victimization, and 59,053 incidents against teachers
- Rates of victimization of young people ages 12-19 exceed all other age groups
- Over last decade studies have been made of effects of crime and violence on children

II. Understanding Children's Reactions

A. General Concepts

1. Children need to have security and stability
2. Children grow up through development stages
3. Children usually cope well with change

B. Development Stages

1. Pre-School (Ages 2 to 6)
 - Verbal between two and four
 - Not be able to discuss events or incidents in terms of time and space
 - Focus on immediate
 - Most common communication playing
 - Fantasy is integral part of play
2. School-Age Children (Ages 6-10)
 - Formulate and articulate concepts but not understand dimensions
 - Grow in understanding of time and space
 - Conscious of right and wrong
 - Play important part of communication
 - Create "savior" endings when retell stories of trauma
3. Early Adolescence (10-13 for girls, 12-15 for boys)
 - Awkward and difficult
 - Emotional roller-coaster exacerbated if becomes victim
 - Preoccupied with peer relationships
 - Emotional intensity - events perceived symbolically
 - Ideals and commitments viewed as sacred trust
 - Words mean great deal
4. Adolescence (13-17)
 - Increase emotional upheaval
 - Behavior very inconsistent
 - Emerging sexual identity
 - Acting out and experimenting with new behaviors
 - Want control
 - Creation of own symbols

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C. General Issues in Communication with Children

- Safe environment
- Non-judgmental
- Adapt language
- Adapt to limited concentration span
- Tolerate tendency to regress
- Identify and answer questions
- Involve in decision-making and problem-solving

D. Risk Indicators of Child Victimization

1. Perpetrators of child abuse

- Parental history of abuse
- Parental history of criminal behavior
- Substance abuse or mental illness
- Lacked good parenting
- Current low-self esteem
- Social isolation
- multiple crises or stresses
- Long-term trauma reactions or depression
- Violence between parent partners
- Unrealistic child expectations
- Harsh punishment for child
- Ambivalence about child prior to birth
- Perception of child as difficult

2. Child victims of physical and sexual abuse

- Social withdrawal or isolation
- Aggressive behavior
- Depression
- Lying or stealing
- Chronic regressive behaviors
- Substance abuse
- Engagement in risky sexual behaviors
- School performance problems
- Running away
- Self-endangering or suicidal behaviors

3. Child victims of sexual abuse

- Precocious sexualization
- Pseudo-maturity
- Extreme overcompliance or obedience
- Dissociative symptoms

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- Eating disorders
- Resentment towards parents or adults
- Protection of abuser or family unit

4. Child survivors of homicide victims

a. In the aftermath of the killing of a relative or friend, child survivors often face these special problems:

- Child is not acknowledged as a grieving survivor.
- Child is not provided adequate information about the death.
- Child is not included in decision-making or post-death activities.
- Others seem to minimize or devalue the worth of the loved one.
- Parents or other significant adults become caught up in criminal justice processes to the exclusion of the child.

b. Common reactions in such children include:

- Either fearfulness or the denial of fear, or both
- Withdrawal from social contact or loss of interest in previously enjoyable pleasures
- Fatigue due to sleep disturbances
- Hyperalertness
- Aggressive behaviors
- Complaints of aches or pains
- Preoccupation with death in talk or play reenactments
- Self-blame as the cause of death
- Remorse if the last encounter was an unpleasant one

III. Law Enforcement Response to Child Victims: Interview Guidelines

A. General Guidelines

1. Interviewing children about crime is difficult
2. Interviewers should think like child
3. Normal physiological and psychological adjustment disrupted
4. Deal with trauma in each succeeding development stage after crime

B. Interview techniques with the preschool child

1. For young children, familiar settings are best
2. Recreational aides may be useful

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3. First factor is child's ability to recollect
4. Second factor is condition of child
5. Length of the interview and repetition are problems for children
6. Use of art, clay or drawings

C. Interview techniques with school-age children.

- May be inappropriate to have parents in the room for interview
- School-age children may pretend to know much more than they really do
- Allows child to tell story
- Interview ended with praise
- Predicting and preparing the child

D. Interviewing the pre-adolescent

- Talking with pre-adolescent can be difficult
- May be advantageous to have outside party present
- Sexual issues can cause embarrassment

E. Interviewing the adolescent

- Most adolescents are natural actors
- Fear of betraying their peers

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Suggested Overheads or Handouts for Chapter Eleven, "Child Victims of Crime"

The following may be copied onto transparency sheets.



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Child Victims of Crime

11.1 Objectives of session: to explain

- The unique problems of child victims and witnesses.
- How law enforcement personnel can understand those concerns.
- How that understanding can help a case.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Child Victims of Crime

11.2 Understanding Children's Reactions

- Children need to have security and stability in their environment
- Children grow up to adulthood through development stages
- Children usually cope well with change



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Child Victims of Crime

11.3 Development Stage Pre-School (Ages 2 to 6)

- Children become verbal between two and four
- Limited concepts of time and space
- Primary communication through play
- Fantasy is an integral part of play



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Child Victims of Crime

11.4 Development Stage School-Age Children (Ages 6-10)

- Beginning of formulation of concepts
- Growth in understanding of time and space
- Conscious of right and wrong
- Play and talk
- “Savior” endings when stories are retold



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Child Victims of Crime

11.5 Development Stage Early Adolescence (10-13 for girls, 12-15 for boys)

- Abrupt physical and emotional change
- Preoccupation with peer relationships
- Emotional intensity
- Words are meaningful



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Child Victims of Crime

11.6 Development Stage Adolescence (13-17)

- Emotional upheaval
- Inconsistent behavior and attitudes
- Experimentation and acting out
- Creation of new worlds



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Child Victims of Crime

11.7 To Improve Communication with Distressed Children, Adults May Wish to:

- Establish a safe environment
- Establish non-judgmental rapport and connection
- Adapt language to age-appropriate modes of expression
- Adapt to children's limited concentration span
- Tolerate children's tendency to regress in times of stress
- Identify and answer the questions of children
- Involve children in decision-making and problem-solving



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Child Victims of Crime

11.8 Risk Indicators for Perpetrators

- Parental history of abuse as a child
- Parental history of criminal behavior
- Substance abuse or mental illness
- Lacked the nurture of good parenting
- Current low-self esteem
- Social isolation
- Current multiple crises or stresses
- Suffers long-term trauma reactions or depression
- Violence between parents/partners
- Unrealistic expectations of child
- Belief in harsh punishment for a child
- Ambivalence about child prior to birth
- Perception of child as difficult



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Child Victims of Crime

11.9 Indicators of Physical and Sexual Abuse

- Social withdrawal or isolation
- Aggressive behavior
- Depression
- Lying or stealing
- Chronic regressive behaviors
- Substance abuse
- Engagement in risky sexual behaviors
- School performance problems
- Running away
- Self-endangering or suicidal behaviors
- Precocious sexualization
- Pseudo-maturity
- Extreme overcompliance or obedience
- Dissociative symptoms
- Eating disorders
- Resentment towards parents or adults
- Protection of abuser or family unit



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Child Victims of Crime

11.10 Risk Factors for Child Survivors of Homicide Victims

- Child is not acknowledged as a grieving survivor
- Child is not provided adequate information about the death
- Child is not included in decision-making or post-death activities
- Others seem to minimize or devalue the worth of the loved one
- Parents or other significant adults become caught up in criminal justice processes to the exclusion of the child



