



## CHAPTER 7

# Meeting the Needs of Priority Victims

Sexual violence against women, men, and children—whether in the form of sexual assault, domestic violence, or child sexual abuse—remains a very pervasive crime in our country. The consequences of this intensely personal violation are sometimes unimaginable and often horrific. The physical and emotional pain victims experience can last a lifetime.

OVC continues to examine the scope and impact of sexual violence, and has recommended ways to improve the responses of law enforcement, criminal justice professionals, and the community to offenses that, at one time, were never discussed. Over the past several years, OVC has made training, education, and assistance programs related to sexual assault and domestic violence high priorities as the demand for services and funding limitations under VAWA necessitated leadership.

Throughout FYs 2003 and 2004, OVC continued to enhance services to victims by funding programs that address intervention and response. They targeted all victims and shared a common goal: enhancing the quality of and access to services.

### **Training and Education Focus on Appropriate Response**

Sexual violence has a profound effect on victims. Often, victims blame themselves for their victimization and suffer from overwhelming feelings of shame, guilt, fear, and powerlessness. To cope, they withdraw and may become reluctant to talk about the victimization or seek help.

Victim advocates and other first responders (e.g., forensic nurses, law enforcement officers, prosecutors, and clergy members) can greatly improve the experience of victims by treating them with respect and compassion. A judgmental attitude often results in further trauma for the victim—affecting not only a victim's ability to cope with the situation, but quite possibly an attorney's ability to prosecute the attacker.

OVC's FY 2003 and 2004 training and education efforts expanded the number of resources available to help advocates and first responders approach and assist victims, especially in traditionally underserved

rural, remote, tribal, military, and campus communities. These efforts enabled first responders to more easily identify the potential needs of victims and refer them to appropriate resources.

## The President's Initiative on DNA

In FY 2004, President Bush proposed a 5-year, more than \$1 billion initiative to improve the use of DNA in the criminal justice system—especially in federal, state, and local forensic laboratories—by providing funding, training, and assistance to ensure that DNA technology reaches its full potential to solve crimes. DNA technology is increasingly vital to ensuring accuracy and fairness in the criminal justice system. DNA can be used to convict offenders and exonerate persons mistakenly accused or convicted of crimes. It can also be used in missing persons cases and to identify human remains. A goal of the President's initiative is to develop training for and provide assistance in the collection and use of DNA evidence to various criminal justice professionals. In response to this initiative, OVC continues to fine-tune training and develop programs that highlight DNA evidence as a powerful tool.

## Sexual Assault Response Team National Training Conferences

Since FY 2000, OVC has supported a collaborative and multidisciplinary approach to training Sexual Assault Response Team (SART) professionals who provide victims of sexual crimes with victim-centered care throughout

the criminal justice process. Before the First National SART Training Conference in 2001, opportunities did not exist for first responders to co-train and enhance their capacity to create an effective, coordinated interdisciplinary response to victims. The purpose of the conference is to improve coordinated services for victims by facilitating Sexual Assault Nurse Examiner (SANE) and SART program development, strengthening multidisciplinary team building, and enhancing victim care and criminal prosecution.

With OVC funding, the Minneapolis-based Sexual Assault Resource Service (SARS) administers this biennial conference for SART professionals. The conference features experts who offer state-of-the-art, evidence-based training on sexual assault for practitioners in medicine, forensic nursing, crime labs, law enforcement, prosecution, and victim advocacy, as well as cutting-edge information on DNA. In FY 2003, almost 800 SART members attended the second SART conference in New Orleans, Louisiana.

In FY 2004, planning began for the third national SART conference in June 2005 in San Francisco, California. Participants received information on the impact of sexual assault and victim treatment needs, evidence collection, and the investigation and prosecution of sexual assault cases. Two highlights were presentations made by Rebecca Turner Gonzales, a victim advocate and wife of the U.S. Attorney General, and Marilyn Van Derbur, a former Miss America and incest survivor. Ms. Gonzales spoke of her commitment to victims' rights and issues, and reiterated the Attorney General's strong focus on victim issues. Ms. Van Derbur told of how she was sexually violated by her father from age 5 to 18 and her journey to healing. She was 53 before she was able to say "I am an incest survivor" in public. Special issues addressed included sex trafficking, drug-facilitated sexual



assault, the Sexual Assault Forensic Exam protocol, and the faith community's role. About 1,000 practitioners attended the conference; scholarships were awarded to 72 members from 18 SART teams and 52 law enforcement personnel.

### **DNA Evidence Training and Technical Assistance Project and Video**

With additional grant funding from OVC, SARS has also developed and pilot tested state-of-the-art training and technical assistance for law enforcement officers and other first responders on the collection and use of DNA evidence in sexual assault cases as part of the First Responders DNA Evidence Training and Technical Assistance Project. The grantee trained 25 law enforcement officers at a train-the-trainers session in February 2004 and pilot tested the training for 48 law enforcement officers in May 2004. OVC anticipates disseminating the curriculum nationwide in FY 2005.

