

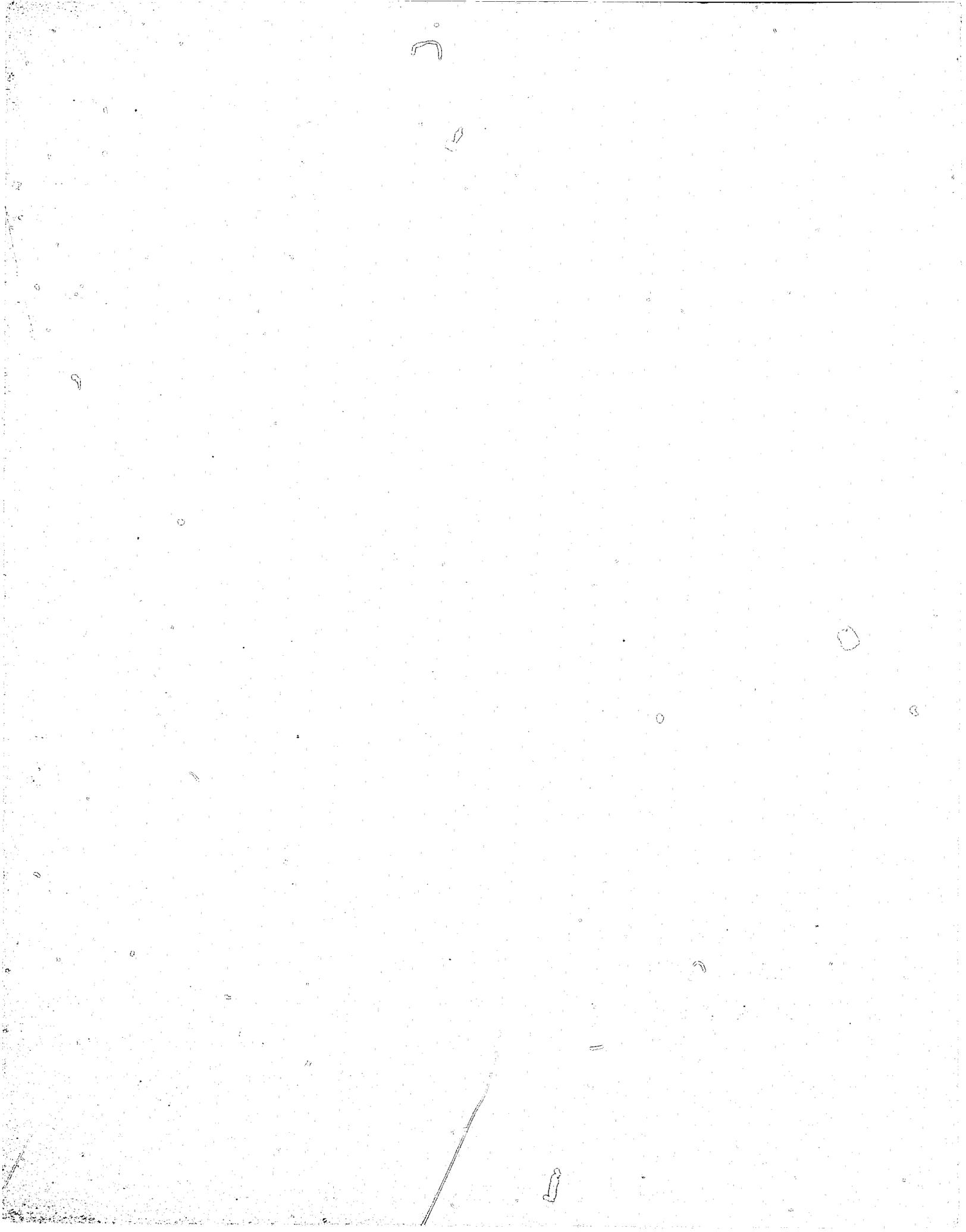
**EXECUTIVE TRAINING PROGRAM  
IN ADVANCED CRIMINAL JUSTICE PRACTICES**

# VICTIM/WITNESS SERVICES

47391

## **PARTICIPANT'S HANDBOOK AND MANUAL**

OFFICE OF DEVELOPMENT, TESTING,  
AND DISSEMINATION  
NATIONAL INSTITUTE OF LAW ENFORCEMENT  
AND CRIMINAL JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
UNITED STATES DEPARTMENT OF JUSTICE



Office of Development, Testing, and Dissemination  
National Institute of Law Enforcement  
and Criminal Justice  
Law Enforcement Assistance Administration  
United States Department of Justice

VICTIM/WITNESS SERVICES

PARTICIPANT'S HANDBOOK AND MANUAL

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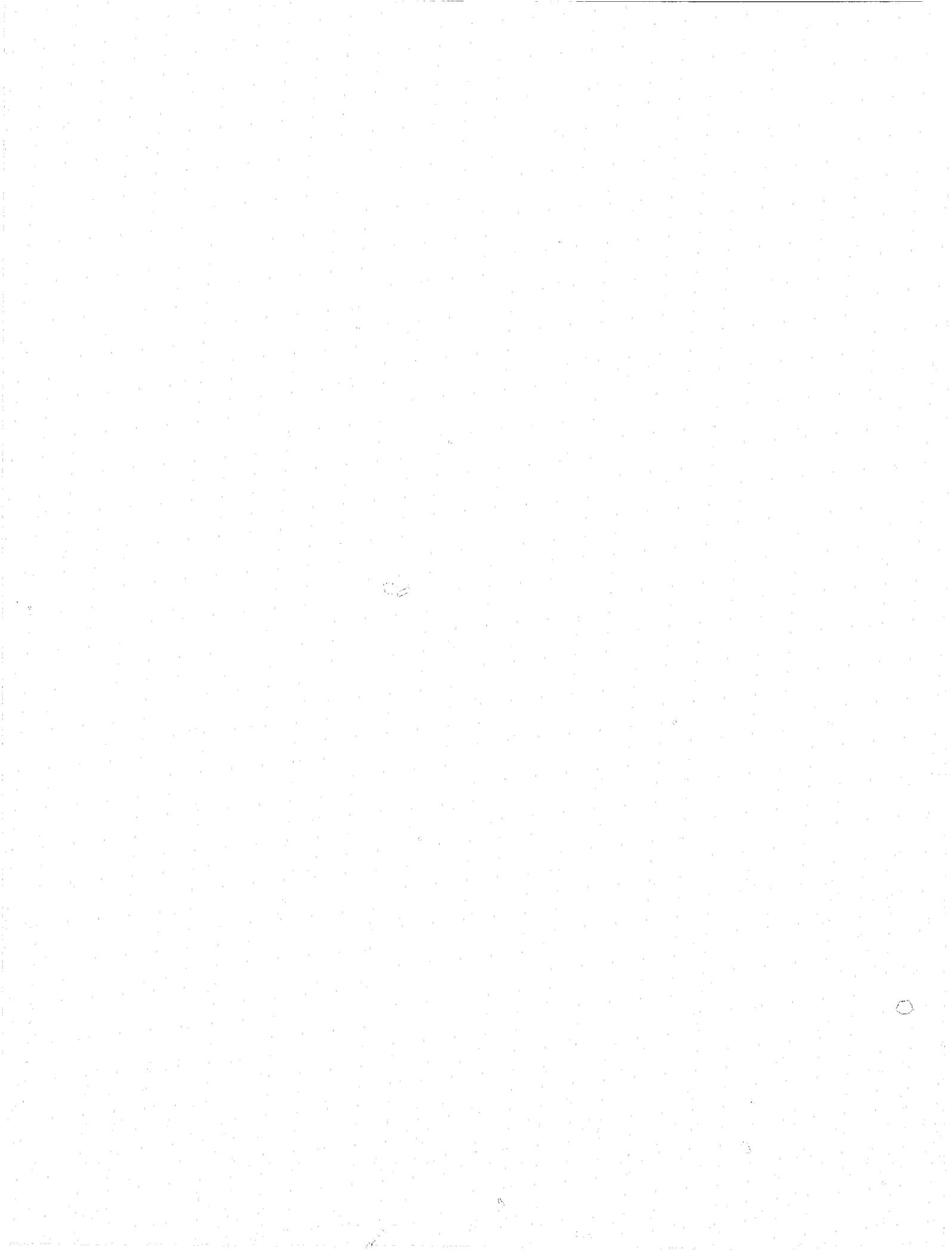
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THE EXECUTIVE TRAINING PROGRAM  
IN ADVANCED CRIMINAL JUSTICE PRACTICES

Introduction

The Executive Training Program in Advanced Criminal Justice Practices is a nationwide training effort that offers states and local jurisdictions the opportunity to learn about improved criminal justice procedures and put them into operation. The Executive Training Program is sponsored by the National Institute of Law Enforcement and Criminal Justice (NILECJ), the research center of the Law Enforcement Assistance Administration, United States Department of Justice.

The National Institute supports wide-ranging research in the many legal, sociological, psychological, and technological areas related to law enforcement and criminal justice. It also follows through with the essential steps of evaluating research and action projects and disseminating information on them to encourage early and widespread adoption.

The Executive Training Program is one of the Institute's priority efforts at transferring research results to actual application in police departments, courts, and correctional institutions across the country. In this program, top criminal justice administrators and other decisionmaking officials of courts, corrections, and police agencies in each state are selected to participate in workshops and other training activities held across the country. The aim of the Executive Training Program is to help states and local jurisdictions develop the capacity to use new procedures derived from research findings or designed and developed by the Institute's Office of Development, Testing, and Dissemination through its Exemplary Projects Program and Program Models publication series.

Goals

The primary goal of the Executive Training Program is to enable criminal justice executives and policyshapers to bring about adoption of improved court, corrections, and police practices identified or developed by the National Institute.

As LEAA's research, evaluation, and technology transfer arm, the Institute works to devise improved methods to control crime and strengthen the criminal justice system and to train law enforcement and criminal justice personnel to use these more promising approaches.

To introduce the new practices throughout the nation, the Institute's Executive Training Program:

- Informs influential policymakers about new practices and their potential for improving the criminal justice system, and
- Gives them the knowledge and skills needed to apply these methods in their jurisdictions.

### Approach

Techniques that have been shown to work or that promise improved effectiveness or efficiency are presented to key criminal justice executives and decisionmaking officials in Training Workshops, Field Test Training, Follow-On Training, and Special National Workshops. Eight topics have been identified by the National Institute for training sessions that began in late 1976 for selected senior staff and officials of state and local agencies.

The Executive Training Program was designed, and is conducted and managed, by University Research Corporation (URC), a national training organization based in Washington, D.C.

URC curriculum designers, trainers, and logistics staff are working with the National Institute, selected criminal justice experts, and local projects that have successfully carried out advanced practices. Some portions of the training are conducted under URC's supervision by consulting firms experienced in criminal justice training.

### Program Activities

Three types of activities are being carried out during the two-year program to facilitate the transfer of advanced practices to local jurisdictions.

#### 1. Training Workshops

Eight Workshop series are being presented across the country. Each Workshop runs for about three days. It is devoted to one topic, and is open to 60 top criminal justice policymakers from throughout the geographical area of the Workshop presentation. At the first four Workshop series, participants learned new techniques for programs on:

- Managing Criminal Investigations
- Juror Usage and Management
- Prison Grievance Mechanisms
- Rape and Its Victims

Beginning in September 1977, Workshops were presented around the country on:

- Managing Patrol Operations
- Developing Sentencing Guidelines
- Health Care in Correctional Institutions
- Victim/Witness Services

Nationally known experts assist in developing training and present portions of the Training Workshops. Training designers work with the Institute, the national experts, and researchers from Exemplary Projects or Program Models to ensure clear presentation of concepts and appropriate guidelines for implementation. Participants receive individual program planning guides, self-instructional materials, handbooks, and manuals. Certificates acknowledging the competence of participants to implement the new procedures are awarded at the conclusion of training. In cases of special need, local training support may be provided after the participants begin the implementation process in their jurisdictions.

The training topics were selected from among the most promising models developed under NILECJ auspices, including models derived from:

- Research Results - Improved criminal justice practices derived from research findings.
- Exemplary Projects - Projects that show documented success in controlling specific crimes or that have demonstrated measurable improvement in criminal justice service.
- Program Models - Syntheses of the most advanced techniques, including operational guidelines, that can be followed in locales throughout the country.

Following each Training Workshop, up to six days of follow-on training is available, on a regional basis, to assist local agencies in direct application of skills learned in these executive training events.

## 2. Field Test Training

Each year, workshop topics may be selected for field testing in up to 10 jurisdictions. During 1976, "field test" sites were selected to implement projects in Managing Criminal Investigations and Juror Usage and Management.

The Executive Training Program will provide assistance to three Neighborhood Justice Center (NJC) test sites in Atlanta, Kansas City, and Los Angeles. A Neighborhood Justice Center is a community-based project that seeks to resolve conflicts between people with a continuing relationship without recourse to the courts. The Centers will recruit and train community people to apply the techniques of mediation and arbitration to disputes. ETP will be responsible for assisting these three project sites prepare grant applications; conducting a seminar for the project staffs at the beginning of the test period; providing 30 days of follow-on training assistance to each center during the start-up period; and conducting NJC Directors' conferences during the course of the contract.

The field tests focus national attention on the new procedures and evaluate their effectiveness and transferability to other jurisdictions throughout the country. The communities selected are those considered most likely to be able to carry out model projects.

Representatives from the test sites, selected by specialists most familiar with the new procedures to be implemented, receive Field Test Training designed to:

- Prepare test site staff to operate or implement their projects,
- Identify needs for follow-on training, and
- Determine the most effective format for Training Workshops in the procedures.

Participants have clearly defined and specifically outlined implementation plans when they return to their jurisdictions. Each site receives 30 days of follow-on training over an 18-month period--designed to provide ideas and recommendations for tailoring the program to local needs. The training helps local groups develop the capacity to solve their own problems and to share ideas and experiences with other field test projects.

### 3. Special National Workshops

Special National Workshops are part of the Executive Training Program. They are held for criminal justice policymakers on significant topics selected by the National Institute. The first Seminars focused on:

- Argersinger v. Hamlin - The 1972 Argersinger v. Hamlin decision, mandating that counsel be provided for all defendants who faced the possibility of incarceration, had a major impact on the court system. The seminar focused on this decision and the problems associated with the delivery of legal counsel to indigent defendants.

- Update '77 - This seminar brought mayors and county chairpersons from across the nation to Washington, D.C. to discuss the role of the local elected executives in planning and developing programs and approaches in law enforcement and criminal justice. LEAA/NILECJ Demonstration Projects, research findings, Exemplary Projects, and other resources were discussed as potential solutions to problems faced by these chief executives.
- Determinate Sentencing - A great deal of attention has recently been focused on the determinate or "fixed" sentence concept. This seminar provided an in-depth analysis of this trend and its effect on both the judicial and correctional systems at the national and state levels. Current legislation and laws in California, Indiana, and Maine were discussed in depth together with related issues impacting on police, prosecution, courts, and corrections.

Other Special National Workshops scheduled in 1978 include: Forensic Science Services in the Administration of Justice; Stochastic Modeling (data analysis techniques for law enforcement planners and analysts); Plea Bargaining; Diversion; Mental Health in Corrections; and Update '78.

Recommendations for problem-solving are provided by criminal justice experts and others who have already dealt with these problems or whose theoretical and analytical contributions can be helpful in the implementation effort.

### Results

The Office of Development, Testing, and Dissemination of the National Institute anticipates that the Executive Training Program will equip criminal justice executives to return to their communities with the knowledge and skills to improve delivery of criminal justice services and thus help to shape a safer environment. It also offers participants a personal benefit--the chance to enhance their own skills and career potential.

### About ODTD

The Office of Development, Testing, and Dissemination (ODTD) is responsible for distilling research, transforming the theoretical into the practical, and identifying programs with measurable records of success that deserve widespread application. In selected instances, ODTD may also provide financial and technical assistance to adapt and test these practices in several communities. The result is that criminal justice professionals are given ready access to some of the best field test programs, or those experimental approaches that exhibit good potential.

ODTD has developed a structured, organized system to bridge: (1) the operational gap between theory and practice; and (2) the communication gap between researchers and criminal justice personnel scattered across the country. ODTD's comprehensive program provides:

- Practical guidelines for model criminal justice programs
- Training workshops for criminal justice executives in selected model programs
- Field tests of important new approaches in different environments
- International criminal justice clearinghouse and reference services for the entire criminal justice community.

To perform these tasks, ODTD operates through three interdependent divisions--Model Program Development, Training and Testing, and Reference and Dissemination--whose functions serve as a systematic "thoroughfare" for identifying, documenting, and publicizing progress in the criminal justice field.

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## ABOUT THE PROJECT STAFF

**SHELDON S. STEINBERG, Project Director**

Dr. Steinberg, Ed.D., is widely recognized as one of the nation's leading educators, administrators, and managers of large-scale national training efforts. His experience has ranged from the management of national training programs for executives, to law enforcement personnel, and to paraprofessionals in a wide variety of human services agencies. He has directed and/or participated in many large research and evaluation projects including the Health and Hospitals Governing Commission of Cook County, Illinois, the State of Hawaii Governor's Office, and current projects in the law enforcement and criminal justice and the alcoholism and drug abuse fields. He has designed training systems and materials in various fields ranging across both the cognitive and affective domain. Dr. Steinberg is fully familiar with the various elements of a training system--evaluation, needs assessment, training design and delivery, audiovisual media, materials development, etc., and he possesses the broad management skills and experience necessary to lead national training programs. Dr. Steinberg, as senior vice president of University Research Corporation, provides professional leadership within the corporation as well as to corporate affiliates. Since 1967, he has served as a member of the Board of Directors of URC providing policy guidance and leadership to the firm.

**EMILIO C. VIANO, Team Leader**

Emilio C. Viano, Ph.D., is Professor at The American University's School of Justice in Washington D.C. He is the founder and the editor of Victimology: An International Journal. Dr. Viano is also Secretary-Treasurer of the International Society of Victimology and the Treasurer of the International Association of Penal Law (American Section).

He is the author of several books and articles that have appeared in scholarly journals. He is the editor of Victims and Society, co-author of Social Problems and Criminal Justice, co-editor of Police Community Relations: Images, Roles and Realities, co-editor of Victimology and Victimology: A New Focus, a five volume series, co-editor of The Police in Society and editor of Criminal Justice Research. He also co-authored Management of Probation Services (vols. I and II) and Decision Making in Administration of Probation Services, published by the National Council on Crime and Delinquency.

During 1976-77, Dr. Viano served as one of the trainers who developed and delivered the Executive Training Program Workshop on "Rape and Its Victims." In 1975, he organized and directed the International Institute of Victimology held in Bellagio, Italy, that was supported with funds of the Scientific Affairs Committee of the North Atlantic Treaty Organization and the National Science Foundation. During 1974-76, he was visiting Associate Professor at the Institute of Criminal Justice and Criminology at the University of Maryland. In 1973-74, Dr. Viano was the director of the Special Project, "The Humanities and the Police Function," funded by the National Endowment of the Humanities.

**JAMES P. SCHILLER**

Mr. Schiller was formerly director of Milwaukee County's Project Turnaround, a multi-service program to improve services for crime victims, witnesses, and jurors. The project, sponsored by the Law Enforcement Assistance Administration and by the County, covered such services as witness support and appearance management, protection, sensitive crime prosecution, a citizen victim complaint office, and a computerized criminal justice information system called JUSTIS.

Previously, Mr. Schiller served for three-and-one-half-years as an administrator in the Welfare Department's Administrative Services Division. For eleven years, he worked in budget analyses for the County and the City of Milwaukee.

HERBERT C. JONES

Mr. Jones was named director of the National District Attorney's Association Commission on Victim Witness Assistance in May 1977. Since the inception of the Commission in October 1974, under a one million dollar Law Enforcement Assistance Administration grant, Mr. Jones has served as one of the Commission's original eight Unit Chiefs. Although little was known at that time about successful methods to aid the victims and witnesses of crime, Mr. Jones established a comprehensive victim/witness assistance program in New Orleans. His unit conducted victim/witness surveys and offered a range of services: social service referral, property return, employer intervention, transportation, court escort, witness briefings, and case notification. The notification services alone saved the city a considerable amount of time and money, especially in police manpower. Recognizing the importance of public information for the victim/witness program, Mr. Jones appeared on many television and radio talk shows and was featured in Ebony magazine for his work on victim/witness assistance. He has also made presentations before colleges, law schools, the National College of District Attorneys, and many criminal justice conferences and advisory commissions. He is presently writing a chapter for a book to be produced by the National College of District Attorneys that outlines methods available to prosecutors for the establishment of victim/witness assistance programs.

MARGARET A. NEUSE

Ms. Neuse, M.A., M.P.H., has worked for seven years in the health services delivery field. She received her masters in public health from Tulane University's School of Public Health and Tropical Medicine with specialization in family health and population studies. As a health educator and researcher, she worked in clinic programs in El Salvador, Haiti, and Louisiana. Since joining URC in 1974, she has provided training and technical assistance to international, state, and local health care programs in self-evaluation procedures to be used in the assessment and improvement of a variety of services including family planning, primary medical care, dental care, and health education. In addition to her work with health care programs and their administrators, she has also worked with correctional administrators and evaluators while providing training on management-oriented evaluation procedures for corrections, a workshop series conducted under a grant with LEAA in 1975-76.

DEBORAH Y. JACQUIN

Ms. Jacquin has served as the director of Pima County's Adult Diversion and Victim/Witness programs in Arizona. From its inception, this program involved courts, prosecutors, public defenders, the private bar, the Tucson Police Department, Pima County Sheriff's Office, Department of Public Safety, the South Tucson Police Department, and victims. She developed and directed the City Diversion Program, the Unlawful Possession of Marijuana Diversion Program, and the Victim/Witness Advocate Program. Ms. Jacquin has also served as director of the Correctional Volunteer Center. Her work has involved her in the fields of community planning, alcoholism, corrections, poverty programs, job development, drug abuse, and community action. She has served as a consultant to the National Institute of Mental Health, the Law Enforcement Assistance Administration, and the Drug Enforcement Administration. Among her honors are: the Distinguished Citizen Award from the University of Arizona; selection in Washington, D.C., as one of the 10 outstanding Young Women in America; Arizona Woman of the Year; and the City of Tucson Distinguished Citizen Award. She is presently pursuing a Ph.D. in counseling and guidance.

ORA A. SPAID

Mr. Spaid is a training specialist with URC and has assisted in the design and delivery of workshops on jury usage and management, rape and its victims, and developing sentencing guidelines, as well as victim/witness services. Before joining URC, Mr. Spaid was an independent consultant for 10 years, serving a variety of firms and organizations in management, training, health, aging, child development, energy, personnel, human relations, grantsmanship, public relations, corrections, housing, and other subjects. In addition, he was a newspaperman for 15 years and has written for numerous publications. He also served for four years as agency director for a community action agency in North Carolina.

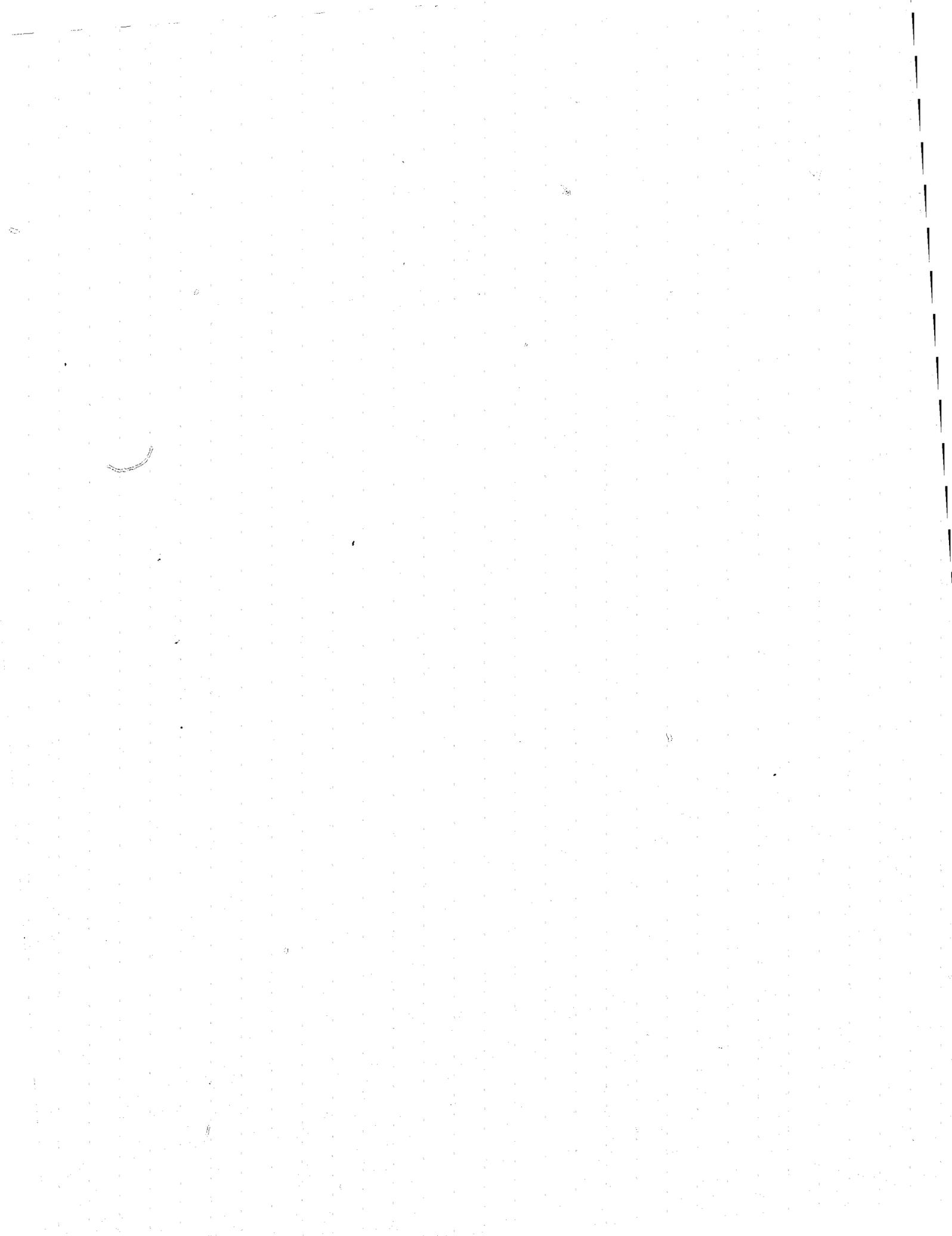
## INTRODUCTION TO THE HANDBOOK AND MANUAL

The Victim/Witness Services Participant's Handbook and Manual is divided into major sections.

Part I, the Workshop program and curriculum, describes the course followed during the Workshop, which consists of formal presentations, seminars, and group-work sessions. Goals and a rationale are clearly defined for each session. Outlines of the material presented and pertinent instructions and worksheets for the group-work sessions are inserted at the appropriate places.

This material is meant to guide the participants through the Workshop presentations and in the completion of the tasks assigned. The statement of the goals of each session is meant to provide the participants with a clear sense of purpose and direction and to give them a concrete foundation on which to evaluate the Workshop. The rationale explains the reasons behind the overall as well as the detailed design of the sessions. The worksheets and accompanying instructions will make it easier for the participants to accomplish their tasks successfully.

Part II, Background Papers and Reference Materials, contains information that represents a distillation of research in the field, the identification of successful programs, the description of promising experimental approaches, synopses of the most relevant legal and programmatic trends in the field, and the outline of proven planning and managerial approaches to victim/witness services. These papers were written to accompany and supplement oral presentations and discussions during a number of the Workshop sessions. They are meant to provide participants with essential, current information on the most important aspects of victim/witness services and to give them a solid foundation for understanding the types of services that can be offered, the best approaches to their delivery, and the benefits to be derived from them.



PART I

WORKSHOP PROGRAM AND CURRICULUM

#### WORKSHOP OBJECTIVE

By the end of the Workshop, participants from the same community will have identified together those victim/witness services needing initiation, improvement, coordination, or further study in their communities. They will have learned about appropriate technologies and will have developed an implementation plan for their use.

VICTIM/WITNESS SERVICES (VWS)

WORKSHOP SCHEDULE

DAY I

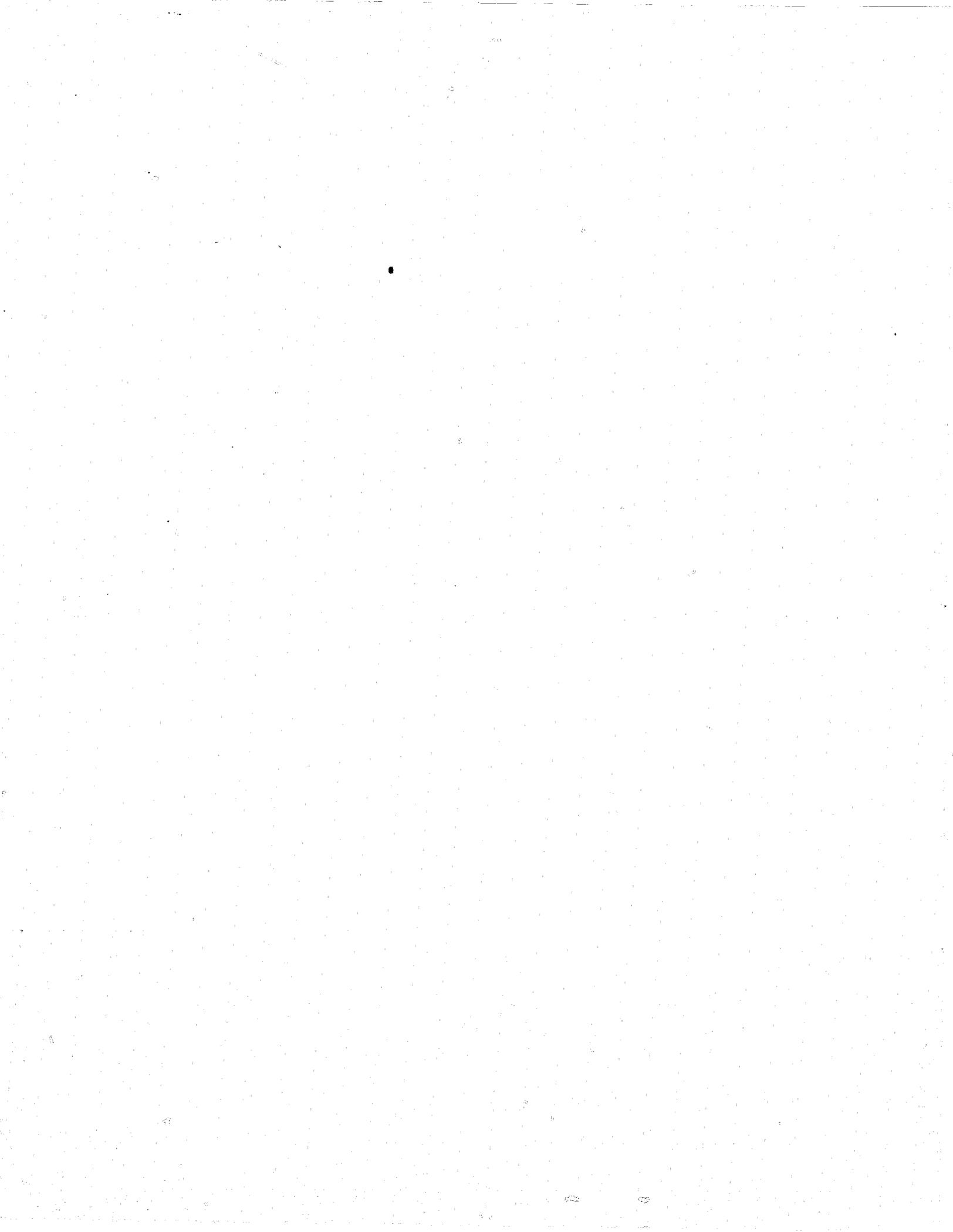
1:00 p.m. - 1:45 p.m.	Session 1	Introduction to the Workshop
2:00 p.m. - 3:00 p.m.	Session 2	Overview of Victim/Witness Problems
3:15 p.m. - 4:15 p.m.	Session 3	Identifying Victim/Witness Problems and Services by Occupational Affiliation
4:30 p.m. - 5:00 p.m.	Session 4	Plenary Feedback Session

DAY II

9:00 a.m. - 9:30 a.m.	Session 5	Introduction to Concurrent Seminars
9:45 a.m. - 12:00 noon	Session 6	Concurrent Seminars: 6A. Crisis Intervention and Management, Social Services Assistance and Referrals 6B. Court-Related Information, Witness Notification and Protection, Property Return, Compensation and Restitution
1:30 p.m. - 2:45 p.m.	Session 7	Identifying Priority Service Needs
3:00 p.m. - 4:15 p.m.	Session 8	Developing a Service Plan
4:30 p.m. - 5:00 p.m.	Session 9	Plenary Feedback Session

DAY III

9:00 a.m. - 10:00 a.m.	Session 10	Strategies for Implementing Change
10:15 a.m. - 11:30 a.m.	Session 11	Developing a Community Action Plan
11:45 a.m. - 12:30 p.m.	Session 12	Feedback on the Community Action Plan
12:30 p.m. - 1:00 p.m.	Session 13	Workshop Conclusion



DAY I

1:00 p.m. - 1:45 p.m.	Session 1	Introduction to the Workshop
2:00 p.m. - 3:00 p.m.	Session 2	Overview of Victim/Witness Problems
3:15 p.m. - 4:15 p.m.	Session 3	Identifying Victim/Witness Problems and Services by Occupational Affiliation
4:30 p.m. - 5:00 p.m.	Session 4	Plenary Feedback Session



Session 1

DAY I

1:00 - 1:45 p.m.

---

INTRODUCTION TO THE WORKSHOP

---

Goals of the Session

At the end of the session, the participants will have a greater understanding of:

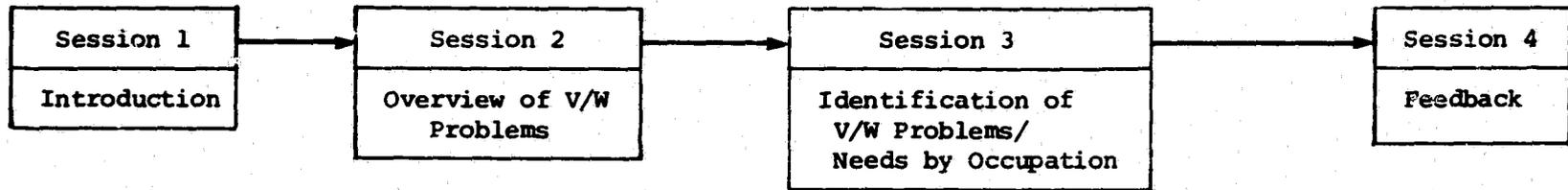
- The mandate and structure of NILECJ and the ETP Workshops
- The rationale for selecting Victim/Witness Services as a Workshop topic
- The development process used for Workshop design
- The goals and objectives for the Workshop, the flow of sessions, and topics
- The rationale for participant selection
- The materials contained in the Participant's Handbook and Manual
- The qualifications and roles of the training staff.

Rationale

The general purpose of the Workshop is to increase the awareness of community teams (representatives from law enforcement, prosecution, city or county government, and service-oriented organizations) about the problems encountered by victims and witnesses and the attendant problems for the criminal justice system. Participants will also increase their knowledge and skills in the planning and implementation of appropriate services to address the problems found in their communities. Because relatively few funds are available for the implementation of new victim/witness services, the coordination and cooperation of community agencies will be necessary if services are to be initiated or continued. This collaboration should involve at least representatives from the areas mentioned above, in order that informed decisionmaking and action take place and the benefits of victim/witness services are realized in more communities.

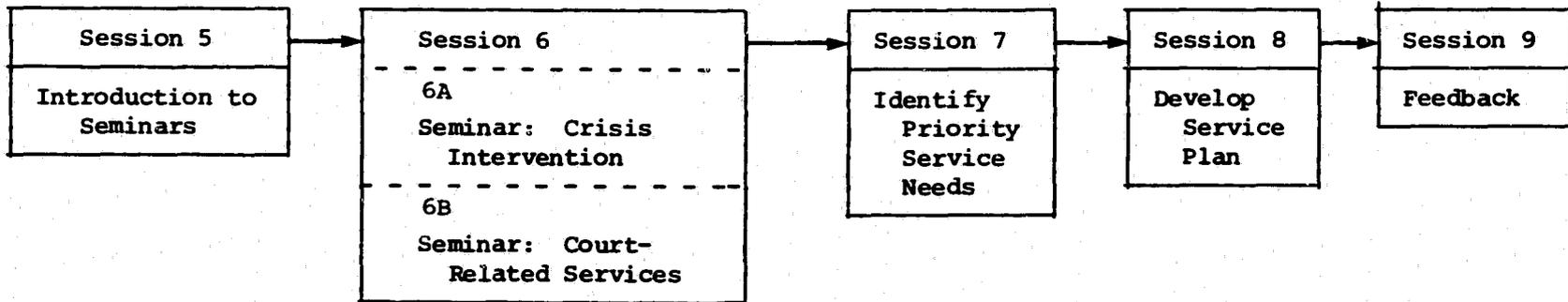
VICTIM/WITNESS SERVICES  
WORKSHOP CURRICULUM

DAY I



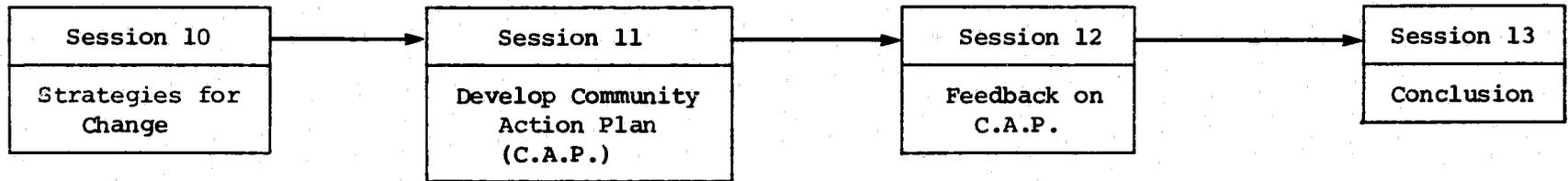
VICTIM/WITNESS SERVICES  
WORKSHOP CURRICULUM

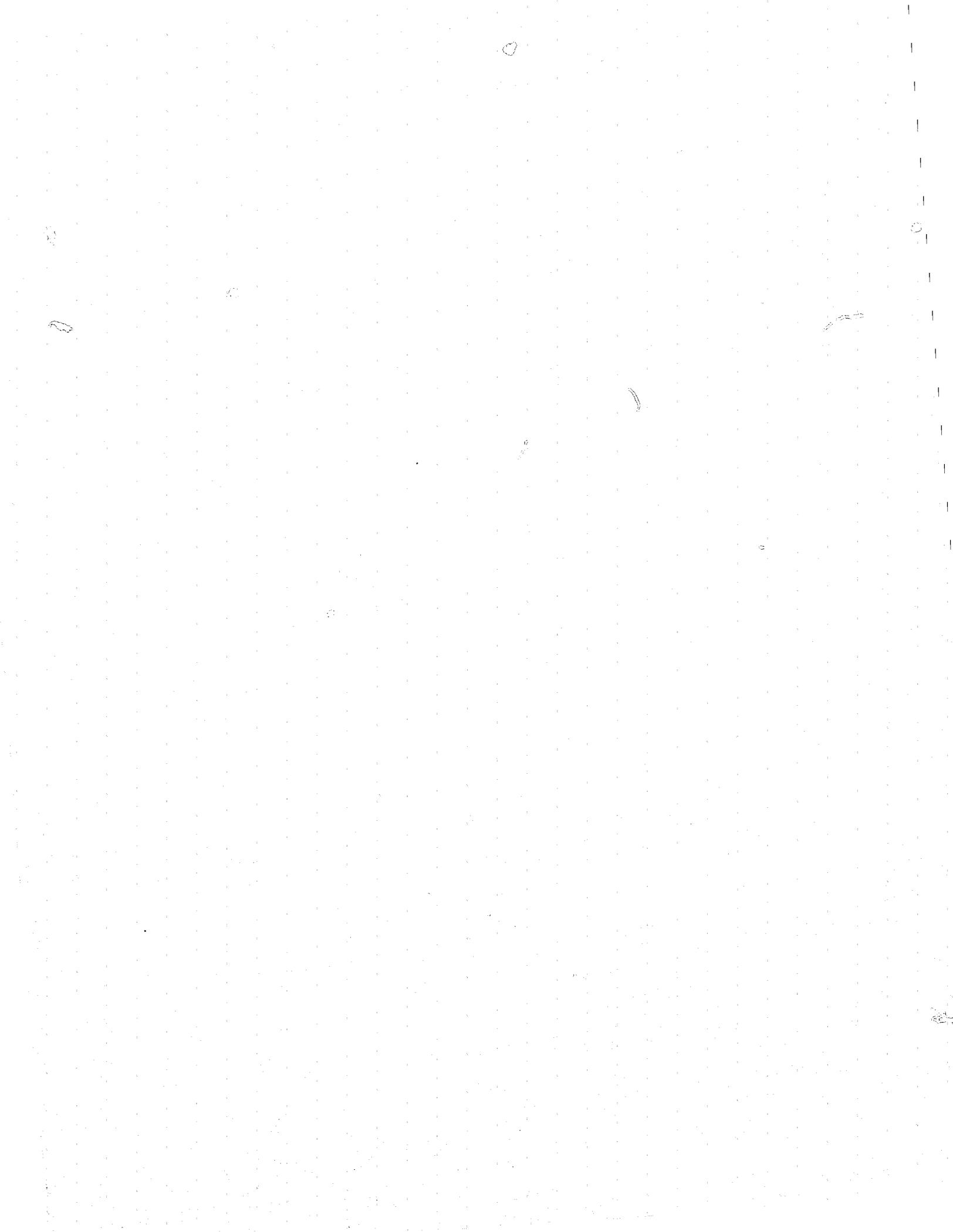
DAY II



VICTIM/WITNESS SERVICES  
WORKSHOP CURRICULUM

DAY III





Session 2

DAY I

2:00 - 3:00 p.m.