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Child Victims of Crime

11.11 Law Enforcement Response to Preschool Child Victims: Interview Guidelines

- Familiar settings are best
- Focus on making the child comfortable and relaxed
- Conduct the interview as soon as possible
- Ensure that the child is rested and allow rest times
- Coordinate interviews
- Use art and play to facilitate interviews



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Child Victims of Crime

11.12 Law Enforcement Response to School-age Child Victims: Interview Guidelines

- Ensure that the child is comfortable if parents are with them
- School-age children may think they know things that they don't
- Intersperse questions about an alleged crime with questions about daily life
- Predict what will happen next in an investigation or prosecution
- Reassure the child that his or her willingness to talk to you is valuable



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Child Victims of Crime

11.13 Law Enforcement Response to Preadolescent Victims: Interview Guidelines

- Ask victims about parental involvement
- Ask if having someone of the same gender would be helpful to the discussion
- Be prepared for emotional volatility
- Encourage peer support
- Allow time for silence
- Ask for explanations of words used



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Child Victims of Crime

11.14 Law Enforcement Response to Adolescent Victim: Interview Guidelines

- Remember adolescents are prone to internal perceptions of guilt and self-blame
- Adolescents expect to be disbelieved so emphasize trust
- Do not ask adolescents to betray their peers
- Always provide referrals for adolescents to programs that can provide further help
- It may be helpful to encourage adolescents to act out their story

Chapter Twelve: Law Enforcement Officers' Stress

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session

1. Explain
2. Explain
3. Explain

At the end of the session, the participants should be able to:

1. Identify
2. Describe
3. Describe

Content

[Materials in brackets are guidelines for trainers]

I. Background

Stress and crisis describe the typical reactions to crime victimization. The identification of patterns of crisis reactions and post-traumatic stress disorder over recent years has helped many first responders improve their treatment of victims of crime. However, even some law enforcement agencies with protocols and programs to help citizens who are victimized fail to use their own guidelines and resources when the victims are their own personnel – and most departments without a grounding in victim services are even more negligent in responding to the traumas which their officers and their officers' families suffer when the officers are assaulted or killed.

This chapter will not address whether and how law enforcement agencies should respond to the victims of crime who are also law enforcement personnel. "Whether" the agencies should respond is not a live issue – law enforcement agencies, like every other institution which cares about its employees, should take care of its own. The "how" has already been addressed in this guide, in all the discussion on how to help crime victims.

The focus of this chapter stems from the realization that anyone who responds to crime victims may themselves have a secondary trauma reaction due to their exposure to carnage, pain, and death while working in rescue attempts or by hearing the stories of victims.

Many people who work with victims may be handicapped in dealing with their own stresses because they believe that they are the caretakers and should be able to cope. To some able law enforcement officers, it does not matter that occupational and caregiver stress is found across many kinds of professions, or that they would not be immune from it even if they did not deal so heavily in sadness and brutality. They are often resistant to any introspective discussions.

The fact is that exposure to victimization always presents risks to those responding to the victimized, no matter how experienced, trained, or prepared the responders are. Intense stress is more likely when responders are already subject to strain in their everyday lives. But in any case, the

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repeated exposure to life-threatening events and death may gradually transform individuals and their values.

Some community policing officers may suffer such stresses more intensely because they often know the victims better, due to community relationships and partnerships. In cases where community-wide traumatic events occur, a community policing officer is a part of the community and is equally likely to feel the impact of the trauma. On the other hand, community policing officers may be better able to cope because community policing tends to build more positive public attitudes towards law enforcement agencies and thus a broader basis for support. And most community policing officers report increased job satisfaction on a daily basis, providing them with a more balanced pre-victimization equilibrium.

This chapter is designed to explore some of the explanations for extraordinary stress in responders to crisis situations; provide participants with tools to gauge their own pre-crisis stress levels; and help them in planning for the impact of trauma in their lives.

II. The Impact of Stress on Those Who Respond to Victimization and Violence

A. Burnout

1. Burnout has been used to describe the stresses of many professions when their members reach a stage when they feel they can no longer do their job or no longer care about the work they do.
2. Burnout has been associated with many factors but key risk indicators include the following. **[Overhead 12.1]**
 - Excessive demands when compared with the time or resources available to meet such demands.
 - Professional isolation resulting from others who stigmatize or minimize those who admit their frustrations or stresses.
 - Estrangement from other social networks due to the status or demands of the profession.
 - Inconsistent or intermittent reward systems that inadequately recognize successes.
 - Cumulative sense of failure in meeting personal goals.
 - Imbalances in empathy shown to others and empathy received by the professional.
3. Many law enforcement officers face the risk of burnout, particularly in traditional law enforcement agencies.
 - Officers often feel burdened with excessive paperwork, too little time to follow-through on cases, inadequate equipment, and lack of support from superior officers. Training received as a recruit may not be compatible with skills demanded on the street.
 - In many agencies, officers who react to the pain or misery they deal with in victims or the horrors committed by perpetrators are often considered to be weak or to lack the necessary job toughness.
 - Law enforcement officers are often viewed by the public with suspicion or distrust. Even when they are respected, they may be avoided or avoid others because they are held to higher standards of behavior and acquaintances may feel inhibited in social gatherings.

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- Traditional law enforcement tends to focus rewards on how many reports are taken, arrests are made or cases solved, rather than less tangible measures such as how many problems are solved and how many victims feel better due to law enforcement response.
 - Most law enforcement officers have joined the profession to help others. Constant exposure to repeat offenders, verbal and physical abuse by offenders, their allies, and some members of the public while performing their job may lead to a sense of defeat and diminished self-esteem.
 - Law enforcement officers are called upon to treat all members of the public – offenders and victims – with dignity and compassion, yet often they received little such response when they are in the line of duty or when they are victimized themselves. It is often said that the victimization of law enforcement officers “goes with the territory – it’s part of the job.”
4. Community policing strategies may alleviate some of the factors of burnout.
- The goals of community policing – problem-solving, focus on improving the quality of life in a community, and developing a partnership between community and law enforcement efforts – can go a long way in allaying social isolation and emphasizing rewards that are consistent with daily law enforcement life.
 - Engaging in victim-oriented police response that addresses traumatic reactions among victims can help law enforcement officers be more aware of and sympathetic to their own responses to victimization and the responses of their colleagues.
 - Community-building, victim assistance and victimization prevention increases the potential to see the positive effects of law enforcement activities, such as in decreases in crime and improvement of the physical environment in neighborhoods.

B. Counter-Transference

1. Counter-transference among those who respond to victims and crisis is a phenomenon that occurs when the injuries of the victims remind responders of similar victimizations that they might have suffered and causes them to identify too closely with the victims they serve.
2. Counter-transference has been most often observed in veterans who have worked with other veterans in the aftermath of war, incest survivors who have counseled incest victims, and survivors of the Holocaust who have provided support and assistance to other survivors, but it is not unknown with other types of professionals and other types of victims. Not every case of counter-transference may involve a professional who has actually suffered a similar victimization, it may also occur in a professional who can envision himself as the victim due to similarities between his personal life and the victim’s.
 - A law enforcement lieutenant responding to a drunk driving crash helped to pull from the car the body of a 17-year-old boy who had been killed. The boy was the same age as his son, had the same color of hair, was roughly the same size, and was wearing a letter’s sweater from the same school. He was overwhelmed with pain and grief as he envisioned his son dead.
 - A law enforcement patrol officer whose daughter had been raped when she was in her teens found it difficult to talk to a teenage rape victim some ten years later and even more difficult to control his rage when he arrested the accused.