Beginning in FY 2003, OVC funded the production of an educational video, *DNA Evidence: Critical Issues for Those Who Serve Crime Victims*, for victim service providers. The video focuses on how the use of DNA affects victims and their loved ones. OVC plans to release the video and accompanying discussion guide during FY 2005.

### **Promising Practices**

During the biennium, OVC also actively supported efforts to further define promising practices for victims of sexual violence. Determining how SARTs should interview a victim about an assault is of particular interest because SARTs are expanding rapidly nationwide, and because various interview techniques have different effects on both the victim's level of stress and the court's ability to convict the perpetrator. The results of

the program will provide recommendations that will contribute to a victim's recovery and to prosecuting the attacker.

In addition, OVC advised the U.S. Department of Defense (DoD) on various issues identified in its *Task Force Report on Care for Victims of Sexual Assault*, including military definitions of sexual assault and sexual harassment, privacy and confidentiality guidelines, responding to victims in remote and operational areas, jurisdiction protocols for crimes committed by a citizen of one nation against a citizen of another nation, and

### **Hawaii**

Governor signs bill requiring employers with 50 or more employees to allow a victim of domestic violence, sexual assault, or stalking to take up to 30 days of unpaid leave to obtain victim services, relocate, seek medical attention, seek psychological or other counseling, or participate in any civil or legal proceeding related to the crime.

### **Illinois**

Governor signs victim-related bills aimed at maximizing the use of DNA evidence and technology to solve crime and guaranteeing victims of violent crime the right to present impact statements during an offender's sentencing in cases in which the offender has accepted a plea agreement.

### **New York**

Governor signs legislation protecting the confidentiality of civil court participants, including domestic violence victims who would be at risk if their personal information were revealed during court proceedings.

### **Pennsylvania**

Governor signs legislation establishing an address confidentiality program for victims of domestic violence, stalking, and sexual assault who fear future violent acts by their perpetrators.

## Sexual Abuse Training Delivers Forensic Know-How

Aside from the absolute need to be heard and believed, sexual assault victims want their assailants caught and prosecuted, according to Linda Ledray of the Minneapolis Medical Research Foundation's Sexual Assault Resource Service (SARS).

That attitude is leading more victims to seek medical treatment for the purpose of collecting forensic evidence, and to report the crime to law enforcement. However, many law enforcement agencies—especially in less populated areas where departments consist of just two or three officers—still lack expertise in collecting and using DNA evidence in sexual assault cases.

With OVC funding, Ledray and SARS created a training program for law enforcement that meets this need. The program invited 25 law enforcement officers from geographically diverse areas of the Nation for training about DNA evidence—how to collect it, what it means, and what it doesn't.

“For example, the training instructed officers about what types of evidence at a crime scene could potentially contain DNA of the assailant—an open can of soda, a cigarette butt, a baseball cap—and how to go about collecting it, says Ledray. “It was also interactive. We would set up a crime scene and show them how they could unknowingly contaminate it.

The project also addresses how law enforcement officers can work more effectively with nurses who staff hospital emergency rooms and other medical facilities where assault victims seek help. Ledray cites wide variances in how information and evidence is provided to law enforcement and the uncertainty among law enforcement that they're leaving the treatment facility with all of the evidence they need to fully investigate the case.

“We're telling [law enforcement officers] what they have a right to in the emergency room, and that they don't need to get a subpoena to [comply with new privacy laws], she says.

The DNA evidence training program uses the train-the-trainer model. Each officer who participated in the training is expected to complete a minimum of five of his or her own sessions. Special emphasis is being given to training officers who are part of existing training programs and who can add the topic to their course offerings.

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communication about the handling of complaints. This, too, is an especially important topic given the growing number of women in the Nation's armed forces and service academies.

In other news, OVC, DOJ, and the Office on Violence Against Women (OVW) are working closely with the U.S. Department of Housing and Urban Development (HUD) on its Homeless Management Information Strategies (HMIS) database. HMIS collects, tracks, and shares identifiable data about individuals, including victims of domestic violence, who use services for homeless people, such as shelters, food pantries, and transitional housing programs. Specifically, OVC is focusing on how to protect a victim's right to privacy and confidentiality and, at the same time, not deter victims from seeking assistance.

## **Intervention Programs Aim To Stop Violence Before It Starts**

OVC also supported initiatives that focused on intervention and education programs in FYs 2003 and 2004. Because children who grow up in abusive households often become involved in dysfunctional relationships, either as victims or as abusers, it is important to reach out to young people before they fall into abusive patterns. In addition, it is essential for youth who have been victimized to receive accurate information and resources. To that end, OVC supported a number of training and awareness projects.

In FY 2004, OVC funded the National Crime Prevention Council to implement a project to raise awareness about youth victimization and improve the quality

and accessibility of services available to teen victims. During the project's first year, 20 youth-led sites were selected to develop public awareness campaigns on different issues concerning youth victimization. The campaigns undertook various projects and activities, including 25 workshops and assemblies, 15 radio and 5 video public service announcements, 12 poster designs, 11 brochures, and 3 Web sites. The grantee is also producing a guidebook for service providers on improving access and services to victims. The project focuses on improving adolescents' understanding of various types of victimization, such as dating violence and sexual assault, and helping them find support in their community.