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OVERVIEW OF VICTIM/WITNESS PROBLEMS

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Goals of the Session

At the end of the session, participants will:

- Start thinking about victim/witness problems and ways to meet those problems
- Be more aware of the problems faced by the victim/witness and by the justice system
- Understand several benefits to be derived from introducing or strengthening victim/witness services.

The participants should begin to consider how victims and witnesses fare in the criminal justice system (and in their own agency in particular); the need for doing something about it; and what they might be able to do to initiate, improve, or strengthen victim/witness services in their communities.

Rationale

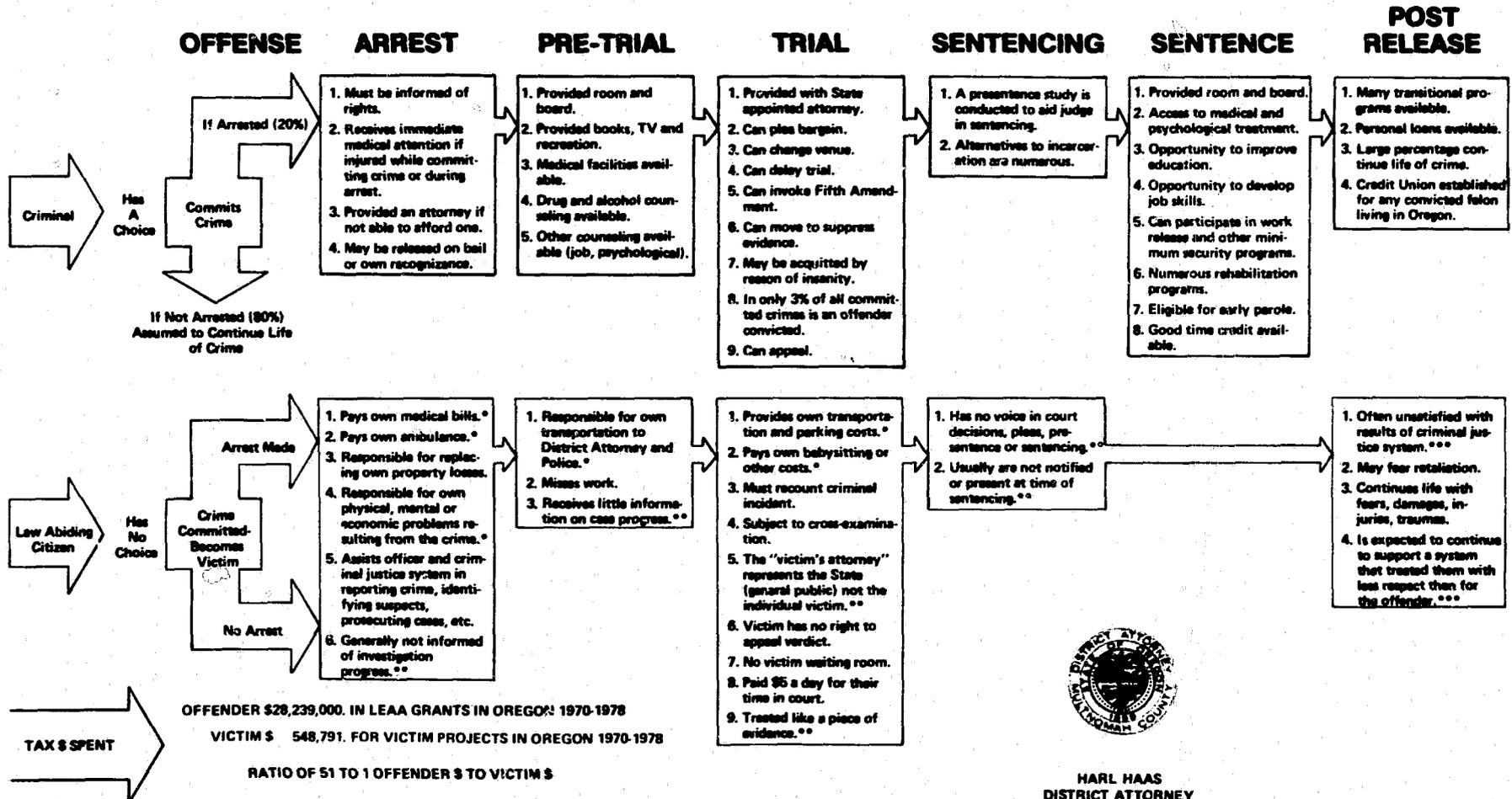
Before proceeding into discussion of victim/witness services and their implementation, we must establish a common understanding of the problems that victims and witnesses encounter and that have provided the impetus for developing victim/witness services. Unless these problems and their implications for the criminal justice system and process are deemed important, there will be little motivation to initiate or improve victim/witness services. This session is designed to demonstrate the multiple benefits to the community and to the agencies involved that can be derived from establishing effective services for victims and witnesses.

**Background Paper and Reference Materials (See Part II)**

- **Victims: The Forgotten People**
- **Profile of the System Witness**
- **Summary of Crime-Related Victim Problems**



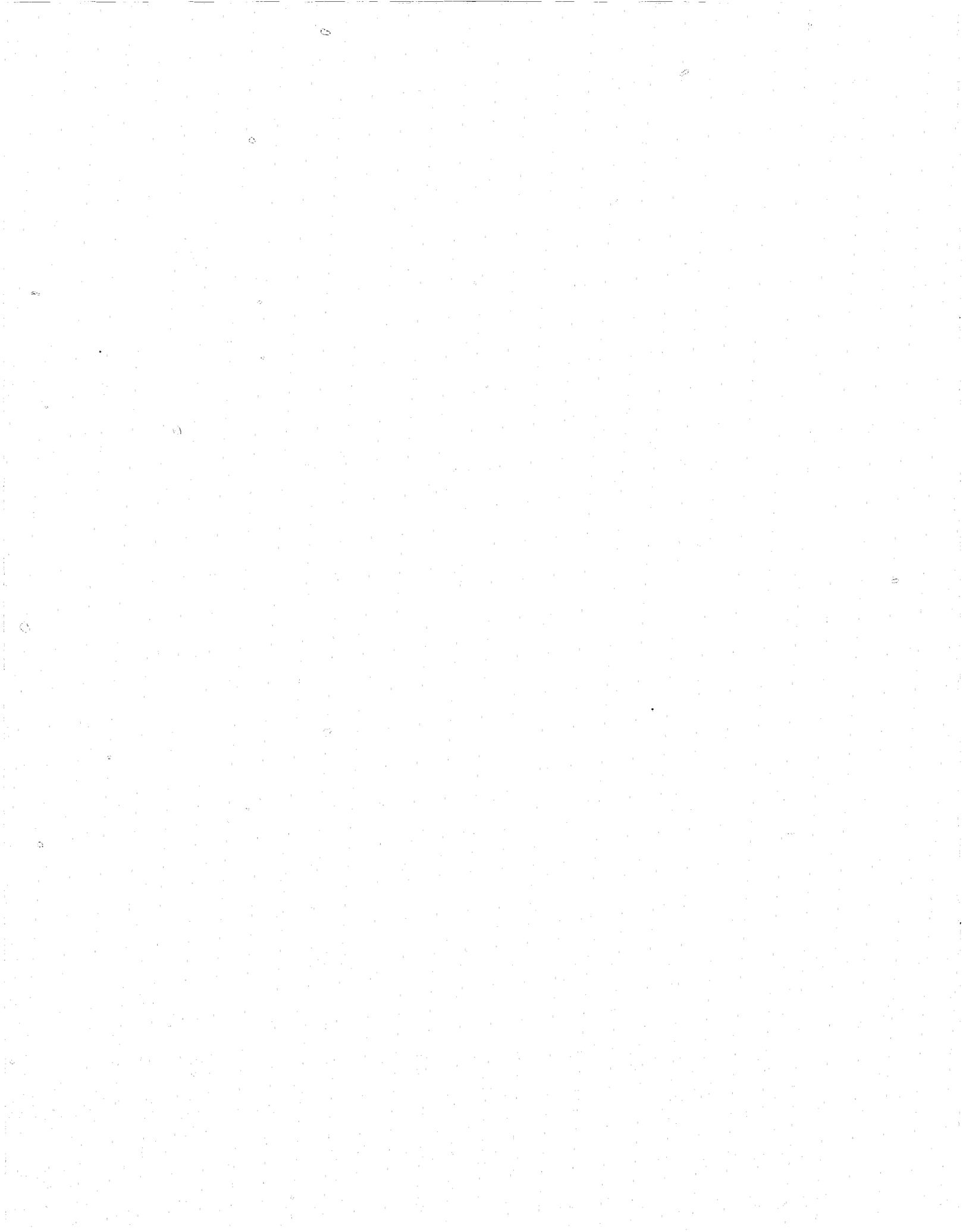
# THE CRIMINAL INJUSTICE SYSTEM



HARL HAAS  
DISTRICT ATTORNEY  
MULTNOMAH COUNTY  
PORTLAND, OREGON

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\*Although having no financial resources to disburse to victims directly, the Multnomah County District Attorney's Victim Assistance Project is able to help victims with these problems through available community resources.  
 \*\*In Multnomah County, every felony victim and witness is informed of case status, disposition, and is involved in many of the decision-making processes and has input into the system.  
 \*\*\*Because of the above services, victims in Multnomah County are developing more positive feelings about the criminal justice system.



Session 3

DAY I

3:15 - 4:15 p.m.

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IDENTIFYING VICTIM/WITNESS PROBLEMS AND SERVICES  
BY OCCUPATIONAL AFFILIATION

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Goals of the Session

This session is meant to:

- Give participants an opportunity to meet colleagues in the same occupational specialties
- Identify, from the perspective of the participant's occupational specialty, what offense-related and system-related problems victims and witnesses face
- Identify, from the perspective of the participant's occupational specialty, what responsibilities and tasks the criminal justice system faces that are related to the victim/witness
- Explore, from the perspective of the participant's occupational specialty, what solutions and services should be provided to alleviate the problems affecting the victim/witness, to meet the system's responsibilities, and to fulfill the tasks previously identified
- Provide participants with an opportunity to list the principal benefits that would accrue to the victim/witness, criminal justice system agencies, and the community as a result of providing and coordinating services for victims and witnesses.

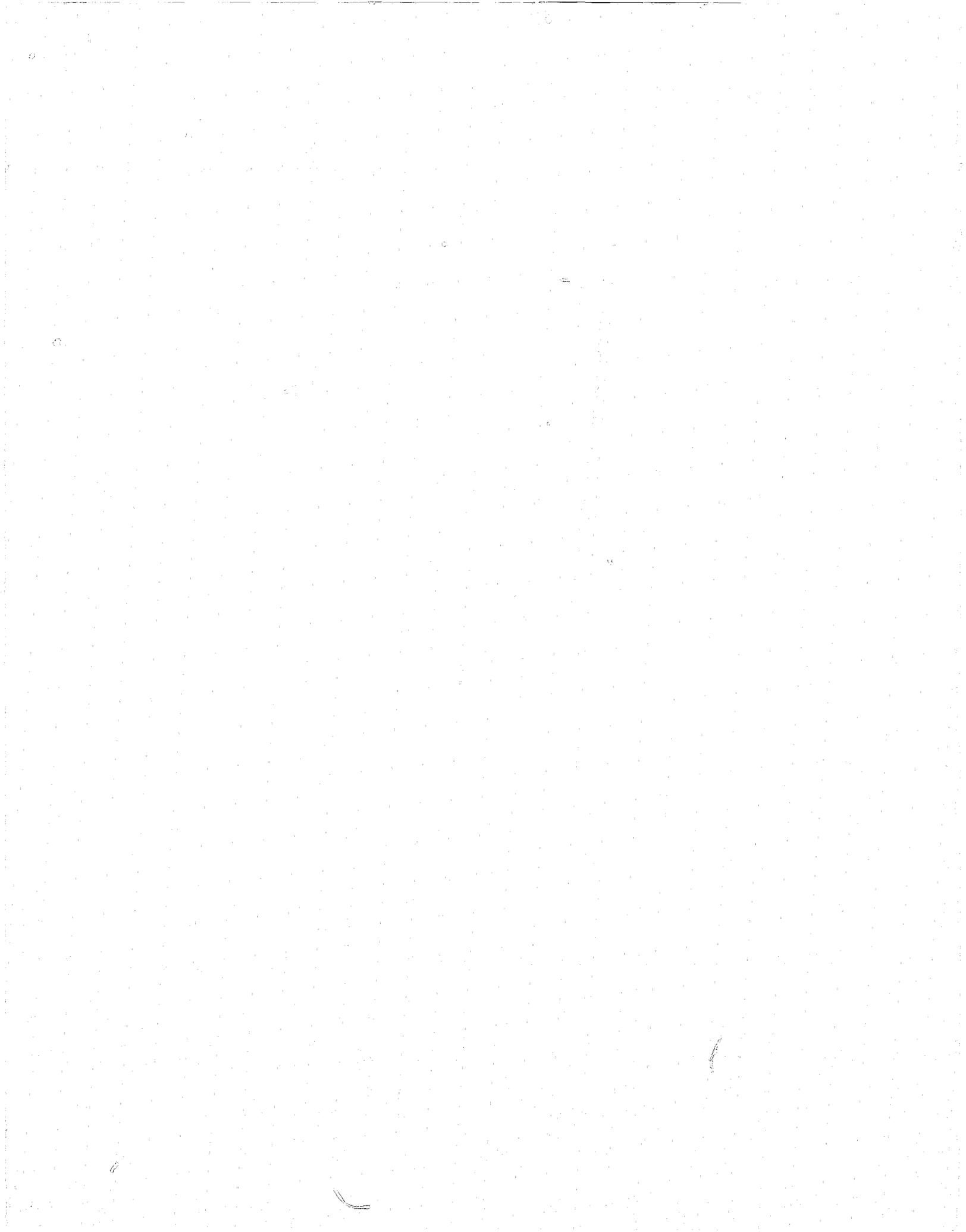
Rationale

In order to identify victim/witness services that need to be identified or improved, the problems, responsibilities, and tasks that those services are meant to address must first be considered. By first discussing the problems the victim/witness faces and identifying what the responsibilities and tasks of the system are, participants can more easily ascertain what is and what is not being addressed appropriately or adequately (for example, where the service gaps are or where the services delivered are falling short) and who should take responsibility. Since

each major component of the system has its own perspective on the problems faced by the victim/witness and by the system itself, it is useful for participants to meet and discuss those problems with colleagues in the same field.

### QUESTIONS TO BE ANSWERED

1. What are the problems that victims and witnesses face that are either offense-related or system-related?
2. What are the responsibilities and tasks that you (as a component of the system) have or should have in response to the needs and problems of victims and witnesses?
3. What solutions and services should be provided to alleviate the problems faced by victims and witnesses as a consequence of the offense or of their involvement in the criminal justice system?
4. What solutions and services should be provided to facilitate your role vis-à-vis victims and witnesses?
5. What benefits would accrue to victims and witnesses, your agency, and the community as a result of providing and coordinating victim/witness services?



Session 4

DAY I

4:30 - 5:00 p.m.

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PLENARY FEEDBACK SESSION

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Goals of the Session

During this session, participants will:

- Report on the problems and services, identified from their occupational perspective, that affect the victim/witness and the criminal justice system
- Learn what problems and services have been identified by participants with a different professional affiliation
- Gain a greater understanding of the problems and corresponding services needed to serve both the victim/witness and the system
- Gain an appreciation for different perspectives and viewpoints that reflect different occupations and experiences.

Rationale

Often, people who work intensely at what they are doing tend to perceive, discuss, and solve problems from the narrow focus of their own profession and experience. This can, at times, constitute an obstacle to the effective solution of the problems facing victims and witnesses and the criminal justice system because of the piecemeal and uncoordinated approach that it fosters. Participants from different occupational and experiential backgrounds may enjoy and profit from learning how other people perceive the problems and the solutions. It is through such shared dialogue that realistic and long-lasting solutions can be found since they will be based on the wealth of knowledge and experience contributed by different directions.

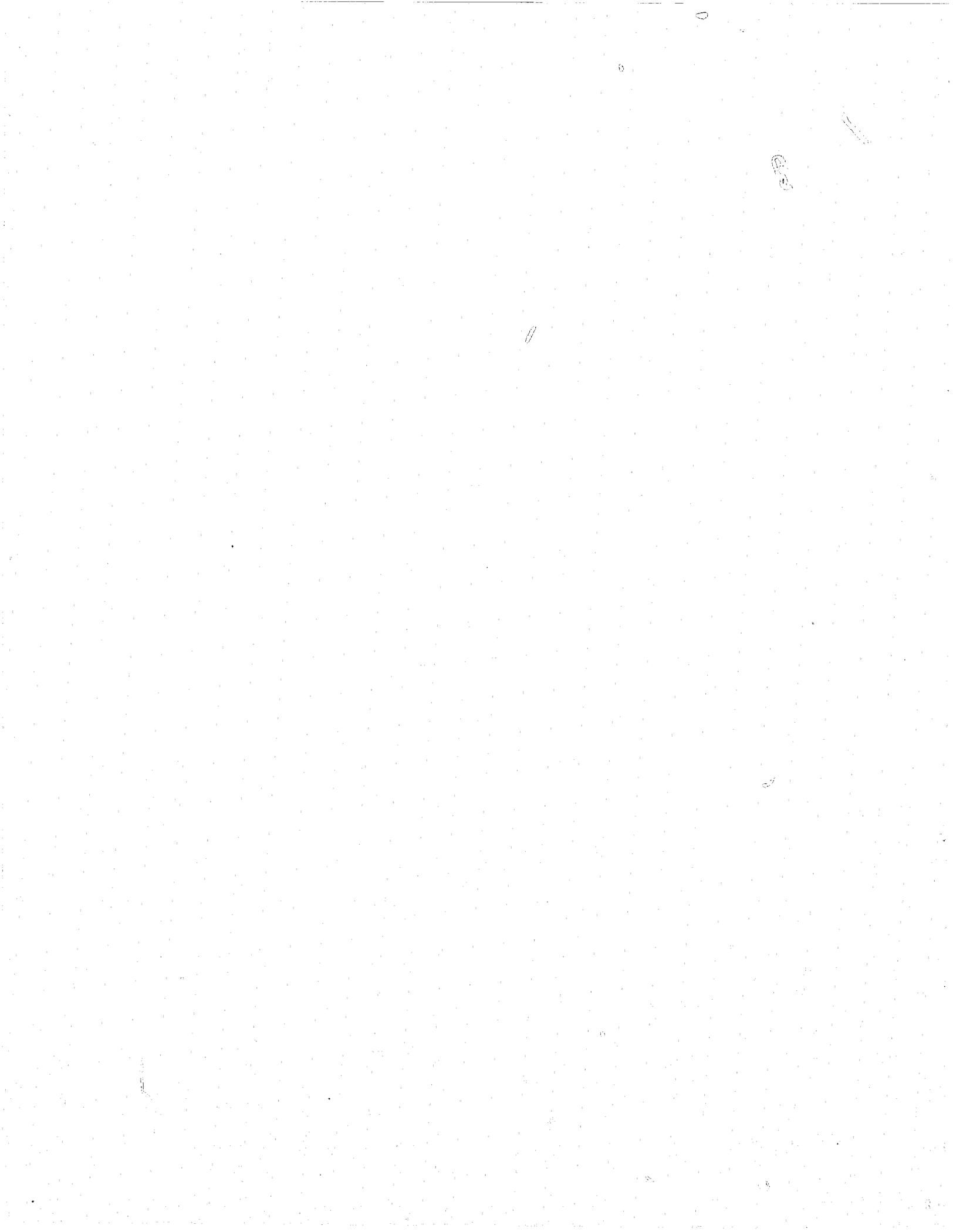
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DAY II

9:00 - 9:30 a.m.	Session 5	Introduction to Concurrent Seminars
9:45 a.m. - 12:00 noon	Session 6	Concurrent Seminars:  6A: Crisis Intervention and and Management, Social Services Assistance Referral  6B: Court-Related Information, Witness Notification and Protection, Property Return, Compensation and Restitution
1:30 - 2:45 p.m.	Session 7	Identifying Priority Service Needs
3:00 - 4:15 p.m.	Session 8	Developing a Service Plan
4:30 - 5:00 p.m.	Session 9	Plenary Feedback Session



Session 5

DAY II

9:00 - 9:30 a.m.

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INTRODUCTION TO CONCURRENT SEMINARS

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Goals of the Session

At the end of the session, the participants will have an overview of the various topics to be covered in the two concurrent seminars so they can make an informed decision about which to attend. In general, the seminars are meant to provide:

- Greater knowledge and understanding of the core victim/witness services--either crisis identification, intervention, management and social service referral; or witness information, notification, surveillance and protection, property return; crime prevention, and compensation and restitution
- Greater knowledge and understanding of the different types of core services available
- Greater knowledge and understanding of the possible agencies that might be responsible for delivering the core services
- Greater knowledge and understanding of the administrative considerations and benefits of each of the core services for victims and witnesses and the criminal justice system.

Rationale

Some participants have considerable knowledge about the types of victim/witness services available; others have relatively little information regarding them. To ensure that all participants have a common basis for understanding the types of services, approaches to their delivery, and benefits, two concurrent seminars will be offered covering the core services. One seminar will cover crisis management and social services assistance and referral; the other will cover court-related information, witness notification, witness protection, and restitution and compensation. This session will provide the participants with general background information and a description of the content of the upcoming seminars.

Background Paper and Reference Materials (See Part II)

- Outline I: Victim/Witness Services
- Outline II: Victim/Witness Services Needed at Different Stages
- Summary of Victim/Witness Services

SEMINAR DESCRIPTION (6A)

CRISIS INTERVENTION AND MANAGEMENT,  
SOCIAL SERVICES ASSISTANCE AND REFERRAL

This victim/witness services core content seminar will provide information on crisis theory and the rationale for crisis intervention approaches to the delivery of services. More specifically, the seminar will cover crisis identification, intervention, management and referral, agencies and resources that might be involved in the delivery of services, the purpose and benefits of these service delivery systems, and resources for gaining additional information about specific service delivery approaches.

During the session, specific programs will be described that illustrate the administrative and organizational structure of the various service delivery systems. Participants will be encouraged to raise questions and issues concerning the delivery of crisis intervention services.

SEMINAR DESCRIPTION (6B)

COURT-RELATED INFORMATION, WITNESS NOTIFICATION AND  
PROTECTION, PROPERTY RETURN, COMPENSATION  
AND RESTITUTION

This seminar session is designed to help participants look closely at some victim/witness services that could respond directly to their community's criminal justice system and citizen problems.

Service benefits and negative impacts will be discussed briefly. Available research data where available will also be described.

Below is an outline of the seminar:

- I. Introduction and Overview of Victim/Witness Services
- II. General Delineation of Service Delivery--Beginning and Ending Points
- III. Types of Witness Services
  - A. Information Services
  - B. Personal Support Systems
  - C. Information, Notification and Referral
  - D. Facility Improvements
  - E. Financial Support/Assistance
  - F. Computerized Information Systems
- IV. Resource Material
- V. Summary, Observations/Guidelines
- VI. Question and Answer Period



**Background Papers and Reference Materials (see Part II)**

- **Summary of Crisis Intervention Theory and Practice**
- **Summary Descriptions of Victim/Witness Programs.**



This information on existing and transferable technologies will make it possible for the participants to begin their planning efforts.

Background Papers and Reference Material (see Part II)

- Overview of Court-Related Victim/Witness Services
- Samples of Victim/Witness Information and Notification Letters
- Criminal Justice System Services Meeting Victim/Witness Needs
- Information and Notification Systems
- Victim/Witness Research Data
- Budgets for Victim/Witness Services in Large, Medium, and Small Jurisdictions
- Victim Compensation Laws
- Restitution to Crime Victims.

Session 7

DAY II

1:30 - 2:45 p.m.

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IDENTIFYING PRIORITY SERVICE NEEDS

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Goals of the Session

After finishing this session, participants will have:

- Identified and drawn up a list of victim/witness service needs for their community, working as a community team
- Ranked the top five service needs of their community, using a rating scale of weighted criteria.

Rationale

To ensure that the information delivered on the core victim/witness services will be meaningful and address the real concerns of the community teams, the teams will be given time to identify the services that they consider of greatest priority for initiation or improvement in their communities.

For those whose communities already have some services, this session will provide tools for reassessing them, for determining whether or not they reflect the true needs of victims and witnesses, and for determining if improvements are in order. Since effective and efficient delivery of services depends on coordination among agencies, it is essential that the ranking of service priorities be done and be agreed on by all the members of a team.

**WORKSHEET**

**VICTIM/WITNESS SERVICES NEEDED**

Using information from your analysis by occupational affiliation of victim/witness services needed and from the seminars on victim/witness services, make a list below of the services that would benefit your community. Also list any services that should be introduced, improved, or expanded. At this time, do not make judgments about the relative need or importance of any service; try for a raw list of victim/witness service possibilities.

## VICTIM/WITNESS SERVICES RATING SCALE

On the following page is a matrix for rating the priority of victim/witness services needed in your community.

Under the column headed "services," write in a few key words to designate each of the service possibilities from the list you have just compiled.

For each of the services listed, discuss and decide on a rating or score, using a scale of 1 to 10, for each of the headings: "need," "appropriateness," "feasibility," "cost," and "impact." Think of a score of 10 as high and a score of 1 as low. Thus, in determining a rating, you might ask; "Is this service high in need, or cost, or appropriateness? How high, or low, is it?" Please note that for "cost," the scale is reversed--high cost receives a lower score than low cost.

You may want to talk about several services and compare them before scores are decided on. Feel free to readjust the ratings as you go along.

Before you proceed, you may want to consider the following questions that need to be addressed for each of the headings:

Need - How extensive is the need for this service? How many people are involved? How often is this service needed?

Appropriateness - If this service is provided, would it solve the problem? Is this the "right" service or just something that it would be "nice to have"?

Feasibility - How difficult would it be to provide this service? Are there any unusual blockages, such as a requirement for changes in legislation, which lower the feasibility of this service?

Cost - What would this service cost in dollars, time, or effort? Could existing resources be used through reallocation?

Impact - If you implement this service, what will be in the result? What will be the result if you do not provide this service? Will there be any "multiplier" payoff?





WORKSHEET

VICTIM/WITNESS SERVICE PRIORITIES

Using the ratings matrix on the preceding page, find the services with the five highest total scores. List them below, in order, with the highest numerical score first, next highest second, and so on.

1.

2.

3.

4.

5.



Session 8

DAY II

3:00 - 4:15 p.m.

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DEVELOPING A SERVICE PLAN

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Goals of the Session

After finishing this session, participants will have:

- Finalized their decision on one or more victim/witness services that they, as a community team, wish to implement or improve in their community
- Designed, in detail, the service or services that the teams have decided to introduce or improve in their community.

Rationale

In order to determine whether the information provided in the previous sessions has real applicability to each team's community, the teams must try to apply and adapt the information in order to develop a realistic service design that they feel will be feasible in their communities. Considerations that are unique to each community, such as administrative structure, relationships among agencies providing the services, availability of resources, profile of the beneficiaries, and so on, must be taken into account.

This session gives the participants the opportunity, with the assistance of a trainer, to apply the information and work out a service design that they feel has priority and is feasible. Also, the session provides participants with practice in developing a service design in a structured format so that they can more easily revise or update such a design back home.

Background Papers and Reference Material (see Part II)

- Designing a Victim/Witness Program.

## VICTIM/WITNESS SERVICE PLANNING STEPS

1. Problem Statement  
What is the problem you are trying to solve?
2. Goals and Objectives  
What is your goal? your objective?
3. Proposed Action  
What action should be taken to solve the problem and meet goals and objectives?
4. Sponsor Identification  
Who is suggesting this action? Why?
5. Work Program
  - a. Organizational Framework
  - b. Personnel
  - c. Coordination and Cooperation
  - d. Management
  - e. Beneficiaries
  - f. Outcomes
6. Resources
  - a. Cost
  - b. Resources Inventory
7. Timetable
8. Monitoring, Evaluation, Accountability
9. Impact
10. Further Steps to Improve and Expand Services

WORKSHEET

VICTIM/WITNESS SERVICE PLAN OUTLINE

Problem Statement (I)\*

What is the problem you are seeking to solve? Why should it be solved? What documentation on the extent and seriousness of the problem (needs assessment, surveys, literature review, research findings, statutory mandates, etc.) do you have or can you develop?

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\*Roman numerals in this outline refer to corresponding sections in the outline, "Designing a Victim/Witness Program," contained in Part II of the Participant's Handbook and Manual.

WORKSHEET

Goals and Objectives (II, III)

What is your goal? (A goal statement would describe the victim/witness service you intend to implement or improve.) What are your objectives? (Objectives would be activities to be undertaken to achieve the goal.)

Proposed Action

What action are you proposing to take to solve the problems?

WORKSHEET

Sponsor Identification

Who is proposing this action? (Give names, titles, and organizational identity.) Why are these persons proposing this action? What reasons/interest do they have in solving this problem? How are they involved?

WORKSHEET

Work Program

Organizational Framework (IV)

What person or organization will sponsor this action? What capability do they have to develop and operate this service? Why should this be the lead agency?

Personnel (V)

What is the staff structure required? Will restructuring of present jobs be required? Will volunteers be involved? How many persons and how much of their time will be needed? Who will do what?

WORKSHEET

Cooperation and Coordination (Interrelationships)

What other organizations, persons, or agencies will be involved? What will they do? What will they furnish to the service? How will interagency activities be coordinated? How will relations with the community be carried out?

WORKSHEET

Service Management

How will this service be governed? Who will be in charge? Who holds legal responsibility? How will others involved be held accountable?

Clients or Beneficiaries

Who is to be served and how? What relationship will there be between the operators of this service and the beneficiaries? Will the clients have a role in how the service is conducted?

WORKSHEET

Outcomes

What products or services will result? What materials will be developed?

Resources (VI)

Cost

What will this service cost? What equipment and facilities will be required? What will personnel cost? What training will be needed?

Resources Inventory

What money, people, or services are available for this service? Who will contribute what? What needs to be done to develop resources?

Timetable

How much lead time or start-up time is necessary? When will this service be operational? What is the time sequence of activities?

Evaluation (VII)

How will this service be monitored and evaluated? Who will do it? What provisions are there for reports and fiscal accounting? How will results of evaluation influence continued operation of the service?

## WORKSHEET

### Impact (VII)

What benefits, cost savings, and improved conditions can be expected from effective implementation of this service? What multiplier or indirect payoff might occur?

### Future Agenda

What is incomplete in this design, what must still be developed? What additional information or activities should be undertaken?



Session 9

DAY II

4:30 - 5:00 p.m.

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PLENARY FEEDBACK SESSION

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Goals of the Session

During this session, participants will:

- Share the top five service needs they have identified for their respective community with the other participants
- Report on what victim/witness services they, as a community team, wish to implement or improve in their community
- Outline, in some detail, the service or services that they, as a community team, have decided to introduce or improve in their community
- Compare their priority listing and their plans with those of the other community teams
- Exchange ideas, share expertise, give and receive advice on the plans to be implemented back home.

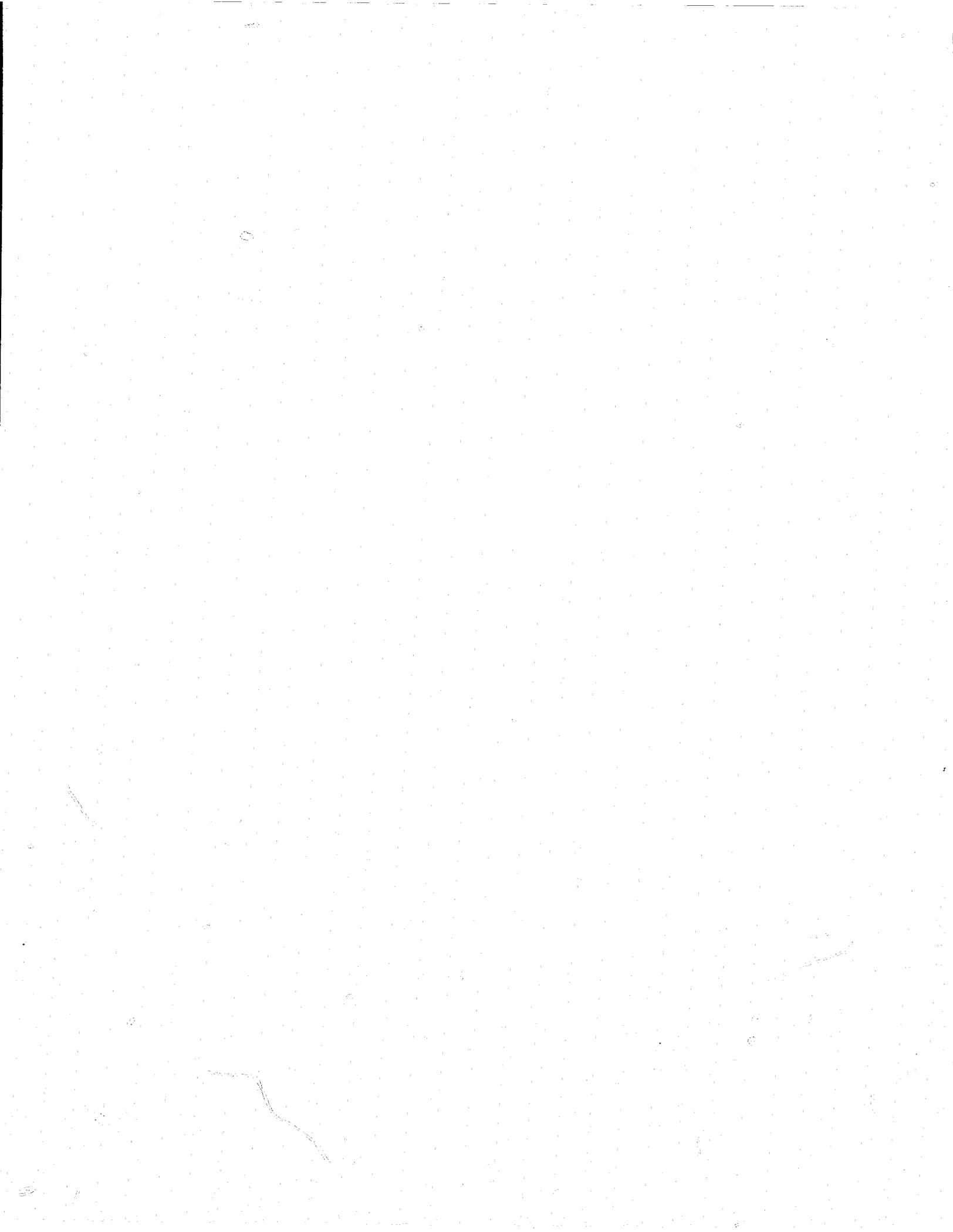
Rationale

Earlier, working in community teams, participants were asked to identify the services that they consider most important to initiate or improve in their communities. They also worked on developing a service design that they felt had priority and was feasible. It is very useful for the participants to share and compare their community analysis and service planning with the work of others, for in this way, they will learn where commonalities and differences lie, identify communities that are similar to theirs or communities that are more advanced, and pool their resources or take advantage of their expertise. As a result, they are likely to increase their awareness about the problems, the available solutions, and ways in which others are planning to introduce or improve victim/witness services.



DAY III

9:00 - 10:00 a.m.	Session 10	Strategies for Implementing Change
10:15 - 11:30 a.m.	Session 11	Developing a Community Action Plan
11:45 a.m. - 12:30 p.m.	Session 12	Feedback on the Community Action Plan
12:30 - 1:00 p.m.	Session 13	Workshop Conclusion



Session 10

DAY III

9:00 - 10:15 a.m.

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STRATEGIES FOR IMPLEMENTING CHANGE

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Goals of the Session

At the end of this session, the participants will have greater knowledge and understanding of:

- Factors to consider and respond to when implementing change in the criminal justice system and in the community
- The experience of implementation of other victim/witness programs
- The relationship of change strategies to the implementation of victim/witness services and techniques for facilitating that process.

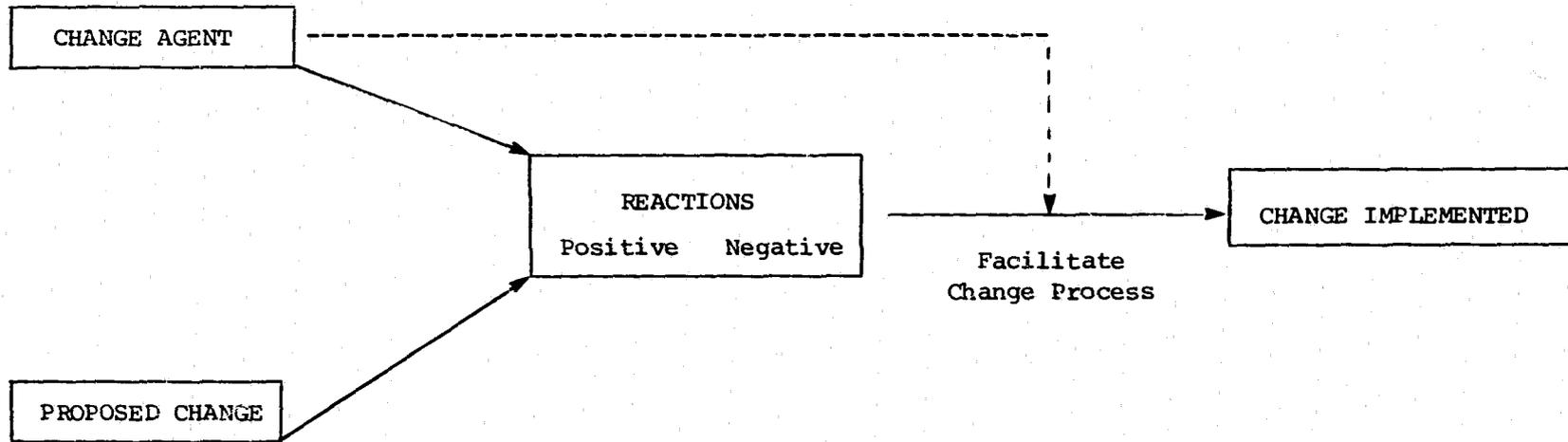
Rationale

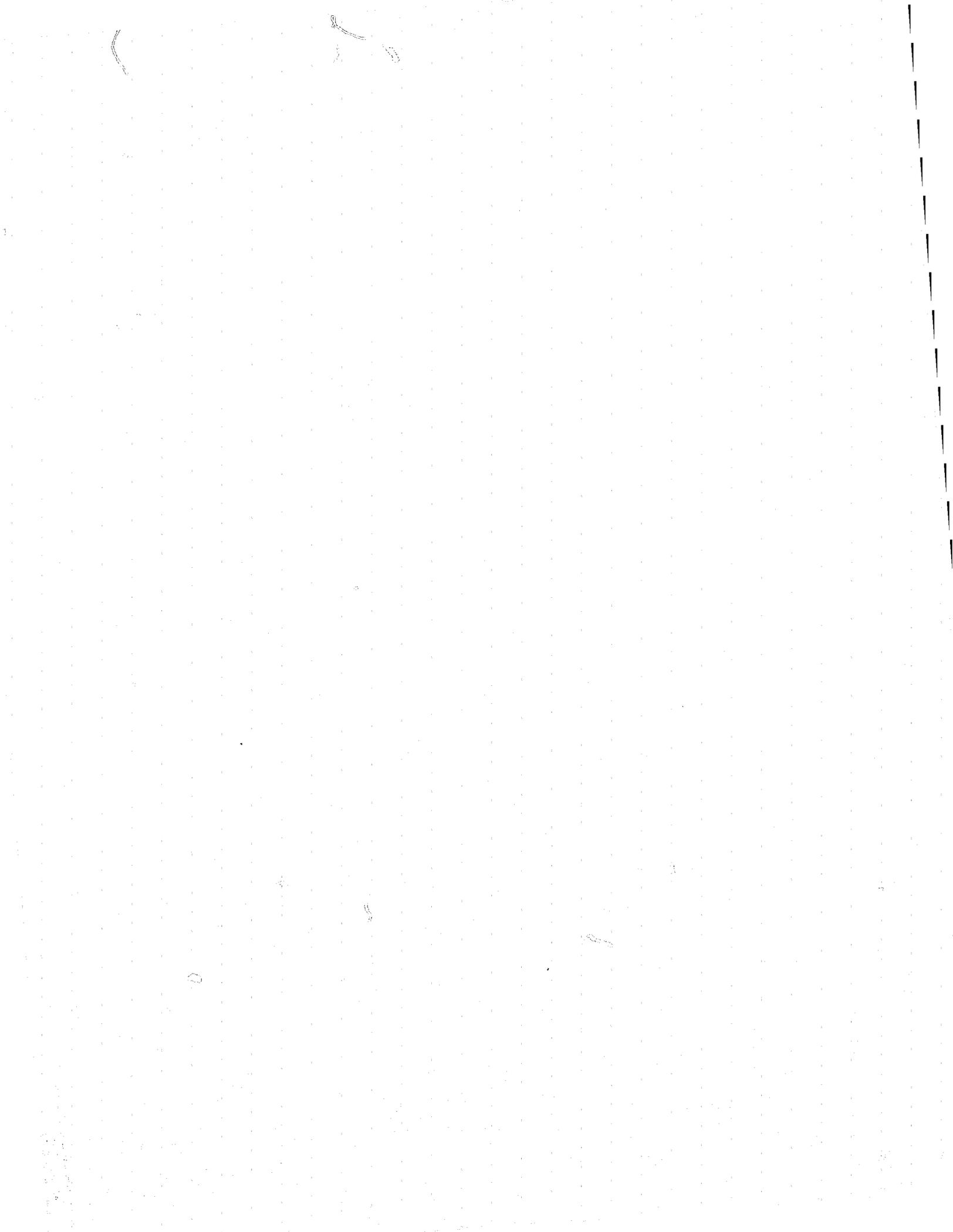
While the planning of new or improved victim/witness services can be difficult, the real challenge is often to achieve implementation. Understanding of the factors that cause resistance to change can help decisionmakers identify strategies to lower resistances and facilitate the change process. During this session, we will present some practical guidelines, based on the experiences of existing victim/witness service programs. In the next session, participants will have an opportunity to apply these guidelines to the development of a community action plan for implementing the services designed in Session 8.