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3. Risk indicators that are associated with counter-transference include the following:

[Overhead 12.2]

- Similarities between the responder's personal life and the victim's
- Similarity between a prior victimization of the responder and the victimization to which he is responding
- Physical fatigue
- Emotional fatigue
- Pre-trauma stress in everyday life.

4. Most people responding to victims run risks of counter-transference at sometime in their career. Integrating knowledge of trauma and appropriate response into pre-service and continuing education programs can help individuals prepare for the eventuality, better cope with its impact, and find further assistance when needed.

C. Vicarious Victimization

1. Vicarious victimization refers to the idea that after responders are repeatedly exposed to victimization, they themselves often take on the trauma of victimization. Hearing stories of victims, seeing carnage and death, becoming involved in assisting victims through crisis intervention, counseling, law enforcement investigation, and victim advocacy can all be sources of exposure and re-exposure.

2. Responders can have similar crisis reactions – shock and disbelief at what they are hearing or seeing anger, fear, frustration, confusion, guilt, shame, and even grief – as the victims themselves.

3. Responders may also suffer long-term stress reactions that are similar. They may be unable to get the victimization out of their thoughts, have nightmares, develop hyperalertness, become irritable or depressed, and so on.

4. Many of the factors that precipitate burnout or counter-transference may also be present in vicarious victimization. However, in addition to pre-trauma stressors, emotional and physical fatigue, and the constant drain of empathy, the following are critical risk indicators: **[Overhead 12.3]**

- Constant exposure and re-exposure to traumatic and painful experiences
- Lack of positive alternative enforcements of goodness, happiness, and compassion

5. The consequences of vicarious victimization may be long-lasting since it may result in the evolution and transformation of values and conceptions by the responders.

Common changes in value perceptions include. **[Overhead 12.4]**

Pre Vicarious Victimization

- Trust
- Safety
- Respect for others
- Care and intimacy
- Freedom

Post Vicarious Victimization

- Distrust
- Fearfulness or Anxiety
- Lack of respect for others
- Estrangement and reserve
- Control

D. Secondary Traumatic Stress Reactions

1. In the last five years, research about the various types of long-term stress reactions of responders has increased tremendously. One of the preeminent writers in the field, Dr. Charles F. Figley, has developed a companion typology to post-traumatic stress disorder which seeks to describe the traumatic stress reactions of responders. The typology is called Secondary Traumatic Stress Disorder. He also refers to the reactions as "compassion fatigue." [Overhead 12.5]
2. Many of the interventions used with primary victims have been suggested as useful for helping responders cope with PTSD. Examples: [Overhead 12.6]
 - Re-establishing a sense of safety, connection with others, and a positive sense of meaning.
 - Providing opportunities to tell or describe the story of trauma(s) and to receive validation for the responder's reactions.
 - Assisting in predicting potential reactions and planning coping strategies for dealing with them.
 - Giving reassurance that ongoing reactions are a part of a common pattern following severe or repeated traumatization.
 - Providing education on reactions and alternative coping strategies.
 - Putting the trauma(s) in chronological perspective.
 - Obtaining balance for the negative aspects of the trauma(s) with a positive sense of meaning or reframing the negative factors with positive alternative memories.

III. Pre-Trauma Personal Equilibrium

In order to begin preparation for coping with victimization and secondary victimization reactions, individuals should begin by assessing their everyday stress levels. Self-administered assessment tools have been useful to get a sense of balance in one's everyday equilibrium.

The questionnaires and scoring sheets which appear as Appendix A to this chapter address concerns in all phases of life.

IV. Developing A Personal Stress Management Plan [Trainer should briefly review the exercise]

A. Improving Pre-Trauma Equilibrium

The first step in coping with trauma is to establish the best pre-trauma personal equilibrium possible. The exercises in Appendix A are designed to help identify points of stress in personal lives. The exercises in Appendix B are helpful in developing an action plan to alleviate day-to-day stressors.

B. Plan for Traumatic Events

Once a day-to-day stress relief plan has been designed, it is important to plan for trauma-specific stress. [Overhead 12.7]

1. Acknowledge crisis and trauma as a part of your chosen life. Studies show that those who make choices that result in stress and recognize those choices cope with the stress better than those who confront stressors that seem random and arbitrary.
2. Educate yourself about patterns of crisis and stress. People who recognize these patterns in themselves find it easier to integrate their reactions into their lives.

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3. Develop a support system of individuals to whom you will turn in the aftermath of stress and educate them. This may be family, friends, peers or outside professionals. In any case, teach them about common patterns of crisis and stress reactions as well as your own strategies of coping so that they can be of assistance if you need them.
4. Identify ways you can restore a sense of safety and security in your life in the aftermath of danger and crisis. Examples include:
 - Cultivating activities in which you have control over the outcome
 - Maintaining a personal room reflective of your personality, goals and values
 - Reasserting spiritual faith
 - Reestablishing relationships or connections with family and friends
5. Identify ways you feel comfortable telling stories about trauma situations
 - Writing about experiences
 - Talking with others about what happened
 - Playing or listening to music
 - Drawing or painting scenes from your memories
6. Define how experiences with trauma and crisis relate to your perception of meaning and purpose in life

C. Post-Trauma Tasks

After a traumatic experience happens, work to integrate the experience into your life history.

1. Restore a sense of safety and security in your life. [**Overhead 12.8**]
 - Seek out those you trust and respect to remind you of the bonds between people.
 - Seek out those who trust and respect you to remind you of your own worth.
 - Return to places where you feel safe.
2. Replay the experience in your mind and develop a chronology of what happened.
 - Start before the event, and think about where you were and who you were with, what happened and how you reacted.
 - Try to remember how the event itself unfolded and what you did.
 - Associating the memories with dates and times helps to anchor the event in a timeline that helps to distinguish between the past, present and future.
3. Think about the incidents during the event that were the most troublesome to you.
 - Define what happened and why it was distressing.
 - Try to think as an outside observer and consider whether it would have been distressing to most people.
4. Think about the incidents during the event that seemed the most positive to you.
 - Define what happened and why it seemed helpful or useful.
 - Try to think as an outside observer and consider whether most people would have considered the incidents in a positive way.
5. Put the incidents into perspective by balancing the distressing events with the positive events.
6. Think about what it was about the event that would make it worthwhile to continue in your work with crisis.
7. Use your support system and your methods of story-telling to try to construct a complete story about the event that includes an ending reflective of your goals and purposes in life.

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8. Try to predict what events will occur as a result of the crisis in the future that may affect your reactions and behaviors and plan ways to cope with them.
9. Remember that both sadness or tears and humor or laughter are essential elements of recreating a balance in life.
10. Re-establish why you have chosen this profession and what it means to your sense of purpose and meaning in life.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Appendix A

Six Stress Level Worksheets

The questionnaires which follow help individuals make a private assessment of their stress levels in six important areas of their life. The following indicates how to answer and score the worksheets.

Answering: Read each statement and respond the way you feel today. These worksheets can be used over and over to map your stress fluctuations. You can rate your feeling on a scale of 1 to 5. The zero (0) column means "no" or that the statement "does not apply." Columns 1 to 5 indicate that the statement is significant for you and allows you to indicate frequency of occurrence or how much the situation described in the statement bothers you. "1" reflects a relatively mild response and "5" is a very strong response.

Scoring: At the end of each worksheet add up the scores in each column. For every checkmark or "X" in column 5 ("bothers me a lot"), add 5 points to your score. For every checkmark in column 4, add 4 points, and so on. Any response in the zero column receives no points. Enter your score for each area on the composite map at the end of the questionnaires. Follow these same procedures for answering and scoring all six stress maps.