The Family Violence Project in Santa Ana, California, meanwhile, has developed conferences that teach high school students about appropriate communication and healthy dating relationships, and train school personnel about the dynamics of child sexual abuse and domestic violence, the impact the crimes have on youth, and mandatory reporting responsibilities. The program is critical because it targets youth while they are still learning how to form and sustain relationships.

## **Programs Break Down Barriers to Service**

A key issue in meeting victims' needs is making services available and easily accessible. Although many victims realize they need help, they do not always



I came to Safe Harbor after calling quite a few times [about] my bad marriage. One Monday morning at 5:30 a.m., my husband was snoring away and I knew it was my time to leave. After 2 years of an abusive marriage with beatings, verbal abuse, and sexual abuse, I threw a few things in my vehicle and headed for Safe Harbor. When I arrived, a woman came out and told me I was safe now. It was a really good feeling to know I was safe, and no one was going to hurt me. I felt more and more comfort from the excellent staff as each day passed. The shelter coordinator is not someone I will forget.

—A victim who found refuge at Safe Harbor in Aberdeen, South Dakota

perceive it as something they can take advantage of.

In FYs 2003 and 2004, OVC supported numerous initiatives focused on breaking down the cultural, emotional, and logistical barriers that prevent victims

from seeking help. Several programs, such as multilingual helplines and efforts to identify issues in immigrant communities, made it easier for victims outside the mainstream to access services, while other programs helped victims meet their basic needs for shelter and safety. OVC also funded programs that take a service directly to victims, rather than waiting for victims to seek it out. Examples include mobile SANE units for victims in rural areas, and advocates who ride with police to the scene of domestic violence or sexual assault calls.

Taking additional steps to make services more accessible can reduce the feelings of vulnerability, fear, and sense of risk that victims often experience when seeking help. As a result, the likelihood that they will take advantage of the services increases greatly.



## CHAPTER 8

# Strategies Address Growing Impact of Identity Theft

Imagine reaching for your wallet and realizing that it's missing—along with your credit cards, bank cards, driver's license, and other personal information. Then imagine spending the time not only to replace the lost items, but also to clear fraudulent charges to your credit cards, close accounts opened in your name, reinstate cancelled insurance, and repair your credit report. Finally, when you think the problems have been resolved, imagine learning that you are the subject of a criminal investigation because someone used your name to commit a crime.

Those are just some of the problems that affect victims of identity theft, one of the fastest growing crimes in the Nation. According to the Federal Trade Commission's Consumer Sentinel Database, which tracks trends in consumer fraud, identity theft accounted for 42 percent of all consumer complaints in 2003, and affected more than 300,000 people. It is estimated to have affected more than 27 million people over the past 5 years.

OVC recognizes identity theft as an emerging topic of urgent concern not just to victims, but also to businesses, financial institutions, and government agencies that must devote resources to investigating and prosecuting identity theft cases. In FYs 2003 and 2004, OVC identified specific opportunities for developing and advancing services for identity theft victims. These include supporting prevention activities in the financial and commercial industries and increasing detection and prosecution of the crime through information sharing among local, state, and federal agencies.

### **Education Programs Raise Awareness, Target High-Risk Groups**

Because identity theft is a relatively new crime, one of the biggest problems among victims is an overwhelming feeling of frustration. They often sense that no one truly understands what is happening to them, and that no one believes the problems facing them are particularly complex. Even among law enforcement, victims perceive

***Initiatives like these help victims by giving credence to the problems they experience and law enforcement officers by giving them resources to offer victims.***

a reluctance to take identity theft reports and are stymied by law enforcement's seeming inability to resolve cases. The result is that victims—who are responsible for repairing the damage caused by identity thieves—are offered little direction and support, and become increasingly upset during the process of reestablishing their name.

To raise awareness of these issues, OVC is supporting outreach efforts to educate law enforcement, district attorneys, consumer protection officials, government agencies, and other victim advocates about a number of identity theft-related issues. These include where and how fraudulent and deceptive practices occur, how identity theft affects victims, and where consumer fraud resources are available.

Additional targeted efforts have been made to reach groups that are particularly vulnerable to identity theft, and to help them formulate strategies for addressing their unique needs. Participants in the FY 2004 Hispanic Outreach Forum and Law Enforcement Workshop that was hosted by the Federal Trade Commission with funding support from OVC, for example, were able to recommend ways to coordinate and prioritize enforcement efforts after identifying some specific frauds targeted at Hispanic consumers. They also suggested strategies for overcoming barriers that prevent victims from reporting the crime and for making Hispanic consumers aware of identity theft resources.

The more law enforcement officers and others who are in a position to respond to identity theft victims know about the crime, the better equipped they are to offer guidance and support to victims. Initiatives like these help victims by giving credence to the problems they experience and law enforcement officers by giving them resources to offer victims. As a result, victims can begin to restore their identity from a more supportive and better informed position.

