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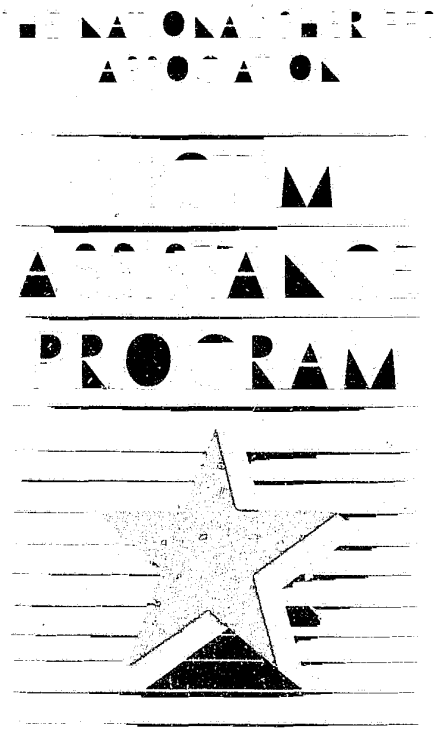

Neighborhood Watch Victim Assistance: A Program Manual

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THE NATIONAL SHERIFFS' ASSOCIATION

VICTIM ASSISTANCE PROGRAM

Neighborhood Watch Victim Assistance: A Program Manual

by

H. Jerome Miron
Director
The National Sheriffs' Association
Victim Assistance Program

NCJRS

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ACQUISITIONS

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Table of Contents

ACKNOWLEDGMENTS v
PREFACE vii
INTRODUCTION ix
Neighbors and Victim Assistance
The Program Manual

1 THE EFFECTS OF CRIME 1
The Reality of Crime Victimization
A Single Story

2 NEW EFFORTS TO HELP VICTIMS 3
20th Century Criticisms
Current Actions
State and Local Programs
Federal Laws and Recommendations
State Laws
Local Programs

3 NEIGHBORHOOD WATCH AND VICTIM ASSISTANCE: A NEW DIMENSION IN SERVICE 7
Should the Neighbors Get Involved?
Neighbors Want to Help
Neighborhood Watch: Local Centers for Training

4 ESTABLISHING A NEIGHBORHOOD WATCH VICTIM ASSISTANCE PROGRAM 9
Program Scope and Expected Results
Understanding the Impacts of Victimization
Definition of a Victim of Crime
Victims and Law Enforcement Agencies
Needs of Victims

5 CRIME AS A PERSONAL & FAMILIAL CRISIS 11
Crime-As-A-Crisis Model
Burglary
Robbery
Robbery with Physical Assault
Rape and Sexual Assault
Homicide
Stages of Crisis Reactions
Initial Impact
Recoil
Reorganization

6 CRIME-AS-A-CRISIS: WHAT CAN NEIGHBORS DO? 13
- Emotional First Aid
- An Overview of Helping Behaviors
- Helpful Actions

7 SOME DOs AND DON'Ts 17
- A Guide for Neighbors in Assisting Victims
  - I. Impact Stage
  - II. Recovery Stage
  - III. Stability Stage

8 NEIGHBORS AS PROVIDERS OF INFORMATION 21
- Categories of Information Needs of Victims
- Victim Compensation Program
- Restitution
- Escrow and Forfeiture of Offender Profits
- Witness Fees
- Victims' Bill of Rights
- Protection From Intimidation
- Notification to Victims
- Victim Participation in Proceedings
- Employee Assistance
- Return of Property Taken as Evidence
- Child Victims
- Spousal Assault Victims
- Elder Abuse
- Summary

9 DESIGNING A NEIGHBORHOOD WATCH VICTIM ASSISTANCE PROGRAM 29
- Evidence of Commitment
- Choosing a Coordinator
- Researching the Field
- Neighborhood Watch Victim Assistance Inventory
- Summarizing the Unmet Needs of Victims

10 A TRAINING GUIDE FOR NEIGHBORS 33
- The Training Design
- Preparing for Training: A Checklist
- Trainer's Outline
  - Session 1: Introduction and Overview
  - Session 2: Understanding What the Crime Can Mean
  - Session 3: Identifying Available Services, Unmet Needs, and Volunteer Roles
  - Session 4: Short-Term and Long-Range Plans
  - Session 5: Evaluation of Training

NEIGHBORHOOD WATCH VICTIM ASSISTANCE TRAINING EVALUATION 38

APPENDIX: SAMPLE BROCHURE "THE SHERIFF AND VICTIM ASSISTANCE" 39

BIBLIOGRAPHY 43

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H. Jerome Miron
Director
National Sheriffs' Association
Victim Assistance Program
1450 Duke Street
Alexandria, VA 22314
1-800-424-7827

Preface

The National Sheriffs' Association Victim Assistance Program (NSAVAP) works in partnership with the U.S. Department of Justice, State Sheriffs' Associations, and the more than 3,100 sheriffs' offices throughout the United States. The Victim Assistance Program takes the results of research and current practice and makes them accessible through training, technical assistance, and publications to sheriffs and other officials of the criminal justice system. The goal of the program is to enable these officials and others to implement actions at the state and local level of government so that the needs and rights of victims of crime are responded to in a fair and compassionate manner.

Since 1984, over 12,000 officials have been trained and assisted by the Victim Assistance Program at international, national, regional, state, and local workshops and conferences. The process of this assistance has been documented in more than 35 texts and handbooks which are currently being used in support of the new work of sheriffs' Victim Response Units in several hundred localities throughout the United States.

This text, *Neighborhood Watch Victim Assistance: A Program Manual* expands and enhances the goal and collaborative efforts of the NSA Victim Assistance Program by suggesting ways in which citizens can be trained and encouraged to assist their neighbors who are victims of crime.

More than ten million volunteer-citizens serve in over 25,000 organized Neighborhood Watch/Crime Prevention groups throughout the United States. Many of these citizens, their families and friends, have experienced the impact and consequences of being a crime victim or being touched by the effects of a crime. Having volunteered to serve in a local Neighborhood Watch/Crime Prevention program they have acquired a deeper understanding about their role as advocates for the prevention of crime, as advocates for reporting crime to officials, and as lay instructors and guides for others about issues associated with community efforts to control crime. These individuals and groups have had a significant impact in their communities and through their collaborative work with law enforcement

and criminal justice officials have aided greatly in our nation's effort to reduce crime.

In 1972, when the very concept of Neighborhood Watch was just emerging, the number of victims who chose to report serious crime to local officials was less than 25 percent. Fourteen years later, in 1986, the percentage of victims who reported serious crime reached almost 37 percent or a net increase of more than one-third. Moreover, in the past five years, the actual number of serious crimes involving individuals and households has declined each year. In 1981, there were more than 41 million incidents of serious crime; in 1986, this number has declined to 34 million which represents a net reduction of about 17 percent. Law enforcement officials are unanimous in agreeing that these changes would not have been possible without citizen volunteers who have served and continue to serve in Neighborhood Watch/Crime Prevention groups. They are a national and local asset and have demonstrated that they are able to work effectively with officials of the justice system in serving the needs of their communities. They also can assist and support their neighbors who are victims of crime.

The purpose of this manual is to guide law enforcement officials and citizen leaders of Neighborhood Watch/Crime Prevention groups so that they and others can learn how to respond in an organized manner to the needs and rights of victims of crime in their localities and states. This is a new and challenging task for officials, crime prevention leaders, and volunteer members of crime prevention groups. It is only recently that the justice system has begun to realize that there are great gaps between victims' needs and rights and the manner in which justice system officials respond to such needs and rights. We believe that these gaps can be bridged by neighbors helping neighbors who are crime victims. But to do so, such neighbors need to be guided and instructed about such topics as the definition and meaning of crime victimization, the data about victimization, the needs of victims, the statutory rights granted to victims, the roles that victims exercise in the processing of a case, and the assistance that informed neighbors can provide through care, information, advice and support to their neighbors who are victims of crime.

This manual is organized and written so that these topics can be clarified and then used as part of a series of training sessions for crime prevention volunteers, leaders and officials. The manual is designed to be used by Crime Prevention Officers (CPOs) in agencies that are planning to develop and expand their organized programs so that a new mission and objective is established in such programs: to enable neighbors and volunteers to acquire sufficient knowledge and skill to assist, inform, and support their neighbors who are victims of crime. Such an objective fits well within the original themes of crime prevention; such an objective will also have the beneficial effect of encouraging millions of citizens to be more aware of and more responsive to the serious human toll that crime has on victims and families.

Introduction

Neighborhood Watch Victim Assistance: Strengthening the Partnership

Neighborhood Watch was organized by the National Sheriffs' Association in 1972 and since then has been a major force in lowering the crime rate in thousands of communities. Several million individuals in over 25,000 Neighborhood Watch groups nationwide have formed partnerships with local sheriffs and law enforcement agencies to help themselves and each other prevent crime. Between 1981 and 1986, serious crimes dropped by 17 percent, and most commentators attribute this decline to the efforts of Neighborhood Watch partnerships.

However, citizens and law enforcement officials are still faced with many unsettling facts about crime in the United States. In 1986:

- More than 34 million individuals were victims of serious crime;
- More than five million individuals or 30 out of every 1,000 persons age twelve and older were victims of serious *violent* crime;
- More than 22 million households were touched by crime.

Yet, in this same year, nearly two-thirds of these 34 million crime victims did *not* report these crimes. Even more troubling is the fact that over 50 percent of victims of *violent* crimes did *not* report attacks against themselves to law enforcement.

The contrast between the relative success of Neighborhood Watch in reducing crime and the failure of many victims to report crimes can be attributed to different sets of beliefs about how to control crime. In a 1983 study of 128,000 persons for the National Crime Survey, the most important reason for reporting crime (which is one of the major goals of Neighborhood Watch) is to stop or prevent the incident from happening again. On the other hand, the same survey revealed that most victims did not report crime because they believed that nothing could be done by anyone.

It is clear that organized Neighborhood Watch programs have made a difference: the crime rate has dropped and the system is working. It is also clear that most victims do not report crime or participate in the justice system because they do not believe that the system works for them. As stated in the *President's Task Force on Victims of Crime* report of 1982, when victims

do report crime and cooperate with the justice system, they ". . . discover instead that they will be treated as appendages of a system appallingly out of balance. They learn that somewhere along the way the system has lost track of the simple truth that it is supposed to be fair and protect those who obey the law while punishing those who break it. Somewhere along the way, the system began to serve lawyers and judges and defendants, treating the victim with institutionalized disinterest."

There is a gap between victim needs and the manner in which the community and the justice system responds to these needs. Recommendations by the President's Task Force have helped focus on ways in which local law enforcement agencies and community groups can organize a more effective response to the needs of victims so that confidence in the system can be restored. An increase in reporting crime and subsequent participation by victims in the justice system, coupled with the expansion of Neighborhood Watch throughout the community, could produce further reductions in the crime rate. Without the participation of more victims in Neighborhood Watch, there will be no effective crime prevention. The American criminal justice system is absolutely dependent on these victims to cooperate. Without their cooperation in reporting and testifying about crime, it is impossible in a free society to hold criminals accountable.

Neighbors and Victim Assistance

In an effort to bridge the gap between victims and the justice system, the National Sheriffs' Association Victim Assistance Program (NSAVAP) was established in 1984 in partnership with the U.S. Department of Justice. An essential part of the NSAVAP mission is to help sheriffs and law enforcement agencies to mobilize Neighborhood Watch so that residents can be organized and trained to assist their neighbors who are victims of crime.

The new Neighborhood Watch Victim Assistance program is based on research and studies of victims' needs conducted in the past five years. Many victims of both personal and property crimes suffer similar problems of fear, anxiety, and isolation. These victims report that informal networks of relatives, friends, and neighbors helped them the most. When interviewed, many informal helpers reported that they felt comfortable giving assistance but were uncertain about what to do or say. These studies indicate that people are willing to help a neighbor who has been a victim of a crime. Neighbors can do much to alleviate the victim's initial fears and anxieties. Neighbors can easily be trained in simple crisis intervention techniques that could provide psychological first aid to lessen the long term effects of victimization—a conclusion supported by a recent report issued by the American Psychological Association's Task Force on Victims of Crime and Violence. Clearly, the members of Neighborhood Watch groups are the most obvious organized group of individuals to undertake these tasks. Many have been victims of crime and can easily empathize with the feelings of neighbors who are victimized; they are familiar with the workings of law enforcement and the criminal justice system; they are concerned about community problems and recognize that crime prevention, ultimately, requires that citizens—alone and together—take a stand against crime by reporting and cooperating with the justice system.

The Neighborhood Watch Victim Assistance program promotes several activities:

- Understanding state and local laws that grant new or enhanced rights to victims of crime;
- Taking inventory of services available for victims from the justice system or agencies in the jurisdiction;
- Ensuring that deputies, officers, and other law enforcement personnel know about victim related laws and services and are prepared to support the Neighborhood Watch Victim Assistance effort;
- Conducting training sessions for members and leaders of Neighborhood Watch groups about how neighbors can provide support, help, and information to neighbors who are crime victims;
- Enlisting the leaders and members of Neighborhood Watch groups to distribute information and advice about different types of victim assistance programs and services;
- Expanding Neighborhood Watch activities so that the unmet legal or service needs of victims can be addressed through the organized influence of members and leaders of Neighborhood Watch groups.

The Program Manual

The *Neighborhood Watch Victim Assistance Program Manual* has been written to provide information and suggestions needed by sheriffs and law enforcement officials who wish to establish their own Neighborhood Watch Victim Assistance programs. The Manual explains the background and rationale for victim assistance activities at the neighborhood level, discusses how to establish a victim assistance program in the Neighborhood Watch setting and how to carry out a training program that can make the link between victims, neighbors, and the justice system an easy and effective one.

Contained in the Manual is a resource list of materials and services available from the National Sheriffs'

Association Victim Assistance Program and other national organizations that serve victims' needs and rights. Finally, a draft version of a brochure "The Sheriff and Victim Assistance" is reproduced in the Manual as an example of a document that can be reprinted for distribution to all the citizens in a jurisdiction. It explains in simple language the concept of the Neighborhood Watch Victim Assistance program and provides basic information on what to expect and what to do if a citizen becomes a crime victim.

More than fifty years ago, U.S. Supreme Court Justice Benjamin Cardoza wrote, "Justice, though due to the accused, is due the accuser (victim) also. The concept of fairness must not be strained till it is a filament. We are to keep the balance true." Meshing Victim Assistance with Neighborhood Watch will extend the full meaning of balance and fairness to the entire community. Each of us will begin to understand that when we are unable to prevent a crime in our neighborhood, then we must reach out and help the victim to maintain confidence in a society and system that is designed to serve and protect all citizens.

1 The Effects of Crime

Almost all Americans, at some time in their lives, will be touched by crime. It is erroneous to believe that if one is wise, cautious, and virtuous, he or she will escape being a crime victim or that those who are crime victims are solely responsible for their fate. It is simply not true that good things happen to good people and bad things happen to bad people. Rather, the harsh reality is that bad things—crime included—happen all too frequently to everyone. Crime has become almost a routine activity and strikes when least expected. Victims of crime are victimized when they are doing the most commonplace things such as walking, serving a customer, driving a car, answering the door, leaving a shopping center, using a hotel restroom, returning home from work, and even riding in a schoolbus.