Background Paper (See Part II)

- Implementing Innovation

OVERVIEW OF CHANGE PROCESS





## STEPS IN IMPLEMENTING CHANGE

1. Specify clearly what the proposed change is, why you want to make it, and who the change agents are.
2. Identify all possible reactions, both positive and negative, to the proposed change and the change agents.
3. Develop a plan for implementing change to overcome negative reactions and capitalize on positive reactions.

**CHANGE AGENTS: SOURCES OF INFLUENCE**

**Influence based on friendship and respect**

**Influence based on legitimacy**

**Influence based on expertise**

**Influence based on rewards**

**Influence based on information**

**Influence based on coercion**

## CAUSES OF RESISTANCE TO CHANGE

When the purpose and need for change is not understood

When people feel they have no control over the change process

When the change affects people personally

Changes such as:

- Changes in communications patterns
- Changes in the way work is done
- Changes in organizational culture or norms

## WAYS TO FACILITATE CHANGE

- Present your case in understandable terms-- share information on benefits and needs
- Make sure that those with legitimate, personal, and expert influence are committed to the change
- Get those affected by change involved in planning for the change and its implementation
- Make change tentative--implement change on a trial basis
- Provide in-service training to staff, if necessary
- Support norms that allow for effective change

EXERCISE ON SOURCES OF INFLUENCE

Instructions: Consider your own community and the victim/witness services that you plan to introduce or expand. Then, identify the individuals (by title) who will affect the implementation, and list them below under the appropriate source of their influence. For example, you may influence the implementation because you have expertise in victim/witness services. Some persons may be listed under several sources of influence.

A. Influence Based on Friendship  
or Respect

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B. Influence based on Legitimacy

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C. Influence Based on Expertise

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D. Influence Based on Rewards

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E. Influence Based on Information

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F. Influence Based on Coercion

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**CONTINUED**

**1 OF 4**



Session 11

DAY III

10:15 - 11:30 a.m.

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DEVELOPING A COMMUNITY ACTION PLAN

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Goals of the Session

By the end of this session, participants will have:

- Drawn up a step-by-step plan of the activities their community team will undertake to implement the services they designed
- Conducted an analysis of the reactions they are likely to encounter in implementing their plan and considered how they will address them.

Rationale

The overall purpose of the Workshop is to encourage and enable participants to implement new and improved approaches to the delivery of victim/witness services. In order for participants to do this, they must have some time to consider what they can realistically do when they return home and plan who will do what, when, where, and with what resources. This session provides them with an opportunity to finalize the plans for the implementation or improvement of the victim/witness services so that the changes to be made will be long lasting and effective. In particular, participants should clearly identify obstacles and enhancers they are likely to meet at home; discuss the reasons behind such opposition or support; and devise the best ways to overcome the obstacles and take full advantage of the support. Finally, participants should try to agree, in detail, about who is going to do what when they return to their communities.

ACTION PLAN WORKSHEET

1. Specify the proposed change and the change agents. (What will be changed if the service you planned is implemented? What are the implications of the change to the tasks, procedures, etc., of staff? Who supports or promotes the change? What is their relationship to those affected by the change?)

THE CHANGE AND IMPLICATIONS

THE CHANGE AGENTS

2. Identify all possible reactions to the change and change agents.

WHO?	REACTION	FOR WHAT REASON?	WHAT WILL YOU DO?
_____	Positive/Negative	_____	_____
_____	Positive/Negative	_____	_____
_____	Positive/Negative	_____	_____
_____	Positive/Negative	_____	_____
_____	Positive/Negative	_____	_____
_____	Positive/Negative	_____	_____
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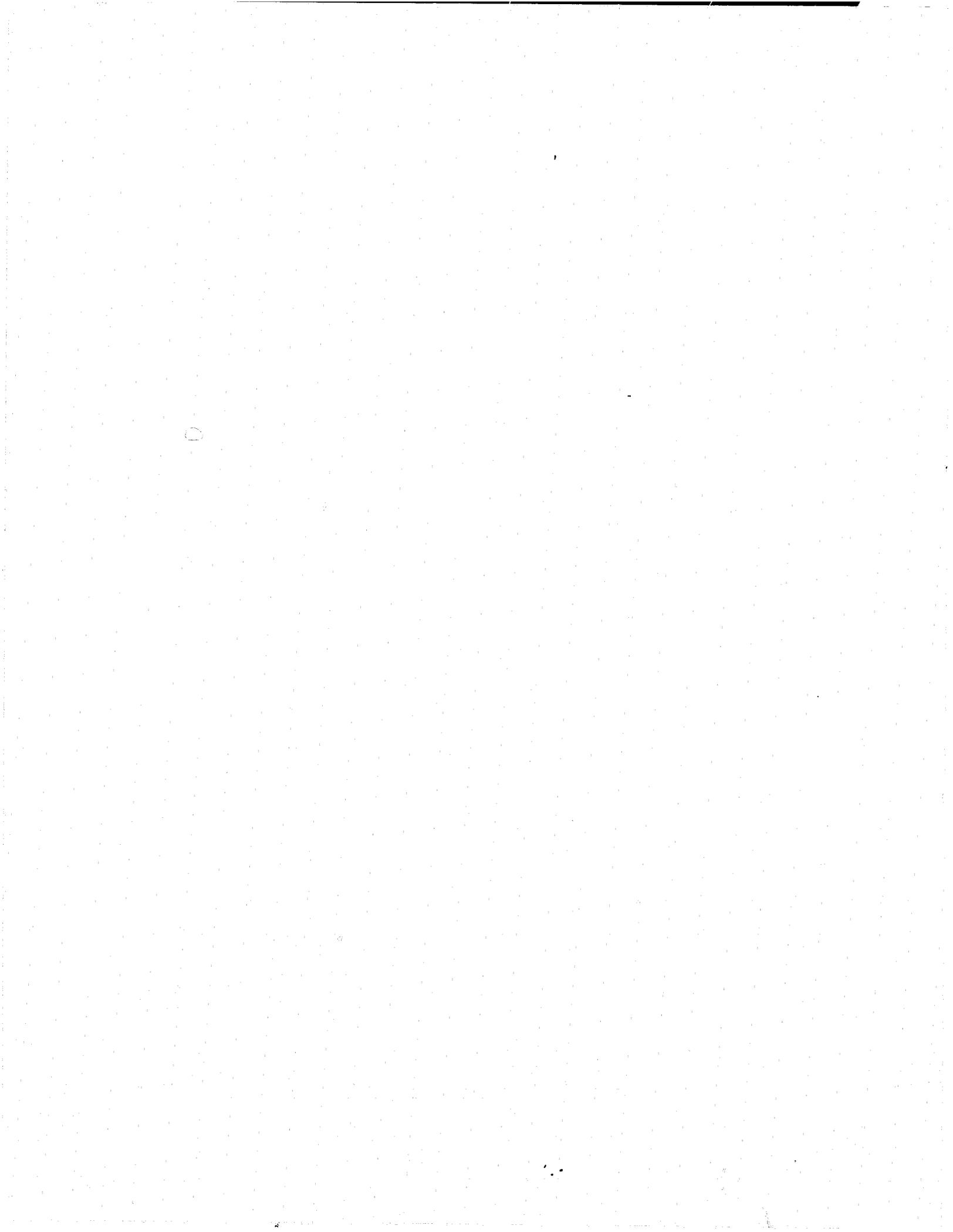
3. Develop a plan for facilitating/implementing the service and changes. (Who will do what, when, where, and with what resources?) Limit your planning to the next three to six months.

WHO?

WHAT? (Objectives)

WHEN?

WITH WHAT RESOURCES?



Session 12

DAY III

11:45 a.m. - 12:30 p.m.

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FEEDBACK ON THE COMMUNITY ACTION PLAN

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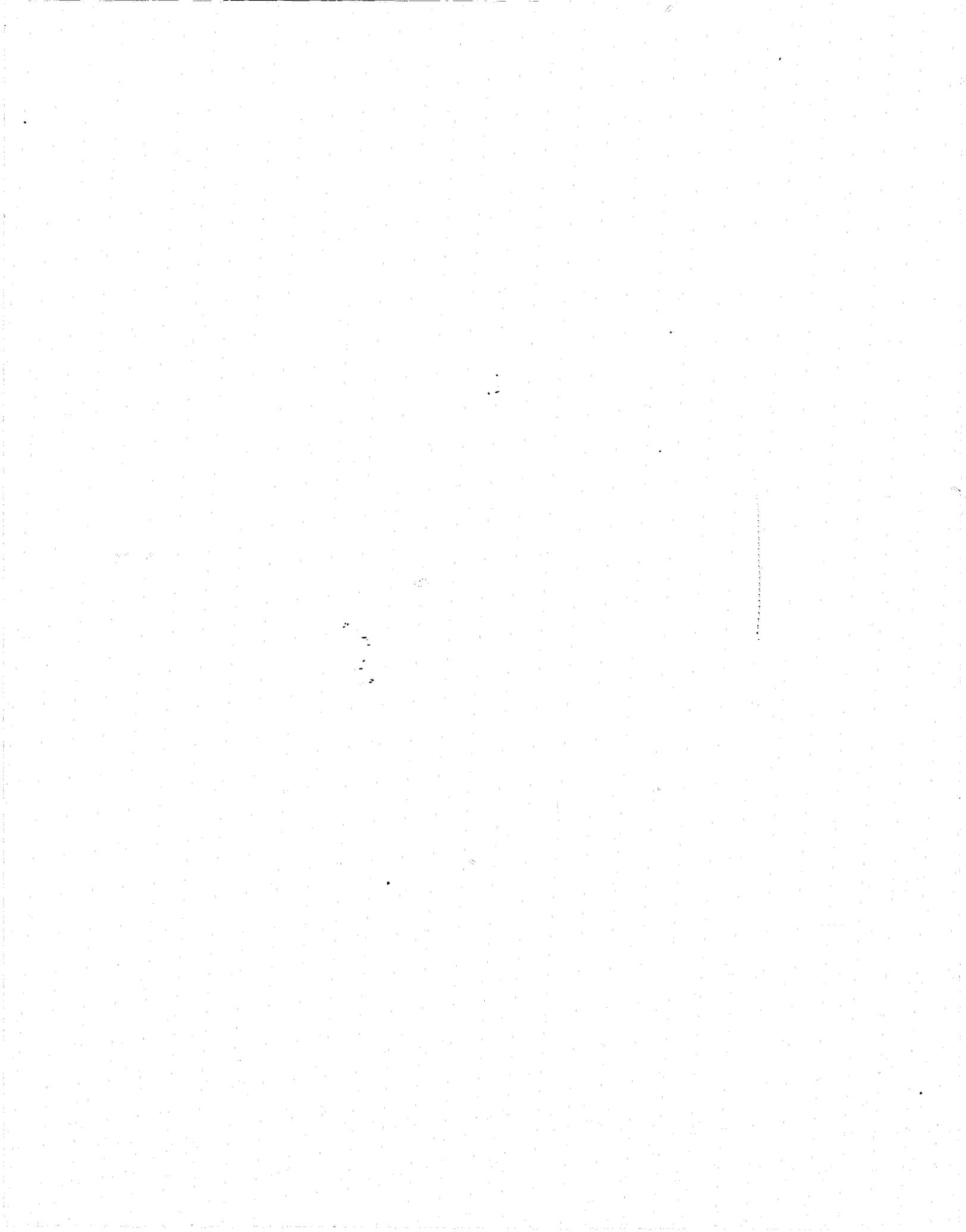
Goals of the Session

By the end of the session, participants will have:

- Heard reports on the specific victim/witness services that a variety of teams plan to improve, expand, or initiate upon returning home
- Gained a greater understanding of the critical factors to consider in implementing any change, especially in criminal justice agencies.

Rationale

Frequently, when participants return home and try to implement their plans, they have unexpected problems. This session is designed to help participants learn what other community groups are planning to do, so the sharing process initiated in this Workshop can be put to use later. Community teams may be interested in learning about the problems and successes experienced by other teams who are planning to implement similar services; or, in several months, the teams may be interested in starting a service they did not work on in the Workshop and they can contact another team for assistance.



Session 13

DAY III

12:30 - 1:00 p.m.

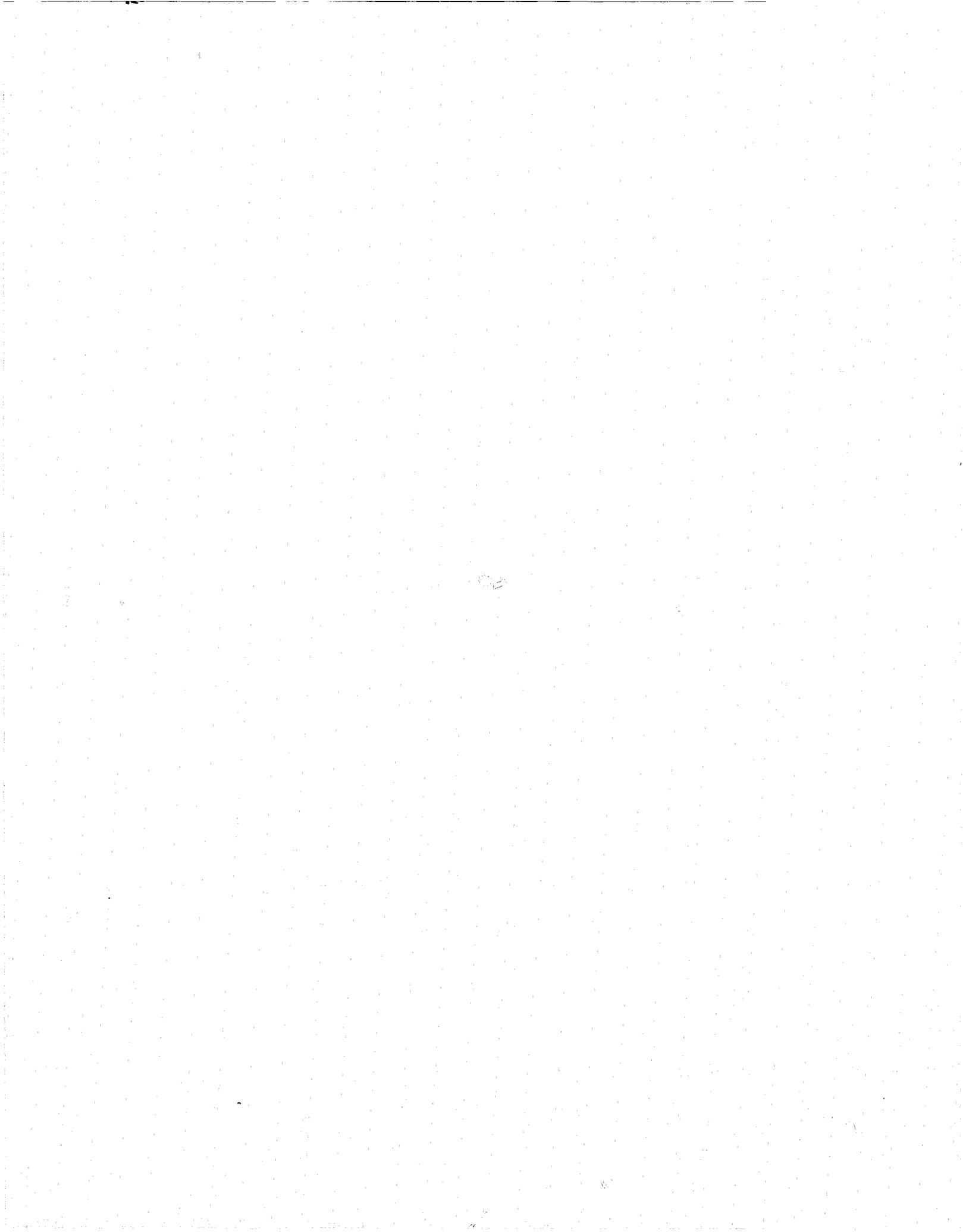
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WORKSHOP CONCLUSION

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Goals of the Session

This session is meant to provide participants with a brief review of the Workshop purpose, content, and processes.



**PART II**

**BACKGROUND PAPERS AND REFERENCE MATERIALS**



## INTRODUCTION TO PART II

This section, Part II, contains papers and various materials and references designed to accompany and supplement oral presentations and discussions of some of the Workshop sessions. These pages are meant to provide participants with essential information on the most important aspects of victim/witness services; and with a solid foundation in understanding the types of services that can be offered, the best approaches to their delivery, and the benefits to be derived from them.

Since the material here was written and collected to provide background for particular Workshop sessions, it is identified by the appropriate session heading in this section of the Participant's Handbook and Manual. At the beginning of each paper participants are referred to the corresponding session in Part I.



Session 2

DAY I

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OVERVIEW OF VICTIM/WITNESS PROBLEMS

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VICTIMS: THE FORGOTTEN PEOPLE

Over the past decade, this nation's search for more effective means to control crime has involved every aspect of the criminal justice system. The role of every performer has been scrutinized. Only recently, however, has attention finally been drawn to another forgotten although integral part of the proceedings: the victim/witness.

The victim has been the forgotten party in the criminal justice system since the system focuses first on the crime itself and thereafter on the offender. (Who is he? Was he arrested? Are the police doing their job? Were the offender's rights protected? Does he have a lawyer? What is happening in the courts?)

Today, the criminal justice system is under more public scrutiny than ever before. How can we speed up trials and improve sentencing, incarceration, prisons, probation, parole training, and rehabilitation? Still, increasing attention and reform efforts often continue to ignore the victim.

The victim stands alone. His or her needs are not the single concern of any agency in the criminal justice system. When attention is directed to victims, it is offender- and offense-oriented. The police come and go, seeking as many answers about the crime and offender as a victim can provide. They also collect the evidence and the victim's possessions may be taken for evidence and returned months, or even years, later.

The police and prosecutor may ask the victim to make statements, look over mugshots, or attend a line-up. The victim/witness may have to repeat his or her story, confront an attacker, relive the crime, spend days in court, or simply wonder what happened if the case never comes to trial.

All of this asks a great deal of the victim, and offers very little. A minor example, but one especially frustrating to many victims, is that many jurisdictions forbid police to transport victims. The offender, if apprehended, is whisked away in a squad car. The victim, who may just have been robbed of every penny, must get home on his own. Most jurisdictions bill victims for ambulance services if they are injured. Many hospitals and private doctors even turn away rape victims.

Witness fees are usually inadequate recompense. Where state laws make financial compensation available to victims of crime, the process is slow, coverage thin, eligibility very restricted, and victims poorly informed about the program.

Yet, it is the evidence provided by the victim that makes it possible to identify, apprehend, prosecute, and convict the offender. Thus, it is time to start considering the victim/witness as an important public figure with critical responsibilities for the welfare of others.

### Victims' Needs and Problems

In reality, very little data are currently available on victims' needs or their responses to services. Recent research has attempted to determine, for the first time, how much victimization there actually is, and who the victims and offenders are. These surveys show that far more crimes occur than we knew, or were willing to admit. For each unreported crime, there is a silent victim.

When individuals do report crimes, victim service agencies must make a basic decision: Whom will they regard as a "first priority victim"? Financial restraints will make the answer almost inevitably "victims of violent crimes." But property crimes can also create serious personal emergencies. Very few inner-city residents, for example, have checking accounts; many elderly citizens are unwilling to use banks. For these citizens, an apartment robbery can mean the loss of rent or food money. Food-stamp thefts create real problems for those who have absolutely nothing to spare. Clearly, defining the "first priority" victims will require some very hard decisions. These decisions will be some of the fundamental guides to use in structuring any program.

The problems that result from some types of victimization are more obvious than others.<sup>1</sup> Homicide, for example, leaves the victim's family in disarray. If the victim provided family support, there is sudden financial hardship as well as the shock of loss. Family members are often unaware of assistance available for funeral expenses. Insurance, job-related benefits, and social security benefits may be a complete mystery to the relatives of an intermittently employed victim.

Sexual assault presents special problems for the victim. Rape is often so traumatic that it is disproportionately underreported. Besides the immediate shock of assault, which requires sensitive professional handling, there is the ordeal of giving testimony and dealing with family and public reaction. Despite efforts to improve the attitudes of law enforcement and medical personnel, as well as the public, the victim of sexual assault is almost inevitably revictimized by the treatment she receives. Unless the victim is a child, or elderly, she, herself, is often put on trial.

Studies of rape victims show that many suffer a delayed reaction and long-term emotional problems. For many women, the circumstances of rape mean they must find new and safer housing, change employment, or completely alter their lifestyles. Such changes may be difficult to arrange. If a victim does want to prosecute, she may need support during the legal process. Victim services must help provide a new security without further setting the victim apart.

Specialized rape crisis centers have been established in many communities. A few hospitals have established highly professional and responsible medical and

counseling services. These centers have tested victim service approaches. Whether these centers should be absorbed into general victim services, however, is a subject under debate.

Assault, like rape, may leave a victim with serious ongoing problems. Rape victims may find themselves in a supportive environment, but assault victims are rarely helped to deal with the fear and hostility reactions that often accompany physical injuries. Data on the compound costs of assault are sparse, but expenses for victims can be overwhelming, even for injuries that are not permanently disabling. Ambulance service, emergency room treatment, follow-up medical care, salary lost (both at the time of injury and during the prosecution process) all mount up to make even a relatively minor injury a potentially serious financial blow, especially to a low-income victim. Access to emergency assistance, Medicaid, or Medicare; vocational rehabilitation if an injury dictates a job change; problems of housing security; and chances of repeat victimization are serious problems that face these victims.

Recidivism is, in fact, a particular problem in assault situations. A victim survey conducted by the National Crime Panel shows that of those robbed or assaulted once, 15 percent were victimized a second time, and fully a third of those twice-victimized were subjected to one or more subsequent incidents.<sup>2</sup>

Assault victims are frequently the elderly, who make an easy target for stronger, younger attackers, particularly when low incomes and insufficient local housing make it impossible for them to move out of high crime areas. Victim counseling in apartment security, relocation, or escort services would help.

Family assaults are another that are frequently repeated. Active family crisis intervention, counseling, and support are rarely available. Child abuse is a particularly handicapping and poignant aspect of intrafamily assault. In many jurisdictions, a child victim is taken away from the parents. But more is needed here--professional help for the child victim and the family.

The third group of repeater victims are especially hard for supportive services to reach. These are the victims of street and bar encounters who end up in emergency wards late at night with gun and knife wounds. Who is charged with the crime and who is regarded as a victim in these situations is often a tossup. These victims often refuse services. Nevertheless, services provided in this context could reduce the chance that the next opportunity for services will be in a pre-trial or probation context, or that the next encounter will be fatal.

Additional offenses may seem unimportant by comparison. But even minor property crimes can make drastic inroads on the means and security of those who are only marginally able to support themselves.

"Victimless crimes," in all their variety, create victims out of the offenders themselves. Alcoholics and drug users should be mentioned as a particular category of repeater victim or offender--the designation often depends on the laws and attitudes of local jurisdictions. This population needs services difficult to locate, such as medical care, financial service, emergency housing, counseling, and general support. Each community must decide whether to offer services to these groups. The pressure of the caseload in other victim categories may well be the determining factor.

In each offense category and with every victim, the impact of the crime will vary. Some victims are, of course, cushioned by supportive family situations, insurance, and the ability to purchase private medical care and counseling. But those most often and most easily victimized are rarely so lucky. Victims are often the young and old. They are likely to be poor and poorly educated. Thus, the victim of crime is the very person least able to cope with the problems of crime and to identify or use existing services.

### Victim Definition

Recently, the New York Times described a new police department profile of murder victims in New York that revealed some new victim information. The profile showed that 53.5 percent of all victims had prior arrest records and that nearly half had "detectable levels of alcohol, narcotics or both in their blood at the time of death." Some other interesting figures released by the department were:

- A third of all homicide victims were in the 21 to 30 age bracket, while 28.5 percent of those arrested for murder were between 16 and 20.
- Males constituted 81.6 percent of all victims, and 89.6 percent of those charged with homicide.
- In those cases where the ethnicity of killer and victim could be established, 78.7 percent of all homicides involved persons of the same racial background.
- Nearly 48 percent of all victims were black, 30 percent were of Hispanic background, and more than half of the victims were slain by friends or acquaintances in the course of an argument.<sup>3</sup>

These data offer one way of viewing victims. In general, defining a victim is not as simple a task as it may appear at first glance. The criminal justice system has set the inner boundaries by defining crimes. Many of those who appear at victim service centers as legitimate victims of crime are also long-term victims of all the social problems that put them in the path of a criminal act.

A commonly used expression for defining a victim is "bona fide victim." In victim centers with a strong police or court tie, that expression includes only victims who report the crime to the police and cooperate in prosecution of the offender. In rape cases, it means that the police believe the victim's story. In assault situations, if the victim and offender were fighting or the victim provoked the attack, either party may be the victim. The Ft. Lauderdale Police Department Victim Advocate Program defines a bona fide victim this way: "One who has suffered an emotional, physical or property loss as a result of a crime and: (1) has no means of self-help through personal assets, insurance, relatives, employer, friends or other reliable sources; (2) has means of self-help but no immediate access to them due to incapacitation or lack of awareness of available services; and (3) is not already receiving sufficient sustaining assistance as a result of an earlier crime."

## Victims and Cases

Crime victims' characteristics can have an important impact on case outcomes. An INSLAW study<sup>4</sup> that used PROMIS project data indicates that certain victim attributes, such as opiate use, alcohol abuse, and criminal record, did affect the prosecutor's decision to dismiss cases. In addition, the perception of the prosecutor at case intake and screening that the victim either had provoked the defendant or participated in the crime increased the likelihood that the case would not be filed with the court. Very young and very old victims were less likely to have their cases dismissed than others; female victims of assault had their cases pursued at higher rates than did male victims.

In general, when a close social or family relationship existed between the victim and defendant, a dismissal was more likely. The critical relationships appeared to be spouse or lover; in these cases dismissals were most likely. Some of these dismissals occurred because the victims, at some point, refused to cooperate with the prosecution; others, however, seemed to be the result of the prosecutor's anticipation of problems that had not yet developed.

The impact of victim characteristics on case dispositions was found to be most pronounced in the pretrial stages. Once the case went to trial, victim characteristics did not seem to be as influential.

## Victims and the Criminal Justice System

How well do victims meet their responsibility vis-a-vis the criminal justice system? The evidence is not encouraging. Citizens are expected to call police when they are victimized. But we are told that only one in every three does so.<sup>5</sup>

Victims are expected to report the crime quickly so that the chances of catching the perpetrator are better. But victims often wait for a period of time before calling the police--half hour and longer.<sup>6</sup>

Victims are supposed to cooperate fully with the prosecutor. In one city, however, it has been shown that for every four prosecutions brought, one is abandoned because of "witness non-cooperation."<sup>7</sup> The non-cooperation rate may even be higher.<sup>8</sup>

Victims and witnesses are expected to behave more prudently either as a result of their own misfortune or of having learned about someone else's. But this is not the case. Some who are victimized once are victimized again, at times in the same manner.<sup>9</sup> Many who would like to cannot readily escape from a high risk situation. Others read about someone else's victimization but dismiss any thought that it may happen to them and continue to behave as usual.

Why is it that citizens who are victimized or called upon to cooperate with criminal justice agencies do not meet expectations? Some reasons include:

Inconvenience: Getting involved with the law takes up too much of one's time and effort.

Safety Concerns/Intimidation: People are afraid that the offender will retaliate against them.

Reputation: Some people do not want to get themselves or others into trouble or to be embarrassed.

Cultural Reasons: Some people think that crime should be handled as a private matter; they would lose face or be ostracized if their victimization were known.

Anonymity: There were other witnesses and no one else reported it. Why should I?

Financial Reasons: Fear of insurance cancellations or increased rates.

Distrust of the System: The police are not interested, do not care about us, are not on "our side," are not that effective anyway; if the offender were caught he or she would not get the punishment deserved.

Influence of Others: Someone talks the victim/witness out of reporting and prosecuting.

Bad Experience: The victim/witness has had a bad experience (individually or as a member of a group, let's say a minority group) with the police or the system.

Uncertainty: The victim/witness is not certain that a crime has been committed.

Shared Culpability: The victim/witness is not wholly innocent.

Role Reversals: Today's victim is tomorrow's offender and vice versa.

Financial Losses: Getting involved means having to take time off to go to court later on without compensation and/or risking the loss of one's job.

Feeling like an "Outsider": The criminal justice system is highly structured and lay people feel ill-at-ease, "lost," ambivalent, and used when they become involved with it. For many, going to court is an uncomfortable, distressing, even fearful situation.

Bureaucratic Convenience: The "insiders" are seen as operating for their own convenience without taking victim/witness needs into account. The victim/witness has "no status."

Emotional Damage: The psychological repercussions of being victimized can discourage a person from pursuing the case further.

No Personal Satisfaction: The routine handling of criminal cases rarely offers the victim/witness a sense of personal vindication or participation in the course of justice.

Frustration/Anger: A cooperative victim/witness may finally drop out because of the slowness, impersonality, expense, delays of the system.

Different Priorities: What the victim wants done is not necessarily what the system wants to do.

Research indicates that in the aftermath of their victimization, victims rate income and property loss as most damaging. However, time loss and physical and emotional suffering are among the most serious problems for the greatest number of people. Yet, these are not the priorities of the criminal justice system when it comes to pursuing the case. The priorities of the criminal justice system are, for instance, the quality of evidence, high clearance rates, efficient calendar schedules, speedy trials, conviction rates, and so on. This conflict of goals, priorities, and expectations results in a lack of incentive for victims to cooperate with the criminal justice system and in strained relations between victim/witnesses and the system.

These are some of the major problems faced by victims and witnesses when they become involved with the criminal justice system, as research, experience, interviews, and the literature have shown.

If one keeps in mind the problems listed, it should not be difficult to understand why victim/witnesses are uncooperative, drop-out, do not show, are sullen or angry, and so on. Of course, the situation in your community may be different.

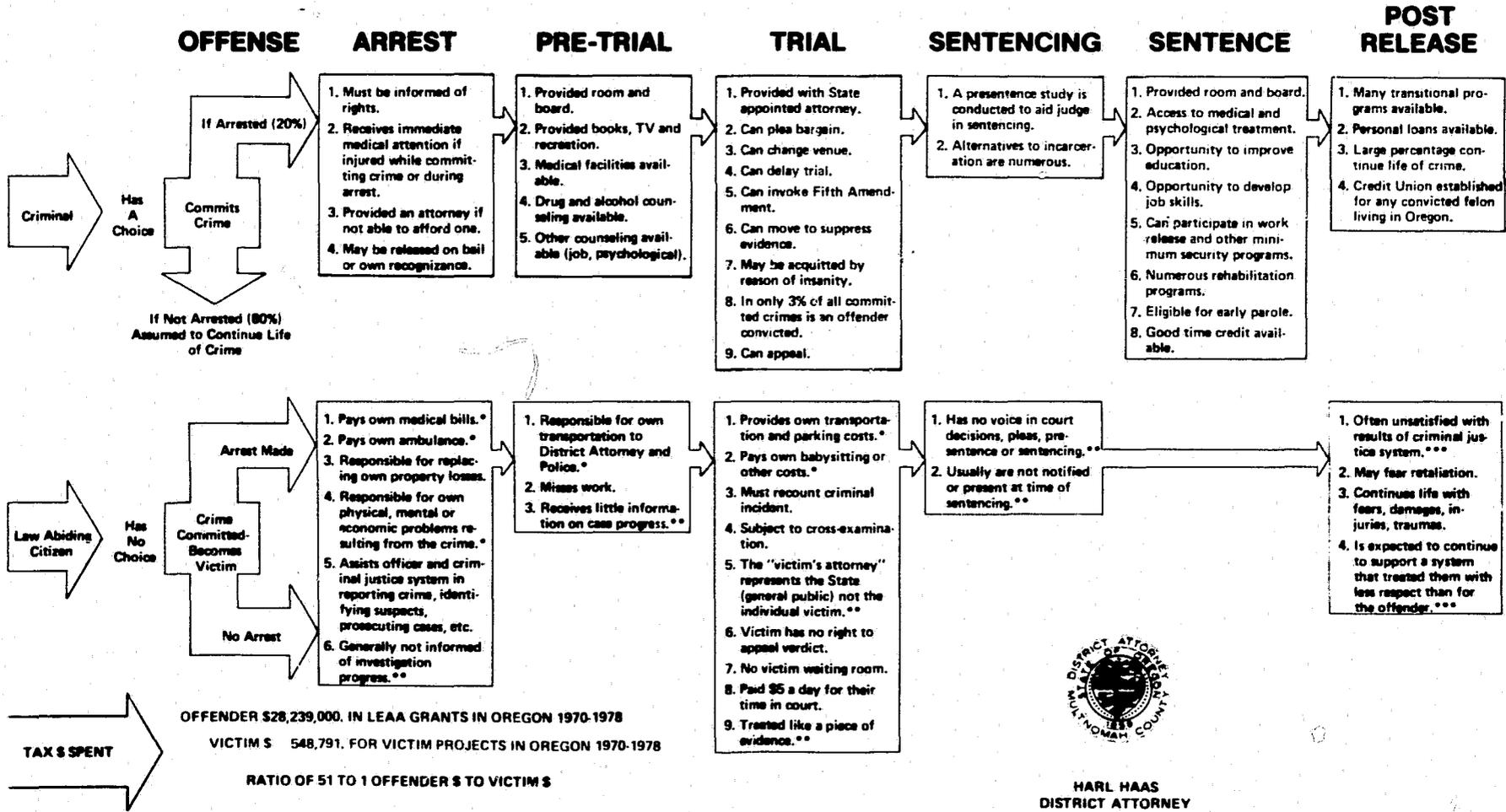
It should also be clear why the topic of this Workshop is crucial to the work of police and prosecutors. The frustration, the anger, the disillusionment, the cynicism felt by the victim/witness toward the system are often reflected in a mirror-like fashion by the police and the prosecution. Locked into negative feelings, these actors--whose performance is crucial to the success of the criminal justice system--fail to cooperate, coordinate, and work together for the success of their case. It should be a definite priority of any police or prosecutor's office to break this vicious cycle, to prove the stereotypes wrong, and to show to victims and witnesses in their jurisdictions that it is indeed worthwhile to assist the criminal justice system.

### Goal of the Workshop

The goal of this Workshop is to provide you with the tools needed to initiate, improve, and strengthen those victim/witness services that are best suited to the needs of the community you serve. Research proves that it is a wise investment. For instance, the report describing the impact of the Victim/Witness Assistance Project of the Vera Institute of Justice in Brooklyn Criminal Court between July 1975 and May 1976 shows that improved civilian attendance in court facilitates substantive outcomes: guilty pleas doubled from 12 to 25 percent; cases were much more likely to go to the grand jury; dismissals declined from 23 to 14 percent; and attendance at the first post-arraignment appearance rose to 55 percent for the "project" witnesses. The report also shows that the project doubled the number of police appearances saved a month (that is, in cases in which officers were on alert status and not called into court to testify). Similarly, almost all unnecessary civilian trips were eliminated. Since the estimated cost to the city for each police officer who must spend the day in court to give testimony is \$125 a day, in a nine month period (August 1, 1975 to March 26, 1976), the project saved 6,734 appearances representing \$841,750 in police time.<sup>10</sup>

In another case, in 1975 it was projected that Milwaukee's Project Turnaround could save the community and governmental agencies from \$1.7 to \$3.9 million. The figures in dollars do not represent, however, the much greater benefits for the

# THE CRIMINAL INJUSTICE SYSTEM



HARL HAAS  
DISTRICT ATTORNEY  
MULTNOMAH COUNTY  
PORTLAND, OREGON

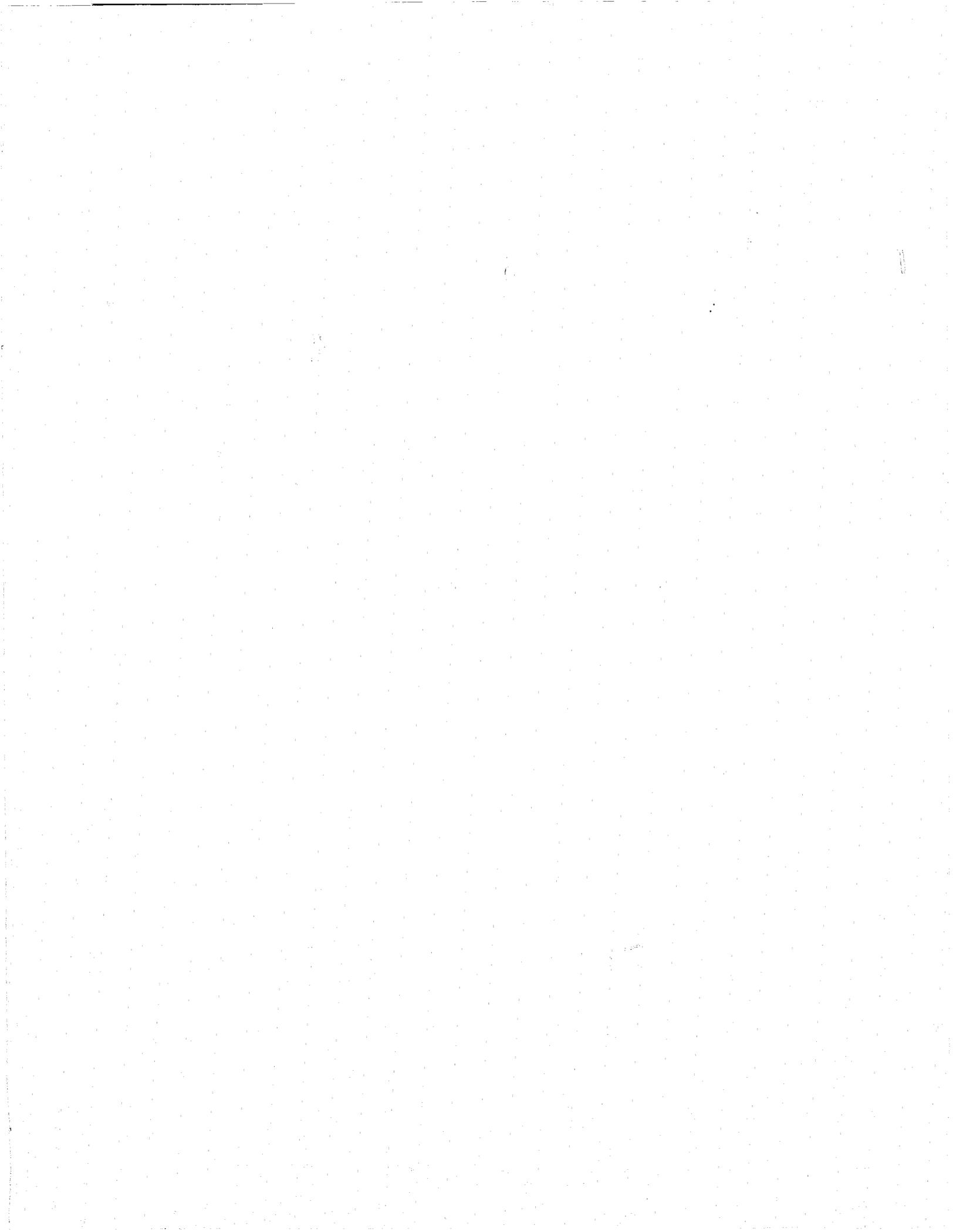
1977

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\*Although having no financial resources to disburse to victims directly, the Multnomah County District Attorney's Victim Assistance Project is able to help victims with these problems through available community resources.

\*\*In Multnomah County, every felony victim and witness is informed of case status, disposition, and is involved in many of the decision-making processes and has input into the system.

\*\*\*Because of the above services, victims in Multnomah County are developing more positive feelings about the criminal justice system.



system and society arising from the inconveniences avoided, the frustration alleviated, and the greater willingness of the citizens to cooperate in the future. Such benefits and goodwill cannot be measured in dollars. Benefits can also be derived from a diminished number of adjournments. As we will learn later on, efficient victim/witness services can greatly improve the cost-effectiveness in the system.

There is no doubt that prosecutors benefit from victim/witness services as well. As one district attorney told an evaluator of Project Turnaround, "It saves me a lot of work, and I now feel that I am really practicing law rather than doing a lot of contact work that has nothing to do with the law."

Thus, introducing or strengthening victim/witness services can have a dramatic impact upon the success rate of your activities and upon your status in the eyes of the community. These services deserve serious attention because they represent a significant innovation for communities.

NOTES

VICTIMS: THE FORGOTTEN PEOPLE

1. Baluss, Mary E., Integrated Services for Victims of Crime: A County-Based Approach. National Association of Counties, 1975.
2. U.S. Department of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, Crimes and Victims: A Report on the Dayton-San Jose Pilot Survey of Victimization (Washington, D.C.: Government Printing Office, 1974), p. 21.
3. The homicide rate in the United States, including New York City, has been leveling off or declining in recent years, and the number of "stranger-murders," in which victim and perpetrator are not acquainted, declined in 1976 for the first time in three years. (New York's "stranger-murder" rate is still among the highest in the nation's major cities. The city's general homicide rate of 20.5 murders for every 100,000 residents places it in eighth place among the country's urban centers.)
4. Highlights of Interim Findings and Implications. (PROMIS Research Project) Washington, D.C.: INSLAW, 1977.
5. National Crime Panel Survey Report, Criminal Victimization in the United States: A Comparison of the 1973 and 1974 Findings, U.S. Department of Justice, Law Enforcement Assistance Administration, Washington, D.C., May 1976, pp. 40-41.
6. The magnitude of this problem is still uncertain, although the existence of the problem is not, as has been indicated by preliminary, unpublished data prepared in a Kansas City, Mo. "response time" study, an LEAA-funded research project which, as of this writing, is still underway.
7. The finding, in Washington, D.C., that one prosecution in four was dropped because of "witness non-cooperation" was later found to be somewhat misleading. A follow-up study, to examine the cause of this dropout rate, found that 205 of the 215 witnesses labeled as dropouts (in a sample of 922) disagreed with the conclusion. The researchers speculated that the true rate was perhaps one in five or one in six, which is still an unacceptably high figure. Still, if the one in four calculation was in error, the error was not a clerical one: each recorded instance of non-cooperation evidently related to significant actions or inaction on the part of the witness, or it represented the prosecutor's judgment of what the witness' future behavior would entail. See Frank J. Cannavale, Jr., and William D. Falcon, Witness Cooperation, D.C. Heath & Co.; Lexington, Massachusetts, 1976; or the LEAA/NILECJ publication, Improving Witness Cooperation.