## **Michigan**

Legislature approves multiple protections for identity theft victims, including the creation of an Identity Theft Advisory Board to study case data, expansion of the jurisdictions in which offenders can be prosecuted, easier reporting, and protection of Social Security numbers from unnecessary disclosure.

## **Missouri**

Governor signs laws providing rights to identity theft victims and strengthening penalties for identity theft.

## **Utah**

Law enforcement officials announce the creation of the Identity Theft Task Force, a multiagency effort to coordinate investigations and prosecutions of identity theft cases.

## **Vermont**

Governor signs bill protecting identity theft victims by allowing them to request that a notice be placed in their credit report to prevent further damage to their credit history.

## **Passport Program Helps Victims Through Fallout**

Other initiatives have focused on a wider range of victims and on simplifying the process of reporting the crime and resolving theft-related problems. Victims can spend months—sometimes years—rectifying financial and legal problems created by an identity thief. These may include being denied loans, jobs, or insurance because of a damaged credit history, being named party to civil lawsuits resulting from the negligent use of personal property (frequently vehicles) acquired in the victim's name, or being held accountable for crimes that offenders commit while using the victim's name.

In FY 2004, OVC announced funding for a demonstration program that will address several of the problems often reported by identity theft victims. Under the “verification/passport strategy” in Ohio, victims who report the crime to law enforcement will have their information entered into a statewide database that will automatically forward it to the department of motor vehicles and other agencies in a position to minimize additional fraud (additional fraud can be minimized by scrutinizing activity associated with the victim’s name or other identifying information in places where identity thieves would likely use it, such as obtaining driver’s licenses or vehicle registrations). Victims also will receive official documentation of their loss to present to law enforcement and creditors when disputing false or fraudulent

charges, as well as references and referrals to victim resources.

It is expected that the demonstration program will significantly ease one of the biggest problems facing identity theft victims: proving that they have, in fact, been victimized. This is an especially important need given that victims often must conduct their own investigations and handle clearing their good name and credit.



## Ohio Passport Program Helps Identity Theft Victims

For victims of identity theft, it's not just the loan denials and fraudulent credit card charges that cause an inconvenience. Sometimes it's being arrested for something they didn't do.

The problem is a legitimate concern for victims according to Ohio Deputy Attorney General Alice Robinson-Bond, who works in Ohio's Crime Victim Services Division. Once victims have been confronted by law enforcement, the challenge becomes proving they're not really the person on the Most Wanted list.

In FY 2004, OVC began funding the Identity Theft Verification Passport Program, an Ohio-based demonstration project that provides identity theft victims with a tool to do just that. Victims become part of the program when they report the crime to law enforcement. While the officer takes the police report, he or she also logs onto a secure Web portal connected to the state attorney general's office. Special software enables the data captured for the report to be simultaneously filed with the state.

The program also captures information unique to the victim, including a digital photo, a thumb print, and a biometric signature (i.e., an electronic signature that measures the height, width, and depth of a signature, as well as the amount of time needed to sign it). This information, along with an electronic copy of the police report, is kept on file and is accessible to law enforcement through the Web portal at any time. In return, victims are issued a wallet-size card certifying them as victims of identity theft. So, if an individual later encounters a problem, he or she can present the card to verify his or her identity. Likewise, law enforcement officers can access the report data to verify the card's authenticity.

Gathering the extra identifiers requires Web cams and signature pads, and takes the recording officer only about 10 extra minutes. Extra steps in the process are added, but not intrusive or intimidating ones.

"We're not changing how [law enforcement] investigate[s] a case. This is not an investigation project. This is a victim rehabilitation project," says Robinson-Bond.

Robinson-Bond says the initiative helps both victims and law enforcement officers. For victims, she says, "it helps them on the back end [of the crime] if they're questioned. It also helps law enforcement by giving them a toll free number (1-888-MY-ID-4-ME), a victim assistance packet, and somewhere to direct victims who ask what they should do next.

"[Law enforcement often is] not set up to assist in identity theft cases, but they're still expected by victims to help them get through the aftermath," she says. "With this program, we have staff that law enforcement can direct victims to, and we help them through the process of contacting credit bureaus.