Note: the idea for these stress worksheets was derived from *StressMaps*; however the content and scoring has been changed.

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PEOPLE STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:

0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I recently separated from my partner/spouse	0	1	2	3	4	5
2. I would like my family to spend more time together	0	1	2	3	4	5
3. My children drive me crazy	0	1	2	3	4	5
4. Someone recently joined my household (family member or friend)	0	1	2	3	4	5
5. My relatives drive me crazy	0	1	2	3	4	5
6. I am single but I wish I had a spouse or children	0	1	2	3	4	5
7. My father is dead and I miss him	0	1	2	3	4	5
8. I don't know what do to with elderly parents/relatives	0	1	2	3	4	5
9. Most calls I respond to involve people I dislike	0	1	2	3	4	5
10. I feel like too much of my time is spent doing things for others	0	1	2	3	4	5
11. My mother is dead and I miss her	0	1	2	3	4	5
12. Things at home keep breaking and no one wants to help me with the repairs	0	1	2	3	4	5
13. My children are growing up and leaving home	0	1	2	3	4	5
14. I live away from my parents and siblings and I miss them	0	1	2	3	4	5
15. I have a great deal of responsibility for the care of children	0	1	2	3	4	5
16. I avoid my children	0	1	2	3	4	5

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17. I worry that I am not a good parent	0	1	2	3	4	5
18. My relationship with my spouse/partner is deteriorating	0	1	2	3	4	5
19. I have difficulty feeling close to:						
friends	0	1	2	3	4	5
co-workers	0	1	2	3	4	5
relatives	0	1	2	3	4	5
children	0	1	2	3	4	5
spouse/partner	0	1	2	3	4	5
in-laws	0	1	2	3	4	5
parents	0	1	2	3	4	5
20. I feel like the public hates law enforcement	0	1	2	3	4	5
21. I wished I enjoyed sexual intercourse more	0	1	2	3	4	5
22. When I am upset with my spouse/partner, I have difficulty expressing my feelings	0	1	2	3	4	5
23. I recently got married	0	1	2	3	4	5
24. I find it difficult to enjoy being out socially	0	1	2	3	4	5
25. I don't know how to deal with my children's problems and questions	0	1	2	3	4	5
26. I tend to lose control when my children misbehave	0	1	2	3	4	5
27. I want my friends to like me	0	1	2	3	4	5
28. I like being single but what people think bothers me	0	1	2	3	4	5
29. I recently got a divorce	0	1	2	3	4	5

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30. I am a widow/widower	0	1	2	3	4	5
31. I wish people needed me more	0	1	2	3	4	5
32. I don't know how to communicate with my spouse/partner	0	1	2	3	4	5
33. I avoid showing my real feelings to others	0	1	2	3	4	5
34. I am a surrogate parent	0	1	2	3	4	5
35. I have trouble saying "no" to anyone who asks me for something	0	1	2	3	4	5
36. I find it difficult to ask for help	0	1	2	3	4	5
37. I am a single parent	0	1	2	3	4	5
38. I find it difficult to accept constructive criticism	0	1	2	3	4	5
39. I am contemplating divorce	0	1	2	3	4	5
40. When listening to others, I find myself losing concentration	0	1	2	3	4	5
41. I have lost a child through death	0	1	2	3	4	5
42. I have lost a close friend through death	0	1	2	3	4	5
43. I have lost a pet through death	0	1	2	3	4	5
44. I am contemplating marriage	0	1	2	3	4	5
45. I have recently moved and left behind some close friends	0	1	2	3	4	5
46. I am experiencing sexual frustrations	0	1	2	3	4	5
47. I tend to become easily irritated with my co-workers on the job	0	1	2	3	4	5
48. Someone disappointed me very much recently	0	1	2	3	4	5
49. I despise most criminals	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

50. I have been a victim of crime	0	1	2	3	4	5
51. I am afraid of people I don't know	0	1	2	3	4	5
52. I don't trust other people	0	1	2	3	4	5
53. I don't like groups of people	0	1	2	3	4	5
54. I have recently been dishonest with someone and hurt him/her	0	1	2	3	4	5

Add additional "people" stressors and rate accordingly:

	0	1	2	3	4	5
	0	1	2	3	4	5
	0	1	2	3	4	5
	0	1	2	3	4	5

MONEY STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:

0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I recently received a cut in my take-home pay	0	1	2	3	4	5
2. There is a large mortgage on my house	0	1	2	3	4	5
3. I seem to live from paycheck to paycheck	0	1	2	3	4	5
4. I recently received an overdue notice for one of my bills	0	1	2	3	4	5
5. I never pay my bills on time	0	1	2	3	4	5
6. I feel like I should be able to purchase the same things as my neighbors/relatives	0	1	2	3	4	5
7. I don't feel able to provide my children with the things they need or want	0	1	2	3	4	5

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8. I or my spouse/partner lost a job recently [If yes, mark "5"]	0	1	2	3	4	5
9. I have a lot of bills to pay	0	1	2	3	4	5
10. I buy a lot on credit	0	1	2	3	4	5
11. I or my spouse/partner recently began a new job or got a promotion [If yes, mark 5]	0	1	2	3	4	5
12. I've had a lot of unforeseen expenses recently	0	1	2	3	4	5
13. I feel financially insecure	0	1	2	3	4	5
14. I cannot afford the things I want	0	1	2	3	4	5
15. I find it difficult to fill out my annual tax forms	0	1	2	3	4	5
16. I recently received a salary increase	0	1	2	3	4	5
17. I have difficulty managing a budget	0	1	2	3	4	5
18. I have trouble making my child support payments	0	1	2	3	4	5
19. I am afraid I will fall behind on a mortgage payment or bill	0	1	2	3	4	5
20. The IRS audited me within the last year	0	1	2	3	4	5
21. My income has been reduced because of a separation, divorce, or death	0	1	2	3	4	5
22. My income is failing more and more to keep up with my expenses	0	1	2	3	4	5
23. My divorce caused me severe financial problems	0	1	2	3	4	5
24. I have been delaying a savings or investment program	0	1	2	3	4	5
25. I worry about having enough future income	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

26. My marriage causes me severe financial problems	0	1	2	3	4	5
27. I recently suffered a financial loss as a result of crime	0	1	2	3	4	5
28. I recently suffered a financial loss as a result of an accident or natural casualty	0	1	2	3	4	5
29. I am carrying two jobs in order to make ends meet	0	1	2	3	4	5
30. I am worried about the future security of my family	0	1	2	3	4	5

Add additional "money" stressors and rate accordingly:

_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5

WORK STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:

0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I have too much paperwork	0	1	2	3	4	5
2. I have a problem completing what I'm doing because of the many interruptions	0	1	2	3	4	5
3. I have to manage other employees	0	1	2	3	4	5
4. I rarely get an uninterrupted lunch-hour	0	1	2	3	4	5
5. I do not think my fellow officers carry their fair share of the work	0	1	2	3	4	5
6. I often have to work overtime	0	1	2	3	4	5