As noted in the report of the President's Task Force on Victims of Crime:

> "Every 23 minutes someone is murdered. Every six minutes a woman is raped. While you read this statement, two people will be robbed in this country and two more will be shot, stabbed, or seriously beaten. Yet to truly grasp the enormity of the problem those figures must be doubled, because more than 50 percent of violent crime goes unreported. The criminal knows that his risk of punishment is miniscule. A study of four major states revealed that only nine percent of violent crimes reported were resolved with the perpetrator being incarcerated."

About three percent of Americans each year—or slightly more than six million individuals—are victims of violent crime. Moreover, one in five thousand—or slightly more than 22 million homes were touched directly by crime in 1986 alone.

Awareness of the dangers of crime affects all of us in every way. We have altered our lifestyles, our homes, our apartments, our workplaces, and our thinking.

The Reality of Crime Victimization

The work of Neighborhood Watch Victim Assistance will not be effective unless each person is willing to confront the human reality of crime victimization. Data and statistics about crime in America often mask and hide the raw fact that millions of individuals are physically, financially, and psychologically harmed as the result of the commission of a crime.

Victims have testified frequently that their lives were broken and wrenched and that their family relationships will never be the same because of a crime. For most victims, the crime itself is a first time event. There are no career victims; there are many career criminals. For most victims, a crime is outside the range of normal, commonplace experience. No one deliberately seeks to be a victim of a crime. For most victims, the initial impact of the crime is usually disbelief. No one really believes a common event can become a source of hurt, harm, and injury. For victims, the crime is a terror-filled time—whether measured in minutes or hours—that sinks deeply into the memory. This terror is recalled and relived again and again: sometimes voluntarily as in interviews and questioning, but often the recollection and reliving comes involuntarily as in dreams, nightmares, and flashbacks. The crime may be over but the terror remains.

Victims do survive. They do recover. Yet, this survival and recovery may be diminished by the thoughtless actions and words of others: those who blame the victim, who use the victim as evidence in a case, and who ignore the victim in the justice system. What follows next is a story about a victim that acts as a window into the victim's experiences. It is an all too commonplace story about a burglary. There are about 15 million such events each year. This one event is not untypical. It has probably taken place in your own neighborhood.

A Single Story

Joe, age 67, came home on Friday afternoon and surprised a burglar, who shoved him down, kicked him in the chest, and escaped with a small television and $400 in cash. Joe called his brother in another county, who told him it was usually more trouble than it was worth to file a report. He then called a neighbor, who came over and told him a long story about the time he found

his own house vandalized. Joe finally called the authorities about thirty minutes later.

The officer told Joe it was pretty dumb to wait so long to report the crime. He took the report quickly, and left to answer an emergency call. An evidence technician came an hour later, but couldn't answer any of Joe's questions about the case. Joe spent that night alone, the lock broken on the back door, and the personal papers from his desk strewn across the living room floor.

A neighbor took Joe to the doctor's office the next day, reminding him as they drove of how many times he'd warned him not to leave cash lying around the house. The doctor found only bruises, but the bill for the X-rays and examination meant Joe would have no money until next month's retirement check arrived. As Joe left, he overheard the doctor say that he would have fought back if it happened to him, but that it was different with an old man.

But Joe did have some good luck. Although the Neighborhood Watch program hadn't been active lately, a few years earlier it had inspired Joe to mark his belongings. A man matching Joe's description of the burglar was picked up in the same neighborhood the next night. Joe's television was found in the man's apartment. An officer called Joe to tell him that a suspect had been arrested and that Joe would be contacted later. Joe felt relieved until the next week, when he saw his assailant standing at the meat counter in the grocery store. Later, Joe received several threatening phone calls. He didn't know what to do so he did nothing. Still, he decided he should do the right thing and go to court when notified.

There were several postponements over the next six months, and Joe made a number of useless trips to the courthouse. Finally, the case came to trial almost nine months to the day of the crime. Sitting in the waiting room glaring at him were the defendant and two of his buddies. Joe had an opportunity to testify briefly. He tried to tell about the doctor's bill and about how nervous he had become, but was interrupted and told his remarks were irrelevant. He didn't understand why he was asked to leave the courtroom after his testimony. In the corridor he heard someone talking about the state victim compensation fund, but when he called the next day, he found out the deadline for filing had passed.

The defendant, who had been in trouble as a juvenile but with no adult record, was convicted and placed on probation. Joe became convinced that the justice system and the neighborhood were both going downhill, and figured his brother was probably right in the first place—it wasn't worth the effort.

2 New Efforts to Help Victims

The President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence have had the beneficial effect of drawing national attention to a long standing problem. Simply stated, the victim has been neglected by the justice system and by the community which has formed and shaped this system. The historical irony of this present-day neglect is that the crime victim once performed a central role in the American criminal justice system. In the 18th century, victims hired officials to make arrests. They posted rewards, and used informants to perform investigations. They hired attorneys to prosecute cases. Criminal penalties included payment to the victim of triple damages as restitution for the injury or loss suffered by the victim. In most instances, the individual rather than the state was considered the injured party in a crime.

By the 19th century, due to the adoption of the U.S. Constitution and its attendant Bill of Rights, changes occurred in the administration of criminal justice in federal and state governments. Crime was judged as an event that harmed society. New state governments and new justice systems began to define what were crimes and punishments and how crimes should be investigated, prosecuted and penalized. In the mid-19th century, states and cities established new public law enforcement agencies and prosecutor offices to replace the older system of private services. Jails and prisons were established. Punishment by incarceration was the sentencing norm. Restitution declined as a practice.

The victim was replaced as a key actor in the administration of justice. The new system required that the victim's former role as policeman, prosecutor, and punishment beneficiary be reduced to that of informant and witness only. The victim ceased being an active part or partner (with the state) in criminal and legal proceedings against suspects or defendants. Instead of the new system being designed to serve its principal client—the victim—it became a system that the President's Task Force described as serving "lawyers and judges and defendants."

20th Century Criticism

During the expansion of this system in the 20th century, there were serious criticisms about the manner in which the system ignored and treated victims of crime. In 1931, the Wickersham Commission, a national study group appointed by the President to review the administration of justice in America, noted that the hardships suffered by victims would affect their attitude toward the administration of justice. They stated that the "administration of justice is bound to suffer because of improper and unreasonable treatment of victims and witnesses." Later, in 1938, the American Bar Association (ABA) issued its first landmark study about criminal justice management and administration. Noting that victims were intimidated, courthouse procedures and accommodations were inadequate, and that victims were not given explanations as to why their cases were continued numerous times or were dismissed, the ABA concluded that "the State owes it to the witness (and victim) to make the circumstances of his sacrifice as comfortable as possible."

Yet, the statement of the Philadelphia Bar Association, issued in 1975, summarized the ineffectual results of these criticisms: "At the present time the victim is the subject of fewer rights and fewer programs of service than any other group coming in contact with the criminal justice system."

Current Actions

Contemporary concern for victims has expanded in the 1980s. Victims' issues are now becoming more broad based than at any other time in American history. This new momentum has been crystallized and fostered by the efforts of the President's Task Force, the establishment of new federal and state laws, and the expansion of national and local programs. We are in the midst of a national victims' movement whose impact is being felt at every level.

Victims' concerns are reflected in a substantial body of new literature that counts victims with increasing accuracy, describes with care and validity the physical, emotional, psychological and financial experiences of victimization, and diagnosis with appropriate clinical techniques the short and long term aftermath of the trauma associated with victimization. The victims' movement has developed its own body of theory, its

own historical inquiries, its own professional practices, and jurisprudence and case law about victims' rights are more frequently being decided by federal and state courts.

There is a National Organization for Victim Assistance (NOVA) with several hundred local counterparts that promotes a Victims Bill of Rights and conducts research and study of ways to advocate for such rights and provide local services to victims.

There is a section on victims' rights within the American Bar Association that has, since 1979, published manuals for state and local bar associations to use in fostering changes in the local justice system treatment of victims and witnesses, and published model statutory legislation for the states to address specific victims' needs and to expand and clarify the legal rights of victims.

There is the singular work of other national criminal justice organizations and associations such as the National Sheriffs' Association, the National Organization of Black Law Enforcement Executives, the National Association of State Directors of Law Enforcement Training, the National District Attorneys' Association, the National Association of Attorneys General, the National Conference of the Judiciary, the National Conference of Special Court Judges, and the National Judicial College. Each of these organizations has published standards and guidelines and each organization provides training and assistance to their constituents. Their purposes are similar: to alter the behavior of justice system officials so that victims are treated in a more humane, balanced and fair manner.

State and Local Programs

State and local efforts on behalf of victims have expanded rapidly. From 1973 to 1985, the number of state-funded victim compensation programs has grown from nine to 40. From 1973 to 1985, the number of victim service programs increased from a handful of rape crisis centers, a few child abuse programs, and a few general victim assistance programs to hundreds of programs of all types. At least 28 states support such programs through state funds. There are state-assisted domestic violence programs in 40 states; state-aided sexual assault programs in over 15 states; and state-subsidized victim assistance programs in at least 20 states. From 1973 to 1985, Victim Impact Statements have become mandatory or suggested procedures in 34 states and in the Federal court system. These new laws authorize and empower the victim to present views to the court about the financial, physical and psychological harm experienced as the result of the crime.

From 1973 to 1985, rights for victims were statutorily defined in 31 states and in the Federal system. There has been, since 1981, a National Crime Victim's Week supported by Presidential Proclamations. At least half of the states and governors have produced similar statewide annual proclamations.

Federal Laws and Recommendations

Federal laws and national reports have been successful in helping states and localities to develop programs:

- *The Victim and Witness Protection Act of 1982.* This Act established new, required procedures for fair treatment of federal victims and witnesses to be followed by all components of the Department of Justice, including the FBI, Drug Enforcement Administration, and U.S. Attorney's Office. The enforcement and prosecution units in all branches of military service are also adopting these guidelines for their own use. This Act is also used as a model law for adoption by all fifty states.
- *The Justice Assistance Act of 1984.* This legislation established within the U.S. Department of Justice an "Office of Justice Programs" and a new "Office for Victims of Crime" headed by an Assistant Attorney General. This Office has awarded partnership grants to a number of national law enforcement organizations, including the National Sheriffs' Association, the National Organization for Victim Assistance, the National Association of State Directors of Law Enforcement Training, and the National Organization of Black Law Enforcement Executives, in order to implement recommended changes in the local and state justice system.
- *The Victims of Crime Act of 1984.* A Crime Victim's Fund has been created that anticipates revenues of $100 million per year, derived from fines collected from persons convicted of federal crimes. Fifty percent of these funds will be available as grants to the states to support state crime victim compensation programs. The remaining funds will go through the states to localities to support other victim service programs.
- *President's Task Force on Victims of Crime, 1982.* After 18 months of study and public hearings involving more than 1,000 experts and victims, the Task Force produced a report with 68 recommendations for changing the manner in which criminal justice agencies and others respond to and assist victims and witnesses.
- *The Attorney General's Task Force on Family Violence, 1984.* The Final Report of this Task Force contains extensive recommendations for criminal

justice agencies and human service systems on assisting victims of domestic violence, crimes against children, sexual assault victims, and elderly victims of abuse and crime.

State Laws

State Compensation Funds for Victims of Violent Crimes. Forty states have enacted legislation which makes financial assistance available to victims of violent crimes. The states vary widely in the sources and level of funding for these programs and in the eligibility requirements of victims who can obtain this financial aid.

In general, eligible victims must report the crime and cooperate in the criminal justice process; arrest or conviction of the suspect is not required. Compensation is often limited to medical and funeral expenses and lost wages. Reimbursement for property losses is not usually provided. Other restrictions may include residency requirements, requirements to demonstrate financial hardship, minimum loss requirements, maximum award limitations and the exclusion of relatives of the offender. Some states are trying to increase public awareness of these programs by mandating that law enforcement agencies provide victims with information about the crime compensation program.

State Victims' Bill of Rights and Other Legislation. More than 30 states have already passed statutes creating a Victims' Bill of Rights. Some statutes establish general standards of fair treatment for victims; others lay the foundation for comprehensive statewide services. The following rights are often addressed:

- right to assistance from criminal justice agencies
- right to protection from intimidation
- right to notification of case status
- right to information about financial and social services
- right of family members of homicide victims to assistance and protection

Other states, even when they do not have a formal Victims' Bill of Rights, have enacted individual statutes which require that certain considerations be afforded victims of crime. These statutes may address such issues as:

- victim participation in plea bargaining
- victim participation in sentencing procedures, often by requiring the pre-sentence investigation report to include a written victim impact statement
- provision of counsel for the victim
- notification and participation in parole hearings
- intercession with employers and creditors
- medical assistance
- statutory reinforcement of judicial authority to impose restitution in adult and juvenile court
- laws preventing offenders from profiting from their crimes
- speedy return of property not essential for evidence.

Local Programs

Local Victim Assistance Programs. Local programs to assist victims vary greatly in size, scope, administrative structure, and funding. Since 1980, 28 states have enacted legislation making funds available to localities for victim services. More states are certain to increase their financial support as a result of the Victims of Crime Act of 1984. Many states raise funds from fines and penalty assessments levied on convicted offenders. Others use general appropriation funds; some have raised revenue by increasing court fees or motor vehicle fines and use a percentage of the fee or fine as grants to support victim assistance programs.

Local programs may be administered by the sheriff's department, police department, court, prosecutor's office, mental health center, or private nonprofit agencies. Some serve only victims with special problems, such as rape, domestic violence, or sexual abuse. Some serve only victims whose cases enter the court system and others make a full range of services available to all victims at each stage of the criminal justice process. Twenty-four hour crisis intervention teams are available through some programs, while others focus only on such services as witness notification. Many depend heavily on trained volunteers and local sources of funding.

3 Neighborhood Watch and Victim Assistance: A New Dimension in Service

Neighborhood Watch has an impressive track record in crime prevention and has become a household word in the past 15 years. Yet, few admit that they may become a victim of crime, thinking "It can't happen to me or to someone close to me." Sheriffs, deputies, and citizens know firsthand that it can and does happen—to almost 34 million Americans each year.

Neighborhood Watch Victim Assistance can provide local sheriffs with an inexpensive way to revitalize the community's interest in crime prevention and to increase the public's willingness to cooperate with law enforcement by reporting and prosecuting criminals. At the same time, residents can become more confident—and competent—as helpers if their neighbors, friends and family members do become victims.

Should the Neighbors Get Involved?

Considerable research has been done on the psychological effects of crime on victims and the effects of the crime on those who provided help or assistance to victims. A 1982 study of several hundred robbery, assault and burglary victims in New York City has produced some valuable information about how neighbors feel about helping neighbors who are victims of crime. The results of this research have produced the following facts:

- *The neighbors are already involved.* All but two of the 274 victims interviewed received some type of help with their problems from friends, relatives, and neighbors. Almost 60 percent of the helpers lived in the same neighborhood, and 80 percent lived in the same community.
- *Neighbors, friends, and relatives are a primary source of emotional support.* Victims called on neighbors, friends, and family for help with emotional needs in at least 75 percent of the incidents.
- *Most neighbors want to help, but many are not sure how.* Of those neighbors who helped, the vast majority—97 percent—said they did not wish the victim had gone elsewhere for help. But nearly half said they felt uncomfortable talking to the victim about the crime.
- *Neighbors are victims, too.* In the same study, 80 percent of the supporters—especially those who lived in the same neighborhood—said they experienced some form of "secondary victimization." This included feeling frightened, nervous, less safe being at home and on the street, and increasingly suspicious of people.
- *Services for victims are frequently underused because people don't know about them.* In the study, only 19 percent of the victims were aware of any programs available for victims.