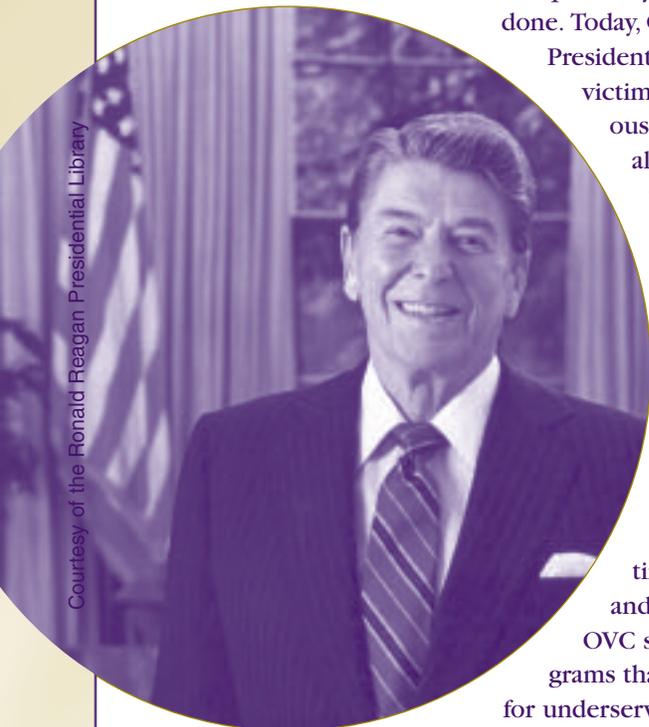
## CHAPTER 9

# Victims' Rights and Services Continue the Reagan Legacy

The passing of President Ronald W. Reagan in June 2004 was a significant event for the victim assistance community, as President Reagan gave the field its voice and laid the foundation for today's efforts to fund services and improve rights for crime victims. His efforts to recognize victims' rights began in 1981, when he called for the first national observance of victims and survivors of crime. Those efforts progressed in 1982, when his President's Task Force on Victims of Crime issued recommendations for improving how victims of crime were treated, and culminated in 1984 with the passage of the Victims of Crime Act (VOCA), which formally established the Office for Victims of Crime (OVC) within the U.S. Department of Justice (DOJ) and created the Crime Victims Fund. Throughout his presidency, Reagan also championed victim-oriented legislation focused on victim and witness protection, exploited children, and family violence, and oversaw the creation of other longstanding observances such as National Crime Prevention Week, National Crime Victims' Rights Week (NCVRW), the Attorney General's Task Force on Family Violence, and the Child Safety Partnership.

Each year, OVC supports NCVRW, a weeklong observance that brings together assistance providers, criminal justice officials, allied professionals, and community members nationwide to honor victims of crime and those who serve them, and educate the public about victims' rights and issues. The event's growth over the past 25 years has played a key role in raising awareness about victims' issues, and inspires many similar tributes at the local and state levels, such as candlelight vigils, conferences, rallies, receptions, and educational events. In addition, NCVRW serves as an important emotional benchmark for participants and practitioners in the field who, in reflecting on past accomplishments and losses, renew their commitment to advancing victims' rights.

Collectively, these efforts provided a vital policy perspective on the victims' rights and services field and provided victim advocates with a platform to raise public awareness. But more fundamentally, they offered victims assistance and respect, and made them visible in a criminal justice system that, until then, had paid them little attention.



## Current Initiatives Continue the Legacy

Though much has been accomplished in the past 20 years, much remains to be done. Today, OVC continues to honor President Reagan's commitment to victims' rights by funding various programs that support all types of victims across the Nation.

New types of victimization emerge each year, each with unique issues. OVC works diligently to identify these areas, educate service providers about the relevant issues, and help them address victims' needs. In FYs 2003 and 2004, for example,

OVC supported several programs that established resources for underserved and emerging victim populations such as victims with disabilities and elderly victims. Other programs enhanced services for victims in urban high-crime neighborhoods, rural areas, and Indian Country. In all, OVC-supported initiatives focused on strengthening the victims' rights infrastructure, developing promising practices, improving public education and awareness, providing training and technical assistance, and using technology to deliver services in a wide range of victimization areas.

"I can tell you JUST how important it is for offenders to pay for what they have done. NO amount of money can bring Jessie back, but we can hold offenders accountable through the VOCA Fund, and help innocent victims of crime.

—Mark Lunsford, whose daughter Jessica was sexually assaulted and murdered in February 2005, in remarks he made on Capitol Hill in April 2005 in support of the Crime Victims Fund

Over time, this process of identifying new areas of need and supporting related initiatives to assist victims and service providers expands and improves the scope of services available—thereby increasing the number of victims who receive help.

## Training and Technical Assistance Meet Providers Where They Are

Due to the evolving nature of crime and victimization, ongoing training for victim service providers and allied professionals is an essential component of providing quality services. However, for many of these individuals, finding the time and money to attend training sessions is difficult.

OVC, through its Training and Technical Assistance Center (TTAC), continues to address this need by supporting initiatives that diversify the means and opportunities for delivering training. Several initiatives undertaken in FYs 2003 and 2004 use two existing resources to significantly broaden the pool of potential trainees: the use of Internet technology and outreach to professional/membership organizations.

## New Initiatives Reach Out to Providers

OVC began establishing an online training presence by funding the development of a victim-based advocacy Web training course in FY 2003. When completed, the online format will allow service providers and allied professionals to participate in the training when and where it is most convenient for them—and minimizes the barriers to participation previously posed by travel and lodging costs, and the inability to be away from work for extended periods of time. This flexibility is especially

important for service providers and allied professionals in rural areas and in Indian Country, where travel is sometimes difficult, and for small grassroots providers who lack significant training budgets and sufficient staff that would allow an extended absence from the workplace.