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7. I find it difficult to work with some of my fellow officers	0	1	2	3	4	5
8. I don't feel adequately trained for some of the work that I do	0	1	2	3	4	5
9. My job is often boring	0	1	2	3	4	5
10. I find my work environment unpleasant	0	1	2	3	4	5
11. I allow myself to get kicked around by my sergeant	0	1	2	3	4	5
12. I am tired of shift work	0	1	2	3	4	5
13. I have recently received a new promotion	0	1	2	3	4	5
14. I often feel overwhelmed by my job	0	1	2	3	4	5
15. There is little promotion opportunity	0	1	2	3	4	5
16. When I am under pressure I tend to lose my temper	0	1	2	3	4	5
17. My sergeant makes me feel uncomfortable	0	1	2	3	4	5
18. I wish there were people outside of work that I could talk to	0	1	2	3	4	5
19. I don't feel confident about what I do	0	1	2	3	4	5
20. My job drains me emotionally	0	1	2	3	4	5
21. I was recently reprimanded	0	1	2	3	4	5
22. My work requires extensive preparation and training	0	1	2	3	4	5
23. I have lost enthusiasm for my work	0	1	2	3	4	5
24. I have been doing the same thing for five years or more (if yes, mark 5)	0	1	2	3	4	5
25. A citizen recently filed a complaint against me	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

26. I don't know what I will do when I retire	0	1	2	3	4	5
27. I find it difficult to relax during breaks even when I do take them	0	1	2	3	4	5
28. I am harassed by people on my job	0	1	2	3	4	5
29. I feel I'm under pressure all the time	0	1	2	3	4	5
30. When I get to work I need more time than I have to prepare for the day	0	1	2	3	4	5
31. On my way to and from work, I tend to rehash work problems	0	1	2	3	4	5
32. I feel there is discrimination against me at work	0	1	2	3	4	5
33. My job is physically demanding	0	1	2	3	4	5
34. When starting new assignments, I find it difficult to get involved	0	1	2	3	4	5
35. I rarely get time at home without interruptions	0	1	2	3	4	5
36. I sometimes feel I cannot make decisions	0	1	2	3	4	5
37. I want to be a perfect officer, parent, and spouse/partner	0	1	2	3	4	5
38. When I come home from work, my spouse expects me to do a lot of the housework	0	1	2	3	4	5
39. I killed a suspect	0	1	2	3	4	5
40. I can't leave the department because I am not trained for anything else	0	1	2	3	4	5
41. I recently was demoted	0	1	2	3	4	5
42. My job evaluations are not very good and I am afraid of being fired	0	1	2	3	4	5
43. My job environment makes me afraid	0	1	2	3	4	5

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44. I commute to work and I dislike the drive	0	1	2	3	4	5
45. I feel like I am always under pressure on my job	0	1	2	3	4	5
46. I recently injured someone on the job	0	1	2	3	4	5
47. One of my friends was killed on the job	0	1	2	3	4	5

Add additional "work" stressors and rate accordingly:

_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5

LEISURE STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:

0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I don't have any time for hobbies	0	1	2	3	4	5
2. I would like to spend more evenings attending plays, concerts, movies, and so on	0	1	2	3	4	5
3. I spend too much time watching television	0	1	2	3	4	5
4. I want to have more time to relax and talk with my friends	0	1	2	3	4	5
5. I have wanted to learn a new hobby, but I haven't had the time	0	1	2	3	4	5
6. I would like to have more time to contribute to community and volunteer projects	0	1	2	3	4	5
7. I want to get outside more	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

8. My interests are varied but I don't pursue them	0	1	2	3	4	5
9. I would like to get to know my neighbors	0	1	2	3	4	5
10. I would like to have a greater number of hobbies and interests	0	1	2	3	4	5
11. I do two things at once, such as eating while working, reading a magazine while watching TV, etc. [If yes, mark 5]	0	1	2	3	4	5
12. I want to have more time to read books	0	1	2	3	4	5
13. I'd like to join a social group or club	0	1	2	3	4	5
14. When faced with a period of inactivity, it is difficult to occupy myself either mentally or physically [If yes, mark 5]	0	1	2	3	4	5
15. I find it difficult to look forward to holidays	0	1	2	3	4	5
16. I need a vacation [If yes, mark 5]	0	1	2	3	4	5
17. I don't like the interior of my home	0	1	2	3	4	5
18. I tend to be bored with life	0	1	2	3	4	5
19. I don't look forward to weekends	0	1	2	3	4	5
20. There are days I don't want to get up in the morning	0	1	2	3	4	5
21. I would like to have time to have fun with my family	0	1	2	3	4	5
22. I never get time to exercise	0	1	2	3	4	5

Add additional "leisure" stressors and rate accordingly:

_____	0	1	2	3	4	5
_____	0	1	2	3	4	5

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	0	1	2	3	4	5
	0	1	2	3	4	5

MENTAL STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:
 0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I don't feel any fulfillment in my life	0	1	2	3	4	5
2. Personal problems cause me a great deal of grief	0	1	2	3	4	5
3. I reviewed my values at least once in the past year [If no, mark 5]	0	1	2	3	4	5
4. I find myself trying not to cry	0	1	2	3	4	5
5. I sometimes think my feelings govern what I do	0	1	2	3	4	5
6. Sometimes I feel I ought to believe in God	0	1	2	3	4	5
7. I can't seem to set limits for myself or stick to them	0	1	2	3	4	5
8. I want to feel more enthusiastic about life	0	1	2	3	4	5
9. I wish I felt more important	0	1	2	3	4	5
10. I am afraid of losing my religious faith	0	1	2	3	4	5
11. I don't spend enough time reading	0	1	2	3	4	5
12. I want to learn more things	0	1	2	3	4	5
13. I don't feel I belong to the world around me	0	1	2	3	4	5
14. I daydream or fall asleep if I am not doing anything active	0	1	2	3	4	5
15. Little things irritate me	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

16. I want to believe in something but don't know what or how	0	1	2	3	4	5
17. I have poor concentration	0	1	2	3	4	5
18. I find it difficult to remember things	0	1	2	3	4	5
19. I feel restless	0	1	2	3	4	5
20. I don't have any meaning or purpose in my life	0	1	2	3	4	5
21. I don't feel satisfied with myself	0	1	2	3	4	5
22. I feel out of control at times	0	1	2	3	4	5
23. I am often apathetic	0	1	2	3	4	5
24. I feel harassed and discriminated against	0	1	2	3	4	5
25. I don't enjoy life very much	0	1	2	3	4	5
26. I want to have strong spiritual beliefs	0	1	2	3	4	5
27. I find it difficult to laugh	0	1	2	3	4	5
28. I would like to find and use ways to relax my mind	0	1	2	3	4	5
29. I am depressed	0	1	2	3	4	5
30. I have nightmares	0	1	2	3	4	5
31. I tend to be easily startled by small sounds	0	1	2	3	4	5
32. Getting old bothers me	0	1	2	3	4	5
33. I often feel I am not worthwhile	0	1	2	3	4	5
34. I don't like the way I look	0	1	2	3	4	5
35. I don't sleep well at night and I wake up tired	0	1	2	3	4	5

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36. I feel like a failure	0	1	2	3	4	5
37. I feel guilty about things that have happened to me	0	1	2	3	4	5
38. I wake up in the night feeling anxious	0	1	2	3	4	5
39. Sometimes I am frightened for no reason at all	0	1	2	3	4	5
40. I don't know anyone who is stimulating to talk to	0	1	2	3	4	5

Add additional "mental" stressors and rate accordingly:

_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5

BODY STRESSORS

RATE THE INTENSITY OF YOUR FEELING ABOUT EACH STATEMENT:
 0 = "No" or "Does not apply;" 1 = "Applies very little;" 5 = "Applies very strongly"