Neighbors Want to Help

A key finding of this study is that most neighbors want to help but many need information and advice about how to proceed. How to act toward a crime victim is often answered by other research that seeks to answer the question: what do victims need?

Victims of crime experience financial, physical, and/or emotional harm as the result of the commission of a crime. This harm has been done by the intentional actions of another. In some instances, these criminal acts may produce a terror-filled crisis in the victim or the victim's family. In the aftermath of the crime, most psychologists and experts state that the best antidote for victims for the harmful actions of a criminal are the supportive and positive actions of another who comes forward to help the victim.

Such help is either expressed in words or shown by visible actions. Saying "I'm glad you're all right," "I'm sorry it happened," and "You did nothing wrong," indicates to the victims that he is safe, another person cares for him and that the victim is not to be blamed.

While research suggests that many friends and neighbors are willing to grant such emotional support to victims of crime, other research indicates that victims also need basic information about what is expected of them and what to do in reporting and cooperating with representatives of the justice system. A large percentage of crime victims seek advice from neighbors, relatives, and friends even before reporting

or discussing the crime with authorities. Some of the routine questions that victims have about the crime and their role in the justice system's investigation and prosecution of a crime are:

- What happens after I report a crime?
- Who do I contact for information about the case?
- What do I need to do to recover my stolen property that may have been found by the police?
- How will I be notified about the progress of the investigation?
- How do I go about having stolen documents replaced, such as Social Security card, driver's license, and other official documents?
- Will the suspect or offender harm me or my family? How do I report my fears to the authorities? What will they do?
- What am I expected to do at a line-up, at a pretrial conference, at other investigative or prosecutorial proceedings?
- Can I get transportation to these meetings? Can someone escort me and explain how to act and what is being done?
- What is a trial? Where? Can I tell authorities about the impact of the crime on me, my family, and my community?
- What is victim compensation? Am I eligible? Where can I obtain the state forms? Can I get assistance in completing these forms?

These and other questions are constantly being asked by victims. They often are not answered.

Neighborhood Watch: Local Centers for Training

The Neighborhood Watch Victim Assistance program can be organized so that residents are trained to provide answers and give suitable information to victims along with emotional and caring support during the initial aftermath of the crime. Many Neighborhood Watch programs already provide residents with information about how to report crimes or suspicious events. Members are already routinely advised about patterns and trends in the types of crimes in their neighborhoods.

The Neighborhood Watch Victim Assistance program enables members to increase their own knowledge and skill so that they can provide the type of assistance that most victims need.

Sheriffs, deputies, and other law enforcement officials routinely address and/or train members or leaders of Neighborhood Watch about home or business security measures, property marking, patrols, and other issues associated with crime prevention. Other topics relating to rape awareness, child abuse, and spouse abuse reporting have also become standard issues discussed with Neighborhood Watch. In the past few years, many sheriffs' departments have begun to operate full service victim assistance programs; others offer assistance to victims in specialized areas of need. Most State Sheriffs' Associations have Victim Task Force groups in place whose responsibilites are to aid local departments in setting up a Sheriff's Victim Response Unit. This is an organized departmental unit whose mission is to oversee services to victims and to act as a liaison with other victim service agencies within the county or jurisdiction.

Victim assistance programs have come of age in the United States. By blending the mission and resources of Neighborhood Watch with a new focus on the needs and rights of victims, the objective of increasing the interest of the community in crime prevention will be accomplished.

4 Establishing a Neighborhood Watch Victim Assistance Program

Program Scope and Expected Results

The scope of the Neighborhood Watch Victim Assistance program will vary among communities according to the types of services already in place, the special needs and problems identified in the community, and the commitment to victim assistance in the sheriff's department among the Neighborhood Watch residents. The program can accomplish the following objectives in any community that has Neighborhood Watch or other crime prevention groups:

1. Increase residents' confidence in their ability to provide basic assistance and advice to neighbors who have been victimized.
2. Help victims learn where to turn for information about their cases, and, if needed, where to obtain professional help and other community services.
3. Encourage residents to join together in assisting victims with practical matters such as lock repair, transportation, babysitting, or other forms of help.
4. Prevent future victimizations by encouraging victims and all residents (the secondary victims) to participate in Neighborhood Watch crime prevention activities.
5. Serve as a springboard and focus group for other victim assistance projects, depending on community needs.

With Neighborhood Watch Victim Assistance, the local sheriff and the residents work together to determine the results they want to see and the best means for achieving them. A successful program may be as simple as residents offering victims reassurance and distributing literature, or as comprehensive as the creation of new services and procedures through training residents and upgrading the mission of Neighborhood Watch.

Understanding the Impacts of Victimization

An essential first step in the design of a Neighborhood Watch Victim Assistance program is for the Crime Prevention Officer (CPO) and the residents to understand some of the effects that crime has on victims. This section presents a brief overview of the impact of crime on a victim and lists some of the activities that first responders—neighbors and officers—can and should do in order to lessen the harm done to victims and to assist them in the process of recovery and cooperation with law enforcement. This section also acts as a reference for the CPO to use in the design and delivery of training to Neighborhood Watch block captains and residents. A subsequent chapter discusses a model training program for residents that can increase their knowledge and skills needed to provide appropriate service and assistance to victims.

Definition of a Victim of Crime

A federal law—the Victim and Witness Protection Act of 1982—provides a useful definition of a crime victim that has been adopted by many states for purposes of defining eligibility for various states' Crime Compensation programs:

> A victim is one who suffers financial, physical or emotional harm as the result of the commission of a crime. Included in the definition are those family members or others who are the survivors of a homicide victimization as well as family members of a minor child who has been victimized by a crime.

It is important to note that this definition focuses on the victim as such. It does not define crime in terms of the arrest or conviction of an offender. The definition acknowledges that individuals are harmed as the result of the *commission* of a crime and is silent about crime being defined according to specific legal elements, or defined as the result of an investigation or prosecution.

This definition is important because only a small number of reported crimes actually result in an arrest. Even lesser numbers of reported crimes result in prosecution, conviction and sentencing. For instance, some researchers have indicated that as few as two percent of reported crimes actually result in a trial with conviction and sentencing of an offender to some form of incarceration. The combined result of both the defi-

nition and the reality of the criminal justice system's inability to arrest, prosecute, convict, and sentence all known offenders is that millions of victims (even after reporting a crime) will have no direct contact with the criminal justice system other than the initial contact with law enforcement or—more likely—their contacts with neighbors and friends.

Victims and Law Enforcement Agencies

This one fact means that there are millions of individuals who are crime victims whose sole contact with the system may only be with a law enforcement official at the crime scene. These victims have suffered harm as the result of the crime but have little or no contact with prosecutors, trial judges, court clerks, juries, or sentencing procedures. Thus, even where there are organized victim assistance programs located in criminal justice agencies (other than law enforcement) these agencies will have no contact with most victims. Part of the reason is that most crimes are difficult to solve and prosecute because of the absence of solvability factors such as suspect information and identification, probable cause, evidence, traceable property, or other investigatory elements required to make an effective arrest. Even higher standards of law are required for the prosecution and conviction of an offender. There is research indicating that some victims, for a variety of reasons, refuse to cooperate with investigations and prosecutions. Part of this refusal is sometimes unintentional because the victim (or witness) is often not advised and informed about the various processes and procedures and drops out of the system.

However, even if a subsequent investigation reveals that it is impossible or difficult to arrest and convict an offender, the fact still remains that a person has been harmed by the commission of a crime. By examining the financial, physical, and emotional impact of the crime on victims, one recognizes clearly that the justice system and the community need to reach out and provide assistance, advice, and information to these victims. This needs to happen regardless of the actual legal procedures that are underway and regardless of the prospect of arrest and conviction. As a country we have agreed to protect and serve each other. We have, over time, established public agencies of government to be accountable for carrying out selected services, such as public safety, law enforcement, and the administration of criminal justice, which require skilled and professional personnel. When such agencies are unable to fulfill their duty to protect and safeguard those who are harmed by crime, we have formed, with these public agencies, organized and trained neighborhood or community groups who can and do provide assistance and service to those harmed or in need of help. Indeed, the very existence of Neighborhood Watch as a crime prevention program validates this principle of a partnership between the people who shape and form government agencies and those agencies of government that are accountable to the people. Therefore, the issue is not whether such groups can assist victims but rather, what can such groups and individuals do to provide appropriate assistance to their neighbors in need.

Needs of Victims

The NSA Victim Assistance Program has analyzed the multiple types of needs expressed by victims who have been harmed by crime by examining the results of numerous studies and reports. Many of these reports are listed in the bibliography. We have identified four major categories of need:

1. Emotional needs derived from the actual crisis that crime often provokes in the lives of many victims or families.
2. Physical needs as the result of injury associated with the crime.
3. Financial needs due to the loss of property or funds.
4. Information needs such as how to obtain assistance from others in coping with these emotional, physical, and financial needs, as well as what to do and what to expect from the various agencies of the local or state criminal justice system.

5 Crime as a Personal & Familial Crisis

In psychological terms, a crisis is a threatening or traumatic event that is normally outside the range of an individual's life experience prior to the event itself. The key element in this definition is that the event is an unanticipated threat. A crisis, therefore, is not considered a part of the individual's normal experience and, as such, this person or family may not have been able to prepare for its impact or effects. Examples of such events are natural disasters like earthquakes and floods, a large scale accident such as an airline crash, or the announcement of the sudden accidental death of a loved one.

The effects of such events on individuals and families act as stressors that may directly and adversely affect the ability of the individual or family to function in a meaningful manner. The stress associated with the event is manifested in a variety of ways: anxiety, recurrent nightmares and flashbacks, eating or sleep disturbances, temporary inability to think clearly or to concentrate, and inability to work or to carry out normal social tasks. In a very real sense, a threatening event can seriously affect the ability of the individual to function as the type of whole person they may have been before the event took place.

In the past decade, many studies have begun to recognize that a crime can produce the symptoms associated with these types of stress. For many victims, crime is an event that they did not anticipate; it may be a random violent act done to them or their loved ones. The event—whether burglary, robbery, assault, rape, or murder—may produce such a sense of threat and violation to the self that the characteristic symptoms associated with a crisis may be triggered. Indeed, any crime has clear elements of threat and terror. To gain some insight into the impact of crime-as-a-crisis, Dr. Mortimer Bard, a police psychologist and an expert in crime victimization, developed a model which attempts to describe the severity of a crime on the person or the self. This model is described in Figure 1 on the next page.

Crime-As-A-Crisis Model

In this model, the self—or the person—is seen as possessing very basic and fundamental characteristics such as freedom, personal control, independence, and the ability to function in life as a responsible and reasoning individual. The model assumes that these characteristics are found in the very definition of being a human person. In short, these characteristics are to be found in each of us. In the model, crimes against a person show increasingly complex elements that impact the person's very sense of self. Increasing levels of stress can be induced in the person as a result of different types of crime. Different stages of reactions by the person to the crime are also experienced.

Burglary

A burglary is an example of a crisis-inducing violation of the self. People usually regard their homes or apartments as representatives of themselves. In an important symbolic sense, their homes or apartments are representatives of themselves. Home is, in the most primitive sense, both nest and castle. Particularly in a densely populated, highly complex environment, it is the place that offers security. When that nest is befouled by a burglary, often it is not so much the fact that money or possessions have been taken that causes the distress. It is more that a part of the self has been intruded upon or violated.

Robbery

In robbery, a more complex violation of self takes place. While in burglary the victim is not directly involved, in robbery the violation of self occurs in a more intimate encounter between the victim and the criminal. In this crime, not only is an extension of the self taken from the victim (property, money, etc.) but he or she is also coercively deprived of independence and autonomy and the ability to determine one's own fate. Under threat of violence, the victim surrenders autonomy and control, and his or her fate rests unpredictably in the hands of a threatening other. This situation must have a profound ego impact. It, like other crimes, is a terror-inducing event.

Robbery with Physical Assault

Now let us go a step further on the scale of violation

FIGURE 1—Violation of Self by Crime-As-A-Crisis Event

Burglary	*Robbery*	*Robbery with Physical Assault*	*Rape*	*Homicide*
(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) VIOLATES EXTENSION OF SELF	(1) ULTIMATE VIOLATION: DESTRUCTION OF SELF
	(2) LOSS OF AUTONOMY	(2) LOSS OF AUTONOMY	(2) LOSS OF AUTONOMY	
		(3) INJURY TO EXTERNAL SELF	(3) INJURY TO EXTERNAL SELF	
			(4) VIOLATES PERSONAL IDENTITY	

INCREASING PSYCHOLOGICAL COMPLEXITY/SEVERITY OF STRESS

SOURCE: "The Psychological Impact of Personal Crime," Morton Bard Ph.D.; In *Victim Witness Programs: Human Services of the 80's*, Emilio C. Viano, Editor (1981)

of self to assault and robbery. Here there is a triple threat: the loss of control or independence, and the removal of something one sees symbolically as part of the self—but now with a new ingredient. An injury is inflicted on the body, the envelope of the self. The external part of the self is physically hurt. It is painful not only physically; the inner being is injured as well. This physical evidence reminds victims that they are forced to surrender their autonomy, that they have been made to feel less than adequate, and that they are vulnerable to death itself. The physical injury is the visible reminder of their helplessness to protect or defend themselves.

Rape and Sexual Assault

In the crime of rape, the victim is not only deprived of autonomy and control and experiences manipulation and often injury to the envelope of the self, but also suffers intrusion upon that deepest part of the self that defines the self by gender and by sexuality. This is a most sacred and private repository of the self. It does not matter which body orifice is breached; symbolically, they are much the same. Victims of sexual assault experience the assault as asexual. The threat to self is so direct and so extreme that survival alone is uppermost.

Homicide

This crime is unquestionably the ultimate violation of self. The self is destroyed and ceases to exist. For the survivors of the homicide victim, the victim's death is extremely stressful. Research indicates that the death of a family member or of a close friend is a stress of the greatest magnitude. The sudden and *unpredictable* loss of an important person through homicide or manslaughter often has profound effects on surviving family members, relatives, and friends.

Stages of Crisis Reactions

Crisis reactions may vary with the person and the circumstances of the crime-as-a-crisis event. There are generally three stages of reaction: initial disorganization, a period of struggle to achieve balance, and finally, stability. The three stages are not discrete; there are periods of overlap; there is often movement back and forth for short periods of time. Some psychologists have described these stages as initial impact, recoil, and reorganization stages.

Stage One: Initial Impact

A relatively short period which may last from a matter of hours to days, characterized by shock and feelings of being fragmented, numb, disoriented, feelings of helplessness, and disbelief. These are a natural reaction and not abnormal. This impact is experienced, to some degree, by all victims of crime.