In another effort to reach providers and allied professionals “where they already are,” OVC is cultivating training partnerships with victim-related membership and professional organizations. These collaborations combine OVC’s training and technical assistance resources with the organizations’ membership structures in a way that enables large groups of people to receive information about important victim issues. For example, OVC is supporting the National Mental Health Association’s (NMHA’s) work with the National Center for Victims of Crime to create a curriculum development and training program for NMHA’s members. The curriculum will increase members’ knowledge of how crime victimization affects mental health, and how they can improve mental health services for victims. Again, this training vehicle allows providers and allied professionals who belong to professional organizations—but who may be unable to participate in more traditional training events—to have access to OVC-funded training. It also provides an opportunity to raise awareness of victim issues and resources at a national level within entire professions (e.g., mental health providers) that are likely to encounter victims in their day-to-day work.

### **Traditional Training Maintains Service Quality**

OVC also continued to support and expand more traditional training initiatives in FYs 2003 and 2004, including

State Victim Assistance Academies (SVAAs) that serve as central sources of state-specific victim information for victim service providers and allied professionals in those areas. They, along with more targeted regional training sessions led by TTAC consultants, serve as valuable reference points for service providers and allied professionals, and complement the victim-related training offered by state agencies, statewide victim coalitions, and other national victim organizations.

To ensure that victims receive the best possible services and that service programs remain dynamic and effective, OVC supports training to improve grantees’ capacity in the areas of needs assessment, program development, and evaluation. These efforts are coordinated through TTAC, which also administers a professional development scholarship program that enables providers with limited resources to attend. Some of the training topics offered include victims’ rights laws, forensic evidence collection, identification of victim needs, sudden trauma and grief, counseling techniques, leadership, the perspectives of judges and other court personnel, emergency response, the needs of international victims, and promising practices in victim services.

***OVC is cultivating training partnerships with victim-related membership and professional organizations.***

It is important to me to learn how to best serve these wonderful folks through education . . . . As you are aware, homicide has special issues that need to be addressed. This will be the first time that I will have the opportunity to expand my understanding of the trauma that survivors experience. This will directly impact the survivors of homicide here in Broward County, Florida.

—Robin Burns, a Broward County child welfare system employee who received a professional development scholarship from OVC to attend the 2004 Parents of Murdered Children Conference

## New Technology Adds to Available Information Resources

The same spirit that inspired the development of Web-based training programs (i.e., making professional development activities more accessible to service providers who, because of time constraints or their location, cannot attend traditional training sessions) also drove

OVC's launch of a free Web forum in FY 2004. The HELP for Victim Service Providers message

board offers a controlled online community where providers and allied professionals can network with their peers and share ideas and promising practices. This technology provides yet another way for small, remote, or financially challenged providers to connect with the field and tap into its collective knowledge. The forum also enables organizations of all sizes and locations to pose program-related questions and seek guidance from others who have "been there and done that," and thereby to make better service-related decisions.

Other victim-related resources were distributed in print, Web, and video formats to advise the field about emerging victim issues, available resources, and promising practices. The most requested documents/products from OVC's clearinghouse inventory during the biennium included *First Response to Victims of Crime Who Have a Disability*; *Domestic Violence: The Workplace Responds* videotape; *State Legislative Approaches to Funding for Victims' Services*; *School Crisis Response Initiative*; *Serving Crime Victims With Disabilities: The Time Is Now* and *Meet Us Where We*

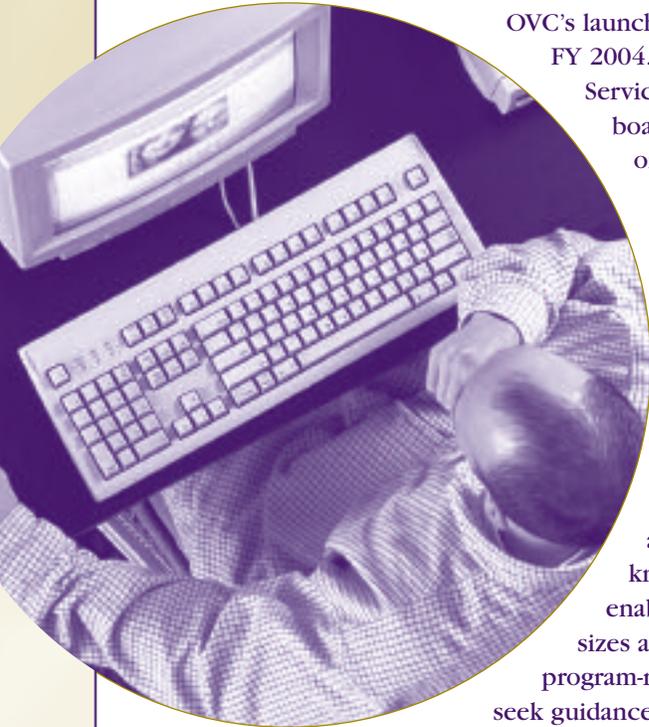
*Are* videotapes and resource guides; and *Victims Speak Out: Help, Hope & Healing* videotape and discussion guide. To review items published during the reporting period, visit OVC's Web site at [www.ovc.gov](http://www.ovc.gov).