1. I am too fat or thin	0	1	2	3	4	5
2. I have not had two consecutive weeks of vacation each year [If true, mark 5]	0	1	2	3	4	5
3. Within the last year I have found myself: [Scores should relate to frequency of experience]						
a. experiencing muscle tension in my back	0	1	2	3	4	5
b. tightly gripping a chair, steering wheel, clenching fists, etc.	0	1	2	3	4	5
c. experiencing muscle tension in my shoulders	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

d. frowning	0	1	2	3	4	5
e. squinting	0	1	2	3	4	5
f. clenching my teeth	0	1	2	3	4	5
g. grinding my teeth (night or day)	0	1	2	3	4	5
h. having headaches/migraines	0	1	2	3	4	5
i. stuttering	0	1	2	3	4	5
j. having fainting spells	0	1	2	3	4	5
4. I catch lots of colds, viruses, and flus	0	1	2	3	4	5
5. I have needed more and more medical care	0	1	2	3	4	5
6. I feel anxious, nervous, jittery, jumpy	0	1	2	3	4	5
7. I seem to be accident-prone	0	1	2	3	4	5
8. I use the following: [Scores should relate to frequency of use]						
a. Aspirin	0	1	2	3	4	5
b. Tranquilizers	0	1	2	3	4	5
c. Pain killers	0	1	2	3	4	5
d. Sleeping aids	0	1	2	3	4	5
9. I am exposed to following in my environment:						
a. noise	0	1	2	3	4	5
b. extreme changes in temperature	0	1	2	3	4	5
c. vibrations	0	1	2	3	4	5
d. air pollutants	0	1	2	3	4	5
e. bad lighting	0	1	2	3	4	5
10. I have acquired a disability within the last year [If true, mark 5]	0	1	2	3	4	5

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11. Within the last year I have experienced the following:

- | | | | | | | |
|--|---|---|---|---|---|---|
| a. heart attack [If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |
| b. stroke [If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |
| c. high blood pressure (hypertension)
[If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |
| d. Short, irregular, or shallow breathing | 0 | 1 | 2 | 3 | 4 | 5 |
| e. heart racing or pounding | 0 | 1 | 2 | 3 | 4 | 5 |

12. I have trouble falling asleep

	0	1	2	3	4	5
--	---	---	---	---	---	---

13. My daily activities do not include moderate physical activity [If yes, mark 5]

	0	1	2	3	4	5
--	---	---	---	---	---	---

14. During the last year I have experienced the following:

- | | | | | | | |
|------------------------------------|---|---|---|---|---|---|
| a. loss of appetite | 0 | 1 | 2 | 3 | 4 | 5 |
| b. nausea | 0 | 1 | 2 | 3 | 4 | 5 |
| c. churning in the stomach | 0 | 1 | 2 | 3 | 4 | 5 |
| d. diarrhea | 0 | 1 | 2 | 3 | 4 | 5 |
| e. constipation | 0 | 1 | 2 | 3 | 4 | 5 |
| f. ulcers [If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |
| g. spastic colon [If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |
| h. gastritis [If true, mark 5] | 0 | 1 | 2 | 3 | 4 | 5 |

16. When I do take a vacation, I find that I have a hard time relaxing or enjoying myself [If true, mark 5]

	0	1	2	3	4	5
--	---	---	---	---	---	---

17. Within the last year I have experienced the following:

- | | | | | | | |
|-------------------------|---|---|---|---|---|---|
| a. nervous perspiration | 0 | 1 | 2 | 3 | 4 | 5 |
|-------------------------|---|---|---|---|---|---|

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

b. muscle tightness or aching in the legs	0	1	2	3	4	5
c. finding my whole body becoming stiff and tight as I go through the day	0	1	2	3	4	5
d. loss of energy/chronic fatigue	0	1	2	3	4	5
e. nervous habits (nail biting, neck rubbing, foot tapping, jerky movements, etc.)	0	1	2	3	4	5
f. waking up during the night for no apparent reasons	0	1	2	3	4	5
18. I consume large amounts of sugar daily	0	1	2	3	4	5
19. I drink two or more cups of coffee or tea per day (do not count herbal teas or decaffeinated coffees) [If true, mark 5]	0	1	2	3	4	5
20. I consume large amounts of fats	0	1	2	3	4	5
21. I consume two or more glasses of coke per day	0	1	2	3	4	5
22. I do not engage in strenuous exercise for a minimum of 15 minutes at least three times per week [If true, mark 5]	0	1	2	3	4	5
23. I have three or more alcoholic drinks per week	0	1	2	3	4	5
24. I smoke cigarettes, pipes, cigars, etc.	0	1	2	3	4	5
25. Within the last year I have experienced the following:						
a. diabetes [If true, mark 5]	0	1	2	3	4	5
b. cancer [If true, mark 5]	0	1	2	3	4	5
c. arthritis [If true, mark 5]	0	1	2	3	4	5
d. rashes	0	1	2	3	4	5
e. allergies [If true, mark 5]	0	1	2	3	4	5

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26. I add salt to my food during cooking and at the table [If yes, mark 5]	0	1	2	3	4	5
27. I do not drink much water	0	1	2	3	4	5
28. When I exercise I skip the ten minutes of warm-up stretching and the ten minutes of cool-down activities [If yes, mark 5]	0	1	2	3	4	5
29. I eat chocolate of some type	0	1	2	3	4	5
30. I rarely use rapid-releasing techniques to deal with stress (deep muscle relaxation, meditation, imagery, body scanning) [If true, mark 5]	0	1	2	3	4	5
31. I haven't had a vacation for over a year [If true, mark 5]	0	1	2	3	4	5
32. I do not sleep at least seven hours each night	0	1	2	3	4	5
33. I take some form of narcotic drug	0	1	2	3	4	5
34. I have had dental problems in the last year	0	1	2	3	4	5

Add additional "body" stressors and rate accordingly:

_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5
_____	0	1	2	3	4	5

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

YOUR STRESS SCORES

Now that you have completed your worksheets, add up your scores. Enter the scores in the spaces below, and then check them against the guidelines which follow:

PEOPLE STRESSORS	Total Score _____
MONEY STRESSORS	Total Score _____
WORK STRESSORS	Total Score _____
LEISURE STRESSORS	Total Score _____
MENTAL STRESSORS	Total Score _____
BODY STRESSORS	Total Score _____

If your “people stressor” scores are:

- 0 - 35 You are doing well.
- 35 - 85 You should spend some time analyzing some of the problems and trying to diminish the stressors.
- 85 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

If your “money stressor” scores are:

- 0 - 21 You are doing well.
- 21 - 51 You should spend some time analyzing some of the problems and trying to diminish the stressors.
- 51 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

If your “work stressor” scores are:

- 0 - 35 You are doing well.
- 35 - 75 You should spend some time analyzing some of the problems and trying to diminish the stressors.
- 75 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

If your “leisure stressor” scores are:

- 0 - 15 You are doing well.
- 15 - 40 You should spend some time analyzing some of the problems and trying to diminish the stressors.
- 40 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

If your “mental stressor” scores are:

- 0 - 20 You are doing well.
- 20 - 60 You should spend some time analyzing some of the problems and trying to diminish the stressors.
- 60 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

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If your "body stressor" scores are:

0 - 40 You are doing well.

40 - 115 You should spend some time analyzing some of the problems and trying to diminish the stressors.

115 and up You may be in serious trouble and should take immediate action to try and mitigate the stress.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Appendix B

Six Stress Reduction Worksheets

Take the worksheet entitled "Stress Analysis" and write in the three areas of stress where your the highest scores occurred.

