



IACP NATIONAL LAW ENFORCEMENT POLICY CENTER

Response to Victims of Crime

Concepts and Issues Paper

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I. INTRODUCTION

A. Purpose of the Document

This paper is designed to accompany the *Model Policy on Response to Victims of Crime* established by the IACP National Law Enforcement Policy Center. It provides essential background material and supporting documentation on the developmental philosophy and implementation requirements of the model policy. This material will be of value to law enforcement executives in their efforts to tailor the model to the requirements and circumstances of their communities and their law enforcement agencies.

B. Background

For most crime victims law enforcement represents the gateway to the criminal justice system, and their perceptions of the system can be influenced by the manner in which they are treated at the first response and during the follow-up investigation. How law enforcement agencies treat victims is a direct reflection of agencies' philosophy of policing and core values. Organizations that place a high priority on addressing the needs of victims of crime are likely to build greater community confidence, increase crime reporting, leverage significant resources through expanded collaborations with community partners, and eventually reduce crime.

Historically law enforcement has been an integral element of the criminal justice system's efforts to address the needs of crime victims. The first police-based victim service programs were established in the 1970s leading the way for the hundreds that exist today.

The President's Task Force followed in 1982 with recommendations of how to improve the treatment of crime victims by law enforcement including training programs to increase sensitivity and awareness about victim issues; timely return of property; information regarding case status; and investigation of victim and witness reports of threats or intimidation.

Tremendous strides occurred in the area of victim response in 1984 with the passage of the Victims of Crime Act (VOCA) (42 U.S.C. 10601) that led to over 32,000 laws defining and protecting victim rights at the local, state, and national levels. Among the fundamental rights are the rights of a crime victim to be treated with fairness, dignity, and respect. Others include the right to be informed and present throughout the criminal justice process; the right to resources and referrals; the right to seek restitution; and the right to be reasonably protected from the accused.

The Victims of Crime Act created the Crime Victims Fund fueled exclusively by penalties, fines, and forfeitures from federal criminals to be used as the funding source for direct compensation to victims and victim assistance resources. The Fund helps victims, victim service providers and advocates, and policy makers to join successfully with law enforcement and other criminal justice agents in creating policies and programs to promote crime victims' rights and enhance services for their needs.

Perhaps one of the most momentous collaborative efforts conducted on behalf of victim assistance by law enforcement occurred in 1999, when the IACP, in collaboration with the Office for Victims of Crime at the Office of Justice Programs, U.S. Department of Justice, conducted a National Policy Summit on Victims of Crime. Participants included victims, victim service providers

and advocates, law enforcement, corrections, prosecutors, school representatives, researchers, and mental health professionals.

Powerful discussions and resolutions concluded that crime victims want and need specific returns from the criminal justice system that could be found in several fundamental areas. These include safety from perpetrators and re-victimization; access to services and participation in the criminal justice system; information, verbal and written, about support services; continuity with reference to standard of service among responders; justice achieved by holding perpetrators accountable; and finally voice, the ability to speak out and be heard about their issues and concerns.

II. ISSUES

A. Victims of Crime

Crime has a profound and sometimes devastating impact on victims, their families, and entire communities. As targets of criminal activity, victims experience physical, financial, social, spiritual, and emotional anguish associated with the crime inflicted upon them. Crime types are no measure of the complications surrounding the challenges of victimization, although it is generally assumed that victims of violent crimes have a more difficult time coping than property crime victims.

Victim behaviors stemming from criminal victimization can be complex and are often influenced by a number of factors such as previous victimization, nature and duration of the crime, age, gender, response from service providers, and reactions from others (e.g., friends, family, and religious leaders). These behaviors are not easily understood and can be of a particular challenge for responders including law enforcement.¹

Domestic violence victims, for example, who live with constant physical and/or verbal abuse and other controlling influences from their batterers often fear for their safety and the safety of their children while at the same time experiencing feelings of shame and guilt associated with conflicting feelings about their batterers. For these victims, leaving a dangerous relationship is often a process that frustrates responders eager to help them escape an unhealthy environment. Victims of sexual

¹ Domestic violence victims, for example, who live with constant physical and/or verbal abuse and other controlling influences from their batterers often fear for their safety and the safety of their children while at the same time experiencing feelings of shame and guilt associated with conflicting feelings about their batterers. For these victims, leaving a dangerous relationship is often a process that frustrates responders eager to help them escape an unhealthy environment. Victims of sexual assault have the added burden of a possible pregnancy or STDs/AIDS. Their fears are heightened by the unfortunate stigma that surrounds sexual assault.

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Crime victims have shifting reactions that vary from immediate to long term, and victims of every crime category have a set of specific needs. The commonality, which runs throughout, is that the same degree and quality of service is required to fulfill these needs.

Physical injuries, emotional damage, financial limitations, spiritual conflicts, and social isolation separately or combined create devastating impacts on victims. Law enforcement and other agencies should consider these impacts when developing specialized programs, instituting agency-wide support efforts, and fostering collaborations among community groups to address crime victim needs and services.