8. Few jurisdictions take a careful measurement of the proportion of cases dropped because of witness non-cooperation or otherwise. But there are indications that non-cooperation is endemic and of severe magnitude. In Brooklyn, for example, nearly 55 percent of all witnesses expected in court on a given day do not show up--a "no-show" rate which is obviously hard on the prosecutors and, ultimately, on the just disposition of their cases.
9. The "recidivistic victim" problem is at times a serious one, particularly in certain cases like domestic violence.
10. Impact Evaluation of the Victim/Witness Assistance Project's Appearance Management Activities and Alert Task Force Report. New York: Vera Institute of Justice, 1976.

PROFILE OF THE SYSTEM WITNESS  
(N=3000)

	TYPE OF WITNESS	
	<u>Victim (59%)</u> N=1775	<u>Nonvictim (41%)</u> N=1225
<u>Demographic Characteristics</u>		
Sex	54% male	60% male
Race	70% white	80% white
Average age	34 years	33 years
Average education	12 years	12 years
Average socioeconomic status score*	37	38
<u>System-Related Problems</u>		
Income loss	31%	26%
Average income loss	\$127	\$81
Time loss	53%	71%
Average time loss	2 days	2 days
Case rescheduled	24%	34%
Case scheduled without prior notification	47%	59%
<u>Crime-Related Problems</u>		
Other criminal victimization within the past year	28%	27%
Physical injury	26%	NA
Average cost for physical injury	\$447	NA
Property loss-damage	51%	NA
Average cost for property loss-damage	\$657	NA
Income loss	25%	NA
Average income loss	\$373	NA
Time loss	47%	NA
Average time loss	8 days	NA
Mental-emotional suffering	56%	NA
Perceived as very serious	49%	NA
<u>Attitudes</u>		
Perception of offense as very serious	50%	43%
Perception of penalty as too lenient	36%	29%
Intention of cooperating in the future		
with police	87%	87%
with prosecutors	85%	81%
with courts	80%	76%

\* Socioeconomic prestige score is assigned in relation to occupation, and the range of scores is 9 to 82.

SUMMARY OF CRIME-RELATED VICTIM PROBLEMS

Problem	Victims Experiencing Problem		Victims Rating Problem as "Very Serious"	
	N	%	N	%
Physical Injury	470	27	240	51
Property Loss	763	45	432	56
Property Damage	658	39	355	54
Lost Time	835	49	389	47
Lost Income	446	26	278	62
Lost Job	39	2	35	90
Insurance Cancelled	13	1	9	69
Mental or Emotional Suffering	1,001	57	495	49
Reputation Damaged	251	12	110	44
Problems with Family	358	25	182	51
Problems with Friends	215	12	83	39

Source for both the "Profile of the System Witness" and this table: A Guide for Community Service: A Prescriptive Package. Center for Criminal Justice and Social Policy. Marquette University, Milwaukee, Wis. 1977.



Session 5

DAY II

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INTRODUCTION TO CONCURRENT SEMINARS

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The tables at the beginning of this section outline the major victim/witness services needed during different stages in which the victim/witness may be involved in the criminal justice system, from the time an offense is committed until sentencing has taken place and even beyond that.

Table I is a general summary of the services and table II is more detailed. The paper that follows elaborates the same issues.

OUTLINE I: VICTIM/WITNESS SERVICES

Part A: Crime Incident Reported to Law Enforcement Agency  
(The crime and its immediate aftermath. Time span: up to 72 hours.)

1. a. Crisis Identification, Intervention, and Management
  - As needed 24-hours-a-day
- b. Social Service Referral
  - Immediate service needs (short-term)
2. Criminal Justice System Related Services
  - Basic information
  - Initial case information
  - Property return
3. Crime Prevention
  - Repair of damaged property
4. Compensation and Restitution
  - Documentation of losses

**Part B: Law Enforcement Investigation and Prosecutorial Charging Decision (Will there be a criminal case? Time span: 2 to 6 weeks.)**

1. a. Crisis Identification, Intervention, and Management

- Continue providing service

b. Social Service Referral

- Arrange longer term services
- Follow-up short-term service referral

2. Criminal Justice System Related Services

a. Additional Case Information

- Arrest/no arrest
- Incarceration/release
- Case filed or not
- Case issued or not

b. Witness Protection

- Special ROR or bail conditions
- Housing
- Police probation

c. Property returned, if recovered

3. Crime Prevention

- Finish repairs, if needed
- Basic education
- Security inspection of premises

4. Compensation and Restitution

a. Continue documentation of losses

b. Where emergency compensation is available, assist with application

**Part C: The Active Criminal Case (Waiting for something to happen. Time span: 2 to 10 months.)**

1. a. Crisis Identification, Intervention, and Management
  - Provided by witness management unit as needed
2. Criminal Justice System Related Services
  - a. Additional Case Information
    - Dismissal
    - Plea Agreement
    - Presentence Investigation
  - b. Witness Protection
    - Begin or continue as necessary
  - c. Witness Notification and Witness Alert System
    - Subpoena Information
    - Alert Notification
    - Courtroom Familiarization
  - d. Property Returned if Possible
3. Crime Prevention
  - As time from crime increases, becomes less meaningful
4. Compensation and Restitution
  - a. Submit Documentation
    - To compensation board
    - To presentence investigation for restitution

**Part D: Sentencing and After (What did happen, anyhow? Time span: indefinite.)**

1. Crisis Identification, Intervention, and Management
  - a. Not usually necessary at this point
  - b. Witness management unit should provide, if needed
2. Criminal Justice System Related Services
  - a. Additional Case Information
    - Verdict
    - Sentence
    - Parole eligibility; probation officer's name, if necessary
    - Solicit letter to judge on victim viewpoint
  - b. Witness Protection
    - Phase out or create long-term solution, such as name change on identifications
  - c. Witness Management
    - If trial occurs, provide emotional support and/or physical backup as necessary
  - d. Property return when appeal deadline past
3. Crime Prevention
  - Difficult to motivate victims to continue communitywide efforts
4. Compensation and Restitution
  - a. Argue for restitution to court
  - b. Assist in obtaining compensation

OUTLINE II: VICTIM/WITNESS SERVICES NEEDED AT DIFFERENT STAGES

A. Crisis Identification, Intervention, and Management

1. Service Models Used:

a. 24-hour availability:

- Primary personnel at work
- Secondary personnel on-call

b. Next day crisis response:

- Client identification through police reports reviewed the next day
- Message recorder for non-office hours

2. Administrative Considerations:

a. 24-hour primary system

Examples

(1) If regular staff perform function:

- Mass training for staff
- Larger number of total staff to maintain any given patrol effort

San Diego, California Police Department, New York Police Department

Multnomah County Sheriff's Office (Portland, Ore.)

(2) If specialized staff perform function:

- Special training
- Close attention to staffing pattern to maintain availability

Fort Lauderdale, Fla.'s Police Department

Scottsdale, Ariz. Police Department

b. 24-hour secondary system

(Functions presumed to be provided by specialized staff)

(1) Some disruption of stable staffing pattern for after hours responses

Dade County Manager's Office (Miami, Fla.)

(2) Special training

Pima County Attorney's Office (Tucson, Ariz.)

c. Next Day Crisis Response

Examples

(Function presumed to be provided by specialized staff)

1. Special Training

Aid to Victims of Crime, Inc. (St. Louis, Mo.)

- (2) Excellent access to police reports is crucial

West Philadelphia Bank Association  
Furnace Street  
Mission (Akron, Ohio)

3. Caveats

a. 24-hour Availability

Many situations with which police and hospital personnel become involved are crisis situations but do not involve victims/witnesses, (e.g.) attempted suicides, found persons, stranded transients). Programs providing services on a 24-hour basis will be asked to intervene in these situations and the programs must establish policies to respond to those situations.

b. Next Day Crisis Response

Delays in completing paperwork are common; inevitably you do miss some situations where a response would have been appropriate. The degree to which response time is a concern in a particular situation mitigates against next day crisis work.

B. Social Service Referral

1. Immediate Service Needs

- a. Housing--shelter facilities
- b. Medical attention--emergency and/or first aid

2. Longer Term Service Needs

- a. Housing--new residence, moving escort
- b. Medical--hospitalization or nursing care
- c. Financial--food, rent, repairs, employment
- d. Physical--repair damage to home
- e. Emotional (psychological trauma)

3. Administrative Considerations:

- a. Knowledge of all social service resources in a community is seldom available and must be updated.
- b. Follow-up of referrals with both the victim/witness and the agencies is critical because credibility with both is dependent upon the accuracy of the victim/witness needs assessment and knowledge of community resources.
- c. Lack of service availability at certain times or for certain services is a source of difficulty--mental health and family counseling at 3:00 a.m. or the general absence of emergency housing, for instance.

C. Criminal Justice System Related Services

1. The first 72 hours: Services Needed

Examples

a. Basic information for the victim/witness

(1) How does the Criminal Justice System Work

"When a Crime is Reported,"  
put out by the Pima County  
Attorney's Office  
(Tucson, Ariz.)

(2) What will happen now

b. Initial case information

(1) Has the suspect been arrested

(2) Has he or she been released

(3) What is the police report number

(4) Who is the detective assigned to the case

c. Return of victims' property if recovered

Does departmental policy provide for photographic identification of property and return on a routine basis?

Sacramento, Calif., Police  
Department; Alameda  
District Attorney's Office  
(Alameda, Calif.)

2. Law Enforcement Investigation and Prosecutorial Charging Decision: Services Needed

a. Basic information for the victim/witness

Provide or repeat as necessary

b. Updated Case Information

(1) Suspect identified, or not

(2) Case cleared, or not

(3) Case taken to prosecutor, or not

(4) Case issued, or not

(5) Suspect arrested, or not

(6) Suspect released on bond or own recognizance

Note: Be prepared to explain why or why not at each stage, if necessary.

c. **Property return if recovered**

Does procedure exist allowing detective and/or prosecutor to release property?

d. **Witness Protection**

- (1) Counseling--many witnesses afraid, most needlessly
- (2) 24-hour hot line
- (3) Safe housing
- (4) I.D. change capability
- (5) Police protection
- (6) Special bail or R.O.R. conditions as necessary

3. **Administrative Considerations**

**Examples**

a. Transfer of case and responsibility for victim/witness from law enforcement to prosecutor is critical.

b. Special witness management unit recommended by NDAA is an efficient way for prosecutor to provide victim/witness services.

c. Cases involving members of the same household or relatives present special problems. One solution is for special bond or R.O.R. to be imposed.

d. Witness protection keys are victim/witness access to prosecutor's office, 24-hour hot line, or early contact by trial attorney.

e. Prosecutor willingness to charge defendants with harrassment of witnesses will set the tone for law enforcement and the community.

Milwaukee County District Attorney's Office (Wisconsin)

Pima County Attorney Household Defendant Program (Tucson, Ariz.)

D. During the Active Case: Services Needed

1. Basic Information for the Victim/Witness

(provide and/or repeat as necessary.)

2. Updated Case Information

- a. Case dismissed, or not
- b. Case to be pled, or not
- c. Presentence investigators  
name and address
- d. Is case is to be tried
- e. Notification of current trial date  
(reveal that trial will probably be  
continued)
- f. Notification when and if to expect  
subpoena
- g. Witness familiarization with system  
(i.e., tour of courthouse, courtroom,  
witness lounge)

Examples

Milwaukee County D.A.  
(Wisconsin)

Pima County Attorney's  
Office (Tucson, Ariz.)

3. Witness Protection

- a. Continue as needed
- b. Move for re-arrest if R.O.R. or  
bail conditions violated
- c. Charge defendants with witness  
harassment or interference when  
necessary

Examples

Milwaukee County D.A.

(Wisconsin)  
Commonwealth Attorney

(Covington, Ky.)

4. Property Return

If property not returned at this  
point, obtain consent or stipulation  
of all attorneys and return.

E. The Sentencing and After; Services Needed

1. Updated Case Information

- a. Verdicts and pleas

- b. Judges name and sentencing date
- c. Sentence passed by court
- d. Whether case appealed

2. Witness Protection

- a. Terminate short-term services and/or make longer term arrangements
- b. Provide probation officer's name or parole eligibility date

3. Property Return

Facilitate return of property used as trial evidence when release is permissible

4. Administrative Considerations

Nearly all information needed during the sentencing period and also while the case is active can be obtained from either the prosecutor or the court. New criminal history record privacy and security regulations may place time limits on the dissemination of non-conviction data; release of prior criminal history information may also be limited. Victim/witness programs should carefully consider what information can be released and when it can be released. Programs should provide all information on a need-to-know basis rather than routinely.

The creation of a witness alert system will usually lead to centralization of witness related matters within the prosecutor's office, that is, centralization of subpoena issuing. Not all responsibility for witness matters should be removed from the assigned trial attorney and there should be close coordination.

## SUMMARY OF VICTIM WITNESS SERVICES

### I. Overview of Crisis Intervention, Identification and Management, and Social Service Assistance and Referral

From the perspective of the average victim, the psychological impact of crime is of primary concern. A number of victimization surveys show that victims rank "mental or emotional suffering" first when asked to rate the problems that they felt were very serious. These problems also have an adverse effect on law enforcement. Few officers have the ability to maintain a total detachment from all the suffering they see. Compounding the problem is the fact that victims may forget or repress the events surrounding a crime. Finally, a prosecutor may conclude that the complaining witness is too shaky to go through with the prosecution or lacks credibility with a jury and a distraught witness is a prime candidate to be a prosecution "dropout" somewhere along the way.

Today, victim/witness services primarily encompass the following activities: crisis identification and management; social service assistance and referral; court-related information and notification; witness protection; crime prevention measures and techniques; property return; and compensation or restitution. Each of these activities entails a multitude of supportive services and a variety of operational procedures to deliver them. The critical services and procedures will be summarized in the sections that follow.

#### A. Crisis Identification and Management

In the context of this paper and workshop, a victim/witness is in crisis when his or her external and internal stimuli produce acute stress as a result of a crime-related situation and normal coping mechanisms are not sufficient to help relieve the stress. A victim/witness experiences a crisis as a consequence of a perceived or actual threat, personal injury or property loss, a perceived threat to deal with the incident in reference to the investigation and prosecution process of the criminal justice system, or all three of these. By assessing personal behavior (posture, attitude, gestures, voice tone, and vocabulary), the social behavior (interacting with others), and the crime incident (type of activity), one can determine whether a victim/witness is in a crisis state.

Within the past decade, most large and many medium size law enforcement agencies have instituted crisis identification and management training sessions mainly for academy recruits. Five basic subjects taught to academy recruits and to some seasoned officers are: the theory of victimology and crisis management; the verbal, nonverbal, and situational indicators of crisis identification; the diffusion and mediation techniques of crisis management; the crisis intervention approach in handling an attempted suicide, death notification, and marital dispute; and the proper referral usage of social service agencies. Even without crisis identification and management training, the officers are usually expected to handle crisis situations during the course of their normal work duties.

To address the needs of a victim/witness in crisis more effectively, some law enforcement agencies employ civilian crisis intervention specialists. These crisis intervention specialists are available around the clock to respond immediately at the site after receiving a victim/witness referral initiated by a patrol officer. (For example, the Scottsdale Police Department and the Ft. Lauderdale Police Department have this ability.) The chief benefit to law enforcement agencies that employ civilian crisis intervention specialists is that the officers will spend less time performing social work activities and, accordingly, more time performing patrol duties.

Law Enforcement agencies are well aware that victim/witness crisis management cases are usually very time-consuming to handle properly because, in addition to providing supportive, short-term counseling, the victim/witness might require emergency funds, temporary housing, transportation, companionship at the hospital, or some or all of these services. Many law enforcement agencies would prefer to funnel victims/witnesses in need of crisis intervention services to outside agencies rather than allocate their own manpower, time, and resources to the rendering of social work services. Through a peer communication system, some law enforcement agencies refer their victims and witnesses in need of crisis intervention aid to victim/witness assistance programs housed in other government organizations (such as the Pima County Attorney's Office and the Dade County Manager's Office) or housed independently of government organizations (such as the Aid to Victims of Crime, Inc. in St. Louis, and the West Philadelphia Black Association). Such victim/witness assistance programs provide around the clock, onsite crisis intervention services. In addition to crisis intervention services, they also provide follow-up, supportive service referrals.

One of the major responsibilities of victim/witness program staffs is to develop and maintain a sound working relationship with law enforcement, prosecutorial, and judicial agencies. Almost every victim/witness assistance program that offers crisis intervention services relies heavily on volunteers to help handle the client caseload. The program staff recruits, trains, and supervises their volunteers. Volunteers are willing to be on-call seven-days-a-week, 24-hours-a-day, to respond to a crisis scene with a staff member or with another volunteer. Feedback to the officer who initiated the referral about the welfare of the victim/witness is extremely important to the success of these programs.

#### B. Social Service Assistance and Referral

Some law enforcement agencies hire community service workers to render social service assistance and referral to victims and witnesses during normal working hours (such as the Fremont Police Department and the Rochester Police Department). Victims and witnesses, who receive social service assistance and referral from the community service workers, either request the help themselves, are referred initially by patrol officers, or are identified by the service workers through the screening of daily incident reports. The community service workers usually have prepared a social service directory for their own use that includes eligibility requirements, services offered, working hours, and a contact person for every community agency.

Some district attorney agencies hire community service workers to perform the same duties as law enforcement community service workers (for example, the Farmington District Attorney's Office in Utah and the Cook County's State Attorney's Office in Illinois). Besides law enforcement officers and victims and witnesses themselves contacting the community service workers for assistance, prosecutors also refer victims and witnesses to the community service workers for social service assistance referrals. Community service workers located in district attorneys' offices serve more witnesses and fewer victims than the community service workers located in law enforcement agencies.

## II. Prosecution and Court Services

As the immediate needs generated by a crime fade away, a new focus of concern becomes central to the delivery of victim/witness services. The primary need of victim and witness becomes information, aid, to the extent possible, input into the many decisions made within the criminal justice system. The National Advisory Commission on Standards and Goals and the National District Attorney's Association (NDAA) have both addressed the services that, from a theoretical point of view, are desirable. The underlying thrust of the NDAA standards in the victim/witness area can be stated in a single sentence: "Each victim and witness of a crime should be notified of any important event in the prosecution of the suspect or defendant for that crime." Among the events considered important by the NDAA are:

- Acceptance or rejection of a case for prosecution
- Return of charging instruments, such as indictments and informations
- The decision to release the defendant from custody after his arrest
- Any pre-trial disposition of the case including:
  - Diversion
  - Dismissal
  - Reduction to a lesser offense
  - Entry of the prosecutors into a plea agreement
- Trial dates and continuances
- The results of trials and all sentences imposed.

This transfer of information is not considered wholly sufficient. The NDAA Standards also recommend that when the discretion to make a decision is within the prosecutor's power, an explanation of why a particular decision was made must accompany the fact that it was made and that the prosecutor's office should be willing to meet with dissatisfied victims and witnesses when necessary.

Other services are also recommended and include the following:

- Expedited property return and evidentiary procedures which do not normally require the actual presence of the property.
- Twenty-four hour "hotlines" for frightened witnesses; active crisis intervention; round-the-clock protection for endangered witnesses; and, most important, active prosecution for witness intimidation.
- Social service referral of witnesses needing services available in the community.
- Orientation to the criminal justice system and court processes, especially for those persons actually subpoenaed to testify in court.
- Comfortable and secure waiting rooms for witnesses summoned to testify, including separate facilities for defense and prosecution witnesses.
- Witnesses should be compensated adequately for testimony given on behalf of the State and, if legislation providing such funds is not in existence, prosecutors should work for its passage. Among the many alternatives in this area is a proposal providing that witnesses be paid at their regular pay rate while they are testifying and that employers, who would be making the payments, be allowed to deduct these payments from state income tax payments. In Arizona, such a proposal, conceived by the Pima County Attorney's office in Tucson, was introduced during the 1977 session of the legislature (S.B. 1011, Employment Protection of Witnesses).
- The courts should be urged by the prosecutor's office to include restitution payments to victims or symbolic restitution whenever possible.

The NDAA approach to witness services would be implemented through or by a witness management unit within the prosecutor's office. Some activities would be carried out with the cooperation of other criminal justice agencies, for instance, property return would have to be coordinated with law enforcement agencies, witness waiting rooms with the courts, and restitution with the probation department. The bulk of the activities would be carried out either by the prosecutor, through policy setting and political action, or by the prosecutor's employees.

The major theoretical consideration not covered by the NDAA Standards is victim/witness input into decisions, even with approval being required. Some experiments with victim participation in prosecutorial decisions have been or are being conducted. Most notable are the inclusion of the victim in the plea bargaining process being attempted in Dade County, Florida, and the victim veto over the diversion of non-violent, non-drug offenders in Pima County, Arizona. Where the rules of criminal procedure permit, as in California and Arizona, victim input to the sentencing judge could also be solicited by the court or the investigating probation officer and become part of the total information given to the judge.

The prosecutor is both a law enforcer and a judicial officer. Statute and custom make the prosecutor an actor of great power and influence within our criminal justice system. It is through the prosecutor's office that humanitarian concerns and systematic problems can often be addressed most directly. The burden of providing the services and meeting the goals that theory says would make the system function more effectively and that equity and common humanity demand cannot be met if the prosecutor is not interested. The increase in workload and the changes in procedures required may seem tremendous to those familiar with present prosecution offices--most everyone else wonders how any operation can function without these services as minimum objectives.

A. Court Related Victim/Witness Services

The divisions between the administration of the courts, the physical environment, specific procedures used to calendar and process cases, and the trier of fact and law personified by the judge are becoming clearer as judges become less involved with the day-to-day aspects of case management. With regard to victim/witness services, nearly every non-judicial commentator on the courts has stated that administrative services for victims and witnesses are very much needed and could be provided without disturbing the philosophical basis of the detached, objective, impartial image needed by the court or judge as a trier of fact and law. The difficulty has been primarily financial with one exception. That exception, articulated by the defense bar and to some extent the criminal bench, is that providing services to victims and other prosecution witnesses--doing anything that comforts them or makes them more likely to testify or cooperate--is inappropriate because it makes conviction of defendants more likely: that is, it is tactically to the advantage of the prosecution and disturbs the judges' impartiality. The fact that this argument has been seriously presented is an indictment of the way in which our present system treats the witnesses and victims of crimes.

The services usually considered court-related and administrative in nature are:

- Free parking should be available for witnesses
- Subpoenas should be useable for public transportation or parking
- Pamphlets with the answers to common witness questions and maps of the courthouse area should be available free of charge. And such pamphlets should be included whenever subpoenas are mailed or served
- An orientation session, including a brief description of courtroom procedures and a visit to an actual courtroom, should be presented on a regular basis
- Assistance should be provided to witnesses when their employers may penalize them because they must testify.

The following facilities could be provided by the court:

- An information desk and escort services within the courthouse
- A witness reception center with separate facilities for defense and prosecution witnesses
- Private conference rooms where attorneys can talk to victims, defendants, and other witnesses.

In addition to these administrative services, the courts can also assist the victims of crimes by actively seeking, or at least permitting, victim input before sentences are passed. More attention could be given to seeking restitution for victim losses whenever defendants are not incarcerated and, in general, to giving victims some legal standing when court decisions and rulings are made.

Underlying our present judicial system is a belief in the innocence of the defendant until proven guilty. Clearly, this is a concern that must remain as an essential consideration in a free society. The nature and extent to which a victim has suffered injury must also be a central concern of society, however. One wonders what the nature of a system designed to ensure justice for victims would be and how it would differ from our present system.

#### B. Court-Related Information and Notification

Ideally, from the time a prosecutor decides whether or not to proceed with the prosecution of a case (that is, issue a complaint) to the final court disposition of a case, a victim/witness should be notified about every significant event, including the release of defendants, negotiations for plea bargaining, reducing or dropping charges, and so forth. Not only should the victim/witness receive information that a decision has been made but he or she should also receive an explanation of what factors were considered in making the decision. Furthermore, victim and witnesses should be informed about how the judicial system operates. This court-related information can be disseminated to victims and witnesses by telephone, letter, or in person.

In order to inform victims and witnesses about how the judicial process operates in general, several district attorneys' offices publish educational pamphlets for distribution. (The Commonwealth's Attorney's Office in Covington, Kentucky, and the Los Angeles District Attorney's Office do this.) Victim/witness advocate programs in district attorneys' offices have easy access to court-related and case management information. In large jurisdictions, automated data bases are used to provide victims and witnesses with a constant flow of updated court-related information as in the Washington, D.C. Attorney's Office PROMIS system. In smaller jurisdictions, manual flow-files have been the only source to provide victims and witnesses with certain key court-related information as in the Pima County Attorney's Office in Tucson, Arizona.

A telephone alert system allows a district attorney's office to notify victims and witnesses about trial time or continuances. Some large systems, such as the Victim/Witness Assistance Project of the Vera Institute of Justice in Brooklyn, New York<sup>1</sup> and the Milwaukee County District Attorney's Office in Wisconsin,<sup>2</sup> use an automated data base to notify the victim/witness one hour before a required appearance. For the day before an appearance, a manual paper file system is used. The telephone alert system is the single most productive function that a prosecutor can provide in the witness service area. Victims and witnesses will be much more cooperative with prosecution efforts if they do not have to make unnecessary trips to court and if they do not have to waste time waiting to testify in court.

Most district attorney victim/witness assistance programs provide victims and witnesses with at least the following information: a criminal complaint has been issued, a trial date has been set, and the defendant has been sentenced. Besides the court-related information and notification, district attorney victim/witness assistance programs frequently provide the victim/witness with an escort to court, a meeting with the prosecutor about a particular problem, persuasive counseling and child care services. A victim/witness assistance program helps the district attorney's office to orient the witnesses to what is expected of them, to identify and work with reluctant witnesses, to list misidentified or lost witnesses, to discover cases of witness intimidation, and to address the social service needs of witnesses.

Most victim/witness assistance programs located outside of district attorney's offices still help victims and witnesses obtain court-related information, as needed. For example, the Glendale, Arizona City Manager's Office and the Little Rock Presbyterian Urban Council in Arkansas operate this way. However, current court-related information is not readily accessible to victim/witness assistance programs outside prosecutors' offices. Therefore, the district attorney's office appears to be the most practical locus for victim/witness programs supplying court-related information and notification.

With regard to witness protection, although some witnesses are fearful of reprisals by the defendant or by the family and friends of the defendant, in most cases they will not be harmed. Therefore, a district attorney victim/witness assistance program should work closely with the law enforcement agencies to determine whether there is a need to provide witness protection. If a witness does not need protection but is still fearful of intimidation, the victim/witness assistance program should provide assurance and counseling and the law enforcement agency should patrol in the neighborhood of the witness.

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A manual, "An Introduction to the Victim/Witness Computerized Information System for Kings County Criminal Court," is available from Mark B. Feinstein, Executive Director, V/WAP, 50 Court St., Brooklyn, N.Y. 11201.

2

A pamphlet, "The JUSTIS Guide," is available from Project Turnaround, 821 W. State St., Milwaukee, Wis. 53233.

The witness who most commonly needs protection either is a member of a criminal conspiracy who decided to cooperate with the prosecution and will be testifying against criminal organizations or is closely related to the perpetrator of the crime. If a witness is being intimidated, the law enforcement agency should work closely with the district attorney's office to monitor the origins of threatening calls, install silent alarms as the Sacramento Police Department does, relocate witnesses, provide new identities to the witness and the family, and provide uniformed protection around-the-clock. Victim/witness assistance programs can assist law enforcement efforts in protecting witnesses by providing emotional support and access to social services to the witness, as the Pima County Attorney's Office does.

Few jurisdictions have the economic resources to provide adequate protection to more than a few witnesses. Even the U.S. Justice Department's witness protection program has serious problems, such as infiltration by organized crime through bribery and corruption. Local jurisdictions will probably have to rely on existing community resources to protect witnesses from possible injury.

### III. Property Identification and Return

Returning property to crime victims as soon as it comes into law enforcement custody is a highly appreciated practice. Most law enforcement agencies have serious storage problems because of the abundance of stolen property held as evidence. Moreover, property room clerks often do not have the facilities to keep accurate and current records on the whereabouts of all of the property being stored. It is not uncommon to hear that especially valuable property disappears while in storage.

Research reveals that using a photograph of stolen property instead of the actual property places no real hardship on the prosecutor's case. A photographic procedure can be executed by the patrol officer or investigator at the scene. This saves the law enforcement agency a lot of unnecessary bookkeeping, as the Sacramento Police Department has discovered. Also, business people can have their stolen merchandise photographed and returned to the shelf expeditiously. The Alameda County (California) District Attorney's Office does this. Obviously, such a procedure is most advantageous to the victim, but prosecutors and police agencies benefit to some extent.

If a crime victim cannot unequivocally identify recovered stolen property as belonging to him, then the law enforcement agency has no choice but to keep the property in storage. Citizens can be urged to help law enforcement agencies by keeping a list of the identifying numbers of valuable possessions.

#### IV. Crime Prevention Measures and Techniques

Only within the past decade have crime prevention concepts been translated into viable community action programs. Nationwide, law enforcement agencies have assumed the responsibility of formulating crime prevention plans and of developing crime prevention measures and techniques. Law enforcement agencies realize that community support of and participation in crime prevention activities is essential to attain positive results.

The major crime prevention programs currently in operation are: "target-hardening" programs, property identification programs, and neighborhood watch programs. Some crime prevention units in law enforcement agencies will assess the security of a resident's home and make suggestions on how the home can be better secured. Since substantial numbers of people cannot afford to purchase or install the recommended hardware, some law enforcement agencies, such as the Phoenix, Arizona, Police Department, also have funds available to purchase the merchandise; some community service agencies will even recruit volunteers to install it for indigent residents as is done by the Pima County Attorney's Office. The objective of these "target-hardening" devices is to deter, delay, or detail a would be criminal.

Many private businesses, independent insurance agencies, for instance, will loan residents marking pens to engrave their property with a personal identification number, such as a driver's license or social security number. This procedure can deter would be criminals from stealing some items since the property is harder to fence and can be identified more easily as stolen by law enforcement officials. Also, the property can be returned more easily to owners.

Neighborhood watch programs require the cooperation of neighbors to begin watching out for each other. The objective of neighborhood watch programs is to increase natural surveillance and decrease criminal opportunities. Another innovative crime prevention program, known as environmental design, essentially operates according to the same principle as the neighborhood watch programs: to increase natural surveillance and decrease criminal opportunity. Crime prevention through environmental design is a term used to describe a residential area whose physical characteristics--building layout and street design--function to allow inhabitants themselves to become key agents in insuring their own security. Environmental design programs are still in their experimental stage of operation but preliminary findings are encouraging.

Public education programs are also an important component of crime prevention efforts. A growing number of law enforcement agencies are instituting crime prevention programs for target populations, such as the elderly. The Montgomery, Alabama, Police Department and the New York City Police Department have done this. In addition private groups, such as Kiwanis Clubs, are beginning to assist law enforcement agencies in educating the public about crime prevention measures and techniques.

## V. Services Relating to Restitution and Compensation

Other services to victims that are growing in importance are restitution and compensation. Broadly defined restitution is the payment of crime losses to the victim by the defendant(s) who committed the offense. Compensation is the payment by the state of expenses caused by an injury.

Many experiments with resitution are currently underway and the concept is gaining popularity. In addition to direct payments to the victim, much of the current restitution activity has been centered around obtaining job training for defendants and providing minimum security living facilities for them while they pay off their victims with an agreed upon sum. Conceptually, restitution is a very satisfactory mechanism. In practice, however, the fact that fewer than 30 percent of all offenses are ever solved and that the bulk of defendants are disadvantaged individuals who lack job skills limits restitution to a psychologically important but actually inadequate procedure. That is, every defendant, even those incarcerated, who is capable of making restitution should be required to do so. But we should not expect that any great improvement in the stated losses or reduction in the suffering of the victim will result. Those situations where no specific person is the victim also present problems. In this case, the growth of symbolic restitution activities, such as directed volunteer work, is to be welcomed.

Victim compensation also has grown in acceptance and popularity during the last 15 years even though it is not conceptually or operationally as clear an idea as that of defendant restitution. A number of countries, including Australia, New Zealand, the United Kingdom, and Sweden; 22 states within the United States, and all the Canadian provinces now have legislatively mandated, and funded, victim compensation programs. In one sense these two issues are peripheral to victim/witness services because of the lapse in time from the actual criminal incidents and also because larger social policy issues are involved. But, to the extent that compensation laws and funds exist, victims should be encouraged and helped to file and obtain the benefits available. Like restitution, victim compensation should not be viewed as a complete solution to victim/witness problems. These are alternatives to victim compensation programs as well. One proposal, recently presented to the Arizona legislature, called for the establishment of surcharges on criminal fines. The additional funds would be used by prosecutors primarily for service delivery but some victim crime expenses could also be paid immediately.

## VI. Evaluation Findings

General research findings in the victim/witness area are not yet complete or conclusive. The Criminal Justice Research Center in Albany, N.Y., has done work with the National Crime Panel Victimization Surveys. They have further developed the notion, apparently supported in the data, that the single greatest reason why people do not report crimes to law enforcement agencies is that victims do not believe that the incidents are serious enough. Some minor variations in crime reporting rates depend on jurisdiction size and demographic factors, such as age, race, and sex;

but overwhelmingly the seriousness of the offense is the reason why a crime will or will not be reported. The relationship of the victim and defendant is another important factor.

Several monographs, prepared by the Albany Center, address the subjects of restitution and victim compensation. Generally, they conclude that requirements that victims must not be related to defendants or that some minimum threshold of loss must have been suffered are more political than realistic and need not be part of the compensation programs. As noted earlier, restitution was found to be hindered by the low percentage of crimes solved, defendants convicted, defendants capable of making repayments, and a lack of appropriate supervision of the plan.

The Vera Institute of Justice in New York City has been attempting to develop and evaluate a computerized witness alert system. Their successes and failures seem almost more related to the difficulties of operating in a large metropolitan court system rather than to any conceptual deficiencies or breakthroughs on their part. Their results point up the existence of great economies in terms of both cost and time savings to police officers and witnesses. The cooperation of lay witnesses, however, is a problem that Vera, among others, has not yet solved.

The Institute for Law and Social Research (INSLAW) recently published the results of a survey conducted among lay witnesses in Washington, D.C.: Improving Witness Cooperation. The basic finding was that many of the cases where witnesses were classified as uncooperative by the prosecutor's office and cases were dismissed were probably more the result of faulty communications between the witnesses, police, and prosecutors than of any other factor. Assembly line practices used by police and prosecutors are evidently not conducive to active witness cooperation. Findings in Detroit, Chicago, New York, and Cincinnati have been strikingly similar. Surveys in somewhat smaller jurisdictions--Tucson, for instance--indicate that many of the same problems exist, though not at the same scale as in the larger cities.

Stanford Research Institute and Evaluation/Policy Research Associates, with Price Waterhouse & Co. have conducted independent surveys of two victim/witness programs. Project Turnaround in Milwaukee was evaluated by Evaluation/Policy Research Associates and Price Waterhouse. The Victim/Witness Advocate program in Tucson was evaluated by Stanford Research Institute. While differences in number, scope, and scale of the two projects do not allow for direct comparisons, the similarity of the findings do allow for some generalizations.

The accomplishments of these programs are primarily in two areas: system efficiencies and benefits to victims. The greatest benefits of the Milwaukee Project were related to the reduction in the number of witnesses attending various hearings and reduced waiting times because of revised witness attendance criteria. This allowed more staff to handle citizen complaints and sensitive crime cases. Also, it saved time for internal staff and produced some other operating efficiencies expected from a Justice-computerized witness control system. The greatest savings of The Tucson

project related to the amount of police time saved by providing onsite crisis intervention for victims and releasing police officers from that responsibility. Each project tries to operate on a systemwide basis with a comprehensive service delivery system. Each found that victim/witness satisfaction was partially contingent upon factors unrelated to the services delivered, although these are indications that services could make the recipients more cooperative during the current case and in the future. There is still little evidence from these projects that victim/witness services will increase crime reporting, although such a development may simply take longer to become measurable.

The Center for Criminal Justice and Social Policy at Marquette University has also published a number of monographs on victim/witness services and an increasing number of journal and magazine articles, written by victim/witness project staff, are being published, especially on the subjects of sexual assault, child abuse, and wife battering (see, for example, the Summer 1977 and Fall-Winter 1977-78, issues of Victimology: An International Journal.<sup>3</sup> Another popular topic is the inadequacy or unavailability of social services, such as emergency housing.

Current research data is sketchy, but very little is contradictory and although some of the original assumptions about what victim/witness services are and could accomplish may prove to be faulty, they have actually been shown to be beneficial to both the system and the victims and witnesses in a number of areas.

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Victimology: An International Journal is available from Visage Press Inc., 2333 N. Vernon Street, Arlington VA 22207.

Session 6A

DAY II

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CRISIS INTERVENTION AND MANAGEMENT,  
SOCIAL SERVICE ASSISTANCE AND REFERRAL

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SUMMARY OF CRISIS INTERVENTION THEORY AND PRACTICE

I. Crisis Theory and the Rationale of Crisis Intervention

A. The Meaning of Crisis

1. The dictionary defines a crisis in terms such as a turning point, a decisive moment, or a crucial time.
2. A crisis has also been defined as "a real or perceived threat arising from a failure to cope adequately with an important life demand."
3. A crisis situation may occur as the result of a precipitating event (a sudden change or important demand) or as an accumulation of smaller demands that stretch an individual's ability to cope or to adjust in an appropriate way (the proverbial straw that broke the camel's back).

B. Crisis Theory

1. There is a general pattern of crisis development. First, the individual attempts to meet perceived stresses and demands with normal coping patterns. When these attempts fail, there is an interesting sense of desperation and confusion that may block alternative coping patterns. Often the individual concludes that destructive resolutions are the only alternatives no matter how unacceptable.
2. During a crisis, substantial changes are likely to occur. It is possible that the changes may be destructive, but they may also be constructive in resolving not only the immediate crisis but also the individual's life functioning.
3. Crisis theory believes that the availability of help during a crisis to facilitate constructive resolutions is more effective than a greater amount of help would be at a later time.

C. Role of the Crisis Interventionist

1. Evaluate the crisis--obtain a clear understanding of the nature and extent of the client's crisis.
2. Establish a personal link with the client.
3. Allow the client to vent emotions and to remove some confusion.
4. Enable the client to become aware of causes and possible solutions to the crisis.
5. Explore constructive solutions and the acceptability of various alternatives.
6. Obtain a contract for acceptable and suitable action on the part of the client.
7. Encourage and facilitate action on resolution through supportive, nonjudgmental behavior.

II. Victimology - The Study of the Victim/Witness and the Response to Victimization

- A. Victimization is a stress situation that can result in a crisis for the victim, especially since many crises are characterized by:
1. Suddenness--often occurs without warning and therefore it is impossible to prepare for psychologically.
  2. Arbitrariness--seems to have neither reason nor explanation--  
"Why me?"
  3. Unpredictability--never know that it will happen and therefore cannot anticipate it.
- B. Societal Reactions to Victimization.

Research shows that society tends to respond to victims by setting them apart because of:

1. Fear--since what happened to the victim could and may happen to us, we ostracize him or her so that we do not become victims as well.
2. Denial--we may argue that the victim deserved what happened or that he or she caused it: bad things only happen to bad people.

### C. Victim Reactions

These manifest themselves both in feelings and behavior. There are four basic reactions--denial, blame, anger, and resolution. These and accompanying reactions are not isolated, however, and may occur in any combination.

1. Denial--this did not really happen to me, it is a dream
2. Chaos and confusion--things are completely out of control; or I can't think straight
3. Helplessness--I can't do anything about it; I can't help myself
4. Dependency--tell me what to do
5. Regression--child-like behavior
6. Mistrust--will not trust anyone
7. Anger--may be directed at offender or anyone else, most often at police or loved ones
8. Repression--can't remember anything
9. Self-blame--what did I do to deserve this
10. Rationalization--try to make some sense out of the experience.

### D. Different Types of Victimization Trigger Different Responses

1. Crimes are acts against the inner self or self-concept of the individual.
2. The closer the criminal act penetrates to the victim's sense of being, values, and emotions, the more traumatic the reaction may be:
3. The intensity of the crime provokes varying reactions:
  - a. Burglary: generally hurts the victim only at the outermost layer--the property which is an extension of the self
  - b. Robbery: because of the contact with the robber and the threat of bodily injury, the victim's second layer (outer body) is threatened
  - c. Assault: generally hurts the victim's inner self (physical well being) through physical pain
  - d. Sexual assault: injury beyond bodily harm of the victim's basic values and emotions.

III. The Law Enforcement Stage: When crisis intervention and social service assistance is first needed by the victim.

Why must law enforcement agencies be involved and not just "social workers"?

- A. Police regularly deal with situations that are, or may be, a crisis for someone involved: victims of crime, witnesses to a crime, family disputes, death notifications, natural disasters, serious accidents. Eighty percent of police time is not enforcement.
- B. Police have a telephone which is answered 24-hours-a-day, 7-days-a-week, and people are conditioned to turn to the police for assistance.
- C. Police possess a unique response capability with instant radio communication and mobility.
- D. Since more injuries and deaths are inflicted on police officers while handling people in crisis, especially family disputants, than during any other activity, effective management of a crisis situation may reduce injuries to both officers and disputants. Homicides, serious assaults, and child abuse tend to be linked to families in crisis and police can mediate or defuse potential violence.
- E. Crisis intervention techniques are effective for dealing with people in almost all situations; therefore, police performance tends to improve when officers are properly trained.
- F. When the emotional crises of victims are managed effectively, victims are more cooperative and less confused. This leads to better police work.
- G. Impact on the community is an improved perception of the police and, therefore, improved security.