Identify what aspect of stress is of most concern to you.

Identify what you consider the source of the stress.

Finally, write down three things you do *now* to try and alleviate such stress.

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STRESS ANALYSIS

WHAT CONCERNS ME	WHAT I DO
1. _____	_____
2. _____	_____
3. _____	_____

<u>AREA OF STRESS</u> [NAME AREA]	<u>MOST CONCERNING</u> [LIST FACTORS]	<u>SOURCE OF STRESS</u> [IDENTIFY SOURCE]	<u>ACTION STEPS NOW</u> [LIST ACTIONS]
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

<u>AREA OF STRESS</u> [NAME AREA]	<u>MOST CONCERNING</u> [LIST FACTORS]	<u>SOURCE OF STRESS</u> [IDENTIFY SOURCE]	<u>ACTION STEPS NOW</u> [LIST ACTIONS]
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

<u>AREA OF STRESS</u> [NAME AREA]	<u>MOST CONCERNING</u> [LIST FACTORS]	<u>SOURCE OF STRESS</u> [IDENTIFY SOURCE]	<u>ACTION STEPS NOW</u> [LIST ACTIONS]
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

4. _____

5. _____

AREA OF STRESS [NAME AREA]	MOST CONCERNING [LIST FACTORS]	SOURCE OF STRESS [IDENTIFY SOURCE]	ACTION STEPS NOW [LIST ACTIONS]
-------------------------------	-----------------------------------	---------------------------------------	------------------------------------

1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

Many people try to relieve stress through unproductive or counterproductive activities. Often people say that they smoke, have a drink, or sleep to relieve stress. Smoking and drinking actually contribute to stress and sleep rarely relieves it but rather is a temporary escape.

There are five general stress relief skills which can contribute to a more successful living style. Many people know them but do not practice them.

1. **Relaxation.** Relaxation is not the same as sleeping or resting. It is a conscious effort to relieve muscle tension and allow the body to get a fresh start.
2. **Physical Activity.** Many people are somewhat sedentary as a result of desk jobs and modern conveniences. Activity not only increases body strength and resistance to disease but is essential to easing stress.
3. **Eating Habits.** It is common knowledge that food and drink affect stress levels. Intake of excessive amounts of sugar, fats, caffeine, and salt is harmful. In addition, some foods actually assist relaxation. Eating food rich in nutrients and vitamins is an antidote to stress.
4. **Time Management.** A universal complaint among people in the helping professions is a lack of time. It is one of the most common stressors. Priorities, planning and preparation help many to cope with time demands.
5. **Self-Understanding and Assertiveness.** Often people get side-tracked in activities that are of little or no importance to them. If these things are contradictory or competitive with personal life goals and values, thoughts and emotions are often strained. It is important to take time to identify personal goals and values and act in accordance with them.

Using these general guidelines for stress relief, use the worksheet entitled "Stress Management Plan" and set forth some specific goals and activities to reduce stress in each key stress area. Make the goals correspond to the stress area and make the activities specific.

For instance, if a goal is to manage time more effectively, activities could involve writing a daily work plan, shortening telephone calls, confining meetings to a specified time period each week, and so on.

All activities should be confined to activities which are not injurious to health, do not exceed personal capabilities and resources, and do not infringe upon another person's privacy or life.

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STRESS MANAGEMENT PLAN

AREA OF STRESS [NAME AREA]	GOALS [LIST GOALS]	ACTIVITIES [LIST ACTIVITIES]
1. a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
2. a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
3. a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
4. a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____

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An Outline of Chapter Twelve, “Law Enforcement Officers’ Stress”

The following outline, summarizing the preceding text, is printed in larger type so the trainer may use it as a guide in the classroom.

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

Chapter Twelve: Law Enforcement Officers' Stress

Format

One-Day:	0 minutes
Three Days:	1 hour
Roll Call:	20 minutes

Objectives of session

1. Explain the impact of stress on law enforcement officers.
2. Help officers develop a personal, pre-crisis stress management plan.
3. Provide tools for managing critical stress.

At the end of the session, the participants should be able to:

1. Identify ways in which officers are vulnerable to traumatic stress.
2. Privately assess the participants' current stress levels.
3. Manage traumatic stress more effectively in the future.

Content

[Materials in brackets are guidelines for trainers]

I. Background

- A. Anyone who responds to crime victims may have secondary trauma reaction
- B. Community policing officers often know victims better and so are more vulnerable to vicarious victimization

II. The Impact of Stress on Those Who Respond to Victimization and Violence

A. Burnout

1. No longer care about work
2. Risk indicators: [Overhead 12.1]
 - Excessive demands
 - Professional isolation
 - Estrangement from social networks
 - Inconsistent reward systems
 - Cumulative sense of failure
 - Imbalances in empathy
3. Many officers risk burnout, particularly in traditional agencies.

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- Officers feel burdened with excessive paperwork
- Officers who react to pain considered weak
- Officers viewed with suspicion
- Traditional law enforcement focus rewards on reports, arrests or cases solved
- Constant exposure to repeat offenders, verbal, and physical abuse
- Treat members

4. Community policing alleviates burnout

- The goals of community policing allay social isolation
- Aware of responses to victimization
- Positive effects of law enforcement activities

B. Counter-Transference

1. Occurs when identify too closely with victims

2. Occur in professional who can envision self as victim

3. Risk indicators: **[Overhead 12.2]**

- Similarities to personal life
- Similarity to prior victimization
- Physical fatigue
- Emotional fatigue
- Pre-trauma stress in everyday life

4. Integrating knowledge of trauma and appropriate response can help

C. Vicarious Victimization

1. Responders repeatedly exposed to victimization

2. Similar crisis reactions

3. Suffer long-term stress reactions that are similar

4. Critical risk indicators: **[Overhead 12.3]**

- Constant exposure and re-exposure to traumatic and painful experiences
- Lack of positive alternative enforcements of goodness, happiness, and compassion

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5. Consequences of vicarious victimization long-lasting [Overhead 12.4]

Pre-Vicarious Victimization

- Trust
- Safety
- Respect for others
- Care and intimacy
- Freedom

Post-Vicarious Victimization

- Distrust
- Fearfulness or Anxiety
- Lack of respect for others
- Estrangement and reserve
- Control

D. Secondary Traumatic Stress Reactions

1. Dr. Charles F. Figley developed companion typology to post-traumatic stress disorder called Secondary Traumatic Stress Disorder - refers to reactions as “compassion fatigue” [Overhead 12.5]

2. Interventions used with victims useful for STSD: [Overhead 12.6]

- Re-establishing a sense of safety, connection with others
- Providing opportunities to tell story and to receive validation
- Predicting and planning
- Reassurance
- Education on reactions and coping strategies
- Putting trauma(s) in chronological perspective.
- Obtaining balance

III. Pre-Trauma Personal Equilibrium

- Self-administered assessment tools to get sense of balance in everyday equilibrium.
- Questionnaires and scoring sheets Appendix A

IV. Developing A Personal Stress Management Plan [Trainer should briefly review the exercise.]

A. Improving Pre-Trauma Equilibrium

- Exercises in Appendix A designed to help identify points of stress in personal lives
- Exercises in Appendix B developing action plan to alleviate day-to-day stressors.