Stage Two: Recoil

The beginning of the process of repair and healing which never proceeds smoothly; victims may experience feelings of being discouraged and that life may not return to pre-crime levels of functioning; the beginning of being able to put the event into some form of perspective; the victim begins to cope with the meaning of vulnerability, reality, and loss resulting from the crime event. This waxing and waning between emotions is a normal part of the healing process.

Stage Three: Reorganization

The victim begins to achieve a state of balance both internally and in relation to the environment; fear and anger diminish; emotional energy is now invested in constructive pursuits. The more serious the violation, the longer it takes the victim to achieve this type of stability.

6 Crime-As-A-Crisis: What Can Neighbors Do?

A person's ability to recover from crime-as-a-crisis is usually decided by the interaction of three important factors. One is the meaning that the person gives to the event in his or her life and the subsequent steps taken by the person to recover from the impact or stress of the event. The second is the experiences that the victim has with other persons immediately after the crime and the supportive role that such persons exercise in the victim's initial, recoil, and reorganization stages. The third is the willingness of the person (usually with the support of relatives, friends, and helpers) to obtain professional assistance, if needed, in order to prevent or treat long-term problems that may arise from the crisis.

Of these three factors, we know very little about how any one individual—acting alone and without help from others—actually goes through the mysterious process of coping and resolving fear and anxiety associated with crime-as-a-crisis. There is no formula answer that an individual can follow in order to put the random violent act into a perspective that allows one to recover, and give meaning and integrity back to their shattered life. What we *do* know is that most crime victims, like most people, are resilient and able to recover *if* they obtain help from those who care and know how to help. Therefore, the second and third factors that directly contribute to a victim's recovery are the most pivotal and important: help and assistance from others who are willing and able to help.

Emotional First Aid

It has been demonstrated that the best antidote to the random intentional acts of harm and violence done to someone are the intentional and compassionate helpful acts of another. Just as lay persons have been trained by the Red Cross to provide immediate first aid for physical injuries, a new dimension to helping has been developed that has been termed "emotional first aid": crisis intervention by caring persons who can help victims in the initial stages or aftermath of a crime. Just as physical first aid techniques can often prevent or lessen a more serious injury, so too, crisis intervention techniques can lessen or prevent a more serious trauma or long-term disability.

Those who would be helpful must be alert to the burdens imposed by their helping role. Good intentions alone are insufficient. Encouraging and supporting victims in their recovery from crisis induced reactions requires positive behavior and carefully chosen words, actions, and guidance. It is important that helpers understand what to do and what not to do. In this section, an explanation of the types of behavior or actions that will help, and a listing of what to do and not to do is provided.

An Overview of Helping Behaviors

Listening/Ventilation

It is extremely important to allow victims to discharge their feelings. The helper should not stifle the victim's impulse to speak of the crime, even if it seems repetitive at first. Listening with acceptance and without passing judgment is the single most supportive act that the helper can perform.

Direction

Victims feel helpless and disordered immediately after the crime. It is difficult for them to deal with abstractions. Normally self-reliant people may need to be told what to do. The helper should avoid imposing a moral tone on what may appear to be a child-like need for direction.

Second Guessing

Victims are extremely sensitive to behavior by others which seems to question their motives or behavior at the time of the crime. Helpers should not ask questions out of idle curiosity, particularly questions which may seem to the victim to be accusatory. Questions such as "Why didn't you scream?" should be avoided.

Guilt

Victims often feel guilty and ashamed, not because of complicity in the crime, but because of the need to explain what happened. Such expressions are usually temporary. Rather than attempting to argue the victim

out of such feelings, the helper should accept them as a passing part of the healing process.

Anger

Expressions of anger are appropriate and probably beneficial. A dilemma exists for those who try to help when anger is directed at them. But the expression of anger is likely to be an acknowledgment by the victim that he or she trusts the listener enough to express the feeling. Helpers should never personalize the anger. The victim is using anger as an avenue for needed expression.

Rescue Fantasy

This fantasy is a common pitfall for many who help others. If helpers indulge in this fantasy, they may unwittingly encourage the victim's dependence long after it is necessary. Really helping requires sensitivity and discipline. It is easy to exploit a vulnerable victim for the gratification of personal needs. The goal of assistance is to help the victim become an independent, whole person again.

Helpful Actions

Neighbors can take several basic actions that are effective in helping victims of crime.

- Neighbors should express their understanding and support, and should give assurances that the victim is now safe. Let the victim actually know that others care about what happened and that others are willing to listen and assist. "I'm sorry it happened," "I want to help you," and "I'm here and you're safe now," are messages that can penetrate into the victim's confused state in the immediate aftermath of any crime. They are messages of care, comfort, and compassion. Avoid giving messages that may blame the victim for the crime. No one should be blamed for the intentional violent acts of another on them; offenders and assailants are blameworthy, not victims. Avoid messages that state "Why didn't you escape . . . or scream . . . or fight back?" Survival, not hand-to-hand combat, may have been the only concern of the victim.
- Neighbors should follow-up their verbal concern with actions designed to aid the victim. There are many practical matters that need attention in the aftermath of a crime or after the completion of an investigation. These chores include: helping to cleanup, repairing doors or damaged property, offering transportation to various locations, babysitting if needed, staying with the victim (if the victim is alone) overnight or for a few days, telephoning others such as a victim's relatives or family, preparing meals, and above all, being available as a helper for the victim. These are important, practical, and time-saving services that can aid the victim who must begin to give some direction and meaning to a life that has been intruded upon by random violations.
- Neighbors who are trained in understanding crime-as-a-crisis may be able to provide further follow-up advice and assistance to victims showing symptoms of stress as a result of the terror-induced event. Most importantly, such neighbors may perform a most invaluable service by encouraging such victims to seek professional help. Often we overlook the fact that while crime is a routine occurrence as reported in the media, the actual impact of a crime on an individual may be far from routine or common. A neighbor is often the one person who is able to encourage a friend to obtain help since victims may feel unwilling or unable to discuss their feelings with family, loved ones, distant relatives, or friends.
- Neighbors who are knowledgeable and informed about their local justice system can give direction and advice to victims about what to do and what to expect in the victim's subsequent dealings with the system. Informed neighbors can provide advice and assistance about crime compensation programs, about what an investigation is and terms used in an investigation, and about local victim assistance services in the jurisdiction. Neighbors can be well informed referral agents and direct victims to programs that are specifically designed to aid and care for the needs of victims. These programs may be located in the sheriff's department, community agencies, or elsewhere.
- Neighbors can provide written information from the Neighborhood Watch Victim Assistance program about available emergency or non-emergency services and assistance for victims.
- Neighbors can become advisors and helpers to victims so as to prevent the "second victimization" that often occurs when some victims feel that they are not being treated fairly or appropriately by representatives from the criminal justice system. A calm neighbor can make calls, get information and obtain facts that otherwise may be lost to a victim who may be expressing or feeling resentment or anger at the slowness of the system's response to his inquiries or needs.
- Neighbors who work together in understanding the needs of victims and who experience the problems that many victims have, may discover that there are many gaps in services for victims in their jurisdictions. Neighbors who have been

formed and shaped by their experience and training in Neighborhood Watch Victim Assistance may wish to develop advocacy programs and study groups that can examine and analyze how their local justice system actually responds (or doesn't respond) to the multiple needs of victims. The results of such analysis and study may well be developed into a list of priority issues that can and should be brought to the attention of local authorities. The justice system is designed to serve, protect, and care for the principal client of the system: the victim. Without the victim and the cooperation of the victim and witnesses, there is no system of justice. Gaps in the system as well as the lack of appropriate services to the victim should be documented and noted so that changes can be made or new legislation introduced to mandate changes.

7 Some Do's and Don'ts

The chart below lists some typical problems that victims may experience. For each problem there are simple, positive and supportive actions that neighbors and others can do, or avoid doing, when assisting neighbors who are victims. Effective interventions by neighbors—doing positive things and avoiding inappropriate actions—can reduce much of the pain and long-term disability that may follow in the wake of crime victimization. Supportive human and neighborly relationships, informed by crisis theory, can reduce the need for intervention by mental health professionals long after the crime. In the period immediately after the crime, what others say and do has great importance. Friends, neighbors, relatives, and criminal justice professionals can be very effective in helping the healing process for victims.

Most victims, like most people, are strong and resilient according to Dr. Mortimer Bard, who has examined this area extensively. For many victims, their emotional and social difficulties following victimization are natural and usually temporary. But in order to weather their difficulties with relative ease, they need the help of those who care and who know how to help. A well organized, trained, and supervised cadre of neighbors who form a Neighborhood Watch Victim Assistance program can provide such help and in so doing continue the work of lessening the impact of crime in our communities and increase the means to prevent the recurrence of future crimes.

A Guide for Neighbors in Assisting Victims

Possible Victim Reactions and Needs	DOs	DON'Ts
I. Impact Stage		
Medical attention for injury, illness; the victim may be in physical as well as emotional shock.	Call an ambulance. Give emergency first aid. Call the Sheriff. Call victim's doctor.	Make assumptions. (Often no one asks the simple question: are you all right?)
Unsure about whether to report crime; —apathetic about what can be done; —worried about lack of evidence —afraid of bothering Sheriff with an "unimportant" crime; —may call neighbors or friends first for advice about reporting.	Encourage victim to report the crime right away. Ask if he has called the Sheriff. Offer to make the call.	Assume that the victim has reported the crime. Assume that someone else has called or will call.
Generally confused, puzzled, "numb," upset, crying, shaking.	Express concern and caring: "How do you feel?" "I'm so glad you're alright." "I'm so sorry it happened." "It's only natural to feel that way." "I'd be upset, too."	Scold the victim for losing control: "Quit acting like a baby." Ask questions out of idle curiosity.
	Encourage the victim to talk: "Tell me what happened." "Can you tell me more about that?" Let him repeat himself. Be patient.	Push rape or sexual assault victims to tell details about the crime, or ask them questions about their sex lives.

Possible Victim Reactions and Needs	DOs	DON'Ts
Childlike, dependent, wanting to be told what to do.	Help him gain control by letting him make small decisions: "Is it all right if we sit here?" "Would you like a jacket?" "A drink of water?"	Scold or lecture the victim.
Searching for a logical explanation for an event which was arbitrary and unpredictable: —"Why me?" —"Bad things aren't supposed to happen to good people. I must have deserved this somehow."	"It wasn't your fault." "It could have happened to anybody." "I'm glad you are safe; you must have done the right things."	Tell long stories about your own experiences or blame the victim.
Blames self, feels guilty, humiliated: —"I should have defended myself." —"I should have checked the windows." —"I was so stupid."	Help place the blame on the criminal: "It wasn't your fault." "He had no right to attack you under any circumstances." "You made it through—you must have done a lot of things right."	Pass judgement. Blame the victim: "What were you doing out at that hour, anyway?" "Why didn't you lock the doors?" "You should have screamed."
Anger, frustration: —at the criminal; —at the system; —at the neighbor or other helper.	Listen. Let him repeat himself. Let him get the anger out: "It's natural to be angry." "Anyone would be unhappy if that happened."	Take the victim's anger personally.
Fear that criminal will return.	Encourage the victim to report threatening calls or harassment immediately. Reassure the victim that protection is nearby. Help arrange for emergency repairs.	Attempt to handle a threatening situation yourself. Contact the sheriff or other law enforcement agency.
Fear of being alone.	Stay with the victim or call someone he trusts to come and stay or provide a safe place to spend the night. If he or she insists on being alone, offer assurance that further help is available if needed. Write emergency phone numbers down and give to victim or family member.	Leave the victim alone or without someone to turn to for immediate help.

II. Recovery Stage

Denial, "false recovery," puts up brave front, puts off details that must be handled while trying to conduct "business as usual."	Ask from time to time over the next few days: "How are you feeling now?" "What can I do to help?"	Assume that everything is okay.
Depressed; feels problems are insurmountable.	Try to help victim determine the most troublesome problems. Help him think through possible solutions. Identify at least one problem he can take steps to solve and gain a feeling of self-control.	Indulge in a "rescue fantasy" by taking complete charge and encouraging dependency.

Possible Victim Reactions and Needs	DOs	DON'Ts
	Look for signs of stress. Provide list of available services and emergency numbers.	
Reluctance to "bother" others for help; doesn't want to accept "charity."	"I know you'd help me out if it happened to me." Suggest specific ways your or your group can help: —transportation, babysitting; —clean-up; information about criminal justice system; —companionship.	Assume there's nothing else you can do. Worry that you'll be in the way.
Confused about what will happen next with the case; how to get information from authorities.	Develop and distribute information packets which may include: —Victim Assistance brochure and materials; —Local brochures, fliers which may be available from criminal justice system, victim assistance, and other service agencies; —Your own Neighborhood Watch Victim Assistance flier or brochure. Become a source of information about the criminal justice system through further training in cooperation with Sheriff's office.	Use outdated information. "Sugarcoat" the difficulties of processing a case. Instead, help the victim gain confidence and control as he becomes more knowledgeable about what can be done and what to expect from authorities.
Pressure because of financial loss; loss of property (taken by criminal, being held for evidence); concern about lost wages or medical costs.	Inform victim or family about state or local victim compensation programs if available. Provide information about whom to call regarding return of property. Obtain information about emergency financial aid.	Assume that nothing can be done.
	III. Stability	
Renewed interest in neighborhood crime prevention.	Provide information on Neighborhood Watch. Assist by arranging for home security check, property identification, other precautions.	Let Neighborhood Watch lose its effectiveness.
Frustration over system's lack of consideration of victim needs and rights.	Help victim channel concern into organizations working to solve these problems. Help victim understand that his experience is a valuable resource that can be used to help others to join in a program to change how victims are treated. Help the victim to work together with others so that the neighborhood and the system is improved.	Let criminals "win" by agreeing that nothing can be done.

3 Neighbors as Providers of Information

A singular benefit of a Neighborhood Watch program is that residents are constantly being provided with information and advice by Crime Prevention Officers. This instructional process is usually done through meetings and training sessions provided to leaders and neighborhood groups. Printed reports, brochures, and newsletters are also sent routinely to members to keep them informed. The result is that members of a Neighborhood Watch program are quite knowledgeable about many aspects of the law enforcement agency's response to crime and offenses.

The Neighborhood Watch Victim Assistance program seeks to build upon this knowledge by giving additional information to members about victim assistance that they can use to instruct and advise their neighbors who are victims of crime.

There have been many new actions taken at the federal, state, and local level of government to develop victim assistance programs. Most of these efforts are so new that adequate dissemination of information about these programs has not yet occurred in every neighborhood. Research has shown that as many as 90 percent or more of crime victims, or their neighbors, were unaware of the existence of such commonplace programs as financial aid or compensation programs that are now available for crime victims in over 40 states.

Other studies reveal that victims need to know what is expected of them when they report a crime, as well as what to expect and what they should do when they participate in the investigation, prosecution, and trial processes after an arrest. Victims also need to know what they may expect from the government, the justice system, and agencies that have been organized to provide advice and assistance to victims.

The best source for immediate information and answers to questions about what victims should do are usually law enforcement officers and informed neighbors. As many as 80 percent of crime victims turn to neighbors for advice even before calling law enforcement officials.