IV. Overview of Services

A. Core Services

1. Initial Report

- a. Crisis Training for Telephone Operators
- b. Private Facilities for Taking Reports at Police Station
- c. Citizen Dispute Arbitration

2. Emergency Services

- a. Emergency Housing, Food, Funds

### 3. Follow-Up Assistance

- a. Victim/Witness Ombudsman to Facilitate Flow of Case Information and Complaints
- b. Witness Protection from Intimidation
  - (1) Counseling Services - on call
  - (2) Telephone Monitoring for Harassment
  - (3) Short-term Emergency Housing
  - (4) Protection from Retaliation
- c. Informational Brochures
  - (1) Assistance for Victim and Witnesses
  - (2) The Criminal Justice System--Adult and Juvenile
  - (3) Crime Prevention
  - (4) Restitution and Compensation Programs
- d. Return of Recovered Property

### B. Selected Crisis Intervention Service Delivery Models.

Not every possible model for the delivery of crisis intervention services has been used. Some of the reasons for using or not using a model are obvious, some are not.

#### 1. Police Administered Crisis Intervention Service Delivery Models

- a. Service delivery by police officers
  - (1) Premise: Well-trained patrol officers, usually the first professionals on the scene, can most effectively handle whatever situation they find.
  - (2) Requirements:
    - Crisis management training for patrol officers (with in-service follow-up)
    - Manpower resources which permit officers to extend their on-scene time
    - A system for follow-up and referral to long-term services when required.

(3) Drawbacks:

- More officer time used for non-enforcement activities
- Increased training requirements
- Increased manpower needed to implement.

With minor deviations use of this model has been attempted in New York, San Diego, and Multnomah County, Ore.

b. Service delivery by police-employed crisis specialists

(1) Premise: Specially trained individuals are more effective than patrol officers in dealing with victims in crisis; these individuals must be knowledgeable in police matters and under police control.

(2) Requirements:

- Non-traditional use of police resources
- Specialized education and training for crisis specialists
- Follow-up for crisis clients and community referrals made by staff
- Twenty-four hour on-site response or excellent next day follow-on capability

(3) Drawbacks:

- Use of scarce police resources for non-enforcement activities
- Specialists must devote much of their effort to dealing with community agencies reluctant to deal with police.

This model has been used, with minor modifications, in Scottsdale, Ariz., and Fort Lauderdale, Fla.

c. A possible modification of this model may be accomplished by having a law enforcement agency with overall jurisdiction provide crisis intervention for a number of smaller jurisdictions or by setting up metro area crisis squads.

2. Other Criminal Justice Agency Run Crisis Intervention Service Delivery Models

a. Prosecutor Administered Crisis Intervention

(1) Premise: Since the prosecutor must eventually deal with victims, and since most possess areawide jurisdiction and are part of the criminal justice system, specialists employed by the prosecutor's office can effectively handle crisis situations without disrupting police activities.

(2) Requirements:

- Willingness to use prosecutor resources in a non-traditional way
- Twenty-four hour response, excellent follow-up or referral capability
- Sufficient resources to prevent neglect of witness-oriented activities and to prevent staff burn out
- Specialized education and training for crisis staff.

(3) Drawbacks:

- Potential for some disclosure and confidentiality problems if victims discuss case with staff
- More direct services, and consequent benefits, to law enforcement than to prosecution because relatively few victims become witnesses.

This model with some modifications, has been used in Pima County, Ariz., as part of a full-service victim/witness program. That program uses a 24-hour-response, backed by some next-day response and review of police reports.

b. Probation department-run crisis intervention.

Several probation departments run programs helping victims obtain compensation from state victim compensation boards, provide a broad range of auxiliary services and some 24-hour-response and on-site intervention. The prime example for these types of programs is the San Mateo (California) Probation Department's program.

3. Non-Criminal Justice Agency Crisis Intervention Service  
Delivery Models

a. Governmental--various formats exist and one successful model is for the service to be offered by a unit responsible to the head of the executive branch (city or county manager).

(1) Premise: A unit responsible to the local governmental executive can provide effective crisis intervention on either a 24-hour or next-day follow-on basis. It can obtain, or require, the cooperation of social, mental health, and police agencies better than any other locus because it is in a responsible position but not a part of the criminal justice system.

(2) Requirements:

- Access to police records and reports on a regular basis and general police willingness to cooperate
- Referral follow-up, adequate staffing, etc.

(3) Drawbacks:

- Not a part of the criminal justice system
- May inadvertently disrupt police crime scene and investigating procedures
- Need excellent relationships with criminal justice agencies, as well as with providers of other services
- Non-traditional use of funds and service delivery.

The Dade County Manager's Office in Miami, Fl., and Glendale, Ariz., City Manager's Office each have victim programs using this model.

b. Social service, mental health, or medical-run crisis intervention.

Some programs already in existence provide selective crisis intervention, e.g., suicide hotline, walk-in centers, and emergency rooms. No real effort has been made to integrate all of these types of services into a consolidated crisis intervention service although, theoretically, such a solution appears to be one of the most efficient possible. The absence of most social and mental health services on weekends and during non-working hours has traditionally forced police agencies into a position of attempting to deal on an ad hoc basis with persons in need of assistance. Police relationships with many of these agencies have been semi-adversarial, but cooperation between them could alleviate many problems. Victims would constitute a sizable percentage of the clientele of any consolidated crisis intervention agency but would not be the majority. (The Coconino County Mental Health Center in Flagstaff, Ariz., the Denver Visiting Nurses Agency, and most paramedic programs are examples of crisis intervention services run by social, mental health, and medically oriented agencies.)

c. Private agency-run crisis intervention services.

Most social services in the United States began as privately-financed and administered alternatives. Crisis intervention services, too, have occasionally appeared as private alternatives to the lack of concern of the governmental apparatus. These alternatives have usually taken one of two forms:

- Restricted local neighborhood activities

Where strong neighborhood ties exist, organized efforts to aid crime and other victims have developed. These services are usually restricted to a geographical, cultural, or religious base of some sort and cannot usually survive efforts to increase their scope. Those residents who act as crisis intervenors may also "burn out" rather rapidly. The West Philadelphia Block Association--Friends in Need is an example of a restricted neighborhood program.

- General Area Wide Volunteer Efforts

If a need is shown to exist, organizations designed to pursue community betterment can mobilize large numbers of volunteers to provide crisis intervention if given police and criminal justice agency cooperation. The lack of a permanent staff can be overcome as can rapid volunteer turnover. The necessity for volunteer recruitment and training on a regular and continuing basis may take up a good deal of the organization's efforts.

### C. General Comments on Service Delivery Models

To date, no definitive evaluation or experience has emerged that suggests that there is a "better mousetrap." Some evidence that volunteers can be used extensively in all the possible models is available, and the use of volunteers should be carefully considered whenever and whatever kind of program is established. The consolidated service unit and those at the police level appear to be the most efficient, if only crisis services are considered, and the prosecutor's office is the best locus if a comprehensive service delivery system is contemplated. But no locus is without drawbacks and no locus is perfect--as programs continue to deliver services it is probable that one or more may be shown to be better than others.

### D. Referral Procedures

1. Familiarization with Community Resources
2. Development of Resource Manual
3. Needs Assessment for Referral
  - a. Problem Identification
  - b. Problem Solving
  - c. Contract for Action
  - d. Evaluation of Referral
  - e. Development of Referral Agencies To Meet Needs of Victims and Witnesses

### E. Referring the Victim to a Social Service Agency.

Many departments encourage their officers to act as social service brokers, especially in behalf of citizens seen in service calls in which no arrests are contemplated. The same capability can be used for crime victims. Marquette University Criminal Justice Center developed a thorough process whereby the city's public and private social service agencies were surveyed and then succinctly described in a directory for criminal justice staff. The directory is cross-indexed by agency name, type of service, and so on.

Sacramento police officers are issued a somewhat similar directory, sized to fit in a 3" x 5" loose-leaf binder. The community services are arranged by topic areas ("Alcohol," "Counseling," "Drug Abuse," "Food, Clothing and Housing," "Legal," etc.). Each agency's name and number, address, business hours, eligibility criteria, fees, summarized services, intake procedures, and comments are listed. Preceding the service directory is a reminder sheet of what to do in family disturbance cases. The loose-leaf book is designed to be a handy reference tool. The lingering question is whether Sacramento police officers (or those in any department which distributes such a directory) actually use it to make social service referrals. Also present is the severe problem affecting all social service referrals: the referral alone is no guarantee that the client will get to the agency or receive the service.

F. Making Social Service Referrals through a Headquarters Unit.

In Sacramento, at least, one answer to the referral problem was to give the officer or victim the option of getting social service help through an intermediate broker, the department's victim advocate. The patrol officer had only to connect the victim with the advocate by telephone, and the latter took care of the rest, if he or she could. The obvious advantage of this procedure is that a single individual can become an effective specialist in this area and cut through a lot of red tape by working on a personal level, often with key agency staff. To some degree, that happened in Sacramento. Yet even there, the number of social services referrals made was hardly large, according to the advocate. Whether that rate could have increased with further patrol officer training is an open question.

G. Calling in a Crisis Intervention Specialist.

The more successful examples of social service referrals are all associated with projects employing crisis intervention specialists. In the projects using such staff, they have actively sought out selected crime victims a day or two after the incident report has been filed. Yet in several of the same projects, the specialists also make themselves available to respond immediately to calls from patrol officers in the field. In these cases, they do not wait for the incident report to cross their desks, but enter the case right at the crime scene. From the patrol officer's perspective, this is the simplest and least time-consuming procedure. Instead of trying to line up "situational supports" and social service agency assistance for the victim, the officer need only make one call--to a skilled crisis intervenor, who is usually ready to come immediately. To make themselves available at any time, many such specialists carry paging devices for nighttime and weekend calls.

One interesting finding about this type of use of the specialists is that when the service is first offered, patrol officers not infrequently call them in, day or night, on relatively minor cases, possibly to test them. Most such projects eventually won acceptance and worked out an understanding with police about which cases were appropriate for the service.

#### V. Research Findings

Findings on the effect of providing crisis management training to police officers are available. Other findings on the crime victim's need for crisis intervention services (that is, which situations, what victims are most in need, and what is most needed) are becoming available. Efforts to obtain data from victims on their reactions to crisis intervention have met with a series of failures. Researchers were unable to obtain a representative sample of victims in New York; efforts to obtain data in Oakland and Baltimore were also ineffective. Stanford Research Institute and Pima County Attorney's Office were able to obtain data in Tucson, but the results there indicated that client rating of services may be more dependent on situational variables than on the actual quality or quantity of services rendered. The Stanford Research Institute study did find that 40 percent of the Tucson officers trained in crisis work indicated that they had significantly changed their approach to their work; 52 percent had somewhat changed their job performance; and only eight percent reported that they had not been changed by the training.

Crisis intervention services may be delivered to victims by specialists or a combination of specialist and volunteer at lower rates than when patrol officers delivered the same services. There are also numerous findings about the humanitarian benefits of providing people in need with a service that is of benefit; the process may relieve officer stress and reduce the dispassionate detachment experienced officers develop as a defense mechanism. Indeed, in some respects, analysis of specialist delivered crisis intervention indicates that the actual client may be the referring officer and that police officer satisfaction with crisis services for victims approaches 100 percent. (See "A Survey of Law Enforcement Officers Requesting Victim/Witness Advocate Program Assistance During March 1977," prepared by Jack Stillwell, Pima County Attorney's Office.)

Research findings indicate that system efficiency and humanitarian considerations favor crisis intervention services. Conclusions about victim satisfaction are still premature but some resistance to data collection and some anomalous results indicate that further research is required in this area before definitive findings can be presented.

## SUMMARY DESCRIPTIONS OF VICTIM/WITNESS PROGRAMS

Information sheets on four victim/witness programs that use crisis identification, crisis intervention, crisis management, or social service referral are contained herein. They will be discussed during the seminar. Following these is the outline, "Types of Crisis Service," that will also be discussed during the seminar. It is keyed to the subsequent summaries of a number of victim witness programs that have crisis intervention<sup>1</sup> or social services referral components. These summaries are provided to enrich the discussion during the seminar. In addition, they will provide you with material needed to obtain further information from programs that are of interest to you. These summaries are adapted from material prepared by Mr. John Stein of the Blackstone Institute, Washington, D.C., as part of his research on Victim/Witness Services.

1

For detailed information on aspects of crisis intervention (particularly for police) see:

The Function of the Police in Crisis Intervention and Conflict Management, by Morton Bard, et al., Law Enforcement Assistance Administration, 1975.

The Police and Interpersonal Conflict: Third Party Intervention Approaches by Morton Bard and Joseph Zacker, Police Foundation, 1976.

To Keep the Peace: Crisis Management in Law Enforcement by Karl Schonborn, National Conference of Christians and Jews, San Francisco: 1976.

"The Rape Victim and the Helping Systems," by Morton Bard, in Victimology: An International Journal, Vol. 1 (1976) No. 2 (Summer) pp. 263-272.

"Alternative Human Services in Crisis Intervention," by James S. Gordon, M.D., in Victimology: An International Journal, Vol. 2 (1977) No. 1 (Spring) pp. 19-31.

See also several articles under the sections "The Victim and the Justice System" and "Treatment and Prevention" in Victims and Society, Emilio C. Viano, ed., Washington, D.C.: Visage Press, 1976. Other sources of information are Criminal Justice and the Victim, W.F. McDonald, ed., Beverly Hills, Calif.: Sage, 1976; the special issue on Child Abuse and Neglect and the special issue on Spouse Abuse of Victimology: An International Journal Vol. 2, (1977-78) No. 2 and Nos. 3-4).

## Types of Crisis Services

- I. Twenty-four Hour Response Capability (Primary Crisis Service)
  - A. Do-it-yourself crisis services  
(N.Y.P.D.; Hamden, Conn. P.D.)
  - B. Crisis Intervention Specialists
    - 1) Employed by identifier agency  
(Ft. Lauderdale, Fla. P.D.;  
Scottsdale, Ariz. P.D.)
    - 2) Employed by other agency  
(V.W.A.P., Tucson, Ariz.;  
V.A.P., Miami, Fla.)
- II. Next Day Crisis Capability (Secondary Crisis Services)
  - A. Let's check with you tomorrow crisis service
  - B. Crisis interventionalists
    - 1) Employed by identifier agency  
(Colorado Springs, Colo. P.D.;  
Sacramento, Calif. P.D.)
    - 2) Employed by other agency  
(Akron, Ohio, Furnace Street Mission Aid to Victims of Crime, Inc.;  
Saint Louis, Mo.)

INFORMATION SHEET ON  
VICTIM/WITNESS SERVICES

Core Service: Crisis Identification

Agency: Sacramento Police Department

813 6th Street

Sacramento, California 95814  
(Zip Code)

Contact Person: Capt. Tom Stark

Telephone: (916) 449-5635

Types of Services Offered:

Crisis identification and  
management training

Other Services Offered:

Brochures explaining:

- a) Police department function  
and procedures
- b) Witness information

Special property return procedures  
Assistance in obtaining compensation

Components of Services:

32-hour training program  
for all commissioned officers  
below the rank of captain.

Who Delivers Services:

(Salaried, volunteer,  
types of training)

Staff (line officer) trainers for crisis training.

One part-time supervisor, two sergeants, one police officer, and three clerks  
for other functions.

Cost/Resources used for Services:

\$100,000 Police Foundation Grant.

INFORMATION SHEET--Continued

Community Characteristics:  
(demographic information)

Problems Encountered:

Special Features:

Crisis training for entire department with some next day referral to specialized staff. Property return procedures and letter explaining what occurred during the police investigation are unique.

Evaluation/Research Findings:

None yet - contact Victim/Witness Advocate Program, Pima County Attorneys Office, for similar training program at the Tucson Police Department.

Replicability:

Should present no problems in view of other projects with same goals.

Further Information Available:  
(documents, etc.)

Contact Capt. Stark.

INFORMATION SHEET ON  
VICTIM/WITNESS SERVICES

Core Service: Crisis Intervention

Agency: Victim/Witness Advocate Program  
(Name)

Pima County Attorney's Office  
131 West Congress Street  
(Address)

Tucson, Arizona 85701  
(Zip Code)

David Lowenberg

Contact Person: Program Coordinator

Telephone: (602) 792-8749

Types of Services Offered:

Crisis intervention on a  
24-hour basis by staff and  
volunteers.

Other Services Offered:

Witness assistance  
Crime prevention  
Public education

Components of the Services:

Three full-time crisis staff and 40 to 60 volunteers receive law enforcement and hospital referrals on a 24-hour basis through a pager system.

The staff also has a director, coordinator, research analyst, two witness service advocates, and two clerical staff.

Who Delivers Services:

(Salaried, volunteer, types  
of training)

Volunteers must complete a 28 to 35 hour training program and all staff have behavioral science backgrounds and graduate degrees.

Cost/Resources used for Services:

The total program costs approximately \$150,000 per year. Crisis intervention costs are approximately 40 percent of the total.

INFORMATION SHEET--Continued

Program received an LEAA grant of \$169,000 in 1975, a grant of \$111,112 in 1976, and anticipates a grant of approximately \$90,000 in 1977. Local pickup of program funding scheduled for the next year.

Community Characteristics:  
(demographic information)

Pima County has a population of 460,000 and the City of Tucson is 300,000. The County is larger than the state of Connecticut and is primarily empty rangeland. About 20 percent of the population is Spanish-speaking and three percent are Indian.

Problems Encountered:

Staff size is minimal for this model program and more manpower could be used. For a short time, staff attempted to respond to non-victim crisis situations such as attempted suicides, mental patients, and wandering elderly, but the extent of the problem was so great that it could not be handled within time and resources available.

Special Features:

Substantial commitment to research and evaluation has produced a number of papers on different aspects of the victim/witness area. Staff are now experimenting with providing direct crisis intervention on weekends from 6 p.m. to midnight by having staff and volunteers in the field in radio equipped vehicles. The program has sponsored several workshops on victim and crime-related matters.

Evaluation/Research Findings:

Stanford Research Institute has conducted an evaluation of the January 1976 to October 1976 period. Another evaluation is now underway and should be available in December 1977.

Replicability:

Transference of the basic program package to jurisdictions of approximately the same size, or smaller, should present no difficulty. Larger jurisdictions may need substantially larger sums to reproduce the same relative effect.

Further Information Available:  
(documents, etc.)

Too many to list, contact program for further information.

INFORMATION SHEET ON  
VICTIM/WITNESS SERVICES

Core Services: Crisis Management

Agency: Dayton Police Department  
(Name)

Contact Person: Major Tyree Broomfield

\_\_\_\_\_  
(Address)

Telephone: \_\_\_\_\_

Dayton, Ohio

Types of Services Offered:

Conflict management and  
community relations

Other Services Offered:

Identification and intervention  
training  
Intervention in neighborhood and  
community problems

Components of the Services:

Conflict intervention team  
Community organization team  
Public information team

Who Delivers Services:

(Salaried, volunteer, types  
of training)

Eight commissioned officers and four professional civilians

Cost/Resources used for Services:

LEAA grant initiated this program that has since been picked up  
by the Dayton Police Department.

INFORMATION SHEET--Continued

Community Characteristics:  
(demographic information)

Problems Encountered:

A youth aid team established originally was consolidated with a conflict intervention team.

Special Features:

Contact with inner city gangs and attempts to deal with communitywide problems are interesting.

Evaluation/Research Findings:

"The Concept of the Policeman as Mediator, Communicator, and Advocate has shown a degree of success in Dayton."

(Data analysis seems more anecdotal than systematic and is difficult to interpret.)

Replicability:

Experience with similar programs in New York City; Oakland, California; and other places indicates that replication is not difficult.

Further Information Available:  
(documents, etc.)

See Crisis Intervention and the Police Selected Readings, by Richard W. Kobetz, IACP; or Community Relations and the Administration of Justice, by David P. Geary, University of Wisconsin, Milwaukee, Wisconsin.

INFORMATION SHEET ON  
VICTIM/WITNESS SERVICES

Core Service: Social Service Referral

Agency: The Victim Counseling Service  
(Name)

Philadelphia Bar Association  
City Hall Annex, Suite 419

(Address)

Philadelphia, Pennsylvania 19104  
(Zip Code)

Contact Person: Howard A. Yares

Telephone: (215) 563-3030

Types of Services Offered:

Social service referral

Other Services Offered:

Extended advocacy in some cases

Components of the Services:

Referrals received from many sources

Services vary with client need but primarily consist of telephone contacts informing victims of services available and some case information.

Who Delivers Services:

(Salaried, volunteer, types  
of training)

Staff - Director, assistant director, five line staff, three part-time staff,  
and two secretaries

No volunteers

Cost/Resources used for Services:

\$180,000 LEAA grant

INFORMATION SHEET--Continued

Community Characteristics:  
(demographic information)

Problems Encountered:

Unknown.

Special Features:

Sponsored by the Bar Association and accepts a large variety of referrals.

Evaluation/Research Findings:

Not available.

Replicability:

Jurisdictions smaller than Philadelphia would probably be able to replicate this program for less.

Further Information Available:  
(documents, etc.)

Contact program for further information.

PROGRAM TYPE: I-A and II-B,1\*  
Population: 257,105  
Medium size city

CALIFORNIA

The Victim Advocate Project  
The Sacramento Police Department  
813 6th Street  
Sacramento, California 95814

(916) 449-5635

Director: Capt. Tom Stark

Staffing and funding: One part-time supervisor, two sergeants, one police officer, and three clerks.

Funded by a Police Foundation grant (\$100,000) through June 1976; major elements of the program to be continued under the regular police department budget thereafter.

Goals: To improve police relationships with victims and witnesses; to insure that victims' property is returned promptly; to inform all victims of the results of the police investigations; and to assist victims in their role as prosecution witnesses.

Methods: All sworn officers from the rank of lieutenant down are undergoing a 32-hour training program away from the city. The training, conducted by line officers, is devoted to crisis intervention and management and victim assistance. Officers are encouraged to help citizens with social service referrals or to have the project staff do so. All victims are mailed a brochure explaining police procedures and crime prevention techniques, while those witnesses whose cases result in prosecution are given an additional brochure about that process. Victims whose property is recovered have it returned to them, usually at the scene. Victims who may be eligible for victim compensation are so notified by the police, who will assist them in filling out their claim forms. And victims of most felonies are sent a letter within a specified time range (typically four weeks) explaining the results of the police investigation in their case. The project also attempted to provide a limited amount of telephone alert services to victims who had been subpoenaed to court and to provide them a comfortable waiting room.

Information obtained: February 1976; site visit in May 1976.

\* The program type codings throughout these summaries refer to the chart "Types of Crisis Services" that precedes these summaries.

PROGRAM TYPE: I-A - Witness Emergency Unit  
II-B,2 - Rest of Program  
Population: 1,054,249  
\*

WISCONSIN

Milwaukee County Courthouse  
Milwaukee, Wis. 53233

(414) 278-5019

Director: James P. Schiller

Staffing and funding: The project employs over forty staff members in five units.

Funded by a national LEAA grant (\$1,160,000) through April 1976.

Goals: To increase the responsiveness of the total criminal justice system to the needs and problems of victims and witnesses; to improve information, services, and facilities affecting witnesses involved in prosecution; and to provide improved security and other needed services to crime victims.

Methods: The Citizen Contact and Support Unit offers a personal briefing and written materials to all witnesses coming to court. Related services include a telephone alert, a waiting room and child care facility, transportation, social service referrals, and automatic notification of the disposition of every case. The Citizen-Victim Complaint Unit provides prosecutorial and lay assistance to citizens bringing complaints about family or neighborhood violence, or consumer frauds to the DA's office. The Witness Emergency Unit employs seven members of the Sheriff's Department to provide investigation and improved security services for intimidated witnesses. Its services have evidently led to both increased prosecution on charges of witness intimidation and a lower overall incidence of such intimidation. The Advocacy Unit consists of a first assistant district attorney who seeks administrative and legal remedies to generic problems adversely affecting victims. The Sensitive Crime Unit provides one-to-one representation in cases of rape and other sexual assaults combined with access to appropriate counseling and social services. The Information Systems Unit developed a system-wide management information system, modeled on the PROMIS system developed for prosecutors but expanded so as to serve other agencies in the criminal justice network.

Information obtained: March 1976; site visit May 1976.

\*Large sized city.

Significant ethnic population.

PROGRAM TYPE: I-B,1  
SMSA Population: 700,000  
\*

TENNESSEE

The Nashville Police Department  
CID Division  
110 Public Square  
Nashville, Tenn. 37210

(615) 259-6311

Director: Carol Etherington

Staffing and funding: One registered nurse with education and training in psychiatric counseling.

Funding is assistance provided by the Mayor's office through a "701" grant from the U.S. Department of Housing and Urban Development.

Goals: To provide short-term, crisis intervention services to selected victims and to provide social service referrals as needed.

Methods: The nurse receives referrals directly from police officers and from a few community agencies. Typical victims served are victims of rape and of attempted suicide, as well as families of victims in homicide and suicide cases. Most crisis counseling is initiated at the hospital, and follow-up sessions, if needed, are conducted at the victim's home. The nurse arranges social service referrals when more than crisis intervention services are needed.

Information obtained: January 1976.

\* Medium sized core city and  
associated suburbs  
Significant black population.

PROGRAM TYPE: I-B,1  
Population: 87,823

\*

ARIZONA

Community Liaison Program  
The Scottsdale Police Department  
3739 Civic Center Plaza  
Scottsdale, Ariz. 85231

(602) 946-6511

Director: Capt. D. W. Townsend

Staffing and funding: Three Human Services Specialists (each assigned to one of the three "team policing" sectors in the city). The Specialists are "police assistants," the lowest rank in the department.

Funding is provided through the regular police budget.

Goals: To provide on-the-scene counseling services in crisis cases; to provide information and referral services to victims and other citizens contacted by the police.

Methods: Contacts are initiated by uniformed officers, who call the Specialists directly or who encourage the citizen to do so. Such contacts average about one per officer per month. In addition to crisis counseling, the Specialists assist citizens to locate emergency housing, employment and social services. In addition to victims, the Specialists help others requesting police services, including juveniles and adults in family crisis situations--and even, at times, defendants and offenders. The uniformed officers rate the Specialists' service highly and estimate that it saves them about two hours of work per case.

Information obtained: April 1976.

\* Suburb of Phoenix metropolitan area  
Phoenix SMSA Population: 1,000,000  
Affluent suburb.

PROGRAM TYPE: I-B,1  
SMSA Population: 140,000+  
Smaller Urban Area

FLORIDA

The Victim Advocate Program  
The Ft. Lauderdale Police Department  
1300 W. Broward Blvd.  
Ft. Lauderdale, Fla. 33312

(305) 761-2143

Director: James Fogarty

Staffing and funding: One part-time director, one senior victim advocate, one victim advocate, and a secretary, plus two volunteers.

Funded by a state LEAA grant (\$40,000) through February 1976; expects a subsequent one year grant.

Goals: To provide crisis intervention and other social services to primary and secondary victims of serious crimes and to encourage such victims to employ crime prevention techniques in the future.

Methods: The two civilian victim advocates are routinely called by police officers to help the victims of rape and the surviving families of homicide victims as soon as the police report is taken; the advocates are on-call 24-hours a day for this purpose. Most of their other contacts are made by examining each day's log of serious crime reports and then by calling the appropriate victim to arrange an interview at the victim's home. Their services focus on immediate crisis intervention and on related social service needs. The staff also look for indications of victim precipitation and, wherever appropriate, provide counseling and information on crime prevention techniques. The two volunteers assist in this latter service.

Information obtained: January 1976; site visit May 1976.

PROGRAM TYPE: Unknown but  
Probably I-B,1  
Population: 99,066  
Medium sized city

FLORIDA

The Victim Advocate Project  
The Orange County Sheriff's Department  
Orlando, Fla.

(305) 420-4010

Director: Sgt. George Haberkern

Staffing and funding: The project expects to employ one senior advocate and two junior advocates. It anticipates receiving a state LEAA grant in 1976 to support the project.

Goals: To provide crisis intervention and related social services to victims of violent crime and to promote crime prevention techniques among past victims.

Methods: At the time the information was received, this project was still in the planning stage. Its methods were expected to be similar to those used in other "victim advocate" projects in Florida law enforcement agencies.

Information obtained: January 1976.

PROGRAM TYPE: I-B,2  
Population: 465,000  
Medium sized city

\*

ARIZONA

The Victim-Witness Advocate Program  
The Office of the Pima County Attorney  
Adult Diversion Program  
600 Administration Building  
131 W. Congress  
Tucson, Ariz. 85701

(602) 792-6931

Director: Debby Jacquin; David A. Lowenberg, coordinator.

Staffing and funding: Two administrators, two victim services advocates, two witness services advocates, one senior citizen advocate, one research analyst, and one secretary.

Funded by a national LEAA grant (\$155,000) through September 1977.

Goals: To provide crisis intervention services to crime victims and other needy citizens, to provide social service assistance and referrals, and to provide information to prosecution witnesses on the criminal justice system.

Methods: The project provided a 30-hour training course in crisis identification and management to 90 officers in the Tucson Police Department. Similar training will be provided to other Tucson police officers and members of the Pima County Sheriff's Department. Most referrals originate from officers on the scene and the staff or volunteers (of which there are about 100) are available to respond to crisis cases on a 24-hour basis. Other social service referrals are handled through the project offices within 24 hours, either through a direct telephone call or a tape-recorded message. All the volunteers (which include clients of the diversion program and probationers) receive a 28-hour training program. In addition to making social service referrals, the staff and volunteers directly help witnesses with babysitting, transportation, emergency funds, and, in the case of victims of violent crime, a group counseling program. The staff and volunteers contact all witnesses in criminal and juvenile cases shortly after a complaint has been filed, explain to them the procedures in the criminal justice system, give them up-to-date information on their cases, assist them in their concerns about bail, restitution, and property return, and inform the affected victims and police officers of the disposition of every case.

Information obtained: August 1976.

\* Population concentrated in a relatively dense area.  
Significant Spanish-speaking and Indian population.

PROGRAM TYPE: I-B,2  
Population: 40,000

\*

ARIZONA

The Glendale Citizen Participation and Support Program  
The City Manager's Office  
7012 N. 58th Dr.  
Glendale, Ariz. 85301

(602) 931-5593

Director: John McLaughlin

Staffing and funding: One supervisor, two community relations representatives, two crisis intervention counselors, and one secretary.

Funded by a national LEAA grant (\$90,000) through September 1976.

Goals: To provide crisis intervention services to victims of traumatic crime; to provide information on the criminal justice system to other witnesses; and to promote neighborhood cohesion through crime prevention training.

Methods: Staff trained the city's police officers to identify victims experiencing crisis, and staff members are available 24-hours a day to respond immediately to a police request for assistance. Other witnesses are contacted with information sent out with the subpoena. When requested, staff will help witnesses with babysitting, transportation, witness fees, property return and referral to social service agencies. The staff also organized block meetings in neighborhoods to promote crime prevention techniques and greater neighborhood cohesion.

Information obtained: January 1976.

\* Suburb of Phoenix metropolitan area.  
SMSA Population: 1,000,000

PROGRAM TYPE: I-B,2

Population: 334,859

\*

FLORIDA

Victims' Advocate Program  
Office of the Metropolitan Dade County Manager  
1515 N.W. 7th St., Suite 112  
Miami, Fla. 33215

(305) 649-2046

Director: Catherine G. Lynch

Staffing and funding: One director, three victim advocates, and a secretary.

Funded by a national LEAA grant (\$30,000) and state and local contributions (\$85,000) through September 1976.

Goals: To provide crisis intervention and related social services to victims of violent crime; to provide limited financial assistance to such victims who need it; and to encourage victim-oriented reforms in public service agencies in the county.

Methods: The staff are available for referrals 24-hours a day. About one-third of the referrals come from law enforcement agencies in the county, while another third comes from hospitals, rape crisis centers, and the like, and the balance come from a variety of criminal justice and social service agencies. The referral network is sufficiently effective so that half the victims served are contacted in a day or two of the victimization. The advocates provide crisis counseling, follow-up counseling, information about the legal system and community resources, help in obtaining social services, and a person to assist a victim through court procedures. The project also gives victims up to \$50 to meet out-of-pocket losses resulting from the crime (to purchase food, new glasses, etc.). The project serves victims of violent crime, and especially such crimes as sexual assault and wife abuse. It provides training to nurses at the public hospital and offers in-service training to members of local law enforcement agencies. It promotes institutional change on a case-by-case advocacy basis as well as by compiling and disseminating information on unfilled victim needs.

Information obtained: January 1976; site visit May 1976.

\* Medium sized city with relatively dense suburban population.

PROGRAM TYPE: I-B,2  
Population: 746,302

\*

INDIANA

The Victim Assistance Project  
Indianapolis Police Department  
50 N. Alabama St.  
Indianapolis, Ind. 46204

(317) 633-7775

Director: Sgt. Hilton Cancel

Staffing and funding: One coordinator, two police officers, four civilian victim assistants, and one secretary.

Funded by a foundation grant (\$95,000) through June 1976; anticipates two additional years of funding.

Goals: To provide timely information, social services and support for victims of violent crime.

Methods: The seven staff members are available 24-hours a day to assist officers in helping victims of violent crime. The staff also identified victims in need of service by reviewing incident reports, by monitoring the police radios in their cars, and by taking referrals from the prosecutor's office and other agencies. With both telephone contacts and in-person contacts, the staff undertakes a needs assessment, provides "anticipatory guidance," and offers social services as needed, either directly or through other community agencies (in which the project has one contact person and one alternate). All victims contacted are also given a brochure. When needed, the staff stays in touch with victims over an extended length of time, assisting them with the criminal justice process and helping them avoid intimidation.

Information obtained: January 1976; site visit, June 1976.

\* Medium sized city with relatively dense suburban population.

PROGRAM TYPE: II-B,1  
Population: 60,000

\*

FLORIDA

Victim Advocate Program  
Pensacola Police Department  
40 S. Alcaniz St.  
Pensacola, Fla. 32501

(904) 432-1211

Director: Lt. Richard Yelverton

Staffing and funding: One project coordinator, one victim advocate and a secretary. Funded by a state LEAA grant (\$40,000) through February 1976; expects an additional one-year grant.

Goals: To provide crisis intervention and related social services to victims of major person-to-person crimes and to encourage victims to adopt crime prevention techniques.

Methods: The staff are available 24-hours a day to respond immediately to police officer calls in rape and murder cases. Otherwise, they make contact with victims by reviewing each day's offense reports. Most contacts are limited to a conversation on the telephone, while others involve a personal visit with the victim. Services include crisis intervention, related social services, and help in steering victims to community services. Crime prevention counseling is provided routinely.

Information obtained: January 1976.

\* Small city.

PROGRAM TYPE: II-B,2  
Population: 142,000

\*

ARKANSAS

Criminal Justice Project  
Presbyterian Urban Council  
P. O. Box 6-08  
Little Rock, Arkansas 72206

(501) 376-1366

Director: Rev. Donn L. Walters; Paul Kelly, clinical supervisor

Staffing and funding: One part-time supervisor, one full-time supervisor, three social workers, one part-time social worker, and one secretary.

Funded by a state LEAA grant (\$70,000) through March, 1976; expects continuing funding from the same source.

Goals: To provide crisis intervention services; to help victims (or family units) to make basic decisions about on-going, violent situations; to provide other forms of social services.

Methods: About 60 percent of the cases seen by the staff are on direct referral from the District Attorney's screening unit. The great majority of these cases involve family problems, as do the other referrals, which originate from the police, schools, child abuse programs, and the like. About half of the cases involve a single counseling session, in person or on the telephone, to deal with a single problem such as the procedures needed to get a civil complaint, or to get police assistance in a domestic disturbance case. The other cases involve a longer-term relationship in which the staff attempt to help the individual or family to make basic decisions such as marital counseling, separation, psychological counseling, and the like. The staff provides the service in about half the long-term cases, shares the counseling service with another agency in about one-quarter of the cases, and refers the balance of the cases out to a separate social service agency entirely. Although most of the cases are considered "not-prosecutable," the staff will recommend that charges be filed in a few cases. The staff maintains a continuous in-service training program and provides orientation to the prosecutors and the police.

Information obtained: January 1976.

\* Smaller urban area with significant black population.

PROGRAM TYPE: II-B,2  
SMSA Population: 413,053

\*

CALIFORNIA

The Victim Services Project  
The Fresno County Probation Department  
P. O. Box 453  
Fresno County Courthouse, 8th Floor  
Fresno, Calif. 93709

(209) 488-3406

Director: Senior Deputy Probation Officer Katherine McGinty

Staffing and funding: One supervisor and four victim services staff.

Staff positions subsidized, in part, by VISTA, the "Comprehensive Employment and Training Act," and the probation department.

Goals: To provide crisis intervention services to victims of violent crime, to provide sentencing judges with information about the effects of the offenders' crimes on their victims, and to encourage restitution in appropriate cases.

Methods: By reviewing each day's incident reports prepared by the Fresno Police Department and the Sheriff's Department, the staff identify victims of violent crimes to contact. After an initial call, the staff sees the victim in the victim's home or at the staff office. Crisis counseling and social service referrals are performed as needed. In all appropriate cases and prior to sentencing, the staff prepare "impact reports" detailing the victim's property, medical, psychological and social damages or losses resulting from the crime. When judges determine that probation and restitution are appropriate sentences, a separate unit of the probation department prepares a restitution plan and monitors the performance of the probationers.

Information obtained: January 1976; site visit in May 1976.

\* Medium sized city.

PROGRAM TYPE: II-B,2  
Population: 751,000

\*

OHIO

The Victim Service Unit  
The Cleveland Municipal Court  
2108 Payne Ave., Room 504  
Cleveland, Ohio 44144

(216) 771-5156

Director: Grace Kilbane

Staffing and funding: One supervisor, two counselors, two part-time evaluators, one part time researcher, and four volunteers.

Funded by a state LEAA grant (\$85,000) through April 1976.

Goals: To help selected victims participate in critical decisions in the criminal justice system and to provide related social services.

Methods: Most victims referred to the project come from the prosecutor's office or the Legal Aid Society. While most such referrals involve victims of traumatizing crime, including the elderly and rape victims, the majority involve domestic violence. The service begins with an extensive intake interview in which the victim is briefed on the criminal justice system and on possible civil remedies. This leads to a form of "decisionmaking counseling." Options that the victim explores include prosecution, civil action, the use of a court-appointed arbitrator, or the use of community agencies. When the victim has made a choice, the staff supports him or her in a kind of paralegal, advocate role. They will accompany victims through all of the court procedures and, if the case results in sentencing, they will prepare a victim-oriented report for the sentencing judge. They keep victims informed as to the status and disposition of their cases. They also insure that cases resulting in probation sentence (typically for a violent husband) are monitored and that probation officers initiate revocation procedures if the victim is revictimized. They use community agencies extensively and have a careful referral system.

Information obtained: February 1976.

\* Large central core city of very large SMSA, about 2,000,000, with a large and varied minority population.

PROGRAM TYPE: II-B,2  
County Population: 100,000

UTAH

The Victim Witness Assistance Program  
Office of the Davis County Attorney  
Davis County Courthouse  
Farmington, Utah 84025

(801) 295-2394

Director: Loren E. Landward

Staffing and funding: One supervisor, one secretary and seven female volunteers recruited from law enforcement personnel in the county.

Funded by a subgrant (\$30,000) of a national LEAA grant to the National District Attorneys' Association through October 1976.

Goals: To encourage improved services to crime victims among criminal justice staff, to provide social services to victims of traumatizing crime; and to assist all witnesses involved in prosecution.

Methods: The project's secretary screens all cases coming into the prosecutor's office to select ones that may merit immediate attention. If the case is serious or potentially traumatizing, the project director will call immediately, go to the victim's home and provide crisis intervention services as well as a briefing on the criminal justice system. All other victims and witnesses involved in prosecution cases are called prior to their first appearance, and a letter offering such assistance along with a brochure is mailed with the subpoena. The director has trained female employees of various law enforcement agencies in the county to serve as crisis intervention specialists in rape and child assault cases. He has prepared a social service referral manual for police officers and deputy sheriffs and personally arranges social service referrals to welfare and mental health agencies, job training programs, and the like. In addition, he serves as a referral agent between victims who are Mormons and their church (about half the residents of the county are Mormon). He has worked formally to encourage assistant prosecutors to consider the victim's interests, and he also encourages victims to attend sentencing hearings.

Information obtained: January 1976.

PROGRAM TYPE: II-B,2  
Population coverage includes  
seven rural counties

OKLAHOMA

Law Enforcement for the Aged  
The Eastern Oklahoma Development District  
P. O. Box 1367  
Muskogee, Okla. 74401

(918) 682-7891

Director: Gene A. Wallace

Staffing and funding: One project director plus the part-time assistance of many staff working for social service agencies in the area.

Funded by a national LEAA grant (\$50,000) through August 1976.

Goals: To encourage older citizens to protect themselves better from crime, to encourage law enforcement officers to handle elderly victims with sensitivity, and to offer personal assistance to such victims.

Methods: The project operates in a mostly-rural, seven-county area in cooperation with public and private agencies dealing with the poor and the elderly. In addition to researching the problems of crime and the elderly, the project has prepared training materials for law enforcement officers on dealing with elderly victims and has prepared similar materials for elderly residents of the area on crime prevention techniques. The seven sheriff's departments and other law enforcement agencies are encouraged to refer victims to the project, and the director or another social service worker attempts to see such victims within a few hours of the referral. Services are provided as needed.

Information obtained: January 1976.

PROGRAM TYPE: II-B,2  
Population: 280,000

OHIO

The Victim Assistance Program  
The Furnace Street Mission  
Box 444  
Akron, Ohio 44309

(216) 923-9656

Director: The Rev. A. Robert Denton

Staffing and Funding: One part-time director, one assistant director, one victim counselor, one victim advocate, a secretary, and about 50 volunteers.