## Recognizing and Advancing Victims' Rights

OVC values its rich history of work on behalf of victims and the opportunities it has to promote victims' rights and raise awareness of victims' issues. Efforts to support victims after VOCA was enacted initially focused on providing comprehensive, quality services for victims but have evolved into incorporating victims' rights and issues into the criminal justice and social service systems. As the network of victim services continued to develop and expand, and as new laws, bills of rights, and state constitutional amendments were established, meeting the challenges victims faced in asserting their rights in court was critical.

In response, OVC funded several initiatives and efforts aimed at ensuring the implementation and enforcement of victims' rights. The initiatives seek to expand compliance with victims' rights and support OVC's training and education efforts as well as the development of programs that help victims understand and assert their rights. The efforts include the creation of a database of federal, state, and tribal victims' rights laws through an agreement with the National Center for Victims of Crime. OVC provides funding to develop information about victims' rights legislation for state and territorial legislators through a grant to the National Conference of State Legislatures.

OVC also supports the development and dissemination of educational materials about available victims' rights and services at the state and local level through



an agreement with the public education and training arm of the National Victims' Constitutional Amendment Network. To educate judges and court personnel on victimization issues, OVC is launching a 4-year judicial education project with Justice Solutions, Inc.

The centerpiece, however, of OVC's victims' rights efforts is its support for a multiyear demonstration program to provide pro bono legal representation and advocacy to victims asserting their rights in criminal court. With funding from OVC, the National Crime Victim Law Institute (NCVLI) is supporting the establishment of eight state legal clinics and one federal legal clinic that provide direct legal services to victims of violent felony crimes in criminal court. NCVLI also offers pro bono legal support in the form of research, memorandums, and amicus briefs, and provides training to law students by allowing them to work on cases involving victim law nationwide. In addition to NCVLI's efforts, OVC is funding the creation of statewide victims' rights compliance projects to develop strategies to implement and enforce victims' rights.

Meanwhile, several significant legislative and policy advancements were made during the biennium. These included the passage of the Justice for All Act of 2004, a new federal law that authorizes funding for federal and state assistance programs; victim/witness assistance programs within U.S. Attorneys' Offices; enhancements to the victim notification system at DOJ; organizations that provide legal counsel and support for victims; and the creation of state-of-the-art victims' rights laws and compliance systems in states. These changes will provide victims with more effective protections, better resources, and the ability to enforce their newly created statutory rights.

In addition, OVC is supporting the International Association of Chiefs of Police as it develops "Enhancing Police Response to Victims: Designing a 21st Century Strategy for State and Local Law Enforcement," a national strategy for improving the police response to victims, and identifies critical issues in the change process. It is anticipated that this strategy will improve the resources initially offered to victims and equip law enforcement officers with communication techniques that minimize additional trauma to victims.

In other news, Attorney General Alberto R. Gonzales identified victims' rights as one of several top priorities for the Justice Department. As a result, DOJ is updating the *Attorney General Guidelines for Victim and Witness Assistance (Guidelines)*, which was established to guide DOJ personnel on the rights of federal crime victims and witnesses. The revised *Guidelines* will incorporate changes in the federal victims' rights law, including provisions in TVPRA and other federal statutes and DOJ policies.

***OVC provides funding to develop information about victims' rights legislation for state and territorial legislators through a grant to the National Conference of State Legislatures.***

## **Alaska**

Governor signs legislation giving victims the right to be notified about the Office of Victims' Rights by law enforcement officers and prosecutors.

## **Nebraska**

Law implementing state victims' rights amendment takes effect.

## **South Carolina**

Governor signs legislation requiring that all parole hearings related to a single case be held on the same day and, if requested by the victim, allow the victim and offender to appear at the same time before the parole board. The bill also allows victims to participate in hearings via closed-circuit television.

Other avenues OVC uses to promote awareness of victims' rights include public service announcements, its Web site, an OVC Web Forum for Victim Service Providers (recent topics included

domestic violence, identity theft, sexual assault, drunk driving, trafficking, and cultural sensitivity in victim services), and an online OVC Directory of Crime Victim Services.

## Professional Training Enters 21st Century on Point and Online

When the Arc Riverside (California) began planning its 2004 national conference on serving victims with disabilities, it quickly realized that the budget constraints facing many service providers would significantly limit attendance. But instead of giving up on the event, its organizers simply moved it to a more accessible venue: the Internet.

By carefully training presenters on how to prepare for the online format, structuring the agenda so none of the 22 sessions overlapped, and posting transcripts of the presentations and accompanying PowerPoint materials, the conference planners were able to deliver high-quality information that reached far more people than would have been able to attend in person.

"People still need information and skills development even though their training budgets are slashed, says Dr. Nora Baladerian, who is Project Director for Abuse Response Projects for Arc Riverside and Dean of Faculty for the online event.