More and more states and local jurisdictions have responded to the informational needs of victims by publishing easy to use brochures and documents that either provide answers to questions or that give advice to victims. For example, states with victim compensation programs publish brochures, posters, and cards that describe eligibility criteria and how to apply for this aid. Multiple copies of these documents are usually distributed to local justice system agencies for subsequent distribution to victims. Copies could be reviewed and studied by Neighborhood Watch members so that they can become knowledgeable about this one program. Neighborhood Watch members could easily distribute these official documents throughout their area as part of their regular program activities.

Categories of Information Needs of Victims

There are many specific questions that victims have. There are also many answers that can be provided by trained members of a Neighborhood Watch Victim Assistance (NWVA) program. Enabling members to obtain appropriate answers and information must be the task of the Crime Prevention Officer (CPO) who is responsible for the local crime prevention program. Generally, there are thirteen categories of information needs that we have identified. Each category should be analyzed by the CPO to determine if the need is being met by either state law or local practice. By carefully reviewing these categories, the CPO can use them as part of a training program for the members of Neighborhood Watch. This training program is presented in a later section of the manual. These thirteen categories also act as a tool for learning about what is currently available for victims and, more importantly, what is *not* yet available for victims of crime in a given community.

Gaps in service or assistance to victims could be used as agenda items for actions by the members of the Neighborhood Watch Victim Assistance program and the law enforcement agency. Organized efforts to foster changes in law or practice can have the effect of bridging the gap between victims' needs and available services. Each of the thirteen categories are defined and explained below. Where appropriate, a reference is made to the number of states, as of 1985, that have a statutory law that mandates or recommends the category for victims.

Victim Compensation Program

This is a statutorily established program which compensates designated classes of crime victims from state funds (and matching federal funds) for specified crime-related losses resulting from specific crimes. At least 40 states have such programs. Since 1985, most of these states have changed and upgraded their programs to accommodate the requirements of the federal Victims of Crime Act of 1984. The administration of the program is usually done at the state level. Information can be obtained from an appropriate state agency designated by the governor or legislature to process claims. Usually the program publishes bulk copies of an explanatory brochure and claim forms. These may be obtained from any criminal justice agency: law enforcement, prosecutor, court clerk, and probation officer, or from a victim assistance agency. NWVA members can be trained by local officials or the CPO about eligibility criteria and the process of applying for compensation. Copies of brochures and forms can be transmitted to NWVA members who can distribute them in their neighborhoods.

Additional federal funds are available to states to supplement their own compensation program. These funds are derived from federal fines for criminal offenses. The federal government has agreed to reimburse up to 35 percent of a state's prior year pay-outs. Thus, there is a strong incentive for the state program to be well known and used by victims. Victims need to know about this important program and NWVA members can be useful and efficient referral agents who can transmit information about the program to their neighbors.

Restitution

This is a court-imposed sanction requiring offenders to compensate their victims for crime-related losses. Restitution may be mandatory or discretionary with the sentencing court. It is usually ordered as a condition of parole, probation, or suspended sentence. Every state and the Federal code has a statute that authorizes this sanction of restitution. Since it is a condition of a sentence, it is used only when there has been an arrest and some form of post-arrest adjudication by the court. In such instances, victims need to know what the practice of their local adult or juvenile court is regarding the imposition of restitution. Many states—and many courts—have adopted the recommendation of the National Conference of the Judiciary, which proposed in 1983 that, "Judges should order restitution in all cases unless there is an articulated reason for not doing so, whether the offender is incarcerated or placed on probation." Victims of juvenile crimes like burglary, vandalism, or other property-related crimes may especially want to know about the practice of restitution in juvenile courts. A review of local sentencing policies or practices may need to be done so that victims can learn about a way to obtain financial reimbursement by the offender.

Escrow and Forfeiture of Offender Profits

This is a relatively new state law. It is in existence in about 30 states and in the Federal code. The law prohibits offenders from obtaining profits resulting from the publicity related to their crimes and permits victims, under applicable circumstances, to have access to revenues that may be generated from profits such as book rights, TV payment, movie rights, etc. This type of law originated from the "Son of Sam" crimes in New York City several years ago in which the offender was offered significant funds to tell his story. As such, the law may be important only in those instances where the crime is particularly newsworthy.

Witness Fees

There are statutory provisions in the fifty states which authorize the payment of fees by the state to victims-as-witnesses and other witnesses for attending criminal proceedings. The exact amount of the fee and the type of proceeding attended are usually listed in each state law. Information about available fees can usually be obtained from the Clerk of the Court. In recent years, some states have upgraded and increased fees to accommodate increases in the cost of living associated with transportation, lost wages, baby-sitting, or other expenses that have to be borne by such victims or witnesses. Often, such fees are part of the pre-trial and/or trial process and therefore, payment of fees assumes an arrest has been made and that prosecution is taking place.

Victims' Bill of Rights

About 31 states have passed comprehensive (as opposed to piecemeal) legislation entitling victims to a broad range of rights, protections, and services. Many of the subsequent categories listed below are often incorporated into these Bill of Rights. An example of one of the most comprehensive single "Crime Victims' Rights Act" was adopted in September, 1985, by the state of Michigan. A wide range of notification procedures to victims, consultative rights between victims, prosecutors and courts, as well as rights of victims to

express their ideas at sentencing are dealt with in one law. NWVA members may wish to review this model law and compare it with their own state or locality.

These Bill of Rights for Crime Victims are usually based on two interlocking legal doctrines: standing and due process. Standing refers to the right that a person has to initiate or participate in a legal proceeding. This notion most frequently applies to individuals in a civil proceeding, such as the right to sue in a court for some personal injury or financial loss. However, many scholars argue that the doctrine of standing is applicable, under certain circumstances, to crime victims in criminal justice proceedings. If crime victims have standing in criminal justice proceedings—from investigation through sentencing—it means that due process rights are to be accorded to such victims.

Basically, due process means that an individual has the right to be notified about the proceeding, the right to participate in the proceeding, and the right to be notified about the outcome of the proceeding. This combination of standing plus due process may mean that victims can be considered as having a form of party status in the investigation, prosecution, and sentencing procedures associated with the crime case. In effect, it becomes the victim's case as well as the state's case, and a real partnership is formed between the victim and the state (and its agents) versus the suspect and/or defendant in the criminal proceedings.

Assuming that this analysis is accurate, the net effect is that the state and its agents—law enforcement officials, prosecutors, trial personnel, courts, and probation, parole, and corrections officials, *may* have a state-created duty and obligation to ensure that proper notices and proper participatory roles are accorded to the victim. In many instances, this argument and analysis is the legal and intellectual foundation for the creation of statutory laws governing Victims' Bill of Rights. It is useful to note that one of the 68 recommendations of the President's Task Force on Victims of Crime (1982) is that the Sixth Amendment of the Constitution of the United States be modified to include a clause that reads, "Likewise, the victim, in every criminal prosecution, shall have the right to be present and to be heard at all critical states of judicial proceedings." The reasoning associated with this recommendation parallels the arguments used by many state statutes supportive of comprehensive or specific rights for victims.

Protection from Intimidation

Each state, as well as the Federal code, has created statutory provisions in law that establish criminal penalties for persons who intimidate or attempt to intimidate or harass victims or witnesses. These laws prohibit any acts or attempts to (1) intimidate victims or witnesses and thereby discourage or prevent the reporting of a crime, (2) interfere with or prevent appearances at a proceeding (including investigatory, prosecutorial, or judicial proceedings), or (3) alter the testimony of such victims and witnesses. Additionally, laws also authorize courts to enjoin such activities by orders of the court. These orders may also have additional civil or criminal penalties attached.

Recent victimization reports indicate that victims who fail to or refuse to report crime do so for many reasons other than fear or intimidation. However, failure by victims to participate further in a crime investigation and prosecution may be partially based on deep seated but unexpressed fear of intimidation by the suspect, or the suspect's friends and families. Victims need to know about these statutory provisions and also need to be advised by law enforcement and other justice system representatives about how to obtain protection from intimidation and how to be assured that the justice system stands ready to assist and serve them. Among some of the statutory rights of victims in some states is the provision that law enforcement and justice system agencies should periodically notify victims or witnesses about the availability of protection and provide instructions on how to obtain such services. Neighborhood Watch Victim Assistance groups could become a useful community resource for information and advice about these rights and procedures. Prevention of crimes of intimidation are part of the mission of crime prevention groups. Such groups could, with the assistance of the CPO, develop easy-to-read cards that list the phone number and procedures for requesting protection. Such cards could be distributed as part of the educational, crime prevention program of the group.

Notification to Victims

At least 40 states and the Federal code have established statutory provisions designed to ensure that victims and witnesses are notified by officials in writing, by phone, or verbally, about selected procedures associated with the victim's case. Among such notices to victims (and witnesses as appropriate) are: availability of medical, psychological, social-service, and emergency assistance, and the contact agencies for such services; the address, phone number, and procedures to be followed in applying for victim compensation; the availability of witness fees; information and explanation of the final disposition of the victim's case; notices from the prosecution regarding plea agreements; notices by officials concerning planned or cancelled proceedings such as pre-trial conferences, arraignments, trials, or sentencing proceedings; notices and expla-

nations about the victim's right to participate in sentencing hearings and the right to give, orally or in writing, a Victim Impact Statement; notices about parole hearings; notices about the escape of an arrested or sentenced offender; and, in some states, the right of victims to appear at a parole hearing and present an updated Victim Impact Statement. In states where there are comprehensive laws governing a Victims' Bill of Rights, most if not all of these notice requirements are listed. Other states may have separate statutes for each notice requirement.

These notice requirements reinforce and support the evolving doctrine of victims' rights, and act as an appropriate counter-balance to the legitimate constitutional rights of arrestees and defendants. Many states and localities have published cards that list these rights of victims similar to the type of cards used by law enforcement officers in advising suspects of their rights. Victims' rights cards are given to victims at the crime scene. Usually the cards list the applicable right in simple language such as, "As a crime victim, you have the right to be protected from intimidation, the right to be informed about proceedings, the right to compensation, the right to services to assist you and your family." On the reverse side of the card, the issuing officer lists his/her name, date of the crime, the case file number, and a single phone number to call in the agency in order to obtain further information in support of these statutory rights.

Neighborhood Watch members can be a local community network group that distributes and explains the meaning of these cards or notice rights. The cards can be distributed to all neighbors so that victims or potential victims will be aware of their rights and will also be encouraged to report crime rather than not report. Recognizing their rights will also reinforce a victim's willingness to participate further in the sometimes difficult and confusing process of a criminal investigation, prosecution, trial, and sentencing. Discussions among Neighborhood Watch Victim Assistance groups at regular meetings with the CPO can focus on such issues as whether their state or locality (compared to other states) has actually developed appropriate laws and procedures to ensure that victims have a full range of notification rights.

Victim Participation in Proceedings

A consequence of notification rights is that victims have selected rights to participate in different types of criminal justice proceedings. At least 34 states and the Federal code have statutory provisions which permit victims to present oral or written statements—a Victim Impact Statement—in selected proceedings. Most states permit such statements to be included in the presentence investigation report (usually prepared by probation officers) as part of the post-adjudication sentencing process. Many states also permit participation by the victim at the actual sentencing hearing. Many states have also adopted statutes that permit the victim to present such statements as part of the process of plea negotiation or plea bargaining by the prosecution and defense. In many instances, states have mandated that prosecutors consult with the victim prior to the final adoption of a plea bargain. The decision of the prosecutor may be final—based on the discretion of the prosecutor. However, it is clear, as many prosecutors have admitted, that listening to the statements of the victim often has a salutary effect on both the victim and the prosecutorial exercise of discretion. Moreover, introducing the victim and his or her statements into the process of bargaining may have the effect of strengthening the prosecutor's side of the bargaining process. States have also empowered victims to participate in other selected proceedings such as parole hearings and probation hearings.

Most experts agree that the criminal justice system is confusing and difficult to understand even for professionals who work within the system. There may be as many as 45 different and separate transactions on a single victim's case that occur between different representatives of this system. Emphasis on informing victims of their rights coupled with advising victims about their role in different proceedings has the beneficial effect of focusing the system on its principal client, the victim: it is the victim who is harmed; it is the victim who gives information and evidence; it is the victim who can, in some instances, be compelled by law to testify in court; it is the victim who is examined and cross-examined; it is the victim and his family who have an interest in the outcome of their case; it is the victim who seeks, from the system, those benefits and rights that will aid him in being made whole and being offered the opportunity to receive restitution and reparation. Without the victim, there is no justice system.

Neighborhood Watch Victim Assistance groups are excellent sources for transmitting and disseminating information about a victim's right to participate in the criminal justice system. Pamphlets, cards, brochures, and posters can be used to explain these rights.

Employee Assistance

At least 13 states and the Federal code have laws which require or encourage law enforcement officials, prosecutors, or court officials to contact employers and explain that it is important for their employees to appear

in the different proceedings. Victims or witnesses may be reluctant to participate in follow-up investigations or other subsequent proceedings because of the fear of lost time on the job, lost wages, or lost vacation and leave time. Such reluctance may be offset by letters and explanations from criminal justice officials to their employers noting that the employee needs to attend criminal proceedings. Some states, e.g. Michigan, have laws that prohibit employers from penalizing their employees who cooperate as victims or witnesses with the investigation and prosecution of a crime. Under such laws, employers may be subject to criminal penalties and fines.

Labor-management agreements are being developed in some industries to ensure that employees who are victims or witnesses are accorded, through collective bargaining agreements, the same job rights and protections as are usually accorded to employees as jurors or those on military leave. In effect, these agreements extend into the private sector the notion of the rights of victims of crime.

Experts note that part of the reluctance expressed by victims or witnesses to participate in the criminal justice process is due to legitimate concerns about the economic cost of such participation. Loss of time on the job could translate into lost wages or lost benefits unless, as noted in this section, employers are notified by justice system officials that employees are not to be penalized because of their necessary participation in the system.

The private sector *is* involved with crime prevention: the focus of many crime prevention groups is on business-related crime. However, the private sector needs to be aware of the needs and rights of its employees who are victims of crime. Indeed, among the recommendations of the President's Task Force on Victims of Crime Report (1982) were four that focused on the private sector and employers. Businesses were asked by the Task Force to authorize paid leave for employees who must miss work because of injuries sustained in a crime and for employees who must attend hearings. Businesses were also encouraged to establish employee assistance programs for victims and their families. The private sector was urged to encourage private contributions of funds and other support to public and private victim assistance programs.

Neighborhood Watch groups are, in effect, composed of employees of private businesses or organizations. In some instances, they may also be employers. Many crime prevention programs—whether business focused or neighborhood based—can become a pivotal link between the interests of the private sector in addressing crime and victimization, and the interests and concerns of the justice system in responding to the needs and rights of citizens who are victimized.

Return of Property Taken as Evidence

Forty-seven states and the Federal code have established provisions in law that describe the procedures by which victims of a crime may regain—as promptly as possible—possession of their property which was taken or recovered by law enforcement officials as evidence of the crime. These statutes vary in the procedures to be followed from state to state. Many states have adopted the recommendation of the President's Task Force on Victims that procedures should be established ". . . to ensure the prompt return of victims' property, absent a need for the actual evidence in court." Several states have adopted rules that permit, under certain circumstances, law enforcement or prosecutors to photograph or videotape property-as-evidence, annotate and memorialize such photos or tapes for use in subsequent prosecution and trials, and return the property to the victim. The victim's access to his or her property is then assured and costly storage of property for evidence is lessened.