B. Plan for Traumatic Events [Overhead 12.7]

1. Acknowledge crisis and trauma as part of life

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2. Educate self about patterns of crisis and stress
3. Develop support system
4. Identify ways to restore sense of safety and security:
 - Activities in which you have control over outcome
 - Personal room reflective of personality, goals and values
 - Reasserting spiritual faith
 - Reestablishing relationships
5. Identify ways feel comfortable telling stories about trauma situations
 - Writing about experiences
 - Talking with others
 - Playing or listening to music
 - Drawing or painting from memories
6. Define how trauma and crisis relate to perception of life

C. Post-Trauma Tasks [Overhead 12.8]

1. Restore a sense of safety and security
 - Seek out those you trust and respect
 - Seek out those who trust and respect you
 - Return to places where feel safe
2. Replay experience and develop chronology
 - Start before event
 - How event unfolded
 - Associating memories with dates and times
3. Think about event most troublesome
 - Define why distressing.
 - Think as outside observer
4. Think about incidents in positive
 - Why seemed helpful
 - Think as outside observer and consider in positive way
5. Perspective by balancing
6. What is worthwhile to continue work with crisis

VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS:

7. Construct complete story about event that includes goals and purposes in life
8. Predict what will occur in future that affect reactions
9. Remember sadness, tears, humor or laughter are essential elements
10. Re-establish why in this profession

Suggested Overheads or Handouts for Chapter Twelve, “Law Enforcement Officers’ Stress”

The following may be copied onto transparency sheets.



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.1 Risk indicators of burnout

- Excessive demands
- Professional isolation
- Estrangement from social networks
- Inconsistent reward systems
- Cumulative sense of failure
- Imbalances in empathy



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.2 Risk indicators of Counter-Transference

- Similarities to the responder's personal life
- Similarity to a prior victimization
- Physical fatigue
- Emotional fatigue
- Pre-trauma stress in everyday life



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.3 Risk indicators of Vicarious Victimization

- Constant exposure and re-exposure to traumatic and painful experiences
- Lack of positive alternative enforcements of goodness, happiness, and compassion



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.4 Consequences of Vicarious Victimization

Pre-Vicarious Victimization

- Trust
- Safety
- Respect for others
- Care and intimacy
- Freedom

Post-Vicarious Victimization

- Distrust
- Fearfulness or anxiety
- Lack of respect for others
- Estrangement and reserve
- Control

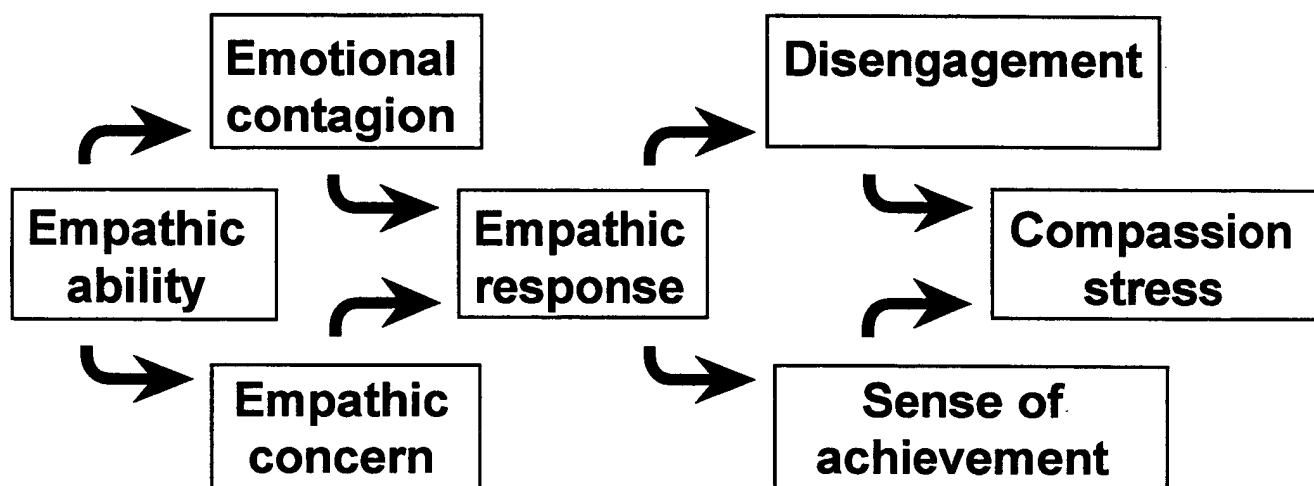


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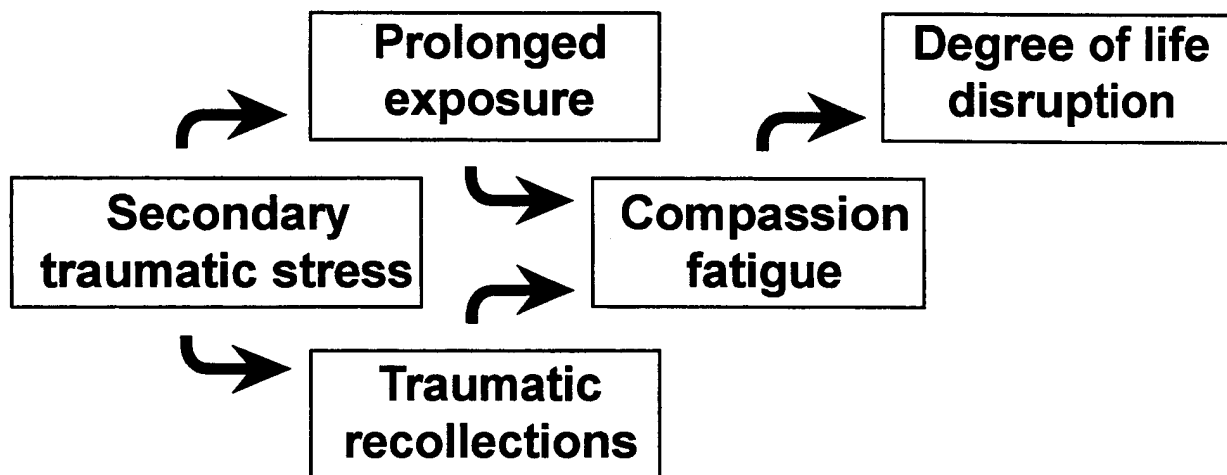
Law Enforcement Officers' Stress

12.5 Models of Compassion Stress and Fatigue

A Model of Compassion Stress



A Model of Compassion Fatigue



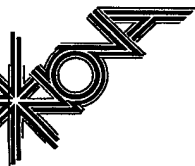


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Law Enforcement Officers' Stress

12.6 Interventions used with victims useful for STSD:

- Re-establishing a sense of safety, connection with others
- Providing opportunities to tell story and to receive validation
- Predicting and planning
- Reassurance
- Education on reactions and coping strategies
- Putting trauma(s) in chronological perspective.
- Obtaining balance



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.7 Plan for Traumatic Events

- Acknowledge crisis and trauma as part of life
- Educate self about patterns of crisis and stress
- Develop support system
- Identify ways to restore sense of safety and security:
- Identify ways feel comfortable telling stories about trauma situations
- Define how trauma and crisis relate to perception of life



VICTIM SERVICES IN COMMUNITY POLICING PROGRAMS

Law Enforcement Officers' Stress

12.8 Post-Trauma Tasks

- Restore a sense of safety and security
- Replay experience and develop chronology
- Think about event most troublesome
- Think about incidents in positive
- Perspective by balancing
- What is worthwhile to continue work with crisis
- Construct complete story about event that includes goals and purposes in life
- Predict what will occur in future that affect reactions
- Remember sadness, tears, humor or laughter are essential elements
- Re-establish why in this profession