In fact, the OVC-funded project overcame more than just budget restrictions. It also eliminated the barriers caused by being away from the office, needing child care or elder care during time away from home, and being unable to travel.

The structure of the conference was relatively simple. Presenters prepared materials via PowerPoint, and presented that information using an Internet connection and telephone. Participants who wanted to attend live sessions called in to a conference center to be connected to the audio feed, and logged onto the conference Web site to see the presentation slides. Each session was transcribed for later access by participants who only wanted to review the information, not attend the live session. After finishing their presentations, faculty members then devoted 10 hours to follow up with attendees, answering questions or discussing important issues through chat rooms, discussion groups, or e-mail. The sessions were also certified for continuing education purposes, enabling participants to earn needed credit.

In addition to eliminating the problems associated with travel, the online training conference increased the types of people who could attend. Instead of just being about victims with disabilities, for example, the online format of the conference enabled people with disabilities to participate both as presenters and attendees. "That turned out to be a very important part of the strategy and one of the high payoffs, says Tom Hanna, the conference's e-learning director and Director of the Child Abuse Prevention Network.

Two more big payoffs were the creation of a large core group of people who've received such indepth training, and a new enthusiasm for the subject. "It's a permanent product that results from this short-term net work, says Hanna.



## CHAPTER 10

# Looking Back, Moving Forward

Many people consider the 1980s the great growth period for the victim assistance field, and the 1990s the years of maturation—a time when the phrase “victims’ rights and services” became ingrained in the public lexicon, and attention to victims’ needs became a standard practice in the criminal justice system. Now, more than two decades since President Reagan’s Task Force issued its groundbreaking report and as the field marks the 20th anniversary of VOCA and the 25th commemoration of National Crime Victims’ Rights Week, the field must again define its needs and goals.

As OVC moves forward in support of victims’ rights and services, it remains focused on numerous core values: enforcing victims’ rights; providing access to comprehensive, quality services; integrating victims’ issues into all levels of the educational system; identifying, enhancing, and replicating promising practices; and acknowledging victims’ concerns to refine the Nation’s response to violence and victimization. In addition, OVC is taking a conscientious approach to avoid duplication of effort by coordinating and combining resources with various organizations and agencies to serve victims more efficiently.

In the coming months, OVC will focus its resources on various emerging areas of victimization and identify and fund new, collaborative efforts to support victims’ issues. OVC will give special attention to victims of economic crimes, such as identity theft, telemarketing fraud, and cybercrime. The agency is working with other OJP bureaus to learn more about the unique emotional toll of identity theft and the practical needs of its victims, to determine how to expand the reach of existing services for these victims, and to develop ways to better inform the public about identity theft and how it can be prevented.

OVC will continue to improve assistance to victims in Indian Country by exploring promising practices for serving victims and expanding programs to address increasing DUI/DWI incidents on Indian reservations. OVC also recognizes the need to enhance resources for victims of terrorism and mass violence. In response, it is taking preliminary steps to address options for developing case management software once ITVERP is operational and guidance on how to set up family

assistance centers following a terrorist incident.

Other critical program efforts include educating criminal justice and allied professionals on identifying and responding to elder abuse; reaching more grassroots victim service resources in communities nationwide; supporting domestic violence and sexual assault initiatives and collaborating with OVW on the response to violence against women; increasing public awareness of victims' rights; helping connect victims with local services and targeting underserved immigrant communities; expanding support and assistance for human trafficking victims; and providing training resources that help state and local service providers address victims' needs.

To accomplish these priorities, OVC will rely on established programs that reach parts of the field that are poised to grow. The HOPE funding programs will continue to provide support for grassroots community- and faith-based victim service organizations. OVC also plans to restructure and update the National Victim Assistance Academy to provide tailored, timely training and technical assistance via TTAC; make information available on emerging issues and promising practices via the OVC Resource Center; help victims assert their legal rights through NCVLI; promote victims' rights compliance via statewide advocacy efforts such as supporting the development of victim ombudsmen through the Victims' Rights Compliance Initiative; fund services for American Indians and Alaska Natives through TVA; provide scholarships for victim advocates and victims to attend training and conferences; develop new, technologically savvy ways to expand training opportunities for victim advocates; and



## California

Voters reject efforts to weaken the "three strikes" law.

## Hawaii

Voters ratify four constitutional amendments related to victim and criminal justice issues, including an amendment authorizing the creation of a privilege for communications between a victim and the victim's physician, psychologist, counselor, or licensed mental health professional.

## Maryland

The Maryland Court of Appeals limits the practice of "sentence reconsideration, which permits judges to modify offenders' sentences years or decades after they have been imposed.

## Missouri

Implements legislation that increases protections for children being placed in foster care and protective services through more thorough criminal background checks.

continue to support and promote victims' rights and services internationally.

Although the victim assistance field has made many strides over the past two decades, it must and will always strive to improve. OVC embraces its ongoing role to expand services and training and, most importantly, to help victims be recognized, heard, and served.