Child Victims

All states and the Federal code have statutes that seek to protect children and prevent crimes against children. Such crimes are usually defined as the physical or mental injury, sexual abuse or exploitation, negligent treatment or maltreatment, of a child under the age of 18 or the age specified by the child protection laws of particular states. Most states also specify that those who may be charged with such crimes include persons who are responsible for a child's welfare—such as parents and other relatives—as well as employees of a child residential facility or persons who provide out-of-home care for children. State statutes that define crimes against children do so by focusing on the fact that such crimes are crimes of personal violence, i.e., one person injuring another in a manner that involves criminal liability.

Most crimes against children are done within a private—often familial—environment. They are crimes of private violence. Unlike many robberies or muggings, they are frequently not done in public and, thus, they are not as suppressible or preventable by the routine visible presence of law enforcement officers in the community. Often, there are few, if any, witnesses other than the offender and the victim. Since the victim is a child, there are multiple problems associated with the discovery, investigation, and prosecution of such crimes. A child may be unwilling or unable to come forward and seek assistance from representatives of the local justice system, or other helping organizations,

whose public missions are to lessen or prevent the occurrence of violence to children.

The Attorney General's Task Force on Family Violence Report (1984) noted that the problems of private or family violence—such as crimes against children, spousal assaults, and abuse of elderly relatives—were once thought to be isolated events that occurred in small elements of the population. However, as a result of Task Force hearings and the testimony of hundreds of victims and experts, the Task Force concluded that, "All these types of crimes now are conceded to represent widespread problems that occur among families in every social and economic class."

The Task Force also noted that the magnitude of such problems is increasing and that there must be a strong and coordinated community and justice system response to family violence. The ultimate task is to break the cycle of private violence that affects generations to come and to prevent family violence and crimes against children from occurring.

These multiple tasks have been complicated by the fact that private violence done within families is often believed to be outside the jurisdiction of public scrutiny or enforcement and that government has no role to play in protecting individuals from other members of their families. By contrast, an opposing view argues that even the suspicion of abuse within the family or by caretakers of children constitutes a *prima facie* case for public enforcement and prosecution. The middle ground proposed by the Task Force sought to balance these positions and still remain appropriately sensitive to the complexities of family relationships and the requirements of due process rights. The Task Force stated that, "The legal response to family violence must be guided primarily by the nature of the abusive act, not the relationship between the victim and the abuser." In effect, this principle explicitly recommends that violence done to children or done within families be responded to by the justice system and others as seriously as if the same assaults or violence were done between strangers.

The Task Force recommended many actions that could be taken by the justice system, state governments, federal agencies, and others so that this legal response could be effectively and fairly implemented. However, overarching all of these specific steps is the one indispensible step to deter and prevent family violence: *"The public must become aware of the nature of the problem and its obligations in combating it."*

Within the past five years, many law enforcement agencies and private organizations have begun outreach programs designed to publicize and educate others about the need to prevent, identify, report, prosecute, and treat crimes against children. Many of the statutory rights for victims that have been discussed in this section apply equally to child victims and adult victims; information about such victims' rights has been published and disseminated in various jurisdictions. Sheriffs' departments and other law enforcement agencies have also published separate brochures for parents on child sexual abuse prevention. These brochures explain to parents about crimes against children such as abuse, incest, and sexual exploitation, as part of the outreach and education program of law enforcement based Crimes Against Children Units.

NWVA members can become important sources of education and advice to their neighbors, their local schools, and other organizations; through the NWVA program communities can become knowledgeable about how they can collaborate to prevent or lessen crimes against children. When briefed by Crime Prevention Officers, members can subsequently disseminate information to others and significantly raise the community's concern and efforts to prevent such crimes.

Spousal Assault Victims

As used here, spousal assault refers to those criminal actions that historically have been termed spouse abuse, wife battering, or marital abuse. More specifically, spousal assault is recently used to describe serious or repeated injuries caused by a person who is married to, cohabitates with, or is involved with the victim in an intimate sexual relationship. In each of these categories, the abuser and the victim share a common family or household. Because the crimes (assault and battery) take place largely in private, they have not been the focus of attention until recently. Victims of these types of abuses have benefited from recent legislation and from court decisions that create new rights for such victims.

Spousal assault is a serious problem as noted in the Attorney General's Task Force on Family Violence Report (1982). It is estimated that several million victims are abused or assaulted by their spouses and/or partners each year. Crime surveys indicate that in 40 percent of all homicides involving women victims, the murderer is the victim's spouse, relative, or partner. A 1981 study estimated that law enforcement officers spend at least a third of their time responding to domestic violence calls.

As is the case with crimes against children, spousal assault victims have, in recent years, been accorded new or expanded rights in law. Among other things, these new statutes (now found in a majority of states) broaden the power of the courts in civil actions to provide protection for abuse victims; make it an independent crime to abuse a spouse or partner; give law

enforcement new powers to make arrest in both misdemeanor and felony spouse abuse cases; require law enforcement, the courts, and victim assistance programs to assist victims in bringing spouse abuse prosecutions; and, make provisions for counseling, shelters, and other services to spouse abuse victims and their families.

Unfortunately, as noted by the Attorney General's Task Force Report and other commentators, in many jurisdictions there is a substantial discrepancy between the new or expanded powers conferred on law enforcement, prosecution, and the courts, and the actual practices of these agencies. Part of the resistance to vigorous investigation, prosecution, and punishment of spousal assault is rooted in the belief that violence done in the family is outside the jurisdiction of enforcement and prosecution. Others cite the refusal by victims—after an initial investigation—to cooperate with prosecution. Others indicate that such cases are complex and difficult to investigate and prosecute.

The Task Force and other legal experts, however, have consistently and successfully argued (and courts have sustained them) that the legal response to spousal assault must be guided by the nature of the abusive act and not the relationship between the victim and the abuser or the difficulties of investigation. As has been noted earlier concerning crimes against children, spousal assault cases must be responded to as seriously as if the same type of assault and battery were done between strangers. Moreover, as many psychologists have noted, when a spouse or partner physically injures and abuses consistently his or her partner, the relationship has become, in effect, a relationship between strangers.

While many states and localities have begun to focus on the problem of family violence and spousal assault, and new statutes and programs have evolved considerably in all states, the fact remains that continued resistance to appropriate intervention by the justice system and others is often based on the feeling that local communities are unconcerned about private violence. For this reason, the Attorney General's Task Force stated—and it bears repeating—that the one indispensible step to deter and prevent family violence rests with the community and its leaders: "The public must become aware of the nature of the problem and its obligations in combating it."

Neighborhood Watch Victim Assistance programs can be an important resource in working with the justice system and others so that knowledge and information about how to prevent family violence can be disseminated throughout neighborhoods. Briefings and training by CPOs for resident members, understanding of new laws and procedures, and the transmittal of written or verbal information to others can give to victims of spousal assault the clear message that others in the community care and that there are ways to help them and their families. NWVA members can also conduct or sponsor workshops or conferences on the general topic of the prevention of family violence with specific programs aimed at spousal assault, crimes against children, and elder abuse. Members can also volunteer to work or assist in shelter programs, to provide short-term psychological first aid to victims, and to urge victims (and even abusers) to seek professional counseling or assistance. In many jurisdictions, shelters for spousal assault victims, courts, and other agencies have expanded their services to include new counseling programs for abusers and their families. These programs assist the abuser and the family to control and handle family stresses in a way that avoids the use of violence.

Many victims of spousal assault are reluctant to discuss their problems with their own family or relatives. However, studies have indicated that such victims often share their experiences with close friends and neighbors. Such contacts may present an invaluable opportunity for informed neighbors and friends to discuss in an objective manner the possible options open to the victim and the family. Recent developments in laws, social services, and public and private counseling programs have expanded the options available to such victims. Knowledge and information gained by neighbors in and through the organized Neighborhood Watch Victim Assistance program can often be the one source of help that enables the victim and the family to begin the difficult process of preventing future violence to them, and possibly rebuilding a family or a relationship.

Elder Abuse

Like spouses and children, abuse has become an increasingly apparent problem for the elderly living with their families or others upon whom they are dependent. Physical assaults, neglect, harrassment, exploitation, and other abuses have been reported. While there are no national incidence data available as of 1985, elder abuse (aside from the other crimes committed against the aging) is a widespread problem. According to a 1981 study by the House Select Committee on Aging, estimates of the extent of elder abuse vary from one-half to one million victims annually, although perhaps as few as one in six cases is ever actually reported.

The Attorney General's Task Force on Family Violence found it to be more difficult to obtain testimony from elderly victims than from any other kind of victim of family violence. Admitting this type of problem to others is extraordinarily difficult for older people. They

are very fearful, especially if they depend on others for income, care, and residential living. Because of this fear and dependence, abuse of the elderly is much like child abuse. But in many ways, elderly victims are more trapped than children. Children are mobile and go to schools and elsewhere regularly where others may recognize the signs of abuse; the elderly are often homebound and absolutely dependent on others.

As in cases of child abuse and spousal assault, the Attorney General's Task Force and others have repeated the principle that the legal system and other systems of care for the aging or the elderly treat elder abuse as they would treat the same assault if it occurred between strangers. Just as outreach and educational programs for the community can act to deter and prevent crimes against children and spouses, such programs can also direct the community's attention to the needs and rights of elderly victims of crime.

Summary

There is a common theme that runs throughout each of the categories about victims' needs and victims' rights: organized and informed members of Neighborhood Watch Victim Assistance programs can be the critical and necessary link between the legal system, the justice system, law enforcement, and neighbors who are or might become victims of crime.

Forging and shaping this link will require that law enforcement sponsored crime prevention programs—like Neighborhood Watch—will need to add new training and orientation programs to their activities. Members of local Neighborhood Watch groups will need to acquire and use new information about victims' needs and rights. Such information and training can easily be done by Crime Prevention Officers and other representatives from the local justice system who can or should meet regularly with such groups. The extension of the activities of Neighborhood Watch to include training and information for members about victim assistance is a low-cost or no-cost activity. Many agencies already deliver training and give information about crime prevention to their members at scheduled meetings and through routine publications.

Law enforcement agencies who have reviewed draft versions of this Manual have reported back to the NSA Victim Assistance Program that their CPOs and residents have been able to use the Manual easily and that the new program emphasis on victim assistance is easily done provided there is a commitment from the agency and its staff to perform the necessary outreach, education, and training of Neighborhood Watch members.

The next chapter of this Manual discusses and describes the steps an agency can follow to plan and to deliver a Neighborhood Watch Victim Assistance Training Program for its members and residents.

9 Designing a Neighborhood Watch Victim Assistance Program

A public commitment by senior officials to addressing victims' needs and rights is an essential first step in the design of a Neighborhood Watch Victim Assistance (NWVA) program. Due to the sheriff's unique position as a county's chief elected law enforcement official, enthusiasm "at the top" can be key to a successful program, in the public's view and within the department itself.

Evidence of Commitment

This commitment can be evidenced in any number of ways, including:

- publication of written policies and procedures that ensure fair treatment of victims;
- distribution of public statements;
- participation and leadership in criminal justice and human services coordinating and planning bodies;
- acquisition of knowledge about the issues associated with victims' needs and rights;
- provision of staff training in understanding and handling victim needs and rights;
- designation of victim assistance and crime prevention as a priority within the department;
- involvement of officers and citizens in the planning of the program.

Choosing A Coordinator

The deputy or deputies chosen to coordinate the Neighborhood Watch Victim Assistance program will be most successful if they possess certain skills such as:

- group leadership skills for delivery of training to Neighborhood Watch members. The deputies, as group leaders, will not only need to be able to explain, but to listen, to "think on their feet", and keep discussions on target;
- a personal commitment to victim assistance and crime prevention;
- a basic knowledge of issues relating to victim assistance as discussed in the earlier chapters of this Manual;
- the general respect of other officers; and
- a good rapport with representatives of other criminal justice and service agencies.

Researching the Field

In addition to reviewing the information contained in the Manual, the coordinator will need to do some homework and conduct research on victim services already in place and how to identify additional needs for victims in the jurisdiction. On pages 30-31 is an assessment chart identifying common needs of victims, which includes information about how the needs are met and possible roles for citizen volunteers.

The coordinator should complete the assessment chart through telephone interviews and by requesting sample brochures and other printed information. He or she will then:

- have a current list of information on resources;
- be able to identify needs that are not being addressed;
- identify individuals who can help plan and provide neighborhood training;
- have completed much of the groundwork needed to develop other printed materials, if needed, for public or internal distribution;
- be able to avoid costly duplication of effort;
- be able to make informed decisions about the most appropriate role for Neighborhood Watch Victim Assistance as part of a coordinated community effort; and
- identify appropriate roles for citizen volunteers.

If there is a full-service victim assistance program already in place in the community, it will have already compiled a list of valuable resources. Such an agency can share information, provide insight on unmet needs, and make suggestions for training and volunteer involvement.

If there is no full-service victim assistance program, specialized services may be available from several local agencies. Your own department may follow certain victim call-back and property return procedures, or work with the hospital or crisis teams to assist rape and other sexual assault victims.

The prosecutor's office or clerk of the court may have witness notification or on-call procedures in place. They may also have policy or legal requirements governing the involvement of victims in various processes such as restitution, plea bargaining, or sentencing.

Mental health or social service agencies may also have special treatment programs or employ specialists to provide such services as rape victim companions, counseling, and shelter for domestic violence victims, services for child sexual abuse victims, or assistance for the elderly and disabled.

After the coordinator has charted enough information to have a general overview of how community agencies respond to victim needs, the Victim Assistance Inventory can be summarized below and used as an aid in the Neighborhood Watch Victim Assistance training sessions.

Residents may also have information to add from their own experiences. They may know of efforts by churches, clubs, or employers to assist victims, or they may feel that certain services need improvement. The training session will provide opportunities to deter-

Neighborhood Watch Victim Assistance Inventory

Possible Victim Needs	Service Provider	Restrictions/ Unmet Needs	Possible roles for NWVA Volunteers
MEDICAL			
Emergency Care			
Special Services for: Sexual Assault Victims Child Abuse Victims Others			
Continuing Care			
PROTECTION			
Against harassment, threats by accused			
Separate court waiting areas			
Emergency Repairs (locks, windows, etc.)			
EMOTIONAL SUPPORT			
Companionship			
24-hour crisis counseling, hotlines			
Special Services for: Sexual Assault Victims Domestic Violence Victims Families of Homicide Victims Child Abuse Victims Elderly Handicapped Others			
INFORMATION ABOUT			
Status of Investigation			
Property Return			
Court Process; How to be an Effective Witness			
Court Schedules			
Case Disposition Information			
Defendant Status (e.g. on bail, probation, parole)			
Juvenile Court Process			
Criminal Justice System in General			

Neighborhood Watch Victim Assistance Inventory

Possible Victim Needs	Service Provider	Restrictions/ Unmet Needs	Possible roles for NWVA Volunteers
PARTICIPATION/STATUS			
State Victim Bill of Rights			
Victim Impact Statements			
Restitution			
Community Service			
Participation in Plea Bargaining			
FINANCIAL			
State Compensation Fund			
State or Local Emergency Funds			
Help Filing Claims			
Procedures to Handle Stolen Credit Cards, Checks, etc.			
Intervention with Creditors, Employer			
PRACTICAL NEEDS			
Security and Crime Prevention Information			
Transportation			
Parking at Court			
Babysitting			
Clean-Up			

mine how well informed residents are about existing services and enable the coordinator to gain a better understanding of residents' priority concerns.