B. Crime Victims and Trauma

Trauma is defined as the sum total of psychological, physical, behavioral, and cognitive reactions experienced by an individual or a community in response to a sudden, unexpected event or a series of events that completely overwhelm the ability to cope.

Trauma is unique in its extent, type, duration, recurrence potential, and impact. Individuals who are subjected or exposed to crime often experience reactions such as shock, terror, fear, numbness, helplessness, and disbelief that the event has occurred. Feelings of loss of safety, privacy, trust, intimacy, and self-esteem are all related to the impact of trauma.

Ordinary coping skills may not be sufficient to overcome the impact of the trauma. As a consequence, psychological damage is more likely to create long-lasting issues and problems for crime victims. As such, understanding that criminal victimization leaves its mark on victims in ways that can remain for a lifetime is the first step in providing tailored services for the needs of victims.

Law enforcement agencies have an obligation to ensure that information about victims and trauma is introduced at the earliest stages of training in order to prepare department employees to appropriately support crime victims in light of their exposure to criminal events.

C. Crime Victim Needs

The outcome of the 1999 IACP National Policy Summit on Victims of Crime was significant in its simplicity, precision, and operational utilization. It produced valuable insights and strategies for victim assistance and identified several components for a continuum for victim support that can be applied in all interactions between the crime victims and the various elements of the criminal justice system. These elements evolved into the following seven critical needs of victims:

Safety: This need is identified as an important consideration in the wake and aftermath of a crime. Crime victims need protection from further intimidation, harassment, and harm. The consequences of the crime often affect the victim's sense of safety, fearing that if it happened once it can happen again. Law enforcement agencies have the ability to provide a reasonable level of protection to crime victims. When assured that their safety concerns are legitimate and will be respected as such, crime victims are more likely to develop trust and cooperate more readily with the investigation.

Support: Once an individual becomes a crime victim, he or she is in need of support from the criminal justice system and victim service providers. Law enforcement and other victim responders must have the ability to communicate in a nonthreatening, compassionate, informed manner to help victims participate in the justice process. Laws require that law enforcement support victims by informing them of their rights in the immediate aftermath of a crime. This official gesture signifies early on in the process that victims have rights and are important. Support as a basic need affords victims a valuable opportunity to take an active role in cooperating and working with law enforcement to hold perpetrators accountable.

Information: Crime victims have a need and a right to be informed of the status of their investigations and the general workings of the criminal justice system. Many crime victims are unfamiliar with these realities prior to the crime. After becoming emerged in an unsettling, unsolicited life experience, most crime victims approach the system with certain, often unrealistic expectations along with a desire to gather as much information as possible about their cases. Victims want and need to be kept informed about the investigation, notified about court proceedings, and provided the name and contact information for the investigator assigned to the case.

Access: Victims of crime must have access to the various elements of the justice system and support services that are available to provide assistance in forms and language clearly understood by them. Those with identifiable special needs, developmental and physical impairments, linguistic limitations, diminished competency, mental illness, or cultural dissimilarities must have available avenues to allow them the opportunity to participate in the system.

Continuity: Continuity in service delivery throughout the justice system is an essential element for crime victims. Responses from various sources along the continuum of support should reflect consistent and correct information, high quality of service, and commitment to providing assistance. Continuity can only be achieved through effective collaborations with service providers and other criminal justice professionals who are dedicated to the

same goal.

Voice: Victims' voices have traditionally been the most articulate and lasting in helping law enforcement and other victim service responders understand, respect, and address victim concerns. Benefits are twofold: victims need to know not only that they are being valued, but that their experiences are being used to help ensure that others are not subjected to criminal acts. Law enforcement can help empower victims by encouraging them to speak out and in turn listening to their issues and concerns.

Justice: Justice is best achieved when law enforcement professionals, victims, and various other elements along the victim support continuum combine efforts to convict the offender.

D. Necessary Skills

In order to build an effective victim response, law enforcement agencies should develop and integrate necessary skills and professional attitudes throughout all operational levels. Sworn and civilian employees should become well informed regarding the role that victims play during the course of the criminal justice process, and the importance and benefits of treating them with dignity and respect.

It is essential that department policies and procedures address the dynamics of trauma and its impact on victims and those who serve them. Sworn and civilian employees themselves are oftentimes exposed to traumatic events and dangerous situations, and, in the interest of employee safety and welfare, there should be training designed to heighten awareness about vicarious trauma, personal safety, and burnout.

Four necessary organizational and individual sets of values and skills have been identified to assist agencies to ensure that their responses to crime victims are effective:

Effective communication skills are the trademark for successful interactions and relationships with victims. Most crime victims are very aware of nonverbal gestures such as facial expressions, body movements, and posture that may signal when officers are insincere and untrustworthy. Being aware of voice volume, quality, and tone can help officers to be perceived in a positive light that will encourage victims to turn to the justice system for support.