Funded by a state LEAA grant (\$40,000) through March 1977; anticipates a further one-year grant.

Goals: To provide crisis intervention and related services to innocent victims of violent or traumatizing crime and to promote greater personal accountability on the part of offenders and those responsible for their rehabilitation.

Methods: The staff receives most of their referrals from incident reports received daily from the local police. A staff member, often accompanied by a volunteer, attempts to see every known victim the same day at his home. In addition to immediate and follow-up crisis intervention services, the staff and volunteers offer homemaking, child care, transportation, escort services, and emergency food. When needed, the staff makes social service referrals through their contacts with the "gatekeepers" of local agencies. Volunteers are given extensive preservice training, with role playing and videotape, as well as on-the-job training. Paid staff are generally recruited from former volunteers. The project was actively involved in the enactment of Ohio's victim compensation law.

Information obtained: January 1976; site visit June 1976.

PROGRAM TYPE: II-B,2  
SMSA Population: 2,410,000

\*

MISSOURI

Aid to Victims of Crime, Inc.  
607 N. Grand Blvd.  
St. Louis, Mo. 63103

(314) 532-2597

Director: Ann Slaughter

Staffing and Funding: From 1972 to 1974, the project was run entirely by volunteers. In 1974 and 1975, two staff members were hired under a foundation grant (\$25,000). The one or two staff coordinators are assisted by about 100 volunteers.

Goals: To provide crisis intervention and other services to victims of violent crime.

Methods: The staff receives a daily list of victims of serious, violent crimes and from these selects those who live in the three highest crime police districts. Volunteers who are neighbors of such victims are then contacted either by phone or mail. One or two such volunteers then visit the victim and offer to assist him or her with the emotional and social repercussions of the crime. The volunteers (most of whom are black, inner-city residents) help victims by negotiating with landlords, creditors, and employers; by offering child care, grocery shopping, and home care; by helping with insurance claims; or by helping with funeral arrangements. When a social service referral is thought to be appropriate, the volunteer attempts to make it by using the project's manual or by contacting one of the staff members.

Information obtained: January 1976.

- \* Tenth largest SMSA in the country.  
Significant black and other ethnic minority population.

PROGRAM TYPE: II-B,2  
SMSA Population: 1,200,000  
\*

COLORADO

The Victim Support System  
The Southeast Neighborhood Services Bureau  
1632 York St.  
Denver, Colo. 80206

(303) 388-0834

Director: Katherine Saltzman

Staffing and Funding: One executive director, four supervisory staff, one attorney, six family crisis counselors, four victim specialists, and two full-time and one half-time secretary.

Funded by a national LEAA grant (\$200,000) through September 1976.

Goals: To provide "survival support" services to victims of major felonies, to provide family crisis intervention services, to provide other social services and social service referrals, to offer legal counseling and assistance in court-related matters, and to improve the police handling of crime victims.

Methods: Through recruit and in-service training programs, the staff attempt to sensitize local police officers to victim service needs. Most referrals to the project come directly from the police, although some come from the District Attorney's office and other agencies. In both family disturbance cases and in serious criminal victimizations, the staff provide immediate and intensive crisis intervention services, and will provide longer-term therapy as needed. They also assist clients with transportation, food, housing, child care needs, and the like.

Information Obtained: January 1976.

\* Large core city with numerous suburbs.  
Significant Spanish-speaking minority population.

PROGRAM TYPE: II-B,2  
County Population: 560,000

\*

CALIFORNIA

Aid to Victims and Witnesses  
The San Mateo County Probation Department  
30 W. 39th Ave.  
San Mateo, Calif. 94403

(415) 573-2236

Director: Senior Adult Probation Officer David J. Mandel

Staffing and Funding: One director and one half-time secretary, plus 15 volunteers.

Funded by a state "probation subsidy" grant (\$35,000) through July 1976; expects to receive a larger, state LEAA grant to expand its staff and services county-wide.

Goals: To provide crisis intervention services to victims of violent crime and to help them with their other social service needs; to encourage citizen cooperation with the police and prosecutors; and to provide helping services to witnesses who are called to court.

Methods: The staff is notified by several of the seven law enforcement agencies in the county of violent victimizations in their jurisdiction, and the project then contacts an appropriate volunteer--a "victim aide"--who in turn sets up an appointment with the victim within three to eight hours. The aides provide crisis counseling and a variety of social services, such as transportation, help in maintaining the household, child care, locating interpreters, welfare assistance, compensation claims, and property return. In cases where an arrest has been made, the aide also insures that the probation department is alerted to the victim's injuries and other potential claims for restitution. Volunteers serving as "witness guides" send a brochure to every witness coming to court. It gives information about court procedures, a map of the courthouse, and information about the project itself. On arriving at the courthouse, the witness will look for the nearest witness guide, who will escort him or her to the waiting area and then to the District Attorney's office and the courtrooms. The guides also provide a "debriefing" after the witness' appearance and help them apply for witness fees. They also insure that restitution claims are forwarded to the probation department in appropriate cases and notify all witnesses of the final disposition of their cases. Each of the volunteers is provided 18 hours of preservice training in the evenings or on weekends.

Information Obtained: January 1976.

\* Smaller Core City with Relatively  
Dense Total Area



**CONTINUED**

**2 OF 4**

PROGRAM TYPE: II-B,2  
Population: 514,678

\*

COLORADO

The Community Health Victim Support Program  
The Denver Visiting Nurse Service  
605 Bannock St.  
Denver, Colo. 80204

(303) 893-7041

Director: Jean Bauman, R.N.

Staffing and Funding: One (unpaid) director, one coordinator, and four public health nurses (although all 80 nurses on the staff provide services).

Funded by a national LEAA grant (\$160,000) through November 1976.

Goals: To provide crisis intervention, health and mental health services to victims of sexual assault and elderly victims of street assaults.

Methods: The project coordinator visits the police department daily to record the names of all eligible victims. The names are then transmitted to the appropriate district offices in the county. These are then transferred to one of the visiting nurses in the district office who is expected to visit the victim within 24 hours. Other referrals come from hospital emergency rooms and from private physicians. All the nurses have been given specialized, in-service training for this job and have been given a structured interview/assessment guide to help them conduct interviews. In addition to providing immediate crisis counseling, the nurses are encouraged to remain open to all the victim's service needs and to continue the relationship for as long as is needed, or bring in other kinds of social services if they are needed.

Information Obtained: February 1976.

\* Medium sized city with relatively dense suburban population  
Significant Spanish-speaking population.

PROGRAM TYPE: II-B,2  
Population: 528,865

\*

FLORIDA

The Victim Advocate Program  
Jacksonville Sheriff's Department  
Office of the Sheriff  
Duval County Courthouse, 5th Floor  
330 E. Bay St.  
Jacksonville, Fla. 33202

(904) 633-4340

Director: Capt. Kenneth R. Brown

Staffing and Funding: One part-time director, one senior victim advocate, one junior victim advocate, and a secretary.

Funded by a state LEAA grant (\$40,000) through June 1976.

Goals: To provide crisis intervention and other supportive services to selected crime victims; to provide such victims with crime prevention information.

Methods: The advocates are available for on-the-scene crisis intervention when called on to do so by sheriff's deputies during working hours. Otherwise, clients are contacted through a daily review of the department's offense reports. The primary clients are victims of serious, violent crime, as well as victims of other crimes who are especially young or elderly. An appreciable portion of the clientele are self-referred because of the project's well-publicized existence. In addition to providing crisis intervention services, the staff gives victims information about the criminal justice system, help in coping with the system, and referrals to specific staff members of social service agencies in the community. The staff will often sit in on police interviews with the victims of sexual assaults. They also routinely offer victims information on crime prevention techniques. The staff is provided a limited amount of training in both recruit classes and at roll calls.

Information Obtained: January 1976.

- \* Medium sized city
- Relatively significant black and other ethnic minority population.

PROGRAM TYPE: II-B,2  
Population: 110,000  
\*

OHIO

The Victim Witness Coordination Project  
Office of the Stark County Prosecutor  
Stark County Courthouse  
167 Downtown Station  
Canton, Ohio 44701

(216) 454-5651

Director: Alan G. Carter

Staffing and Funding: One director, three volunteer coordinators, a secretary, and about 45 volunteers.

Funded by a state LEAA grant (\$20,000) through April 1976; anticipates an additional one-year grant.

Goals: To assist innocent victims of violent crime who have suffered psychological or physical injury and to help witnesses in prosecution cases participate effectively in the criminal justice process.

Methods: Victims of violent crime throughout the county are encouraged by law enforcement agencies to contact the project; incident reports from the four largest agencies are reviewed daily by the staff to identify such victims. After an initial telephone conversation with a coordinator, the victim is then contacted within 24 hours by one of the project volunteers. The volunteers provide crisis counseling, social service referrals, and a number of direct services. All prosecution witnesses are contacted through a letter, sent with the subpoena, which offers them transportation or free parking and encourages the witness to call in before coming to court. When the witness calls in, he or she is placed on telephone alert, if eligible. The staff also offer to intervene with the witness' employer. On arriving in court, the witness is escorted to a witness lounge where he or she is given a brief orientation to the criminal justice system as well as a project brochure. The volunteers assisting in this part of the project insure that all witnesses are notified about the final disposition of their cases. The volunteers are all given the extensive pretraining program by the United Way in the county. This is supplemented with in-service training in the District Attorney's office.

Information Obtained: January 1976.

\* Small urban area

PROGRAM TYPE: Primarily II-B,2  
SMSA Population: 239,000

\*

COLORADO

The Victim Service Bureau  
The Colorado Springs Police Department  
212 E. Vermijo St.  
Colorado Springs, Colo. 80903

(303) 471-6616

Director: Clarence McDavid

Staffing and Funding: One coordinator, one victim advisor and public education specialist, a clinical psychologist, and a secretary.

Funded by a national LEAA grant (\$40,000) through July 1976; expects continued funding thereafter.

Goals: To provide crisis intervention and related services to victims of personal crimes; to provide training and technical assistance to police agencies in the three-county area; and to improve reporting, clearance, and successful prosecution rates.

Methods: In respect to certain crimes (notably sexual assaults) the staff are available 24-hours a day for an immediate response. Other violent crime victims are picked up daily through police incidence reports and are contacted immediately by telephone, if possible, or by letter, if necessary. The staff provide crisis intervention services and related social services, sometimes with the assistance of social service agencies in the community. If needed, the staff psychologist will provide the victim with longer-term therapy, and the staff will also assist secondary as well as primary victims, such as spouses, parents, and the like. The staff also cooperate with the victim advocate in the District Attorney's office. They provide in-service training for members of the police department and the sheriff's department provide recruit training for all law enforcement agencies in the three-county area.

Information Obtained: January 1976.

\* Medium sized core city

PROGRAM TYPE: Social Service Referral  
SMSA Population: 4,800,000

\*

PENNSYLVANIA

The Victim Counseling Service  
Philadelphia Bar Association  
City Hall Annex, Suite 419  
Philadelphia, Penn. 19104

(215) 563-3030

Director: Howard A. Yates

Staffing and Funding: One director, one assistant director, five line staff, three part-time staff, and two secretaries.

Funded by a national LEAA grant (\$180,000) through September 1976.

Goals: To provide information and referral services for victims of crime and to intervene in behalf of such victims, as needed, in their dealings with public agencies.

Methods: Staff at the project's two neighborhood offices receive referrals from block associations, other social service agencies, local police, and the lawyer's reference service at the Bar Association. While the majority of cases require only the provision of information to victims--about where to obtain social services, about the status of their case, and so on--the staff frequently get involved more extensively with clients. In the latter cases, the services range from informal advocacy with the District Attorney's office over the handling of a prosecution to counseling victims on insurance claims or civil remedies.

Information Obtained: January 1976; site visit April 1976.

\* Fourth largest SMSA in the country.  
Significant black and other ethnic minority populations.

PROGRAM TYPE: Social Service Referral  
SMSA Population: 1,000,000

\*

OREGON

Victim Assistance Project  
Multnomah County District Attorney's Office  
610 County Court House  
Portland, Oregon 97204

(503) 248-3222

Director: Marilyn Wagoner Culp

Staffing and Funding: One part-time Assistant District Attorney, one victim advocate, three line staff, one secretary, and about ten volunteers.

Funded by a national LEAA grant (\$135,000) through June, 1976; anticipates continued funding thereafter.

Goals: To provide social services to all crime victims in need, to improve the treatment of victims by all criminal justice agency staff, to provide services to all prosecution witnesses, and to promote victim interest in the prosecution of criminal cases.

Methods: Through seminars with local police, judges, and prosecutors, and other promotional activities, the staff has sought to make criminal justice staff more sensitive to the needs of crime victims. Police referrals account for a sizable number of telephone inquiries by victims, most of which are handled in a single discussion but a few of which result in a visit to the victim's home and extended social services and referrals. Through a brochure sent to all prosecution witnesses, an information desk, signs, and maps at the courthouse and the like, the staff attempt to respond to witnesses' needs in all appropriate ways. All cases being prepared for sentencing are screened by the staff, and student volunteers prepare financial accounts to document the victim's losses. The staff also monitor the high number of restitution cases, and the prosecutors have successfully encouraged the courts to impose sanctions on willful violators. The staff also encourage a degree of victim participation in plea bargaining and sentencing; victims are encouraged to attend the sentencing hearing and to speak their piece.

Information Obtained: January 1976.

\* Medium sized core city with relatively dense suburban area.

PROGRAM TYPE: Social Service Referral  
SMSA Population: 2,100,000

\*

OHIO

The Victim Assistance Program  
West Side Community House  
3000 Bridge Avenue  
Cleveland, Ohio 44113

(216) 771-7297

Director: Robert Smitty

Staffing and Funding: Three part-time VISTA volunteers. No appreciable funding.

Goals: To provide assistance to self-referred crime victims.

Methods: In the absence of referrals from the police department, the project has advertised its services through placards in the target neighborhood, supplemented by presentations at community meetings. Most clients make contact through a telephone call, and most of these are followed up with a home visit. The VISTA volunteers provide small loans (up to \$50). They make referrals to other agencies for emergency clothing or housing or longer-term counseling. Their personal services for victims involve accompanying them to criminal justice agencies, hearings and trials, if requested.

Information Obtained: March 1976.

- \* Large core city  
Significant black and other ethnic minority populations.

PROGRAM TYPE: To develop programs  
to produce services for Victims and  
Witnesses  
Serves entire state

IOWA

Iowa State Association of Counties  
730 E. 4th St.  
Des Moines, Iowa 50316

(515) 244-7181

Director: Don Cleveland

Staffing and Funding: Not applicable

Goals: To promote the establishment of victim service programs through existing county welfare agencies.

Methods: Two subunits of the association, representing county commissioners ("Supervisors") and welfare administrators ("Relief Directors"), help to develop model authorizing resolutions and guidelines for county governments to consider as a means of establishing a service system in behalf of crime victims. That system has been established in four of Iowa's 99 counties and involves a close working relationship between county law enforcement agencies and the county welfare agency. Under the plan, law enforcement agencies would immediately notify the welfare department of recent victimizations, and welfare workers would respond immediately with crisis intervention services, other social services, and emergency financial assistance.

Information Obtained: January 1976.

PROGRAM TYPE: Crime Prevention and  
Social Service Referral  
SMSA Population: 4,430,000  
\*

MICHIGAN

The Cass Corridor Safety for Seniors Project  
The Detroit Police Department and  
the Mayor's Senior Citizen Commission  
3165 2nd Ave.  
Detroit, Mich. 48201

(313) 224-1225

Director: Officer Wayne W. Bradley

Staffing and Funding: A variety of funds--from the city, from ACTION, and LEAA--  
support a director, an assistant director, three line staff, one secretary, and  
about 25 volunteers.

Goals: To encourage crime prevention techniques among the thousands of elderly  
residents of the inner-city "Cass Corridor" and to provide such ancillary  
services as are needed.

Methods: The project is designed to bring education to senior citizens in the  
target neighborhood so that they will be better able to avoid criminal  
victimization. However, a by-product of this service has been the identification  
of recent victims among the elderly, who look to the project for some kind of  
assistance. The project is able to offer them some emergency food and clothing  
and also puts them in touch with social service agencies in the community.

Information Obtained: January 1976.

- \* Fifth largest SMSA in country.  
Significant black, other ethnic minority, and elderly populations in the inner  
city.

PROGRAM TYPE: Crime Prevention and  
Social Services Referral  
Population: 80,000  
\*

MARYLAND

Crime Prevention for the Elderly  
The Montgomery County Police Department  
801 Sligo Ave.  
Silver Spring, Md. 20910

(301) 588-3043

Director: Officer Bob Buchness

Staffing and Funding: One patrol officer, one social worker, and a secretary.

Funded by a state LEAA grant (\$80,000) through August 1976; anticipates two additional years of funding thereafter.

Goals: To promote crime prevention techniques by the elderly residents of the county and to provide social services to elderly victims of crime.

Methods: The initial focus of the project was to research the problems and needs of the elderly and to promote prevention techniques among this population. However, the two staff members also anticipated becoming a "victimization response team," which would seek out every elderly crime victim, and offer them crisis counseling and other forms of social services, as well as referral services to community agencies.

Information Obtained: January 1976.

\* Part of the Washington-Baltimore SMSA.

PROGRAM TYPE: Unstructured Program  
Population: 38,587

\*

FLORIDA

The Community Relations Unit  
Pompano Beach Police Department  
Pompano Beach, Fla.

(305) 942-1100, ext. 303

Director: Sgt. Peter Grande

Staffing and Funding: Not applicable.

Goals: To provide a variety of helping services to residents of the low income neighborhoods of the city and to provide such services as needed to crime victims.

Methods: The community relations unit has three sworn officers and six civilians who provide a number of helping services to citizens in the low income neighborhoods of the city. The staff are available to police officers to give crisis counseling and other social services to victims of violent crime. However, this is but one, unstructured service that the unit provides on an ad hoc basis.

Information Obtained: January 1976.

\* Small city

Session 6B

DAY II

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COURT-RELATED WITNESS INFORMATION, WITNESS NOTIFICATION  
AND PROTECTION, PROPERTY RETURN, COMPENSATION AND RESTITUTION

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Material related to Session 6B, Court-Related Witness Information/ Notification and Protection, Property Return, and Compensation and Restitution-- is presented here in several sets of papers, mostly in summary and tabular form. Thus, the background papers for this session should be considered summary outlines of the most relevant material available about the topics discussed.

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
<p>A. <u>Witness Information</u></p> <p>Brochures to assist witnesses include: How to testify; court location and responses to witness questions; summary of criminal justice process; and victim/witness services listing.</p>	P.O./S; D.A.	A;P.L.	To better inform witnesses.	Witnesses less apathetic and frustrated; more informed testimony; fewer case dismissals.	---
<p>B. <u>Witness Notification</u></p> <p>1. <u>Subpoena, mail notice</u></p>	P.O./S; D.A.	P.L.;C.	To instruct witnesses on the where, when, why, who, and how to testify.	More witness appearances.	Inadequate feedback; witness non-appearance not foreseen; not personalized; legal notice may be misunderstood; witness identification data may be inaccurate.
<p>2. <u>Case Status Calls</u> (Call witnesses to assess ability to appear)</p>	P.O.; D.A.	P.O./S; A.D.A. P.L.;C	To resolve witness problems in advance of court date.	Reduces case dismissals; witness no shows; provides advance notice of no shows and chance for corrective action; witness staff experts evolve.	Full time para-legal staff required; requires staff cooperation; prosecutor revises time priorities.

\* Agency & Staff Codes:

Agency Codes

P.O./S. Police/Sheriff  
 D.A. District Attorney  
 C.O.C. Clerk of Courts  
 S. Sheriff  
 S.O. State Office  
 C.A. Community Agency

Staff Codes

A. Administration	A.U. All Users
P.L. Para-legal	S.S. Social Service Worker
C. Clerical	L.I. Legal Intern
P.O./S. Police Sheriff	V. Volunteer
A.D.A. Assistant District Attorney	P.A. Private Attorney
D.S. Deputy Sheriff	P.O. Probation Officer
C.A.W. Community Agency Worker	

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS (cont'd)

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
3. <u>On-Call</u> (Notify witnesses when to appear in court.)	P.O./S; D.A.	A.D.A.; P.L.;C.	More convenient for witnesses to appear in court.	Reduces witnesses' unnecessary trips and waiting time; improves court case scheduling; reduces frustration; system image is improved.	Not fool proof, more staff time required.
4. <u>Hearing Notice System</u>	P.O./S; D.A.	P.L.;C.	Witness informed in advance	More witnesses appear in court.	Extensive staff time.
5. <u>Case Disposition Letters</u>	P.O./S; D.A.	C.	To better inform witnesses.	Improves images of prosecutor's office; enhances witness cooperation.	Needs professional direction, current case file.
6. <u>Police Notification System</u> (by phone, subpoena, teletype, computer)	P.O./S; D.A.	C.	To inform police witnesses when to appear or not.	Improves police deployment; reduces overtime; convenient; fewer unnecessary trips and less waiting time.	More clerical time required.
C. <u>Witness-Victim support</u>					
1. <u>Advocate</u>	P.O./S; D.A.; C.A.W.	S.S.; A.D.A.; P.L.; V.; C.A.W.	To reduce system injustices and preserve victims' rights.	Better services to victims; changes system; victim cooperates; victims' rights preserved.	Low staff priority; high staff cost; agency/person dislike.
2. <u>Court Support</u>	D.A.; P.O./S	S.S.; P.L.; V.; C.A.W.	To retain victim/witness for prosecution.	Better testimony of witnesses; reduces witness fallout.	Cost and staff availability; results difficult to measure.
3. <u>Crisis Intervention</u>	P.O./S. D.A. C.A.	S.S.; V.; C.A.W.	To assist witness in handling immediate crisis.	Witness will testify; more case convictions; faster recovery from trauma.	Difficult to measure results; trauma remains after counseling.

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS (cont'd)

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
4. <u>Property Return</u>	P.O./S.; D.A. C.O.C.	P.O./S.; P.L.;C.; V.	To return property to the victim.	Good public relations.	---
5. <u>Special Travel-Hotel Arrangements</u>	P.O./S. D.A.	C.	To improve scheduling out-of-town witnesses.	Witness appears; expenses kept to minimum.	Higher staff cost.
6. <u>Victim Loss Information</u>	P.O./S. D.A.	P.O. P.L. or C.;V.	To assist the victim, court prosecutor and probation in getting more complete restitution orders.	More restitution ordered; better administrative control; victim likes help.	Requires staff time; needs prosecutor awareness and cooperation.
<b>D. Facility Improvements</b>					
1. <u>Witness Waiting Room</u>	D.A. C.O.C.	P.L./C.; V.	To provide more convenient location and improve safety of witnesses while awaiting court appearance.	Better witness attitude.	Needs good location; witness volume is needed to justify expense.
2. <u>Child Care</u>	P.O./S. C.O.C.	S.S.;C.; V.	To provide child care services to witnesses.	Witnesses able to appear; improved witness testimony	High staff, facility or services cost.
3. <u>Defendant Lock Up</u>	P.O./S.	P.O./S.	To keep defendant under custody, away from victim/witnesses.	Less fearful victims/witnesses	Proper location difficult to find; high police coverage cost.
<b>E. Financial Assistance</b>					
1. <u>Witness Fee Advice</u>	P.O./S.; D.A. C.O.C.	A.D.A.; P.O./S.; P.L.;V. C.; C.A.W.	To improve witnesses' chances to obtain fees.	Better witness rapport.	Costs county money.

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS (cont'd)

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
2. <u>Wage Reimbursement Assistance</u>	P.O./S.; D.A. C.A.	P.L.; V. C.A.W.	To persuade employers to pay victims' wage loss during court appearance; improves witness appearance rate.	More court appearances; less witness income loss.	---
3. <u>Victim Compensation</u>	S.O. S.;D.A.; P.O./S. C.A.	A.D.A.; P.O./S.; P.L.; V.; C.A.W	To obtain emergency expense, loss of income reimbursement for victim, witness or good Samaritan injuries and/or property damage.	More just treatment of victim/witnesses. Improve victim/witness rights and status.	Federal or state program funding required.
F. <u>Victim Support</u>					
1. <u>Counselors</u> (Advise witnesses how to proceed)	P.O./S.; D.A. C.A.	A.D.A.; P.O./S.; C.;V.; C.A.W. L.I.	To improve witness knowledge on how to proceed, testify in court.	Better witness testimony; improved cooperation.	Difficult to measure results.
G. <u>Criminal Justice System Improvements</u>					
1. <u>Protection</u> (Investigate, surveillance, relocate intimidated witnesses)	P.O./S.	P.O./S.	To provide security and protection of witnesses for trial as key State's witnesses.	More witnesses testify; crime reported more readily; more convictions expected.	Staff costs are high; witnesses sometimes difficult to control in strange or remote places.
2. <u>Prosecution Improvements</u>					
a) <u>Citizen Complaint Office</u>	D.A.	A.D.A.; P.L. S.S. P.O./S.	To expedite, handle specialized citizen crime related complaints.	Faster citizen case processing; fewer cases being misjudged; more staff expertise; eliminate non-trial work from other screening prosecutors.	Needs good investigative staff.

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS (cont'd)

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
b) <u>Sensitive Crimes Vertical Prosecution</u> (One prosecutor handling case from referral to post-conviction stage)	D.A.	A.D.A.; P.L., L.I., S.S.	To improve potential for offender conviction in rape, child abuse/neglect cases; improve prosecutor assistance to victims.	More guilty pleas; less case prosecution time; better evidence collection; victim stays on; and fewer continuances.	Fewer cases processed than general prosecutor work standard.
c) <u>Other Prosecutor Vertical Assignment Units</u>	D.A.		To improve potential for convictions and provide better prosecution assistance to crime victims.	See Sensitive Crimes and Citizen-Victim Complaint results above.	See above.
3. <u>Court Criminal Justice Information Systems</u>					
a) <u>Subpoenas</u>	D.A.; C.O.C.	C.; P.L.	To automate subpoena preparation for witness, victims and police officers.	Timeliness; reduction of clerical personnel	Requires both D.A. and C.O.C. office to enter witness data and case information within 24 hours of happening.
b) <u>Subpoena Recall</u>	D.A.; C.O.C.	C.; P.L.	To allow notification to victim/witness of changes in scheduled events times/dates.	Reduced victim/witness trips to courthouse.	Same as above.
c) <u>Defendant Arrest</u>	S.;D.A.	D.S.; C. A.D.A. P.L.	Single entry point for commonly used data required by Sheriff and clerk of courts.	Elimination of duplicate records and data entry; timeliness of inquiry response.	Requires data be entered immediately after case is issued.
d) <u>Case Arraignment, Continuance, Disposition &amp; Sentencing Data Entry</u>	C.O.C.	C.	To provide single entry point for commonly used data required by D.A. and Sheriff.	Timeliness of inquiry response; automated calendaring system is possible.	Requires entry of data within 24 hours of court event.

AN OVERVIEW OF COURT-RELATED VICTIM/WITNESS SERVICES, OBJECTIVES, BENEFITS AND DRAWBACKS (cont'd)

SERVICES PERFORMED	AGENCY*	STAFF*	SERVICE'S PURPOSE	EXPECTED RESULTS	DRAWBACKS
e) <u>Calendars</u>	D.A.; C.o.C.; S.	C.	Computer preparation of court calendars.	Timeliness; reduced clerical time.	Same as above.
f) <u>Witness Data Entry</u>	D.A.; S.	P.L. D.S. C.	To track, prepare subpoenas, serve and notify victim/witnesses of expected court events.	Elimination of not found subpoenas; prevents unnecessary trips; provides ready reference to victim/witness telephone numbers.	Victim/witness data entry must be within 24 hours of case issuance.
g) <u>Statistics and Management Reports</u>	D.A.; C.o.C.; S.	A.	To determine office work flow and provide basis for policy changes; examine charges not issued and reasons; track personnel performance of prosecutor offices; track cases and/or defendants.	Intelligent decisionmaking based upon sound analysis from accurate data; reduction in clerical time to prepare reports.	---
h) <u>Case Cross-Reference and Master Listings</u>	D.A.; C.o.C.	A.D.A.; C.	To show relationship of defendant to all cases presently active for him in the system regardless of case type. Allows easier case consolidation/or "read in."	Reduces court time; more effective prosecution.	---
i) <u>Various Computer Indexes</u>	D.A.; C.o.C.; S.	A.U.; C.	To display defendant, case, witness inquiry by case number, defendant number, court, name, defense attorney, A.D.A. or court date.	Elimination of 3 x 5 card files in each office.	---
j) <u>On-Line Data Entry</u>	D.A.; C.o.C.; S.		To expedite entry of data into computer data base.	Immediate edit of data; timeliness reduces errors; eliminates forms, punched cards, and keypunch time.	Equipment costs are high.
k) <u>On-Line Docket Record</u>	D.A.; C.o.C.; S.	A.D.A. C.	To have computer record and display the case minute record.	Elimination of "running around looking for record."	Case data must be entered to system by C.o.C. within 24 hours of court event.

**SAMPLE OF VICTIM/WITNESS  
INFORMATION AND NOTIFICATION LETTERS**

**These formats of these letters are copies of actual letters made available by Mr. Harold O. Boscovich of the Alameda County (California) Victim/Witness Assistance Bureau.**

PLEAD GUILTY-NO TRIAL-SENTENCED-MISD.

Dear \_\_\_\_\_:

I am pleased to inform you that the defendant \_\_\_\_\_ voluntarily entered a plea of guilty to petty theft on \_\_\_\_\_. Consequently, there will be no trial in this case. The judge sentenced the defendant to one year in the county jail.

It is important that people such as yourself maintain an interest in the judicial system. Even though this case did not reach trial, your role was an important one. We would not have been able to secure a conviction without your assistance.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

District Attorney

PLEAD GUILTY-NO TRIAL-SENTENCED-MISD.(Alternate)

Dear \_\_\_\_\_:

As a result of your assistance, I am happy to inform you that the defendant \_\_\_\_\_, voluntarily entered a plea of guilty to burglary. On \_\_\_\_\_ the judge sentenced the defendant to one year in the county jail.

Again, I would like to thank you for your cooperation in this case. Even though the case did not go to trial, your assistance was invaluable in bringing this case to a successful conclusion.

If you have any questions concerning this case please do not hesitate to contact me.

Very truly yours,

PRE SENTENCING-PLEAD GUILTY-NO TRIAL-MISC.(Alternate A)

Dear \_\_\_\_\_:

I am pleased to inform you that the defendant voluntarily entered a plea of guilty to assault with a deadly weapon on \_\_\_\_\_. Consequently, there will be no trial in this case and the judge will sentence the defendant on \_\_\_\_\_. If you should be contacted by the Probation Department, please cooperate with them.

It is important that people such as yourself maintain an interest in the judicial system. Even though this case did not reach trial, your role was an important one. We would not have been able to secure a conviction without your assistance.

If you have any questions regarding the outcome of the proceedings, please do not hesitate to contact me.

Very truly yours,

HELD TO ANSWER-TESTIFIED

Dear \_\_\_\_\_:

The District Attorney's Office would like to thank you for your assistance in the case of the People of the State of California vs. \_\_\_\_\_.

It is unfortunate that so much of your time was required, but because of the crowded court calendar, such an inconvenience becomes a necessity.

The matter in which you testified has been sent to the Alameda County Superior Court. When the case has been set for trial in Superior Court, our office will contact you. If you have an occasion to change your address, will you please inform our office of such a move.

If you have any questions concerning your case, please contact the Victim/Witness Assistance Office at \_\_\_\_\_.

Thank you for your cooperation in this matter.

Very truly yours,

HELD TO ANSWER-DID NOT TESTIFY

Dear \_\_\_\_\_:

The District Attorney's Office would like to thank you for your assistance in the case of the People of the State of California vs. \_\_\_\_\_.

It is unfortunate that so much of your time was required, but because of the crowded court calendar, such an inconvenience becomes a necessity.

Although you did not testify your presence was important. In preliminary examinations a minimum amount of evidence is required to send the case to Superior Court. Unfortunately, it is difficult to determine how much testimony is needed to produce this evidence. Your patience and cooperation during this time was appreciated and this case has been sent to the Alameda County Superior Court. When the case has been set for trial in Superior Court, our office will contact you. If you have an occasion to change your address, will you please inform our office of such a move.

If you have any questions concerning your case, please contact the Victim/Witness Assistance Office at \_\_\_\_\_.

Again, thank you for your cooperation in this matter.

Very truly yours,

HELD TO ANSWER-DID NOT TESTIFY (Alternate)

Dear \_\_\_\_\_:

I would like to thank you for your assistance in the case of the People of the State of California vs. \_\_\_\_\_.

This case has been sent to the Alameda County Superior Court to be set for trial.

Although you did not testify at this preliminary hearing your presence was important. Because a minimum amount of evidence is required to send a case to Superior Court, it is difficult to determine how much testimony will be given.

I apologize for any inconvenience your appearance may have caused you and again thank you for your patience and cooperation in this case.

If you have further questions concerning this case or have occasion to change your address, please contact the Victim/Witness Assistance Bureau at \_\_\_\_\_.

Very truly yours,

WITNESS LETTER TO EMPLOYER

Dear \_\_\_\_\_:

This letter is to inform you that \_\_\_\_\_, an employee at your place of business, is a witness for the State of California, in the case of the People of the State of California vs. \_\_\_\_\_.

In order to discharge our responsibilities in the prosecution of this criminal case, it was necessary to subpoena your employee to testify in court at the time of trial. I am certain that you are aware of the importance of having the cooperation and support of a witness' employer, and I am hopeful that you are able to see that your employee receives encouragement from you in performing the duties of a citizen of this community.

The responsibilities of a witness to a crime are a burden which cannot be taken lightly, and as an employer of a witness, you may be burdened as well. This office, in an effort to ease that burden, has established procedures that will insure that a witness' valuable time is not wasted by unnecessary trips to court. We will make sure your employee is kept informed of continuances and guilty pleas, and we may, at times, need to contact your employee "on the job" with messages of importance that will no doubt be time saving.

I thank you in advance for your cooperation and hope that you will feel free to contact me if you have any questions or problems.

Very truly yours,

PLEAD GUILTY-NO TRIAL-CERTIFICATION

Dear \_\_\_\_\_:

This is to inform you that in the matter of the People of the State of California vs. \_\_\_\_\_, the defendant has pled guilty. The case has been sent to Superior Court for sentencing of the defendant which will occur within one month. There will be no trial in this matter. You will be informed of the results of the sentencing.

Thank you for your cooperation. If you have any further questions, please contact the Victim/Witness Assistance Bureau at \_\_\_\_\_. Refer to Case No. \_\_\_\_\_.

Very truly yours,

CASE DISMISSED

Dear \_\_\_\_\_:

This is to inform you that on \_\_\_\_\_, the case of the People of the State of California vs. \_\_\_\_\_ was dismissed in the interest of justice.

In being a witness you have fulfilled a most vital and necessary function within our system. You have been invaluable to us during the process of this case. We truly thank you for all of your assistance and cooperation. It is understandable that the disposition may seem confusing to you. If you have any questions regarding the outcome of this case, please do not hesitate to contact me.

Very truly yours,

VICTIMS OF VIOLENT CRIMES

Dear \_\_\_\_\_:

In connection with your request, we are pleased to enclose forms for your completion as a victim of a violent crime, under the Victim of Violent Crimes Act in the State of California. Please complete in duplicate and forward to the State Board of Control.

If you have any further questions or need assistance in completing these forms, please do not hesitate to contact us at \_\_\_\_\_.

Sincerely,

CRIMINAL JUSTICE SYSTEM SERVICES MEETING  
VICTIM/WITNESS NEEDS

Table I

Victim Problem	System Response
Personal Trauma	Victim/witness orientation: Support, information and referral, crisis intervention, specialized prosecution units for sensitive crimes, witness telephone alert, case disposition letters, protection, victim compensation, wage reimbursement, witness fee payments, emergency financial help, and counseling.
Loss of Income and Time	Better witness court hearing scheduling, court appearance expenses or fee reimbursement, employer wage letters, witness notification system including case status calls and alert systems.
Inconvenience	Information booth or phone number for information, waiting rooms, day care, transportation, better witness appearance scheduling.
Injury	Community information and referral resources, victim compensation, county-city public health facilities.
Property Damage - Loss	Expeditious or selective early property return, property identification systems, improved restitution procedures.

Table II

Victim/Witness and Criminal Justice System Goals to be Reached

1. More realistic scheduling of court hearings.
2. Improve witness fee/expense reimbursement practices.
3. Treat a victim/witness as a person, not just as case evidence.
4. Develop victim/witness status and rights such as:
  - o Additional protections under statutory or case law
  - o A greater voice in plea bargaining, sentencing and probation, and parole matters
  - o Personal injury compensation
  - o Advocacy in both legal advice and a supportive sense.
5. Develop a closer interdisciplinary work team with social service and law enforcement agencies and other technical support units.
6. Develop creative and responsive offender rehabilitative programs for family violence, sexual assault, child abuse and other assault-type offenses.

Table III

Potential Victim Witness Services For  
Jurisdictions of 50,000 to 200,000 People

1. Provide orientation and information about victim/witness system
2. Train community and criminal justice agency staff
3. Improve courthouse facilities for victims and witnesses
4. Expedite and reconsider policies and practices on property return
5. Review current prosecutor's methods of notifying citizens to appear as witnesses at court hearings
6. Improve witness expense or fee reimbursement procedures
7. Encourage court pretrial conferences to reduce unnecessary waiting and trips for witnesses
8. Provide on-call or alert system for citizen witnesses and police
9. Propose courts review their scheduling of hearings to reduce witness inconvenience
10. Improve criminal justice interagency communication about victim/witness problems, services, and available resources within the community
11. Develop or improve social services and/or information and referral services in the community
12. Locate and inform victim/witness of emergency services, funds, food, shelter and medical care
13. Notify witnesses to appear at court by mail in addition to or instead of law enforcement personal service notice method
14. Consider including victims' presence and views during court proceedings relative to offenders criminal charges, sentencing, probation, and parole conditions
15. Encourage employers to pay witnesses wages while appearing at court hearings; at least to be excused from work for hearing
16. Review current victim restitution policies and practices to expedite return of payments, inclusion of restitution in court orders, central and follow-up of orders made

17. Provide emergency services to survivors of homicide victims
18. Provide child care, transportation, and parking for victim/witness
19. Provide law enforcement personnel with crisis intervention training

Summary of Major Benefits From  
Victim/Witness Services

- Improves citizen attitude towards the criminal justice system
- Saves witness waiting time and unnecessary trips to court hearings
- Crime witnesses are more informed and should make better state's witnesses
- More personalized handling of victim/witness; enhances their cooperation with the criminal justice system
- There is more effective and efficient case processing through the criminal justice system
- Reduces criminal justice staff time
- Redirects professional staff time to better and higher-level tasks
- Improves chances for criminal convictions
- Provides more modern and convenient public facilities for crime victims and witnesses
- Assists in encouraging more crime reporting
- Contributes to a lower crime rate
- Assists crime victims and witnesses to recover from the crime incident and to meet personal and family emergencies caused by it.

## INFORMATION AND NOTIFICATION SYSTEMS

The following material outlines, in summary form, the major features of nationally recognized computerized information systems such as JUSTIS, MEDITAL, and PROMIS. The major benefits to be derived from the adoption of each system are also outlined.

J U S T I S - JUSTICE INFORMATION SYSTEM

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COURTS

- Court Calendars
- Docket Records
- Bond Controls \*
- Court Case Hearing Scheduling \*
- Juvenile and Civil Court \*  
JUSTIS Program Extension

DISTRICT ATTORNEY

- Current Case Status
- Witness Notification
- Research and Statistics \*
- Complaint Preparation \*
- Witness Call Lists \*

JUSTIS  
BASIC DATA  
SYSTEM

Computer  
Terminal  
Inquiry

STATE CORRECTIONS

- Jail Register \*
- Offender-Prisoner  
Charge Status \*

SHERIFF

- Witness Notice - Case  
Status Inquiry
- N.C.I.C. Inquiry -  
Administrative Message
- Outstanding Warrants \*
- Jail Booking System \*

\* 1978 Completion Expected

### JUSTIS Primary Benefits

- Use of high-speed, large-capacity computer to handle large work volumes, prepare summaries, internal calculations, and cross checks
- Sharing of common-use data (police, prosecutor, court data)
- Saves professional, para-legal, clerical time
- Provides new witness data and noticing capabilities
- Eliminates need for manual posting and indexing system
- Provides future data system tie-in capability (e.g., municipal courts, police information sharing).

Vera Institute: Brooklyn Victim Witness Project's  
Criminal Justice Information System

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District Attorney

- District Attorney Priority Case Lists
- Updated Daily Court Action Lists
- Witness Contact Lists
- Witness Court Hearing Letters and Follow-up Subpoenas
- Managerial/Research Statistics

Police

- Weekly Court Hearing Schedules For Police
- Final Disposition Lists
- Property Disposition Lists
- Precinct-To-Precinct Administrative Message Tie-In (Teletype) \*

CRIMINAL  
INFORMATION  
SYSTEM  
(MEDITAL)

Office of State Court Administrator

- Computer Entry of Court Calendar \*

Manhattan-Brooklyn  
Mediation Project

- Computerized Action Summary Lists and Client Profile
- Statistics
- Data Exchange - Research Purpose

Pretrial Services Project

- Data Exchange

\* Expected to be implemented soon.

PROMIS COST BENEFIT DATA \*

Significant System Features

I Data Capacity

System has capacity to acquire 170 data elements in each case. Six major information areas relate to the accuser, crime, arrest, charge, court event and witness.

Data uses the complaint, docket and fingerprint numbers to expand computer information referencing capability.

II PROMIS Output Reports

A. Calendars

- Five and one day calendars
- Five and one day priority calendars
- Felony preliminary hearing calendars
- Sentencing calendars

B. Workload Reports

- Specially-assigned cases
- Attorney case workload

C. Case Status Reports

- Summary of Cases Pending
- Fugitive Lists

D. Special Reports

- Computer name, address correction - phone contact list

E. Statistical Reports

Activity Reports on the process include reports on screening, preliminary hearing, grand jury; reports on dispositions, delays, pending cases and fugitives are also available.