Summarizing the Unmet Needs of Victims

After completing the Victim Assistance Inventory, it may be helpful to summarize the needs that seem to be going unmet, along with possible ways in which Neighborhood Watch Victim Assistance participants might assist in meeting those needs. The coordinator will thus be better prepared to respond to specific questions about the degree of citizen involvement needed.

Unmet Needs From Inventory	Possible NWVA Activities
MEDICAL	
PROTECTION	
EMOTIONAL SUPPORT	
INFORMATION	
PARTICIPATION/STATUS	
FINANCIAL	
PRACTICAL NEEDS	

10 A Training Guide for Neighbors

The Training Design

This training guide is designed to be used by the sheriff, deputy, or crime prevention officer with Neighborhood Watch groups. It includes the following components:

- Session 1: Brief Introduction and Statement of Training Objectives
- Session 2: Psychological First Aid: Becoming More Confident and Competent Helpers
- Break
- Session 3: Victims' Needs and Services: What is Being Done? What Needs to be Done? What Roles Can Neighbors Play?
- Session 4: Wrap-Up: Short-Term and Long-Range Action Plans
- Session 5: Evaluation of Training Sessions

This training program can be done in several meetings over time or compressed into a one-day conference or a series of conferences.

The training design alternates brief lectures by the sheriff or deputy with "structured brainstorming," role play, discussions, and decision making exercises by the group.

These participatory learning techniques can give residents a sense of "ownership" in the program, and give the trainer a better understanding of what residents know, what they want and need to know, and what they consider to be priority concerns. These techniques also help build the trust level between the sheriff's department and the public by providing opportunities for sharing information and ideas.

Other suggestions are provided throughout the training guide for keeping discussions on target. Sample visual aids are also included. These lists, diagrams, and charts can be easily reproduced on flip-chart paper before the meeting, or used "as is" with an overhead projector.

There are many issues associated with victim services and rights. It should be emphasized that this training design only allows enough time to provide a basic introduction. The leader can acknowledge questions and problems raised which are "off the track" by posting them on a list for review during the wrap up session or at future meetings, then moving the discussion forward.

The training model is designed to be workable in a variety of situations, but can and should be modified to suit community needs and resources, and individual training styles, and the constraints of time and place.

With large groups, brainstorming and other group exercises may be handled by dividing participants into smaller sub-groups and comparing results at the end of the exercises. In communities with many active Neighborhood Watch groups, the trainer should pretest the training with a group of block captains and incorporate their suggestions into a revised model.

It may also be useful to conduct a planning meeting with a block captain, a victim service provider, a patrol representative, and a mental health professional to produce ideas for modifying the training design to best serve your audience. These individuals could form an Implementation Team to assist the Neighborhood Watch Victim Assistance coordinator in conducting training sessions, or in following up with Neighborhood Watch groups according to the needs they identify.

Preparing for Training: A Checklist

- ☐ Review the NWVA Program Manual.
- ☐ Complete Victim Assistance Inventory and Summary (pages 30-31)
- ☐ Review the proposed training session with the patrol representative, block captain, victim service providers, and/or mental health representative as appropriate; modify as needed.
- ☐ Recruit and invite participants.
- ☐ Arrange meeting time, place, other logistics.
- ☐ Send second invitation notice to participants.
- ☐ Prepare flip charts, visual aids; duplicate evaluation forms (pages 38); assemble handouts (brochures and other local information if available).
- ☐ Review all arrangements for training.

Trainer's Outline

Session 1: Introduction and Overview

1. Conduct a brief "get acquainted" exercise to give you a better understanding of the audience and its expectations. For example, as participants tell their names they might be asked to state one thing they hope to get out of the training. A show of hands regarding who has been a victim and who has been called on to assist a victim might also be helpful.
2. Explain briefly the rationale for the program and its relationship to crime prevention. Provide an idea of the program scope and expected results.
3. Recognize how neighbors already provide reassurance and services to victims of crime.
4. Conduct a five minute brainstorm exercise on victim needs. Post Brainstorm Question #1 and the structured brainstorming rules displayed on Chart #1.
   QUESTION: What do you think victims need after the crime?
   STRUCTURED BRAINSTORMING RULES:
   A. Get out all ideas and list them quickly on chart.
   B. No editing, discussion, or comment.
   C. Repetition is O.K.
   D. Five minute limit.
5. Review responses and mark with an "E" those that refer to some type of *emotional* support.
6. Mark with an "I" responses which refer to needs for *information*.
7. Continue to mark in a similar way other categories of needs that are identified. For example, medical (M), safety (S), financial (F), practical help (PH) for such matters as transportation, and participation (P) in the criminal justice process.

Chart #1—Brainstorm Question: What Do You Think Victims Need After the Crime?

BRAINSTORM RULES:
1. Get Out All Ideas and List Them Quickly.
2. No Editing, Discussion, or Comment.
3. Repetition is O.K.
4. Five Minute Limit.

IDEAS:

Chart #2—Neighborhood Watch Victim Assistance Training Objectives
1. Understanding What a Crime-as-a-Crisis Event Can Mean to the Victim: Session 2
2. Gaining Confidence in Your Ability to Provide "Psychological First Aid" for Victims: Session 2
3. Identifying Services Presently Available to Victims, and Victims' Needs That May be Unmet: Session 3
4. Outlining Actions Neighbors Can Take to Help Meet Needs: Session 4
5. Developing a Plan of Action Session 4

8. Explain that the list just developed will be used again in Session 3 of the training. In Session 2 the group will be taking a closer look at the need for emotional support, understanding, or just plain neighborliness.
9. Present training objectives as displayed on Chart #2.

Session 2: Understanding What the Crime Can Mean

1. Explain briefly how becoming a victim of crime can produce a crisis in a person's life.
2. Explain how *normal* crisis reactions usually occur in three stages emphasizing that these reactions will vary greatly with the individual and the circumstances of the event.
3. Explain and lead the following small group exercise:
   Purposes: To understand how the victim may feel after the crime.
   To identify ways neighbors can assist in the victim's recovery.
   Procedure: Divide the group into smaller groups of three. One person will assume the role of the victim; the second, a neighbor. The third will be an observer who will listen carefully, take notes, and report back to the full group. By the end of the exercise, everyone should have had an opportunity to assume each role.
   A. Read Situation #1, which sets the scene for victim/neighbor interactions during the impact stage of the crisis.
   B. Ask the small groups to improvise a conversation for five minutes. Each group's observer will listen, but not comment.
   C. Circulate among the groups to make sure the exercise is clear.
   D. After the Situation #1 exercise is completed, lead a 15 minute report out and discussion period. Suggested discussion questions are provided after each situation.
   E. Repeat the processes in steps A-D above with Situation #2 (related to the recovery state) and Situation #3 (related to achieving stability). Encourage group members to switch roles each time.
   F. Summarize the results of the exercises, point out the wide range of victim reactions, and list the "helpful" and "not helpful" statements or actions that group members have identified. Distribute photocopies of the "Guide for Neighbors in Assisting Victims," listed in Chapter 7 of this Manual.

Variations on this Exercise:

1. Instead of breaking into small groups of three, a "victim" and a "neighbor" can be selected to play out each situation before the whole group, with all other group members acting as "observers."
2. Male and female roles are interchangeable. Any of the small groups can choose to have a "Josephine" as a victim, or a "Nelly" as a neighbor. You may wish to point out that while the risk of becoming a victim depends on many factors, victims of crime are more often men than women; men, young people, and blacks face the greatest risks of violent crime by strangers; women are more vulnerable to assaults by non-strangers.

SITUATION #1. Joe, a retired widower who lives alone, came home late Friday night and surprised a burglar who shoved him down, kicked him in the chest, and escaped with a small television and $400 in cash. All of Joe's personal papers were strewn across the living room floor, and the lock on the back door was broken. Joe's hands were shaking as he picked up the phone and called his neighbor, Ned, for advice. Ned rushed right over.

Suggested Discussion Guide:

(1) Ask the observers in turn: How did the victim in your group feel? How could you tell? What did the neighbor say or do? What seemed most helpful? Least helpful?

(2) List the responses on newsprint under three columns, for example:

Victim Responses	Helpful	Not Helpful

(3) Ask the neighbors: Do you think you would have reacted differently if you had been the victim? If so, how?

(4) Ask the victim: did the observer accurately describe your feelings? What, if anything, did you need that you did not get?

SITUATION #2. Continuing the same scenario, assume that Joe eventually called the sheriff's department. The deputy to[illegible] the report, but had an emergency and left quickly. Evidence technicians came and went. Joe went to the doctor. He was only bruised, but the bill for X-rays and exam was $150.00, and he was almost broke. A man fitting Joe's description of the assailant was picked up two days later, but the following week Joe saw the man standing in line at the grocery store. Joe didn't know what was going on, or what to expect next. He called on Ned to help him figure out what to do.

Suggested Discussion Guide: Repeat the questions in the discussion guide from Situation #1 above, continuing to list responses on the newsprint.

SITUATION #3. Continuing with Joe's story, assume that after six months Joe's case went to trial. The process involved postponements, sitting in the court waiting area with the defendants, and Joe being given only a brief time to tell his side of the story. The defendant was convicted, but given probation. Joe's life was pretty much back in order by now, but he still had mixed emotions: in a way, he was glad he stuck it out and followed through, but he had also experienced a lot of frustration. He started talking to Ned about how he felt, hoping for some suggestions.

Suggested Discussion Guide:

(1) Ask the observers in turn: How did the victim feel at this point? What positive suggestions did the neighbor have?

(2) Ask the neighbors: Did you have difficulties coming up with positive suggestions? What could have helped you?

(3) Ask the victims: What suggestions appealed to you most? Least? What, if anything, did you need that you did not get?

Session 3: Identifying Available Services, Unmet Needs, and Volunteer Roles

This exercise involves the whole group. The purposes are as follows:

(1) To give the leader a better understanding of how much residents know about agencies and services available to assist victims;

(2) To give the leader an opportunity to provide such information; and

(3) To determine ways Neighborhood Watch members as a group and as individuals can volunteer to assist in improving services to victims.

A. Post the list of victim's needs as developed in Session #1.

B. Beside it, post a chart with the following headings: *Needs; Services; Volunteer Roles.* Subcategories under *"Needs"* can also be listed, as displayed on Chart #3.

C. Explain that first, the group will take a closer look at the needs they have identified, and the formal services available to meet them.

D. List on Chart #3 the needs identified in the first category, i.e., medical, then:

(1) Ask the group if there are other needs in that category which should be added. List them.

(2) Ask the group to volunteer information on any services with which they are familiar, that address those needs. These may include efforts by churches, clubs, neighborhood or civic groups, etc. List them.

(3) Using your own Victim Assistance Inventory, add and briefly explain other services you have identified. List them.

E. Repeat the process in Step "D" with all the other categories of need that were identified in Session #1 and listed on Chart #3.

F. Circle the needs for which *no* services have been identified by you or the group.

G. Now, begin to fill in the third column, *"Volunteer Roles;"* across from the needs circled in Step F.

(1) Ask the group: What part do you think citizen volunteers could play in helping address these unmet needs. List them.

(2) Add to the list, using your own Summary.

H. You may wish to take a five minute "stretch" break before the wrap-up session.

Chart #3

Needs	*Services*	*Volunteer roles*
Medical		
Protection		
Emotional Support		
Information		
Participation		
Financial		
Practical		

Session 4: Short-Term and Long-Range Plans

In this part of the session, the leader brings closure to the training. The purposes of the session are:

(1) To highlight the group's accomplishments in this training program;

(2) To elicit the agreement of the group to distribute appropriate literature throughout the neighborhood;

(3) To assist the group in deciding how to follow-up on needs identified during the training session.

A. Referring back to the Training Objectives (Chart #2), briefly "recap" the activities and accomplishments to date.

B. Distribute samples of local victim assistance literature, if available. At this time, explain that the sheriff's department would like to see that such material is widely distributed to all residents, and is seeking the help of Neighborhood Watch groups. The department will also be distributing this information when deputies respond to calls for service. As each Neighborhood Watch group goes through the training, the sheriff's department will be building a network of concerned individuals it can call on to aid victims.

C. It may be possible at the meeting to decide on the logistics of distributing the literature, and to outline several follow-up steps, such as arranging for future guest speakers, or making "assignments" to research further information on topics of special interest or concern; but in most cases, time will not permit in-depth planning at this session. An agreement by the group to continue exploring Neighborhood Watch Victim Assistance with the sheriff's department through the block captain or a task force would be a very successful outcome for the training session.

Session 5: Evaluation of Training

It is important to measure the success of the training session in meeting its stated objectives. A sample multiple-choice evaluation form is included, which can be completed in five minutes or less.

Follow-up Suggestions for Neighborhood Watch Victim Assistance

A sample brochure, "The Sheriff and Victim Assistance" displayed in the appendix, describes in general terms the type of assistance residents may expect from the Neighborhood Watch Victim Assistance program. It simply lets residents know that neighbors care, are willing and able to help with practical matters, and are working with the sheriff's department to see that victims receive the information and consideration they need. This degree of involvement in victim assistance is not complicated to achieve, and the increased awareness that occurs may be all that is needed or desired in some communities.

Other communities, however, may want to build upon the interest generated at the training session. It is likely that Neighborhood Watch groups will identify further needs for: 1) training and information; and 2) "spin off" activities that may contribute to the future success of community-wide crime prevention and victim assistance efforts. Suggestions for follow-up are provided below, based on the experiences of many other crime prevention and victim assistance programs.

Training Suggestions

1. Sheriff's department ride-alongs.
2. Visits to agencies involved in assisting victims, for example, local mental health agencies, the hospital's rape treatment unit.
3. Presentations by guest speakers on new laws.

4. Monthly or bi-monthly presentations by various criminal justice professionals, service providers, mental health professionals.
5. Guest speakers or panels on topics of special interest, for example, crime in schools, assisting the elderly, drug abuse prevention.
6. Attending workshops and presentations given by other community organizations and reporting back to the Neighborhood Watch group.
7. Court observation.
8. Further readings.
9. Videotape presentations.

Possible Spin-Off Activities

1. "Revitalizing" Neighborhood Watch crime prevention efforts, for example:
   a) making a special effort to work with victims on "target hardening" and other measures to prevent re-victimization;
   b) making sure new residents are informed of Neighborhood Watch;
   c) distributing reminders to all neighborhood residents about Neighborhood Watch.
2. Developing a local victim assistance brochure, flier, wallet-sized cards with emergency and information numbers, or insert for the victim assistance brochure. The sheriff's department's Victim Assistance Inventory and the results of the training session will contain most of the information needed for these items.
3. Starting block parent or "latch key kid" volunteer programs.
4. Working as volunteers with existing victim service organizations or the sheriff's Victim Response Unit.
5. Encouraging the schools to provide learning opportunities about victims' needs and rights, on drug abuse prevention, law related education, school safety, and other topics.
6. Establishing local emergency loan funds for victims of crime; identifying individuals or organizations willing to loan needed items or donate services such as emergency repairs.
7. Researching various issues related to victims' rights and their participation and consideration in the criminal justice system; working with the sheriff's department to address priorities.