Empathy is the capacity to share another's feelings. This is an important skill for law enforcement personnel as it allows them to understand why victim issues and concerns are important. Empathy can be conveyed by actively listening to and hearing crime victims, recognizing that they are being seen at a most vulnerable moment, and that what is being reflected is often the result of the physical and psychological trauma associated with victimization. Once understood, the victim experience can alter the response by law enforcement. Empathy by

agency employees demonstrates a sincere desire to connect victims with appropriate resources and ensure that the continuum of support is evident throughout all levels of the department.

Professionalism and integrity must be ingrained in the policy, process, and culture of a department. These skills are influenced by the agency's leadership, vision, and values. Crime victims are extremely sensitive and can quickly discern when these necessary elements are not in place. As customers of law enforcement service, it is imperative that victims feel confident that professional conduct and integrity are values that permeate the agency.

Honesty and confidentiality are measures of integrity. Integrity in the law enforcement response to crime victims occurs with making sound judgment calls, promoting respect and regard for the privacy and dignity of every victim, and consistently evaluating behaviors and methods to ensure compliance with high standards of conduct.

E. Resources and Referrals

Crime victims are supported by a broad network of public and private organizations that offer a wide range of services and support. These resources have a specific mission and staff possessing advanced training that can facilitate victim recovery and offer focused assistance as the victim's case progresses through the justice system. Agency employees, from dispatchers to upper management, should become familiar with local, state, and federal resources for victim assistance.

Written information must be developed to inform victims about their rights, explain the criminal justice system, and provide information about available resources. Informational brochures and literature must be written in simple terms and in languages consistent with the makeup of the department's community.

Strong relationships built on mutual trust and understanding should be forged between law enforcement and victim service providers. The primary concern of victim service providers and advocacy organizations is the well-being and needs of crime victims. From their point of view, successful investigations and prosecutions, while important, play a secondary role to victims' needs. Law enforcement should recognize and respect these concerns when working with victim service organizations.

F. Training

Training regarding victim issues and concerns must be mandatory for all employees. When employees are fully informed and understand the importance of providing quality responses and services to victims, measurable success will follow.

There are a number of training programs available to law enforcement agencies that detail areas for training

such as legal issues; cultural diversity; impact of crime; communicating effectively with victims; collaboration with community agencies; and ethics regarding victim assistance.

G. Challenges and Effective Strategies

The role of law enforcement in traditional policing is focused on the prevention of crime and the protection of citizens. The concept of elevating victim issues to a higher level, where they become an integral resource to aid in the investigation, apprehension, and eventually conviction of perpetrators may still be a new concept for some departments.

Changing the philosophical approach to working with crime victims requires strong commitment by the leadership within law enforcement organizations. Clearly communicating the high priority placed on victim response will ensure buy-in from agency employees. It is critical that all employees have clearly delineated roles when working with victims. These roles must be defined by policy and supported by recruiting, training, and evaluation practices.

Competing priorities and diminishing budgets present law enforcement organizations with yet another challenge. Enhancing services to crime victims can be successfully integrated into existing investigative and support functions with little additional resources. Investing in enhanced victim response will yield victims who feel safer, and consequently are more willing to cooperate in the investigative process. Several agencies in Great Britain and the United States have initiated a strategy of assigning a trained investigator to the families of homicide victims. These family liaison officers (FLO) collect background information valuable to the criminal investigation, while providing a personal link between the family members and the criminal justice system.

Law enforcement agencies should incorporate emerging technologies into their victim response strategies. Computer-assisted records management systems allow investigators and supervisors to search case activity chronologically and topically, tracking the number and the nature of contacts between crime victims and law enforcement. Internet-based notification systems; such as the VINE system (Victim Information and Notification Everyday) can act as a force multiplier, assisting agencies with limited staff to notify victims about changes in probation and incarceration status of offenders.

The use of volunteers in the victim service function of law enforcement agencies is another promising practice. Additional information on the use of volunteers can be found at www.policevolunteers.org.

Collaborating with community-based victim service organizations in order to better understand and serve the needs of crime victims should become a readily accepted

practice. Providing specialized training to help officers interact within the multicultural range of their communities will ensure culturally competent services, which can otherwise be a challenge.

The IACP has developed a comprehensive strategy designed to assist law enforcement agencies to integrate victim response into their mission. The Enhancing Law Enforcement Response to Victims Strategy provides law enforcement leaders with concepts, implementation steps, victim-related resources and training aids developed to help agencies chart a course to a more effective and embedded victim assistance philosophy. The entire strategy package can be accessed online at www.responsetovictims.org

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Every effort has been made by the IACP National Law Enforcement Policy Center staff and advisory board to ensure that this document incorporates the most current information and contemporary professional judgment on this issue. However, law enforcement administrators should be cautioned that no “model” policy can meet all the needs of any given law enforcement agency. Each law enforcement agency operates in a unique environment of federal court rulings, state laws, local ordinances, regulations, judicial and administrative decisions and collective bargaining agreements that must be considered. In addition, the formulation of specific agency policies must take into account local political and community perspectives and customs, prerogatives and demands; often divergent law enforcement strategies and philosophies; and the impact of varied agency resource capabilities among other factors.

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