F. Management Reports

Managerial "How Many" reports on selected data, case types, etc., is possible.

G. Generalized Inquiry

Provides descriptive details of each case selected for study.

\* Source: Management Overview of PROMIS Number 1, Revised August, 1976 - Institute for Law and Social Research, 1125 15th Street, N.W., Washington, D.C. 20005

## PROMIS Cost Elements

### VARIABLE COSTS

CLERKS - This represents the clerical cost to operate PROMIS at a specified case volume.

CLERK SUPERVISOR - When it is determined that more than three clerks will be required to operate PROMIS, the cost of a supervisor is automatically added to total costs.

ATTORNEY - This represents additional attorney time in filling out forms (usually at screening) that is caused by PROMIS implementation.

PARALEGAL - This represents the time spent by paralegals completing, coding, or verifying PROMIS forms for data entry.

FORMS AND DOCUMENTS - This represents additional costs incurred by utilizing special forms necessary for PROMIS case-entry or update information.

DATA STORAGE - This represents the costs of maintaining PROMIS case-history information on-line, for immediate access.

COMPUTER PROCESSING - This represents the entire processing cost for entering and updating case-history information, accessing the files for inquiries, and producing various statistical reports.

### FIXED COSTS

ADMINISTRATION - This represents costs for system management personnel (usually a senior attorney and a computer system specialist).

CONTRACT COST - This represents costs incurred during PROMIS implementation (e.g., software modifications, procedures analysis and planning, etc.). These are fees that may be paid to a contractor consultant.

TRAINING TIME - This measures costs for time spent by the office staff during training.

TRAVEL - This represents the cost of a three-day training trip for two to Washington, D.C.

OFFICE EQUIPMENT AND SUPPLIES - This measures equipment and supply costs incurred due to PROMIS implementation.

TERMINALS - This measures the cost of additional terminals needed for PROMIS implementation.

LINEs - This represents the cost of establishing necessary communication lines between the data processing facility and each terminal site.

## Potential Benefits

### TO OFFICE IMPLEMENTING PROMIS

WITNESS NOTICES - PROMIS can generate subpoenas through its daily report cycle. When this cost is less than the ongoing manual system, a benefit is realized.

SCREENING FORMS - Some jurisdictions have reduced the amount of attorney time spent at screening by adapting the PROMIS Trial Preparation Worksheet to their situation. If this is the case a benefit exists.

PLEAS IN PENDING CASES - PROMIS enables early identification of likely candidates for plea bargaining by providing current information about cases pending against the arrestee. More rational plea bargaining helps avoid unnecessary trials, reducing prosecutor and court costs.

STATISTICAL REPORTS - PROMIS both reduces production costs for reports generated in a nonautomated environment and increases the variety and frequency potential of reports heretofore too expensive to compile. This provides administrators with information previously unavailable.

CASE INQUIRIES - PROMIS provides immediate access to case-status information and enables personnel to reduce total time spent answering planned and unplanned activities.

OBTS/CCH DISPOSITIONS - The PROMIS daily report cycle can produce disposition update information at little cost. Jurisdictions required to forward such information at little cost. Jurisdictions required to forward such information to state criminal-history repositories can substantially reduce compliance costs with PROMIS.

OTHER MANUAL OPERATIONS - In most jurisdictions several labor-intensive activities can be augmented or replaced by PROMIS. These activities run a wide gamut and include case-status recordkeeping, repetitious reproduction of uniform defendant or case information, form letters, disposition tracking, and bureau notifications, to mention only a few.

### TO ENTIRE JUDICIAL SYSTEM IN JURISDICTION

DATA STORAGE - If the office implementing PROMIS pays a fixed fee for data storage that exceeds actual storage costs, the data processing facility realizes a benefit.

COMPUTER PROCESSING - Analogous to Data Storage, if billing exceeds actual cost, the data processing facility realizes a benefit.

POLICE REPORTING TIME - When the implementation of PROMIS reporting forms causes a reduction in police time spent at screening, a benefit to the police is realized.

POLICE REPORTING FORMS - Analogous to the reporting time benefit, when PROMIS forms reduce forms cost for the police, a benefit is realized.

REDUCED POLICE OVERTIME - Efficient, effective case calendaring can reduce the amount of overtime hours the police spend in court appearances.

REDUCED WITNESS FEES - PROMIS's ability to monitor case scheduling and postponements helps the courts reduce unnecessary witness fee expenditures through timely notification.

BOND REVENUE INCREASE - PROMIS's monitoring of bond forfeitures can help the courts keep accurate account of bonds due and thus increase the opportunity for collection.

COURT CALENDAR PREPARATION - PROMIS's ability to produce court calendars frees the courts of this clerical burden and reduces its associated costs.

Summary of Prosecutor Management Information System  
(PROMIS) Goals, Capabilities and Potential Benefits

Managerial Goals

1. Allocate Resources Based on Case Importance:
  - To try more serious cases with experienced prosecutors
  - Provide more time for prosecutor case preparation in advance of court date
2. Controls Scheduling Problems
3. Monitors Prosecution Evenhandedness
4. Research Criminal Case Screening and Prosecution Problems

System's Capabilities

- Uniform crime gravity rating
- Uniform defendant record gravity rating
- Calendar listing of pending cases in rank order of gravity
  
- Produces subpoenas, witness and victim telephone follow-up lists, a pending case list for any witness and special notices for expert witnesses.
  
- Records postponements on individual cases and reasons therefore as well as who is responsible.
  
- Alerts prosecutor when defendant has other cases pending.
  
- Regularly produces fugitive lists for law enforcement agencies.
  
- Provides reports on adherence to chief prosecutor policies such as the individual prosecutor's decision: Not to prosecute, modify police charges, plea bargaining, diversion, dismissals and case postponements (Both case action and reasons for the action taken is recorded)
  
- This can be compared with crime gravity rating to determine whether defendants with comparable criminal backgrounds and charges are given equal treatment.
  
- Data from the system can generate reports that show:
  - What percent of police charges are modified by assistants, as well as the reasons.

**BUDGETS FOR VICTIMS/WITNESS SERVICES UNITS IN  
LARGE, MEDIUM, AND SMALL JURISDICTIONS**

Large Jurisdiction

PERSONNEL SALARIES

Unit Chief	20,046
Analyst	16,481
Paralegal	10,326
Clerk Steno	9,922
Clerk Typist	7,666
Criminal Prosecution Administration (10% time on project)	2,280

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TOTAL 66,721

Employee Benefits

Unit Chief	
Pension	2,682
Social Security	772
Blue Cross and Blue Shield Group	465
Workmen's Compensation	51
	8

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SUBTOTAL 3,978

Analyst	
Pension	2,205
Social Security	772
Blue Cross	465
Group	51
Workmen's Compensation	8

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SUBTOTAL 3,501

Paralegal	
Pension	1,382
Social Security	604
Blue Cross	465
Group	51
Workmen's Compensation	8

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SUBTOTAL 2,510

Clerk Steno	
Pension	1,328
Social Security	580
Blue Cross	465
Group	51
Workmen's Compensation	8
	<hr/>
	SUBTOTAL 2,432
Clerk Typist	
Pension	1,026
Social Security	448
Blue Cross	465
Group	51
Workmen's Compensation	8
	<hr/>
	SUBTOTAL 1,998
	TOTAL 14,419
Contract	
Consultant	10,000
Word Processing	3,228
	<hr/>
	TOTAL 13,228
Mailing	6,457
	<hr/>
	TOTAL 6,457
Personnel	66,721
Employee Benefits	14,419
Contract	13,228
Mail	6,457
	<hr/>
	TOTAL \$100,825

Medium-Size Jurisdiction Actual Expenditures

(2/10/75 - 4/4/75)

Budget

Unit Chief:	\$ 4,486.32
Witness Victim Aides	1,004.27
Law Stenographer	<u>1,410.80</u>
	6,901.39
Fringe benefits provided by contract 15%	<u>1,035.21</u>
Total:	<u>\$ 7,936.60</u>

Funds Received:

3/4/75-4/1/75	\$ 14,374.98
2/28/75 (Equipment)	<u>1,000.00</u>
	<u>\$ 15,374.98</u>

Match: Assistant District Attorney	\$ 2,235.30
Fringe at County Rate 30%	670.59
County share of Fringe for this grant 15%	<u>1,035.21</u>
Total Match:	<u>\$ 3,941.10</u>

Proposed Budget: Small Jurisdiction

(10-15-74-10-14-75)

Personnel: Salary

Unit Chief	12 x \$1,333.33 per month	\$16,000.00
Assistant	6 x \$585.00 per month	3,510.00
	5 x \$638.00 per month	3,190.00
Secretary	6 x \$437.00 per month	2,622.00
	5 x \$456.00 per month	<u>2,280.00</u>
		\$27,602.00

Fringe

20% of \$27,602.00      \$ 5,520.00

TOTAL PERSONNEL      \$33,122.00

Transportation:

Unit Chief	11 x \$50.00 per month	\$ 550.00
Assistant	11 x \$50.00 per month	<u>550.00</u>
TOTAL TRAVEL		\$ 1,100.00

Advisory Council Expenses:

Lunch/Meetings	8 x \$40.37 per meeting	<u>\$ 323.00</u>
TOTAL ADVISORY COUNCIL EXPENSE		\$ 323.00

Equipment Expenses:

Desks	2 x \$200.00	\$ 400.00
Desk Chairs	2 x \$100.00	200.00
File Cabinet	1 x \$ 90.00	90.00
Chair Pads	2 x \$ 30.00	60.00
Reception Chairs	5 x \$ 50.00	<u>250.00</u>
TOTAL EQUIPMENT		\$ 1,000.00

**Printing:**

Business Cards	500 per person (including art and printing) \$27.50 x 2	\$ 55.00
Brochures	5,000 copies	<u>234.00</u>
TOTAL PRINTING		\$ 289.00

**Postage:**

Questionnaire mailings, bulk mailings		\$ <u>400.00</u>
TOTAL POSTAGE		\$ 400.00

Volunteer Training		\$ 1,000.00
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TOTAL VOLUNTEER TRAINING		\$ 1,000.00
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TOTAL PRELIMINARY BUDGET		\$35,000.00
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## VICTIM/WITNESS RESEARCH DATA

The data enclosed are derived from a limited search for managerial research data. The data can help paint a clearer picture of certain victim/witness problems and of the reasons for talking about solutions.

There are gaps in the research data that may be filled in the future.

The prime purpose of this material is to provide you with a better idea of where other areas are compared to your community.

PRELIMINARY ANALYSIS -

FACTS AND FIGURES SUPPORTING VICTIM/WITNESS SERVICES

<u>Service Performed</u>	<u>Research Data Available</u>	<u>Source</u>	<u>Bibliography Reference</u>
A) <u>Witness Information Program Brochures</u>	<p>59% of respondents felt explanation of court procedures and decorum were inadequate.</p> <p>23% of respondents felt witness role and 37% thought the anxiety of the experience were the most confusing part of the procedure.</p> <p>20% of victims experienced a problem in finding the correct place, 17% of those said help was available, and 12% received help in finding location.</p>	<p>Ada County V/W Survey</p> <p>Ada County V/W Survey</p> <p>M.U. V/W Pre- scriptive Package</p>	<p>(C)</p> <p>(C)</p> <p>(D)</p>
B) <u>Witness Notification Program Subpoena &amp; Mail Notice</u>	<p>67% of witnesses missed some portion of their working day.</p> <p>69% of respondents believed their employer needed to be notified.</p> <p>77% said no special arrangements were made by the D.A.'s in advance with person at office to save time in courthouse.</p> <p>In Brooklyn's Vera Victim-Witness Program, the study found the percentage of civilians who attend arraignment court dates is approximately 50%--the reasons for non-attendance remain largely unknown.</p> <p>The importance of civilian attendance in court is underscored by the fact that in 1975, 63% of felony cases dismissed in Brooklyn Criminal Court were dismissed due to civilian witnesses non-appearance.</p> <p>In the Vera Victim-Witness Program, another sample reported in period ending February 29, 1976, found 47% of the adjournments, the prosecution witness was</p>	<p>Ada County</p> <p>Ada County</p> <p>Ada County V/W Survey</p> <p>Vera's Pilot Complainant Survey</p> <p>Vera's Pilot Complainant Survey</p> <p>Vera's Project Re- port-February 29, 1976</p>	<p>(C)</p> <p>(C)</p> <p>(C)</p> <p>(F)</p> <p>(F)</p> <p>(H)</p>

PRELIMINARY ANALYSIS -

FACTS AND FIGURES SUPPORTING VICTIM/WITNESS SERVICES

<u>Service Performed</u>	<u>Research Data Available</u>	<u>Source</u>	<u>Bibliography Reference</u>
B) <u>Witness Notification Program (cont.)</u>	absent, 50% of dismissals the prosecution witness was absent 15%, the civilian withdraws charges or refuses to testify, and in their final versus people category, 92% of cases, prosecution witness was absent.		
	Between August 1, 1975, and March 26, 1976, the Vera Victim-Witness Program saved 6,734 appearances by police officers through its alert system (was not called to court) saving \$841,750 in police time and possibly \$2 million could be saved annually.	Vera's Alert Task Force Report	(G)
	Estimates of \$1,723,212 community and government savings in waiting time, unnecessary trips, reduction of attendees at charging conference for Project Turnaround.	EPRA/P.W. First Year Evaluation Report	(B)
	In system related problems, 31% of the victims experienced income loss; 53%, time loss; and 47%, had case rescheduled without prior notification.	M.U. V/W Pre-scriptive Package	(D)
	In system related witness problems, 28% experienced unnecessary trips, 80% lost time, 27% lost income, 58% experienced long waiting time.	M.U. V/W Pre-scriptive Package	(D)
	There was a 15% reduction in witnesses making unnecessary trips, but only an 8% estimated reduction of unnecessary trips.	EPRA/P.W. August 3, 1977 Project Turnaround Evaluation Report	(A)
	Disposition letters' impact data reveals that knowing the outcome of the case is associated with higher levels of intended cooperation on the part of the witness.	EPRA/P.W. November 22, 1976 Project Turnaround Evaluation Report	(B)
	94% of citizen witnesses would call again if they had other problems.	EPRA/P.W. November 22, 1976 Project Turnaround Evaluation Report	(B)

PRELIMINARY ANALYSIS -

FACTS AND FIGURES SUPPORTING VICTIM/WITNESS SERVICES

<u>Service Performed</u>	<u>Research Data Available</u>	<u>Source</u>	<u>Bibliography Reference</u>
	In National District Attorneys Association V/W Commission surveys, 80 to 90% of the victims and witnesses replied they wanted to know the disposition of their case and the sentence.	Herb Jones Commentary on Notification Systems	(E)
C) <u>Victim/Witness Support Programs</u> Advocate  Crisis Intervention  Property Return  Special Travel-Hotel Arrangements  Victim Loss Information	In system-witness problems, findings showed 25% of witnesses experienced mental or emotional suffering, whereas, 57% of crime victims had that experience.  37% of the victims had problems with family and friends.  18% of in-system victim problems involved property kept as evidence.  One-third of clients surveyed with problem had property returned sooner (using client property photo to release goods earlier).	M.U. V/W Pre- scriptive Package  M.U. V/W Pre- scriptive Package  M.U. V/W Pre- scriptive Package  EPRA/P.W. August 3, 1977 Project Turn- around Evaluation Report	(D)  (D)  (D)  (A)
D) <u>Facility Improvements</u> Witness Waiting Room  Child Care  Defendant Lock-up	45% of respondents felt child care service should be provided at public expense.  11% of witnesses experiencing system problems, experienced child care needs.  31% experienced uncomfortable waiting conditions.  10% witnesses expressed a problem of being exposed to upsetting persons.	Ada County V/W Survey  M.U. V/W Pre- scriptive Package  M.U. V/W Pre- scriptive Package  M.U. V/W Pre- scriptive Package	(C)  (D)  (D)  (D)
E) <u>Financial Assistance</u> Witness Fee Advice	69% of respondents felt that their employer needed to be notified.  31% of victims had experienced system-related income loss, 57% of victims experienced crime-related property damage, and 25% income loss.	Ada County V/W Survey  M.U. V/W Pre- scriptive Package	(C)  (D)

PRELIMINARY ANALYSIS -  
FACTS AND FIGURES SUPPORTING VICTIM/WITNESS SERVICES

<u>Services Performed</u>	<u>Research Data Available</u>	<u>Source</u>	<u>Bibliography Reference</u>
F) <u>Victim Support</u>	Not available. Also see A, B, C, above.		
G) <u>Criminal Justice System Improvements</u> Protection Citizen Complaint Office Vertical Prosecution Computer Information Systems	<p>There is a high degree of user satisfaction with protection services provided; 94% of persons cooperate and testify, 73% of cases resulted in a guilty verdict, and 19% are still pending or 92%. 44% of cases would have dropped without protection service.</p> <p>Citizen Complaint Office decreased waiting time from 4½ hours to 35 minutes; estimated potential annual savings were \$407,515 based on first-year activity.</p> <p>Sensitive crimes vertical prosecution model shows a decrease from 5.6 months to 3.8 months in the average time to process case; fewer adjournments have been experienced, 4.24 from (9/73-8/74) to 1.80 (9/75-8/76).</p> <p>Initial year partial JUSTIS program time and other operational savings were estimated to be \$167,729.</p>	<p>EPRA/P.W. First Year Evaluation Report (B)</p> <p>EPRA/P.W. May 3, 1977 Evaluation Report (A)</p> <p>EPRA/P.W. First Year Evaluation Report (B)</p> <p>EPRA/P.W. August 3, 1977 Evaluation Report (A)</p> <p>EPRA/P.W. First Year Project Turn-around Evaluation Report (B)</p>	
H) <u>Other - Cost Analysis</u> Cost of Service Replication Cost Benefit Analysis	<p>Project Turnaround, Witness Appearance Management Unit; Citizen Victim Complaint Office, Emergency Protection, Sensitive Crimes vertical prosecution, and JUSTIS Program estimated first-year annual costs are \$1.3 million.</p> <p>Project Turnaround cost benefit analysis showed a potential \$3.9 million 1975 baseline community and local government, citizen and employer time saving and an estimated \$2.1 million 1976 savings.</p>	<p>EPRA/P.W. First Year Project Turn-around Evaluation Report (B)</p> <p>EPRA/P.W. First Year Project Turnaround Evaluation Report (B)</p>	

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- (B) Evaluation/Policy Research Associates, Ltd., and Price Waterhouse & Co., Final Evaluation Report, Milwaukee County Project Turnaround, LEAA Grant #75-DF-99-0029, November 22, 1976.
- (C) Victim Witness Survey, Ada County, 1976, Office of the Prosecuting Attorney, Ada County Victim/Witness Assistance Program.
- (D) A Victim Witness Guide for Community Service--A Prescriptive Package, Center for Criminal Justice and Social Policy, Marquette University.
- (E) National District Attorneys Victim Assistance Director, Mr. Herb Jones, Comments on Notification Systems.
- (F) Vera Institute of Justice (Brooklyn) Pilot Complainant Survey, July 26, 1976 (draft).
- (G) Vera Institute of Justice (Brooklyn) Alert Task Force Report, April 8, 1976.
- (H) Vera Institute of Justice Victim/Witness Assistance Project Operations Report, October 1975 - February 29, 1976.

## VICTIM COMPENSATION LAWS\*

In recent years victim compensation programs have been publicly proposed as one partial answer to the crime problem. While such legislation and requirement programs do serve a public need, they hardly respond to the extensive need which this study has documented. Most active legislation shows a common interest in some elements and lesser degrees of agreement with others. For example, there is general agreement that eligible recipients of compensation should include crime victims, surviving dependents (including parents), persons previously dependent on the deceased for support, and persons responsible for maintenance of an injured victim. However, not all existing programs support assistance to so-called "Good Samaritans."

An analysis of the more than 15 state victim compensation programs now operative discloses the range of elements which are generally accepted or are under contention. They are identified in Table 1. As can be seen, while such laws do respond to the crime event needs of many personal crime victims, they do not offer any solution or support to the greater number of victims of property crime. Despite the potential passage of a federal law on the matter in the near future, it should be recognized that such legislation will only benefit a small fraction of the population in need of assistance.

In addition, most legislation does nothing for the in-system problems and needs of victims. Therefore, the problems of property victims, for example, are especially acute. They are neither eligible for coverage due to the crime or as a consequence of entrance into the criminal justice system. With personal crime victims, the problem, while lessened, also remains largely unsolved. Although eligible for compensation if designated criteria of event seriousness are met, the personal crime victim also receives little or no assistance once he/she has agreed to enter the criminal justice system. The degree of convergence of crime victim compensation laws and the expressed needs of clients due to the crime and to entrance into the criminal justice system is clarified in Table 2. The problem is especially acute in relation to entrance into the system of justice.

Crime victim compensation programs have generally had limited input at the formative stage from the actual victims they have been designed to serve. One effort to overcome this deficiency led to the formulation and presentation of a series of questions designed to elicit attitudes of Milwaukee County

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\*Material in the first section is reproduced by permission from Victims and Witnesses: the Impact of Crime and Their Experience With the Criminal Justice System; Report of the Marquette University Milwaukee County Victim/Witness Project, Richard D. Knudten, Project Director, 1976.

TABLE 1

ACCEPTED AND CONTENTED CRIME VICTIM COMPENSATION LAW ELEMENTS

Generally Accepted	Categories:	Under Contention
<u>Types of Eligible Recipients</u>		
Victims of a crime Surviving dependents (including parents) Persons previously dependent on deceased for support Persons responsible for maintenance of an injured victim		Good Samaritans
<u>Compensable Acts</u>		
Attempts to prevent a crime Attempts to apprehend a suspected criminal Criminal acts causing injury or death		Effort to aid a police officer Effort to aid a victim of a crime
<u>Types of Allowable Payments</u>		
Medical expenses Loss of earnings Out-of-pocket expenses Funeral or death benefit		Vocational rehabilitation Psychological rehabilitation Pain and suffering Restitution of property
<u>Restrictions on Compensation Eligibility</u>		
Victim must have no major involvement in the crime Victim or dependent must report the crime to the police within a stated time period Victim or dependent must apply for compensation within a designated time period Victim may not be a relative of the offender Only clear criminal forms of automobile, boat or airplane injuries are covered		Victim must not violate any penal law Victim must not have had intimate contact with the offender Victim must have suffered a stated minimum pecuniary loss or loss of work earnings or support
<u>Minimum Claim Requirement</u>		
\$100-200 and/or one or two week's loss of earnings		No minimum
<u>Maximum Claim Award</u>		
\$10,000		Up to \$50,000



TABLE 2

CONVERGENCE OF CONSENSUS VICTIM COMPENSATION LAW COVERAGE AND  
THE EXPRESSED NEEDS OF CLIENTS DUE TO THE CRIME AND TO ENTRANCE  
INTO THE CRIMINAL JUSTICE SYSTEM

Client Problem	Degree of Convergence	
	Due to Crime Event	Due to Entrance Into Criminal Justice System
Time Loss	Low Convergence	Non Convergence
Mental Suffering	Low Convergence	Non Convergence
Property Loss-Damage	Low Convergence	Non Convergence
Physical Injury	High Convergence	Non Convergence
Income Loss	High Convergence	Low Convergence**
Family or Spouse Problems	Non Convergence	Non Convergence
Medical Expenses	High Convergence	Non Convergence
Insurance Problems	Non Convergence	Non Convergence
Unneeded or Excessive Trips	*NA	Non Convergence
Finding Correct Location	NA	Non Convergence
Getting Transportation	NA	Non Convergence
Finding Parking Space	NA	Non Convergence
Costs of Transportation or Parking	NA	Non Convergence
Child Care	NA	Non Convergence
Lack of Knowledge Concerning Procedures	NA	Non Convergence
Length of Waiting Time	NA	Non Convergence
Waiting Room Conditions	NA	Non Convergence
Exposure to Threatening or Upsetting Persons	NA	Non Convergence
Property Confiscation or Impoundment	NA	Non Convergence

\* Not Applicable

\*\*Recovery often only to extent of witness fees

TABLE 3

SUPPORT FOR VARIOUS VICTIM COMPENSATION PROGRAM ELEMENTS  
BY MILWAUKEE COUNTY CRIME VICTIMS

Payment Support for Injured Victims	<u>Favoring</u>		<u>Not Favoring</u>	
	Number	Percent	Number	Percent
Medical Expenses	1231	77.6	240	15.1
Loss of Earnings	1139	71.8	315	19.9
Out-of-Pocket Expenses	778	49.1	636	40.1
Pain and Suffering	813	51.3	537	33.9

victims, originally identified in the 1974 LEAA Census City Survey of victims and revisited in 1975, regarding common ingredients of most compensation laws and programs. Of the 1,586 persons responding to this series of questions, nearly 78 percent (1,231) expressed support for the payment of medical expenses of injured victims; only 15 percent (240 respondents) opposed this proposal (see Table 3). Although there was a slight dropoff when victims were asked about the payment of loss of earnings, nearly 72 percent (1,139 individuals) favored reimbursement to injured crime victims for this loss. Five percent (80) of the Census respondent population indicated that their acceptance depended upon the amount involved. Out-of-pocket expenses support for injured crime victims was somewhat less than for the previous categories of medical expenses and loss of earnings; only 49.1 percent of the sample (778) respondents encouraged this proposal. As stipulated in Table 3, 40 percent (636 victims) directly rejected this idea. Interestingly, more people believed reimbursement for pain and suffering was legitimate than for out-of-pocket expenses. For example, 51.3 percent (813 persons) favored such support compensation, although nearly 34 percent (537 respondents) opposed this suggestion.

The majority of Milwaukee County respondents agreed that compensation payments should be available to low, middle, and high income citizens (see Table 4). When considering reimbursement for low and middle income victims, a high degree of unanimity was evident (97.7 versus 92.8 percents). However, a 32-point drop-off occurred between low and high income (97.7 to 65.1), although the latter group's eligibility was still supported by the majority. Slightly more than 30 percent of the respondents (409 out of 1,338) rejected the idea of victim compensation for high income citizens.

Of greater interest is the fact that exactly 60 percent of the respondent group, 808 interviewees, supported a victim compensation program even if it necessitates an increase in their state taxes. Table 5 indicates that less than one-quarter of the sample (23 percent, 304 interviewees) opposed such an increase. Nearly 70 percent (1,107) of the 1,585 victim respondents, reported in Table 6, were willing to consider favorably a death benefit to survivors of a victim killed as a direct result of a crime. Another 10.5 percent fell into categories of "it depends on the amount" or "don't know." When the question of payment to a Good Samaritan victim was raised, nearly 79 percent believed such payments were legitimate. Only 14.6 percent of the Census sample (232 persons), depicted in Table 7, rejected this category of compensation eligibility.

Whatever the size of eligibility for payment decided upon, the majority of victim respondents encouraged a program of offender restitution or crime victim repayment for losses and costs attending the victimization. Approximately 86 percent (1,385 respondents) answered "yes" to a question as to whether they favored offender repayment to the crime victim. Only 11.1 percent (176 victims) rejected the idea outright. At the same time, it should be noted that 80 percent (1,104 victims) declined the opportunity to deal directly with the offender in matters regarding their victimization or repayment.

TABLE 4

PREFERRED INJURED CRIME VICTIM BENEFIT AVAILABILITY  
 IN RELATION TO INCOME LEVEL  
 (By Number and Percent)

	Low Income		Middle Income		High Income	
	Number	Percent	Number	Percent	Number	Percent
Yes	1314	97.7	1243	92.8	872	65.1
No	19	1.4	60	4.5	409	30.6
Don't Know	<u>12</u>	<u>.9</u>	<u>37</u>	<u>2.7</u>	<u>57</u>	<u>4.3</u>
Totals	1345	100.0	1340	100.0	1338	100.0

TABLE 5

OF PERSONS FAVORING PAYMENTS, THOSE CONTINUING  
 SUPPORT IF STATE TAXES INCREASE  
 (Census Sample)

	Number	Percent
Yes	808	60.0
No	304	22.6
Depends on Amount	191	14.2
Don't Know	<u>43</u>	<u>3.2</u>
Totals	1346	100.0

TABLE 6

PERSONS FAVORING A DEATH BENEFIT TO SURVIVORS OF A  
VICTIM KILLED AS DIRECT RESULT OF A CRIME  
(Census Sample)

	Number	Percent
Yes	1107	69.8
No	312	19.7
Depends on Amount	96	6.1
Don't Know	<u>70</u>	<u>4.4</u>
Totals	1585	100.0

TABLE 7

PERSONS FAVORING PAYMENTS TO PERSON INJURED WHILE TRYING  
TO PREVENT A CRIME OR PROTECT A VICTIM (GOOD SAMARITAN)  
(Census Sample)

	Number	Percent
Yes	1249	78.8
No	232	14.6
Depends on Amount	47	3.0
Don't Know	<u>57</u>	<u>3.6</u>
Totals	1585	100.0

This suggests that any program of compensation which necessitates the face-to-face interaction of the victim and the offender will run at this time into strong victim negative reaction. However, the evident mental flexibility of victims is visible in their willingness to support a reduction in an offender's sentence if the violator participates in a program designed to reimburse the victim for the losses and costs of the crime victimization. Nearly 63 percent (856) of the 1,364 victims in the census sample responding to this question supported a reduction under these circumstances. At the same time a substantial 31 percent rejected this proposal.

#### Summary and Implications

Victim compensation laws and programs tend to respond to victim needs in the areas of physical injury, income loss, and medical expenses but do not respond to time loss, property loss-damage, or in-system costs of victimization. Victims are victimized both as a result of the crime event and as a consequence of their entrance into the criminal justice system. The median dollar cost of reimbursed physical injury costs for Census-interviewed victims due to the crime was \$75; for the Marquette University (MU) sample the figure reached \$98.13. The median crime victim income losses suffered by the Census group was \$53.75 and by the Marquette sample was \$85.50. Members of the Census sample suffered a median time loss due to the crime event of 1.83 days. For the MU sample the figure was 1.4 days, with victims interviewed at screening reporting .8, preliminary hearing 1.4, misdemeanor trial 2.2, and felony trial 1.5 days. Median crime victim unreimbursed property loss or damage costs were \$195.66 for Census respondents and \$137.50 for those of the MU sample. Sixty-two percent of those having unreimbursed losses had losses of more than \$100.

White males are more likely to suffer income loss, while persons within lower prestige occupations are more likely to experience unreimbursed medical costs for physical injury. This suggests that programs to compensate and service victims should consider especially the problems encountered by lower income persons. They seem to have special problems related to the acquisition of insurance, the maintenance of insurance coverage at adequate levels, or program eligibility.

Serious losses due to victim and witness entrance into the criminal justice system tended to center in income loss and time loss. The median in-system income loss for MU sample victims was \$49.04, with about 23 percent of the respondents having a loss of \$100 or more; for MU witnesses, \$36.34 with about 7 percent having the same loss of more than \$100. Non-victim witness/monetary losses increased by stages. Median in-system time losses for MU victims and for MU witnesses was 1.2 days, with ranges in days lost reaching from half a day to 90 days for victims and half a day to 120 days for witness respondents. The total time loss for 959 victims in the system was 2,120 eight-hour days. Once again, the further the victim goes into the criminal justice system, the greater is the time loss he/she experiences. Median days lost at screening by the victim witness was .04, at preliminary hearing 1.1, at misdemeanor trial 1.4, and felony trial 1.95. Comparable median time losses by the non-victim witness was .96 for screening, 1.0 for preliminary hearing, 1.2 for misdemeanor trial, and 1.4 for felony trial

respondents. Males and persons with high prestige occupational status are most likely to claim income losses. However, low occupational prestige victims have a special time loss problem which does not fully reveal itself in dollar loss figures, due probably to the lower salaries (or no salaries) received by such persons.

Victim compensation programs now existing generally support compensation for victims of crime, surviving dependents, persons previously dependent upon the deceased for support, and persons responsible for the maintenance of the injured victim. Common compensable acts are attempts to prevent a crime, attempts to apprehend a suspected criminal, and criminal acts causing injury or death. Payments are commonly allowed for medical expenses, loss of earnings, out-of-pocket expenses, and a funeral or death benefit. Restrictions generally placed upon victim compensation eligibility include the victim must have no major involvement in the crime, the crime must be reported to the police within a stated time period, the victim or eligible respondent must apply for compensation within a specified number of days, under certain circumstances the victim may be a relative of the offender, and only clear criminal forms of automobile, boat or airplane injuries are coverable. The maximum award claim that is most evident in existing state legislation is \$10,000, with a minimum claim loss of \$100-200 and/or one or two week's loss of earnings experienced. Other elements of crime compensation concern, however, are still being debated.

#### Federal Legislation\*

The proposed federal bill, H.R. 7010, is under current consideration.

Victims of crimes would receive federal monies in compensation for injuries under legislation (HR 7010) reported by the House Judiciary Committee May 16 (H Rept 95-337).

The bill would help injured victims with such expenses as hospital and medical bills and income lost while away from work. Property losses would not be covered.

HR 7010 authorizes the federal government to subsidize state victim compensation programs that meet federal standards set forth in the bill. Up to 50 percent of the cost of a state compensation program would be paid by the federal government; up to 100 percent of the cost of compensating victims of federal crimes occurring within a state could be reimbursed.

Currently, about 20 states have different types of victim compensation programs.

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\* The summary of the federal bill was prepared by the Victim/Witness Services Workshop staff.

The House bill imposes certain requirements on the state compensation programs. In order to be eligible to receive the federal grants, a state program must meet seven criteria:

- Compensation must be offered to injured individuals and to surviving dependents or spouses in the case of deaths
- Claimants seeking compensation must have the right to a hearing with administrative or judicial review
- Claimants must "cooperate with appropriate law enforcement authorities" investigating the crime
- Law enforcement officials must make reasonable efforts to inform crime victims of the program
- The state must be legally able to recover from the victim any monies eventually paid to him by the person who committed the crime, up to the amount the state paid to him
- The state may not require victims seeking compensation to take welfare benefits unless they already were recipients of such aid
- The state must deny or reduce any claim where the victim is found to have contributed to the infliction of the death or injury giving rise to the claim.

The bill also excludes certain expenses from the amounts for which the state may seek federal reimbursement although states are not prohibited from spending their own funds for these purposes:

- Administrative expenses
- Awards for "pain and suffering" made to victims
- Awards for property loss, such as compensation for a stolen automobile
- Any single award in excess of \$25,000
- Any awards which constitute a "double recovery" by the victim such as a parallel recovery from insurance or from the person who committed the crime
- Awards of less than \$100 and for lost earnings based on the loss of less than five work days
- Any awards in excess of \$200 per week for lost earnings
- Any award granted to a victim who filed a claim more than one year after the crime unless the state agency has found "good cause" for the delay

- Any award to a victim who failed to report the crime to police within 72 hours without "good cause."

Most crime victim compensation programs do little, if anything, for victims who enter the criminal justice system as witnesses. Without the existence of victim/witness assistance programs, the only benefits that these persons usually receive are a limited reimbursement of costs through recovery of a witness fee. However, not all witnesses, victim as well as non-victim, know how to collect or do receive the witness fees for which they are eligible.

Milwaukee County victims in the Census sample overwhelmingly supported victim reimbursement for medical payments (77.6 percent) and loss of earnings (71.8 percent). Lesser percentages encouraged payments for out-of-pocket expenses (49.1 percent) and pain and suffering (51.3 percent). While over 90 percent of the respondents supported payment of compensation to low and middle income victims, the figure dropped to 65 percent for high income citizens. Three-fifths of the respondent population supported increased state taxes in order to have a victim compensation program. While victims tend to support a reduction in the offender's sentence if he/she participates in a restitution to victim-type program, the majority of victims want nothing further to do with the actual offender.

Any program designed to ameliorate victim and witness problems should focus on the time and income loss problems. This finding has strong implications for court administration and calendaring, use of police and prosecuting attorney time, attitudes of criminal justice system officials to victims and witnesses, dispensation of information on system process to citizens, court acceptance of defense or prosecution delay tactics, service of subpoenas, and other related dimensions. Efforts to modernize court calendaring procedures and use all courtroom outlets should be strengthened. Better cooperation among law enforcement, prosecution and defense and court personnel must be sought and achieved if victim and witness concerns are to be faced realistically.

STATE VICTIM COMPENSATION

AND/OR

GOOD SAMARITAN STATUTES\*

<u>STATE</u>	<u>CITATION</u>
Alaska	Code of Alaska secs.18.67.010-.180 (Supp. 1972)
California	Cal. Govt. Code secs.13959-13969 (Deering, 1973) Cal. Govt. Code secs.13970-13974 (Deering, 1969)
Delaware	D.C.A. Title 11 secs.9001-9014 (1974)
Florida	Chapter 77-452, LAWS OF FLORIDA
Georgia	G.C.A. 47-518 to -527 (1967)
Hawaii	Hawaii Rev. Laws ch.351-1 to-70 (1967)
Illinois	Ill. Stat. Ann. ch.70 secs.71-91 (1973)
Kentucky	K.R.S. ch.346 secs.1-18 (1976)
Louisiana	L.S.A. 46:1801 -.1821 (1972)
Maryland	Ann. Code of Maryland Art. 26A secs.1-17 (1968)
Massachusetts	Mass. Ann. Laws ch.258A secs.1-7 (1968)
Minnesota	Minn. Stat. Ann. 299B.01-.16 (1974)
Nevada	Nev. Rev. Stat. ch.217.010-.350 (1975)
New Jersey	N.J. Stat. Ann. 52:4B-1 to-21 (1971)
New York	N.Y. Exec. Law secs.620-635 (McKinney, 1966)
North Dakota	N.D.C.C. ch.65-13-01 to-20 (1975)
Pennsylvania	Senate Bill No.153 (July 1, 1976)
Rhode Island	G.L.R.I. 12-25-1 to-12 (1972)
Tennessee	T.C.A. ch. 736 secs.1-18 (House Bill No. 518, March 29, 1976)
Virginia	Code of Virginia, Title 19.2-368.1-.18 (Ch.605, Laws 1976, April 8, 1976)

## STATE VICTIM COMPENSATION STATUTES

### A MULTI-STATE DESCRIPTION AND SUMMARY

DATE: The statutes date from the mid-sixties.  
Most were passed within the last few years.

#### Eligibility

Most of the state statutes compensate both victims of violent crimes and Good Samaritans. It is assumed in all the following analyses that dependents are eligible for compensation.

Residency is not necessarily a requirement.

The list of compensable crimes usually includes sex offenses, kidnaping, and offenses involving the use of explosives, arson, etc.

In a few states Good Samaritans are compensated for property damage, an unusual feature for state victim compensation statutes.

The victim (by illegal or other causes) must not have contributed to the situation which produced his injury. The total innocence of victims is required. Most states reduce awards commensurate with the degree of the victims questionable conduct and complicity.

Generally the victim must not have been living with, closely related to or maintaining a sexual relationship with the offender. This provision extends to the third degree of consanguinity in most cases. However, some statutes provide that the interests of justice may annul these eligibility requirements.

Some of the statutes require that the victim suffer undue financial hardship. Because all statutes require that monies from collateral and other sources be deducted from awards, this provision is not really as important as it seems. It ensures that the well-off will not receive unnecessary payments but such persons are usually compensated by collateral and other sources anyway.

A few statutes preclude those crimes committed in state prisons and other institutions.

Injury involving the use of a motor vehicle, ship, airplane, etc., is precluded except when the vehicles are used as weapons.

It is not necessary that the offender be convicted, nor is it necessary that he be capable of forming any criminal intent.

### Requirements

About half of the states specifically require that the victim offer his or her full cooperation to the law enforcement authorities in the apprehension and conviction of the suspect.

Deadlines for claims filed usually are 180 days, one year, or two years. In the case of death, the filing deadline may be set from the time of death. A victim or his dependents usually has the opportunity to show good cause why the deadline was not met.

Generally the crime must have been reported to the police within 48 or 72 hours. New Jersey requires a crime report within three months. Again, the victim may show good cause why he could not have earlier reported the crime.

A victim must be forthcoming with all records and may have to submit to a medical examination. At least one statute specifically states that a victim who refuses to submit to one of these exams does not sacrifice his or her rights to compensation.

The few programs relying on the courts usually require a small application fee to be paid to the clerk.

### Administrative Structure

Administrative structure varies from state to state and remains one of the important victim compensation issues. Most states have established victim compensation boards which, for all practical purposes, are autonomous. Members are appointed by the governor to rather long terms. These boards usually operate as other departmental boards with the concomitant rules of evidence, appeal, and procedure.

The attorney general or the district attorney may be charged with the investigation of the claim.

Some states have incorporated victim compensation programs into workman's compensation programs; claims are actually filed with the workman's compensation board. Nevertheless, the statutes seem to cover victim compensation needs.

A few states rely on the district courts. Applications are filed with the clerk. The same judge may not hear a related criminal and victim compensation case.

There is a striking contrast between the salaries, job requirements and responsibilities of the various victim compensation board members.

Although it is not necessary that an offender be convicted to award a claim, such a disposition is usually considered to justify the award. Compensation hearings are usually delayed pending the outcome of court cases.

### Nature of Compensation

Awards may be made to victims, Good Samaritans and their dependents, or those taking the financial responsibility for funeral and burial expenses and medical costs.

Compensation is generally awarded for support, loss of earning power, medical expenses and burial and funeral expenses. Occasionally, Christian Science healing, other religious healing, and non-medical remedial treatment is compensable.

Only a few states compensate for mental or nervous shock and pregnancy. One state allows pain and suffering awards only in the case of rape victims.

Most statutes include a provision to compensate for other relevant pecuniary loss.

Property damage is generally not compensable. Glasses, prosthetic devices, etc., may be specially defined as compensable.

Limitations are usually set on support awards, which do not exceed \$400.00 to \$500.00 a month.

Awards may be apportioned periodically, especially in cases of protracted support. Such cases may be reviewed periodically.