Neighborhood Watch Victim Assistance Training Evaluation

Please help the sheriff's department plan and improve future training sessions by completing this evaluation form.

Using the following rating scale, circle the number beside each statement that represents your opinion:

5 = strongly agree
4 = agree
3 = agree somewhat
2 = disagree
1 = strongly disagree

1. I now have a better understanding of how crime victims might feel. 5 4 3 2 1
2. I now know more about what crime victims need to recover. 5 4 3 2 1
3. I feel more comfortable about what to say to people in crisis situations. 5 4 3 2 1
4. The training session increased my knowledge of services available to assist crime victims in this community. 5 4 3 2 1
5. The training session increased my knowledge of needs that are not being addressed. 5 4 3 2 1
6. I gained a better understanding of the sheriff's department's role in victim assistance as a result of the training. 5 4 3 2 1
7. I learned some useful information about how the criminal justice system in general deals with crime victims. 5 4 3 2 1
8. I am now more inclined to offer assistance to a neighbor who has been victimized. 5 4 3 2 1
9. The training session has increased my interest in crime prevention. 5 4 3 2 1
10. The trainer spoke clearly. 5 4 3 2 1
11. The trainer kept my interest and attention. 5 4 3 2 1
12. Everyone was given an opportunity to participate and present ideas. 5 4 3 2 1
13. The group exercises were helpful. 5 4 3 2 1
14. The content of the training session was relevant to me. 5 4 3 2 1
15. I would like to see the Neighborhood Watch group become more involved in victim assistance. 5 4 3 2 1

16. I think the most important follow-up activities for our group are _____

17. I think the group needs more information about _____

18. As an individual, I would like to know more about _____

19. In general, I would improve the training session by _____

20. Other comments: _____

Appendix: Sample Brochure

Instructions

The attached sample brochure, "For Crime Victims . . . Your Sheriff and Neighbors Care," contains text which can be used or adapted by your own local Victim Response Unit or Neighborhood Watch Victim Assistance Program.

The sample brochure contains a six panel, two-fold design. Printing can be done in black ink on white or other color using 70 or 80 lb. offset paper.

The front cover should be in large print. The appropriate name, address, and phone numbers of the Sheriff's Department, and/or the Victim Response Unit, and/or the Crime Prevention Unit should be inserted. Add area codes for the phone numbers since some victims may not be residents at the time the crime was committed and reported to the agency. Add department logo.

The back cover should contain a similar phone number for referral information requested by victims or families. The information blocks such as name of victim, date of incident, incident report number, type of crime, and investigating deputy's name should be completed by the on-scene investigator or deputy as part of the record of the crime. This information is to be given to the victim or family in the pamphlet as part of the initial investigation procedures.

This pamphlet and the record of the crime event should be given to every crime victim by the on-scene investigating officer. Other copies of the pamphlet should be distributed to citizens and neighbors through the work of the Neighborhood Watch Victim Assistance Program volunteers and members.

The Sheriff and Victim Assistance

Back Cover

For Further Information

The Sheriff's Office maintains a list of community resources that may be of assistance to you and your family when any of you are crime victims. Call (phone number) and request information from the Sheriff's Victim Response Unit or Crime Prevention Office.

To process your request quickly, the following information should have been provided to you by the initial investigating officer or deputy who handled your crime call. Please use this information when you call:

Name of Victim

Date of Incident

Incident Report Number

Type of Crime

Investigating Deputy's Name

Front Cover

For Crime Victims

Your Sheriff and Your Neighbors Care

The Neighborhood Watch Victim Assistance Program

THE OFFICE OF THE SHERIFF

(Sheriff's Name, County, Address, Phone Number of Victim Response Unit or Crime Prevention Unit)

LOGO OF DEPARTMENT

Inside Second Page

A Message from Your Sheriff

No one likes to think about the chances of becoming a victim of crime. However, statistics show that it could happen to anyone.

Crime occurs when you may least expect it. Crime has no respect for the young, the old, the rich, the poor. Crime victims and their families may experience physical, financial, and emotional harm as the result of the commission of the crime. Do not try to bear the burden of being a crime victim alone. Call your sheriff, then call a neighbor or friend or relative to be with you until you are over the initial shock.

Do not blame yourself even if you think that you have been careless! No matter how many reasonable precautions are taken, all crimes cannot be prevented. By your willingness to cooperate with law enforcement and prosecution, you can help all of us to hold the truly guilty person—the offender—accountable for criminal acts.

As your Sheriff, I with the members of this Department have organized a Victim Response Unit and a Neighborhood Watch Victim Assistance Program. The purposes of each of these efforts is to provide you and your family with information, advice, support, and assistance so that you and your family can understand how your case is processed, what assistance is available to you, and what your rights as a crime victim in this state and county are. Your neighbors, your community, and your justice system are ready to help you and your family. Call us and let us work together to make our county a safe and caring community for all.

Inside Third Page

If You Are a Crime Victim

1. Dont' try to bear the burden alone. Call the Sheriff or your law enforcement agency immediately. Then, call a neighbor or friend. Many neighbors have been trained by our Neighborhood Watch Victim Assistance Program. They can provide you with assistance, support, advice, and information.
2. Try not to blame yourself. The criminal should be held accountable and blameworthy . . . not you!
3. Be prepared for an initial period of shock and disbelief. You will feel many emotions including anger, fear, grief, a sense of helplessness, and even physical reactions like sleeplessness and nervousness. You may need a good friend or neighbor to listen to you and care. You may need temporary professional assistance. In time, these feelings and problems will recede. Don't feel ashamed or be unwilling to ask others to help you and your family.
4. Don't hesitate to call the Sheriff or your law enforcement agency and ask about your case, whether a suspect has been identified, whether an arrest has been made, whether an offender is on bail or bond, and what other things you need to know about your case. Our Victim Response Unit staff and volunteers are available at any time to advise you of your rights and to give you information and support.
5. Don't give up. Help your criminal justice system by reporting any information you may have about the crime by working with us to identify the offender and by testifying during the investigation, prosecution, and trial processes. Our staff and volunteers can and will help you throughout all of these phases of your case. Without your help and those of other victims and witnesses, there would be no justice system. With your help, we can continue to make our community safe for all.

Inside Fourth Page

If You Want to Help Crime Victims

1. Call the Neighborhood Watch Victim Assistance Program or our Victim Response Unit and request information and advice about how you can join us and your neighbors to help your neighbors and others who are crime victims.
2. Be prepared to offer whatever help is needed—to listen to what happened over and over, to be with the victim through the early hours or days of initial shock and fear, to provide simple but helpful practical assistance such as clean-up, transportation, babysitting, and advice about temporary professional help.
3. Be sure to say things like: "I'm glad you are OK!" "I'm sorry it happened." "Don't blame yourself—it could have happened to anyone or to me." "You must have done somthing right . . . you're here and safe now."
4. Avoid blaming the victim. Be sure not to say things like "Why were you there?" "Why didn't you scream?" or "Why didn't you lock your door?" Offenders are blameworthy . . . not victims. Concentrate instead on expressing your concern and making the person feel safe and cared for. Don't be judgmental about the reaction of the victim whose words and actions may be totally out of character. Crime of any kind is a life threatening event that is normally outside the range of the experience of all of us. Survival alone may be the dominant feeling of the victim.
5. If you have been a victim of crime yourself, your help will be especially valuable to other victims. Being able to say honestly "I know how you feel," and to reassure the victim from your own experience that life goes on, will carry a lot of weight. Many victims of crime have become volunteers in organizations that serve victims' needs and rights. In this way, the negative experience of crime can be turned to a positive helping experience for others.

Fold Over Fifth Page

Victims' Bill of Rights

1. Victims and witnesses have a right to be treated with dignity and compassion.
2. Victims and witnesses have a right to protection from intimidation and harm.
3. Victims and witnesses have a right to be kept informed about various phases of their case, including investigation, prosecution, trial, and sentencing.
4. Victims have a right to provide information and input into the criminal justice process, especially at such key points as plea bargaining, sentencing, and parole release hearings.
5. Victims have a right to restitution as a condition of sentencing.
6. Victims have a right to the speedy return of their property used for evidence.
7. Victims have a right to notifications from officials about arrest, release of defendants, time and location of legal proceedings, time and location of trials, continuances or delays in trial proceedings, sentencing, and parole hearings.
8. Victims and families have the right to be informed about eligibility for state crime compensation or financial support, where applicable, and the right to be helped in completing application forms in a timely manner when applicable.

Bibliography

ABA Guidelines for Fair Treatment of Victims and Witnesses in the Criminal Justice System (1983). ABA, 1800 M Street, NW, Washington, DC 20036.

ABA Victim Witness Legislation: Considerations for Policy Makers (1981). ABA, 1800 M Street, NW, Washington, DC 20036.

ABA: Reducing Victim/Witness Intimidation: A Package (1982). ABA, 1800 M Street, NW, Washington, DC 20036.

ABA: Bar Leadership on Victim Witness Assistance (1980). ABA, 1800 M Street, NW, Washington, DC 20036.

Allen v Wright et al.: Syllabus and Slip Opinion of the U.S. Supreme Court, July 3, 1984, No. 81-757. This opinion contains a detailed discussion of the legal doctrine of standing. (U.S. Supreme Court, Washington, DC.)

Attorney General's Guidelines for Victim and Witness Assistance (1983) and The Victim Protection Act of 1982, P.L. 97-291, may be obtained from the Office for Victims of Crime, U.S. Department of Justice, 633 Indiana Avenue, NW, Washington, DC 20531.

Attorney General's Task Force on Family Violence, Final Report, September, 1984. Copies may be obtained from the Office for Victims of Crime, U.S. Department of Justice, 633 Indiana Avenue, NW, Washington, D.C. 20531.

Aynes, Richard L. (1984). "Constitutional Considerations: Government Responsibility and the Right Not to be a Victim" in Pepperdine Law Review (1984) Symposium.

Bard, M. and Sangrey, D. (1979). The Crime Victim's Book. New York: Basic Book, Inc.

Bureau of Justice Statistics, May 1983, Bulletin "Victim and Witness Assistance: New State Laws and the System's Response". U.S. Department of Justice, Bureau of Justice Statistics, Washington, DC 20531.

Bureau of Justice Statistics, November, 1981, Bulletin "Victims of Crime".

Bureau of Justice Statistics, 1985 and 1986 Bulletin "Victims of Crime". Single copies of BJS Bulletins may be obtained, free, from the National Criminal Justice Reference Service, Box 6000, Rockville, MD 20850.

Carrington, F. and Nicholson, G. (1984). "The Victim's Movement: An Idea Whose Time Has Come" in Pepperdine Law Review (1984) Symposium.

Cawley, D. and Miron, H.J. et al. (1977). Managing Criminal Investigations. National Institute of Justice, Washington, DC 20531.

Criminal Victimization: Journal of Social Issues, V. 40, #1, (1984). Edited by Martin S. Greenberg and R. Barry Ruback, this special issue contains 10 articles that present a number of converging lines of psychological, socio-historical, and legal research on victims.

Finn, P. and Lee, B. (1984). Issues and Practices: Serving Crime Victims and Witnesses. National Intitute of Justice, Washington, DC 20531.

Gittler, Josephine (1984). "Expanding the Role of the Victim in a Criminal Action" in Pepperdine Law Review (1984) Symposium.

Goldstein, Abraham S. (1982). "Defining the Role of the Victim in Criminal Prosecution" in the Mississippi Law Journal, Vol. 52, September 1982. Number 3, 515-561. This is a reprint of The Law Memorial Lectures that argues for the application of the legal doctrine of standing for the victim in the criminal justice process.

Hernon, J. and Forst, B. (1984). The Criminal Justice Response to Victim Harm, INSLAW, Inc., National Institute of Justice, Washington, DC 20531.

Hudson, Paul S. (1984). "The Crime Victim and the Criminal Justice System: Time for a Change" in Pepperdine Law Review (1984) Symposium.

Kelly, Deborah P. (1984). "Victims' Perceptions of Criminal Justice" in Pepperdine Law Review (1984) Symposium.

McDonald, William F. (1976). Criminal Justice and the Victim: Vol. VI. Sage Criminal Justice System Annuals. Sage Publications, Beverly Hills/London. This volume contains 12 articles on criminal justice and the victim.

McDonald, William F. (1976). "Towards a Bicentennial Revolution in Criminal Justice: The Return of the Victim" in The American Criminal Law Review, Vol. 13, 649-673. This is a major study of the history of the role of the victim in the justice system from precolonial times to the mid-1970's.

McDonald, William F. (1982). Police Prosecutor Re-

lations in the United States. National Institute of Justice, Washington, DC 20531.

National Judicial College (1984). Statement of Recommended Judicial Practices Adapted by the National Conference of the Judiciary on the Rights of Victims of Crime. The National Judicial College, University of Nevada, Reno Campus, Reno, NV 89557.

National Judicial College (1984), Participant Manual for Judges on the Rights of Victims and Witnesses. The National Judicial College, University of Nevada, Reno Campus, Reno, NV 89557.

NOVA: Victim Rights and Services: A Legislative Directory, 1984. The National Organization for Victim Assistance, 717 D Street, NW, Washington, DC 20004

Pepperdine Law Review (1984), Symposium Edition on Victims' Rights, Vol. II, 1984. This is a special issue on victims' rights and includes original articles which were commissioned by the American Bar Association and the National Institute of Justice. Pepperdine Law Review, Pepperdine University School of Law, Malibu, CA 90265.

President's Task Force on Victims of Crime (1982). Office for Victims of Crime, U.S. Department of Justice, 633 Indiana Avenue, NW, Washington, DC 20531.

Rape: Journal of Social Issues, Vol. 39, #2 (1981). Edited by A. Conn, L.C. Calhoun, J.W. Selby and H.E. King. This issue contains numerous articles on the rape victim.

Rosenblum, R. and Blew, C. (1979). Victim/Witness Assistance. National Institute of Justice, Washington, DC 20531.

Smith, B. and Cook, R. (1984). Evaluation of Victim Services. National Institute of Justice, Washington, DC 20531.

Viano, Emilio C. (1976). Victims and Society. Visage Press, Inc., Washington, DC. This text contains 46 papers delivered at the International Study Institute on Victimology held in Italy, July, 1975.

Victim Offender Reconciliation Program (VORP) (1984) PACT Institute of Justice, 106 N. Franklin, Valparaiso, IN 46383. See also the publications of the National Institute of Sentencing Alternatives (NISA), Brandeis University, Waltham, MA 02254.

Finally, the Office for Victims of Crime of the U.S. Department of Justice has inaugurated a National Victim Resource Center (NVRC). This Center can provide further bibliographic information. Call the NVRC at (202) 724-6134 or write: National Victims Resource Center, Office for Victims of Crime, 633 Indiana Avenue, NW, Washington, DC 20531.

National Institute of Justice publications may be obtained from the National Criminal Justice Reference Service (NCJRS), Box 6000, Rockville, MD 20850.