Attorneys fees are generally at the discretion of the administrative authority and are limited to 10, 15, or 20 percent. Some states require that in no case may the attorney receive more than the victim will ultimately receive. Attorneys fees may be paid out of or in addition to awards.

### Award Limitations

When a minimum is set it is usually \$100 or \$200 or the equivalent of two weeks income.

The maximum awards range from \$5,000 to \$50,000; the average is \$15,000.

### Funding

Most statutes do not guarantee that there will be any money to award to victims. Only a few statutes mention any numbers or clearly define the source of award payments or administrative costs. It is true, however, that this information might be contained in budget or other provisions.

Many statutes establish victim indemnity funds. Often the statute calls for a new or additional fine to be assessed to offenders and deposited in the fund.

### Comments

A few states ensure that rape victims will not have to pay for emergency medical care, provided the exam involves the gathering of medical evidence.

One state, Nevada, outlines extensive services to rape victims and their spouses but leaves it to the counties to pass and fund the necessary ordinances.

It is notable that some statutes consider pregnancy a "compensable injury."

Once an award is paid, the state is generally subrogated to the claimant's actions against the offender.

Annual reports are generally required of each administrative authority and are probably a valuable source for investigating state compensation programs.

Awards are not subject to attachment, garnishment, etc.

Emergency awards are limited to \$500 to \$1,000. If the emergency award exceeds the final determination, the victim must return the difference. Only one state does not necessarily require the return of an overpaid difference.

At least one state specifically indicates that awards are not taxable.

Only a few statutes include the important provision that the law be publicized and that law enforcement authorities notify all victims of their rights to compensation. One statute requires that its key provisions be posted in hospital emergency rooms.

## RESTITUTION TO CRIME VICTIMS\*

### Definition

Restitution involves the payment by (property) offenders to the victim as redress for the damages done in committing a crime. The payment may be either direct or indirect or through a third party. Payments may take the form of money or service, and they are aimed at making the offender accountable for his past actions and at restoring the victim's losses.

### Restitution and the Victim

The victims of crimes have long been the forgotten people within the criminal justice system. Restitution programs give sanction through the system for victims to receive reparation from the offender for their losses and to participate either directly or through a third person in determining damages and being reimbursed for such damages. This process may take place as an alternative to incarceration or in conjunction with a minimum security prison sentence depending on the nature of the crime, the history of the offender and the individual problems related to the case.

### Restitution and the Offender

An offender may become involved with restitution immediately after being sentenced as a condition of probation, or he may become eligible for restitution as a condition of release from an institution. To qualify the offender must have no pattern of violent behavior that would make him a threat to the safety of the community. While making restitution the offender may also be required to be involved in other community programs such as a halfway house, a drug treatment program, special counseling in a non-residential setting, a work release program, group meetings, etc.

Throughout the individualized program he or she is monitored by a probation or parole officer to insure participation in the program, regular work, and timely payments to the victim. The courts or the parole board may require a contract between the offender and the victim that has been negotiated by an agent or the offender may have a contract with a representative of the community to which he is paying restitution (in service or money) for the wrongs previously committed. Occasionally the offender informally agrees to complete acts of restitution without a formal contract. Violation of contracts to make restitution, like any other condition of parole or probation, can result in revocation of probation or parole for the offender.

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\*This paper is based on material prepared by the Division of Victim Services, Department of Corrections, State of Minnesota.

When the offender is working while completing restitution, he or she is also a taxpayer, a contributing member of society, rather than a tax burden like most incarcerated offenders. When the requirements for restitution have been completed, the offender may be released from probation or parole supervision or may continue with other requirements of probation or parole. Hopefully, in attempting to right past wrongs and in being held responsible for past actions, the offender can also progress towards becoming a more responsible member of society.

### Restitution in Minnesota

The Minnesota Department of Corrections began experimenting with restitution for victims in 1973 with the opening of the Minnesota Restitution Center, a limited residential program with 22 beds in Minneapolis. The Center was closed in 1976 and its staff was reallocated to the Restitution Unit Offices in Circle Pines, Minn. Minnesota is the first state to have a Division of Victim Services. The Restitution Unit was created to enhance and encourage more diverse use of restitution throughout the state for all types of property offenses.

The Restitution Unit of the Department of Corrections now serves as an information bank and clearinghouse for programs, screens and provides broker services for all adult state offenders eligible for restitution programming and early release from state institutions, assists local communities in developing restitution programs to meet local needs, and identifies issues and problems related to restitution in an effort to find solutions that will enhance and expand the use of restitution to victims of crime.

In addition, the Department of Corrections is contacting and involving a group of community leaders, who are charged with the task of developing a mission statement on restitution that is consistent with the Department of Corrections' overall mission and addresses questions related to restitution at all levels of the criminal justice system.

The Minnesota State Restitution Unit works with local criminal justice professionals in a variety of ways:

Clearinghouse--A great variety of restitution projects and programs with unique components exists throughout the world. While research and program information is limited, that which does exist is helpful to those investigating restitution programming. The Restitution Unit is responsible for gathering this type of material and for making this information available upon request.

Research--The Restitution Unit has made plans for assessing the amount and type of restitution used throughout Minnesota at all levels of the criminal justice system. Preliminary research by the Department of Corrections, from 1974 to 1976, indicates that a great deal of restitution is being ordered by courts, but there is little systemization in restitution. Current efforts are directed toward establishing some of those systems throughout the state with the application of restitution. The success of the various programs will also be assessed. Once gathered, this material will be available to criminal justice professionals throughout the state. It will be most helpful to those establishing or modifying programs for restitution.

Training--For successful restitution programs throughout the state, it is necessary to train those who are instrumental in the decision for restitution for an offender and for those responsible for the offender's participation in the process of making restitution. Individualized training is provided for judges, county attorneys, public defenders, etc., regionally to familiarize them with the concept, processes, and criteria for successful restitution.

Interpretation--The Restitution Unit works with communities throughout the state promoting wider application of restitution as part of the process for offender disposition. The aim of this effort is to more clearly meet the needs of victims in the criminal justice system and to promote the use of restitution as a sanctioned alternative to incarceration for non-violent offenders.

RECENT LEGISLATION CONCERNING RESTITUTION--1976-77

<u>State</u>	<u>Bill</u>	<u>Provisions</u>
Arkansas	House Bill 82; passed in 1977 session	Restitution to be used as a condition of suspending imposition of sentence or probation; established restitution as a condition of a work release program operated by the Department of Corrections.
California	Assembly Bill 1206; introduced in 1977 session (not passed)	Requires restitution as a probation condition.
	Senate Bill 725; introduced in 1977 session (not passed)	Requires a court of the paroling authority to consider restitution as a condition of probation or parole.
	Assembly Bill 1983; introduced in 1977 session (not passed)	Creates a Release and Restitution Board in the Department of Corrections; provides for the release of offenders on parole to the custody of the board if an agreement is negotiated with the victim to repay damages or to make payments into the compensation fund. The Release and Restitution Board is to establish and administer Release and Restitution Centers within the community; victim-offender involvement would be structured and encouraged.
Colorado	Assembly Bill 1237; introduced and passed in 1976	Allows the imposition of restitution as an option to the parole board as well as for work releases from county jails.
Connecticut	Bill 8283; introduced in 1977 session (not passed)	Establishes a Victim Restitution Fund to cover those cases of offender default in restitution payments. The Victim Compensation Board is to review and approve all applications by victims for payment from the Victim Restitution Fund.

<u>State</u>	<u>Bill</u>	<u>Provisions</u>
Illinois	House Bill 446; introduced in 1977 session (not passed)	Establishes as a public policy of the state that where there is a victim of a crime, the state gives a higher priority to the restitution and restoration of the victim than it does to the rehabilitation of the offender.
Mississippi	House Bill 2; introduced, passed, and signed by the governor in 1977	Requires that persons convicted of a crime be liable for the value of the property damaged or stolen. The court is responsible for assessing the amount of the loss and may make a civil judgement ordering restitution by the defendant.
	House Bill 79; introduced in 1977 (not passed)	Establishes a State Compensation Fund; authorizes the commissioner of corrections to deposit 10 percent of the wages received by offenders participating in the work release program into this "criminal victim indemnity fund."
	House Bill 18; introduced in 1977 session (not passed)	Provides for restitution to the victims of crime by requiring offenders participating in the work release program to repay all or part of the damages incurred by the victim of the offense.
	House Bill 418; introduced in 1977 (not passed)	Provides for additional court costs of \$10 for certain cases to be paid into a "restitution fund" in the circuit court of each county. The court is to determine the amount of damages sustained by the victim and direct the clerk of court to collect the assessed amount.
	House Bill 436; introduced in 1977 session (not passed)	Requires that restitution be made for any criminal offense. At the time of sentencing, the jury is to determine the value of the property stolen and the court will order restitution to be made. Requires that 10 percent of any funds accumulated by the offender while incarcerated be paid to the clerk of court for restitution; in the case of the offender's parole or if placed on probation, the offender is required to pay 10 percent of his earnings; upon release from legal custody, the offender is liable to pay the remaining amount of restitution.

<u>State</u>	<u>Bill</u>	<u>Provisions</u>
Mississippi	House Bill 962; introduced in 1977 session (not passed)	Requires restitution be made to the owner of an animal mischievously or maliciously killed or injured.
Nebraska	Legislative Bill 221; introduced in 1976 and in 1977 sessions (not passed)	Establishes that adults and juveniles convicted of property crimes are eligible for restitution employment furloughs. Each county board in the state is responsible for hiring a furlough administrator responsible for implementing this legislation. Requires that offenders meet with their victims and establish furlough contracts with provisions that the offender agree to repay the victim for losses; offenders will work with the earnings going to the county furlough administrator who distributes the money due to the victim, with the remainder provided to the offender.
Nevada	Assembly Bill 367; introduced in 1977 session (not passed)	Requires that upon a finding of guilt, the court will conduct a separate hearing for the trial jury to determine whether the defendant is liable for any damages suffered by the victim. If the jury finds that the victim has suffered damages, the jury announces that finding and the amount of restitution to which the victim is entitled. The court is to then order the convicted defendant to make restitution and this amount is set as a condition of probation or of suspension of sentence.
New Mexico	Senate Bill 169; introduced and passed in 1977 session	Establishes the public policy of the state that restitution be made by each violator of the criminal code to the victims to the extent that the offender is reasonably able to do so. Requires that the court establish as a condition of probation or parole that the defendant develop a plan of restitution including the amount to be paid to each victim along with a schedule of payments to be made available to the clerk of court.

<u>State</u>	<u>Bill</u>	<u>Provisions</u>
North Carolina	House Bill 426; introduced and passed in 1977 session	Allows the court at the time of sentencing to make full or partial restitution a condition of probation, work release, or parole. Restitution can include performing community service, volunteer work, or other activities which aid the defendant's rehabilitation. Provides that an order of restitution as a condition of work release or parole is to be implemented by the paroling authority.
Oregon	House Bill 2380; introduced in 1977 session (not passed)	Authorizes a court to impose a sentence of restitution in a felony conviction or as a condition of parole.
	House Bill 2012; introduced in 1977 session (not passed)	Directs the court to order persons convicted of criminal activities to make restitution to crime victims; if the offender is sentenced to a term of imprisonment, restitution would be enforced upon parole. Permits the court to require restitution as a provision condition.
	Senate Joint Resolution 36; introduced in 1977 session (not passed)	Amends the Oregon constitution (upon voter approval at the next state general election) to require laws relating to the disposition of criminal offenders to be based upon just punishment and reformation of the offender, with restitution to the victim and the protection of society.
Tennessee	The Restitution Centers Act; introduced and passed in 1976 session	Authorizes the commissioner of corrections to establish residential restitution centers for the purpose of allowing persons convicted of felony offenses and sentenced to the Department of Corrections to reimburse the victims for the value of the property stolen or damaged. The centers may be established inside or outside of the prison; only offenders who have committed a felony where the actual sentence is no more than five years are eligible; offenders may be allowed to work outside the center; offenders assigned to the centers may be housed in correctional facilities around the state. All money earned is to be turned over to an account and offenders can be charged for room and board.

<u>State</u>	<u>Bill</u>	<u>Provisions</u>
Texas	House Bill 439; introduced in 1977 session (not passed)	Requires that a court granting probation order as a condition that the probationer pay restitution to cover medical and psychiatric expenses, lost wages, value of property destroyed, taken, or not returned, funeral and burial expenses of any person whose death resulted from the probationer's offense. Also requires that restitution can be ordered as a condition of parole similar to the probation order.
Virginia	House Bill 1938; introduced in 1977 session and passed into law	Amends the criminal code of the state and indicates that while on probation the offender may be required to pay restitution; also indicates that no person convicted of a crime resulting in property damages shall be placed on probation or have a sentence suspended unless at least partial restitution is ordered.
Washington	Senate Bill 2664; introduced in 1977 session (not passed)	Encourages the establishment of programs to provide for restitution to crime victims by offenders who are sentenced, or who have been released on parole, or who are being held in local correctional and detention facilities. Allows the court to require a convicted defendant to pay costs, make restitution, or both. Orders the Department of Social and Health Services to establish programs and procedures for restitution to crime victims and to report back to the next session of the legislature on progress toward implementation.
West Virginia	House Bill 892; introduced in 1977 session (not passed)	Provides that restitution be used as a condition of parole.



**CONTINUED**

**3 OF 4**

SAMPLE DESCRIPTIONS OF EXISTING RESTITUTION PROGRAMS

Name of Program	Level of System	Client	Client		Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
			Male	Female				Cash	Symbolic	
ARIZONA										
Adult Diversion Project Pima County Attorney, Tucson	Pretrial diversion	Adult	X	X	Nonresidential	County Attorney	10/73	X	X	Sometimes
CALIFORNIA										
California Restitution Project	Parole	Adult	X	X	Nonresidential	Corrections Parole Division	4/77	X	X	Infrequently
CONNECTICUT										
Restitution Service, Hartford	Probation	Adult	X	X	Nonresidential	Judicial Department	5/77	X	X	Never
FLORIDA										
Community Work Program	Probation	Juveniles	X	X	Nonresidential	District Probation & Aftercare	9/73	X	X	Sometimes
Off Days Sentencing Program Miami	Work Release	Adult	X	X	Nonresidential	Dade County	1/77		X	Never
GEORGIA										
Restitution Shelters Albany Atlanta Macon Rome	Probation & Patrol	Adult	X		Residential	Corrections	11/74	X	X	Infrequently

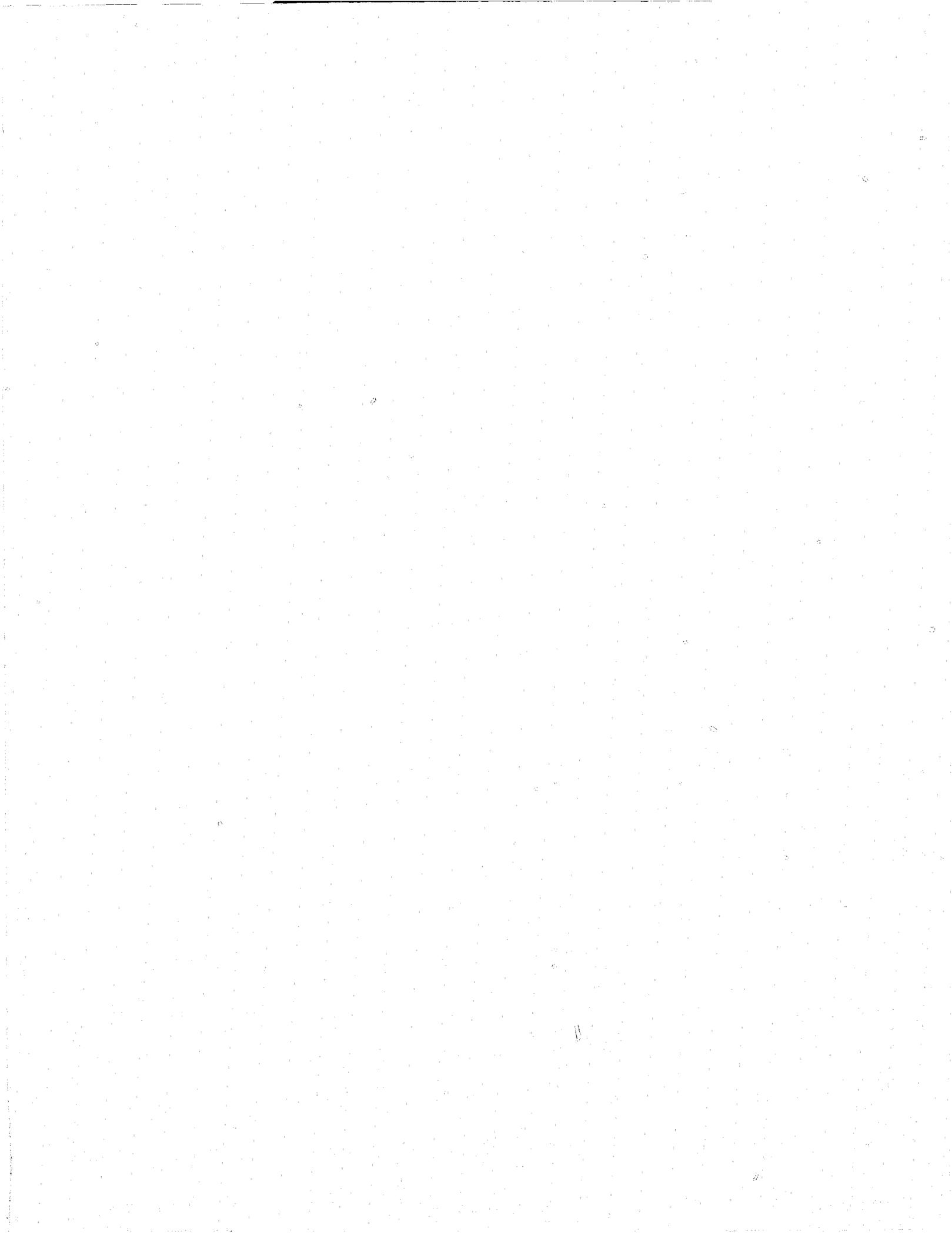
Name of Program	Level of System	Client	Male	Female	Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
								Cash	Symbolic	
GEORGIA (cont.)										
Adjustment & Restitution Centers Athens Augusta Cobb	Probation & Parole	Adult	X		Residential	Corrections	1975	X	X	Infrequently
Adjustment & Restitution Centers Atlanta - "Gateway" Gainsville	Probation & Parole	Adult	X		Residential	Corrections	1976	X	X	Infrequently
New Life Restitution Center Clayton County Jonesboro	Incarcerated & Parole	Adult	X		Residential	Self-supporting	8/76	X	X	Never
Sole Sanction Restitution Program Alcovy Circuit Huston Circuit Macon Circuit Waycross Circuit	Probation	Adult	X	X	Nonresidential	Corrections	2/77	X	X	Infrequently
GUAM										
Alternative Community Service Program	Probation (Misdemeanor & 1st selected felony)	Adult	X	X	Nonresidential	Probation Department	7/76		X	Never
IOWA										
Assessment of Restitution in Probation Experiment Des Moines	Probation	Adult	X	X	Nonresidential	Court Services	4/75	X		Sometimes

Name of Program	Level of System	Client	Male	Female	Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
								Cash	Sym-bolic	
KENTUCKY										
Urban County Detention Service Lexington	Probation	Adult	X	X	Nonresidential	County Courts	1972	X	X	Not encouraged
LOUISIANA										
Restitution Shelter (Diagnostic Unit) Orleans Parish	Probation	Adult	X		Residential	Sheriff's Office	Funded 4/77 (not operating)	X	X	Sometimes
MAINE										
Maine Restitution Project, Portland Cumberland County	Probation	Adult	X	X	Nonresidential	Corrections	4/77	X	X	Planned for future
MARYLAND										
District Court & Special Collection Units Baltimore	Probation	Adult	X	X	Nonresidential	Division of Probation & Parole	2/76	X		Never
Community Arbitration Program	Pretrial diversion	Juveniles	X	X	Nonresidential	Anne Arundel County Juvenile Services	1973		X	Both may be present at arbitration hearing
MASSACHUSETTS										
Victim Restitution Project	Incarcerated Work Release	Adult	X	X	Residential	Parole Board	2/77	X	X (limited)	Future possibility
Earn-It Quincy	Pre-Sentence	Juveniles & Young Adults	X	X	Nonresidential	Probation Department	1/76	X	X	Sometimes

Name of Program	Level of System	Client	Male	Female	Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
								Cash	Sym-bolic	
MASSACHUSETTS (cont.)										
Lowell Juvenile Program Lowell	Probation, Probation & Suspended Sentence	Juveniles	X	X	Nonresidential	Middlesex County	1975	X	X	Sometimes
Restitution Component of Lowell Program	Parole	Juveniles	X	X	Nonresidential	Middlesex County	9/77	X	X	Most cases
MINNESOTA										
Chicago Victim Witness Program Center City	Probation	Adult & Juveniles	X	X	Nonresidential	County Attorney's Office	1976	X		Sometimes
Self-Sentencing Restitution Program Winona	Probation	Adult & Juveniles	X	X	Nonresidential	County Court Services	1973	X	X	Sometimes
Minnesota Restitution Unit	Parole	Adult	X	X	Nonresidential	Corrections	1/77	X		Sometimes
MISSISSIPPI										
Restitution Pilot Project Jackson	Probation	Adult	X		Residential	Corrections	7/77	X	X	Sometimes
NORTH CAROLINA										
Restitution Officer	Probation & Parole	Adult	X	X	Nonresidential	Corrections Probation & Parole	7/77	X		Possibly
Restitution Counselor	Institutional Work & Release	Adult	X	X	Residential	Corrections Div. of Prisons	7/77	X		Infrequently

Name of Program	Level of System	Client	Male	Female	Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
								Cash	Sym-bolic	
OHIO										
Night Prosecutor's Program Columbus	Pretrial diversion	Adult	X	X	Nonresidential	Franklin County Prosecutors	1971	X		Most cases
OKLAHOMA										
Restitution Accounting Oklahoma City	Probation & 5% unsupervised	Adult	X	X	Nonresidential	Corrections	10/76	X		Possibly
OREGON										
Project Repay Portland	Probation (Both misdemeanor & felony)	Adult	X	X	Nonresidential	County Attorney's Office Multnomah County	9/76	X	X	Rarely
Salem Community Corrections Center Salem	Incarcerated Work Release	Adult	X	X	Residential	Corrections	10/76	X	X	Never
Washington County Restitution Center Hillsboro	Probation	Adult	X		Residential	Department of Public Safety	9/76	X	X	Future possibility
Restitution Work Release Center	Parole	Adult	X		Residential	Corrections	4/76	X		Never
RHODE ISLAND										
Victim Restitution Warwick	Probation	Adult & Juvenile	X	X	Nonresidential	Police Department	3/77	X	X	Sometimes

Name of Program	Level of System	Client	Male	Female	Type of Program	Administrative Level	Start up Anticipated	Type of Restitution		Victim & Offender Relationship
								Cash	Sym-bolic	
SOUTH DAKOTA										
Seventh Circuit Court Victim's Assistance Program Rapid City	Pretrial diversion & Probation	Adult (8/76) Juvenile (1974)	X	X	Nonresidential	County	1974	X	X	Infrequently
TENNESSEE										
Department of Corrections Nashville	Probation	Adult	X	X	Residential	Corrections	Pending	X		Sometimes
UTAH										
Victim - Juvenile Court Police Liaison Project	Pre-Court & Probation	Juvenile	X	X	Nonresidential	Probation Dept. Salt Lake County	5/77	X	X	Unknown
VERMONT										
Division of Probation & Parole	Suspended Sentence & Probation	Adult & Juvenile	X	X	Nonresidential	Corrections	1939	X	X	Sometimes
WASHINGTON										
Community Accountability Program Seattle	Pretrial diversion	Juvenile	X	X	Nonresidential	City of Seattle	1974	X	X	Infrequently
WISCONSIN										
Changing Focus	Probation	Juvenile	X	X	Nonresidential	Youth Development Commission of Social Development	11/77	X	X	Possible



Session 8

DAY II

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DEVELOPING A SERVICE PLAN

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Introduction

During this Workshop session, the participants are expected to design, in detail, the service or services that they have decided to introduce or improve in their communities. The Workshop session provides participants with practice in developing a service design using a structured format. The background outline that follows here provides the participants with essential information and areas to consider before attempting to design a realistic victim/witness program. The major topics covered, which correspond to some of the Workshop problems, are:

- I. Problem Statement
- II. Goals
- III. Objectives
- IV. Organizational Framework
- V. Professional Staff and Volunteers
- VI. Budgeting a Victim/Witness Program
- VII. Monitoring and Evaluation Measures

## DESIGNING A VICTIM/WITNESS PROGRAM

### I. Problem Statement

#### A. Historical Perspective:

Considering the long-term overview, including

1. Code of Hammurabi
2. Mosaic Laws
3. Wergild
4. Loss of victim role and status
5. Late Middle Ages situation

Purpose: To show that our legal system has excluded the victim from the process by which criminal matters are handled and, consequently, has lost the evenhandedness of more ancient ways of handling law violators. (Question: Why is the victim, the state (society), and the injured party only a witness?)

#### B. Needs Assessment:

1. National research findings
2. Local surveys of victimization
3. URC crime rate comparisons
4. Witness no-show rates
5. Public ambivalence toward the courts and prosecutors (Perhaps if one is a defendant, we have a good system. But if one is a victim, we may have a terrible system.)
6. Anecdotal records of victim problems in the jurisdiction recently.

Purpose: Develop data showing that the national findings are relevant to the local area. Show that many problems encountered by victims are not a high priority for the particular agency involved but affect each succeeding agency in a compounding fashion.

#### C. Humanitarian Considerations:

1. Review the impact of victimization on the victims
2. Show the basic imbalance created by providing a panoply of defendant/offender services and few or no services for victims
3. Show how the present system "victimizes" victims.

Purpose: Raise and discuss these issues in moral and ethical terms unrelated to more pragmatic considerations.

**D. Efficiency and Fiscal Considerations:**

1. Cost and benefits of victim services
2. Victim/defendant services cost ratio
3. Predictable system impact of victim services.

**Purpose:** Discuss the degree to which costs can be identified and benefits determined in providing victims services. Determine the rates of defendant dollars and victim dollars currently being spent.

**II. Goals**

- A. To increase the quality of justice by satisfying the emotional and social needs of crime victims and witnesses.
- B. To enhance the willingness of victims and witnesses to cooperate with police and prosecutors after they have reported a crime.
- C. To improve the time and costs associated with the police and prosecutors providing social services or social service referrals to victims and witnesses while increasing the quantity and quality of services received by them.

**III. Objectives**

- A. To have on-site crisis intervention services on a 24-hour basis. The crisis workers should have the resources and skills to provide at least the following:
  1. On-site and short-term follow-up counseling
  2. Immediate and short-term transportation
  3. Emergency housing
  4. Short-term provision of money and/or food
  5. Protection from retaliation on both a short- and long-term basis.
- B. To have a mental health, medical, social service, and manpower referral capability. The program should be able to refer crime victims and witnesses needing long-term services to the entire panoply of services available with some priority given to severely traumatized victims.
- C. To provide criminal justice related services to victims and potential victims such as:
  1. Security surveys
  2. Crime scene clean-up and repair services to poor, elderly, and other victims who do not have those resources available to them
  3. Court-related information about and access to on-going cases in the following areas:
    - a. Contact with detectives investigating reported crimes
    - b. Input to prosecutorial charging decisions
    - c. Bail/Bond and ROR decisions
    - d. Feedback concerning plea agreements

- e. Input to sentencing judges
- f. Detailed disposition information about how and why the case was disposed of.

4. Court and prosecution related services, such as:

- a. Transportation to and from interviews, as needed
- b. Information and instructions for subpoenaed persons concerning trials, continuances, baby sitting, etc.
- c. Companionship and reinforcement to maintain emotionally healthy responses during stressful situations such as trials
- d. Continued or newly initiated protection from retaliation for witnesses in jeopardy.

D. To train for law enforcement, prosecutors, and other criminal justice professionals in crisis identification, management, and emotional support techniques to improve their ability to deal with victims.

E. To develop research and systems analysis capability during the program's first three years to perform the following functions:

- 1. Surveys to identify attitude changes
- 2. Identification and verification of specific victim problems
- 3. Impact and cost-benefits of specific program activities
- 4. Systems analysis to identify intervention points where maximum results can be achieved by minimum effort
- 5. Preparation of specific reports, proposals, and analysis for distribution within the criminal justice system and/or to the public.

F. To provide public education services by sponsoring workshops, seminars, media coverage, pamphlet preparation and distribution, and other activities on an impromptu basis.

#### IV. Organization Framework

##### A. Program Focus

1. Law Enforcement - advantages and disadvantages of placing a victim/witness program within a law enforcement agency.

###### a. Advantages

- (1) Ease of access to victims
- (2) Immediacy of contact and research showing importance of first contact
- (3) Already operating on a 24-hour basis.

###### b. Disadvantages

- (1) Limited geographical or overlapping jurisdictions
- (2) Traditional "non-social worker" emphasis
- (3) Lack of access to court process.

2. Prosecution - advantages and disadvantages of placing a victim/witness program within the court structure (court administration office or probation).
  - a. Advantages
    - (1) Area-wide jurisdiction.
    - (2) Access to individuals, prosecutors, and constant updating of case information
    - (3) Ability to impact social service system.
  - b. Disadvantages
    - (1) Becoming involved with the tactics and strategy of prosecution
    - (2) Confidentiality and disclosure conflicts
    - (3) Distance from the victims and lack of immediacy
    - (4) Not ordinarily used as a 24-hour operation (except on an emergency basis).
3. Court - advantages and disadvantages of placing a victim/witness program within the court structure (court administration office or probation).
  - a. Advantages
    - (1) Able to impact on court process
    - (2) Areawide jurisdiction
    - (3) Able to impact on social service system
  - b. Disadvantages
    - (1) Very late stage of criminal justice process
    - (2) Extreme difficulty dealing with victims when no charges have been filed
    - (3) Court's need to maintain an evenhandedness may sometimes work against victims
    - (4) Probation affiliated victim/witness programs may become too focused on restitution.
4. Non-criminal justice governmental agency (county or city manager's office, mental health agency, welfare department, etc.). The advantages and disadvantages of placing a victim/witness program in a non-criminal justice government agency:
  - a. Advantages
    - (1) Not involved in the criminal justice process
    - (2) Depending on placement, will have political clout or no influence at all.

b. Disadvantages

- (1) Difficult access to police, court, prosecutor records
- (2) Lack of clout in decisions affecting victims
- (3) Trying to produce change or make criticisms from outside
- (4) Distance from and difficult access to victims on an immediate basis

5. Inter-governmental--Inter-agency criminal justice agency. The advantages and disadvantages of creating a victim/witness agency within the criminal justice system (i.e., independent, with governing board of department heads and middle managers

a. Advantages

- (1) Being within the system
- (2) Not being affiliated with any particular perspective
- (3) Multiple funding more easily available
- (4) Ease of educating and changing attitudes of criminal justice system professionals (because they are making policy decisions).

b. Disadvantages

- (1) Traditional criminal justice agency paranoia and suspicion of each other
- (2) Elected official reluctance to participate in inter-governmental ventures
- (3) Budget battles with more than one funding source taking up administrative time
- (4) Personality conflicts disrupting service delivery.

B. Operating a Service Delivery System

1. Crisis Intervention Issues

- a. Defining a crisis
- b. Setting up a referral process
- c. Maintaining 24-hour coverage
- d. Monitoring and evaluating who, what, where, how much, and with what success services are being delivered.

2. Social Service, Assistance, and Referral Issues

- a. Identifying available resource agencies
- b. Follow-up of referrals
  - (1) With clients
  - (2) With agencies referred to
  - (3) With criminal justice agency generating case involved.
- c. Constant relearning of agency services, addresses, staff, etc.

3. Court-related Information and Subpoena Alert System Issues
  - a. Identifying sources for court information
  - b. Continuously routing information on cases to the victim/witness program
  - c. Monitoring and evaluating quality, quantity, and completeness of information received
  - d. Setting up dispersal system for court information to:
    - (1) Victims
    - (2) Police officers originally involved in case
    - (3) Non-victim witnesses
    - (4) General public.
  - e. Monitoring and evaluating information dispersal pattern, recipient understanding and approval of information, and changes in attitudes attributable to information flow.
4. Victim Restitution Issues
  - a. Determining all possible ways victim can receive restitution
  - b. Setting up procedures for victim input to:
    - (1) Juvenile court
    - (2) Diversion programs (if present)
    - (3) Court sentencings
    - (4) State restitution programs (if present)
  - c. Monitoring and Evaluation Issues
    - (1) Quality and quantity of victim input
    - (2) Victim satisfaction and attitudes about input
    - (3) Agency or judge satisfaction with attitudes concerning victim input.
5. Crime Prevention Measures and Techniques
  - a. Determine crime prevention techniques and measures currently in place and who is offering services
  - b. Set up procedures for delivery of crime prevention techniques and measures
  - c. Train volunteers and staff in techniques and measures
  - d. Implement plan
  - e. Monitor and evaluate service delivery.
6. Property Identification and Return
  - a. Determine which law enforcement agencies have property and how it can be returned
  - b. Set up procedure for property return
  - c. Monitor and evaluate

**7. Witness Advocacy and 24-Hour Protection from Retaliation**

- a. Determine most relevant local witness problems (survey of subpoenaed persons)
- b. Consult with law enforcement and prosecution officials about special situations
- c. Provide 24-hour protection in conjunction with law enforcement when necessary
- d. Monitor and evaluate service delivery in both witnesses and agency personnel.

**Note:** It is sometimes difficult to determine who is the client since often the client is the referring agency, often the client is the victim. In any case, proper achievement of program goals requires that both victims and witnesses and criminal justice agencies be satisfied with the victim/witness program and that attitude changes within each group be tracked and evaluated. The research function for the first two to three years is critical and cannot be confined to routine or annual report type activities. Surveying of victim/witness and criminal justice agencies is critical.

**V. Professional Staff and Volunteers**

**A. Qualifications and Positions of Key Staff**

1. Director - Ability to deal with department heads, elected officials, federal bureaucrats, etc.; previous criminal justice experience.
2. Program Coordinator - Day-to-day management of activities; sensitive to staff overexertion and fatigue; open to crisis management; and broad knowledge of criminal justice system.
3. Crisis Intervention Specialists - Criminal justice experience preferred but not a prerequisite; mental health experience not necessary but desirable; graduate education in behavioral science area; prior volunteer experience required.
4. Witness Advocate - Legal or criminal justice training desirable; tolerance for paper work very high; good facilitator and trained in counseling and interview techniques.
5. Information Dispersal Clerk - Paraprofessional legal training; good at handling volunteers; very high paper work and detail tolerance.
6. Research Analyst - Prior criminal justice experience required; graduate education with research and statistics background required; ability to improvise when necessary; good writing and verbal skills.
7. Clerical Staff.

**Note:** Each of the above job positions could require more than one person, upon the need. Staff number could vary from six up to any larger number. Judgments about the expected workload and staffing needs could

be based on many criteria. One model has a director in every program, a program coordinator in every program with 6 to 10 employees, and one additional administrator in each of the following areas when more than three persons perform essentially the same function: crisis intervention, witness advocacy information dispersal, and research.

A reasonable staff level for a metropolitan area of 450,000 persons is 6 to 10 employees. As the area involved becomes larger, more staff are necessary to generate any appreciable impact.

## **B. Recruitment and Screening of Volunteers**

### **1. Recruitment Sources**

- a. Volunteer bureau or other similar organization
- b. College and university psychology, counseling and criminal justice students
- c. Senior citizen groups
- d. Service clubs
- e. Volunteers already available, contacted using word of mouth
- f. Media campaign.

### **2. Screening Procedures**

#### **a. Office Work Volunteers**

- (1) Brief explanation of program
- (2) Police records check (if they are to have access to criminal history record information--may involve finger printing in some jurisdictions)
- (3) Mandatory attendance at four to six hours of training (i.e., those failing to appear are dropped)
- (4) Mandatory attendance at 75 percent of monthly volunteer meetings.

#### **b. Crisis Intervention Volunteers**

- (1) Brief explanation of program
- (2) Mandatory attendance at 25 to 30 hours of training
- (3) Mandatory attendance at 75 percent of monthly volunteer meetings
- (4) Post-training assessment interview with crisis intervention specialists on staff
- (5) First assignments with older volunteers
- (6) Police records check, with finger printing for positive I.D.

#### **c. Research Volunteers**

- (1) Explanation of program
- (2) Police record check including finger printing
- (3) On-the-job training in ongoing evaluations
- (4) A special project selection with research analyst
- (5) Co-author credit on worthwhile program generated studies.

### C. Volunteer Training

An integrated training program, segmented for easy drop out of office and research volunteers after the completion of the criminal justice system and victim/witness orientation, is desirable.

#### 1. Part I - Criminal Justice Orientation on:

- a. Local agencies
- b. State and local procedures
- c. Flow chart of charging and case flow within the criminal justice system
- d. Terminology and definitions for criminal justice jargon
- e. Victim characteristics

#### 2. Part II - Crisis Intervention Orientation includes:

- a. Role play
- b. Modeling of crisis occurrence
- c. Problem-solving techniques
- d. Theory and practice of crisis intervention

#### 3. Part III - Special problems, such as:

- a. Death notifications
- b. Attempted suicides
- c. Family fights

### VI. Budgeting a Victim/Witness Program

#### A. New Sources of Monies:

##### 1. Grants

- a. LEAA, Part C, block grants already allocated to states
- b. LEAA discretionary grants (if available)
- c. NIMH, DOL, CETA, or other Federal money
- d. Revenue sharing money allocated to local governments
- e. Private foundation grants

##### 2. State Legislature

- a. Victim compensation
- b. Victim services delivery

Note: Surcharges on criminal fines provide a source of non-tax revenue.

#### B. Reallocating Present Funds

1. Police funds, community service, crime prevention or social service referral funds could be redirected

2. Prosecution funds--subpoena service and witness notification funds, counseling and witness protection funds could be redirected
3. Court funds--information desks and personnel, day care center facilities, witness lounge staff, probation personnel coordinating restitution funds could be redirected.

Note: One to two percent of all funds expended on local criminal justice agencies in most jurisdictions could adequately staff a victim/witness program. However, this involves multi-jurisdictional, cross-agency totaling of funds.

C. Reallocation of Staff Possible for a Victim/Witness Program

1. Police staff
  - a. Community service
  - b. Crime prevention
  - c. Some detectives assigned to body guard duty for special witness protection
2. Prosecution staff
  - a. Witness notification and subpoena personnel
  - b. Service personnel
  - c. Information clerks
  - d. Any social service personnel
  - e. Any witness protection personnel

D. Facilities and Equipment

1. One equipment: desks, chairs, etc.
2. Automobiles: enough to cover both crisis intervention and witness advocacy activities (a minimum of two)
3. Communication equipment--pagers or two-way radio equipment for crisis intervenors (they should be able to communicate with field police staff)
4. Information retrieval equipment (where a computer information system exists, provide a terminal and printer; where manual system exists, rolodex or other easy access files)

Note: The PROMIS data base shows which data variables large systems would need to function adequately.

5. Research equipment--programmable calculators and/or access to Electronic Data Processing and computers analysis programs like Statistical Package for Social Sciences--greatly facilitate the handling of large data bases; at least three to five hours of computer time is needed each month while the program is in its experimental stages; blackboards, charts, graph plotters, and other materials are less than luxuries but are not essential to program activities.
6. Cash on Hand--sufficient funds to cover witnesses' protection, emergency housing, and/or food, etc., are needed.

**VII. Monitoring and Evaluation Measures**

**A. Impact and Operations Research**

1. New services
2. Cost-benefit data
3. Changes in services patterns
4. Changes in attitudes by victims, criminal justice agency personnel, public.

**B. Long-Term and Theoretical Research**

1. Can victim/witness services increase victims' willingness to cooperate?
2. Do victim/witness programs overly benefit the prosecution and hurt defendants?
3. What would a victim oriented criminal justice system be like?
4. What are the long-term effects--

a. Direct

- (1) Tangible cost and benefits
- (2) Intangible costs and benefits

b. Indirect

- (1) Tangible costs and benefits
- (2) Intangible costs and benefits

--of offering defendant and victim services as opposed to continuing the present system?

Session 10

DAY III

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STRATEGIES FOR IMPLEMENTING CHANGE

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IMPLEMENTING INNOVATION

Summary

Innovation is bringing something into new use, as contrasted to invention, which is bringing something new into being. The diffusion and adoption of innovation can be difficult, but certain practices and actions in implementing innovation have been shown empirically to be more effective than others. Importantly involved are the characteristics of the actors who bring the innovation and those who will participate in its implementation, the norms and conditions of the organization or system that is offered the innovation, and the perceptions of the innovation. The process of adoption follows a fairly predictable evolution through stages. Responses by actors also are open to reasonable categorizing. Resistances to change can be identified and specific actions taken to overcome resistances. Innovation, or social change, has received considerable research attention by social scientists. This article reviews some of the generalizations about innovation from the literature on social change.

A simple innovation in the way hospitals admit patients has produced a system that could save billions of dollars a year in hospital costs.

In a dozen demonstration hospitals, the system has not only cut costs but has increased the hospitals' occupancy rates, reduced their waiting lists, and improved the quality of patient care.

Although development of the Admissions Scheduling and Control System by the University of Michigan's Bureau of Hospital Administration involved simulation by computer, the innovation is based on a simple idea. By scheduling short-stay elective-surgery and medical-workup patients at times when the hospital is least crowded, such as on weekends, fuller and more efficient use can be made of the hospital's beds, facilities, and personnel.

One hospital, which invested \$17,000 to have the system developed for its use, estimates that it will save about \$750,000 a year, about \$6 a day per patient. This hospital had sought permission to expand, to accommodate staff demands for

beds at peak operating times, at the same time that the hospital's overall occupancy rate was 88 percent. Permission to expand was denied, but adoption of the new admissions system not only made more beds available at peak hours but also increased the overall occupancy rate to 91 percent.

An official of DHEW's National Center for Health Services Research, which funded Michigan's work on the new system, said the "vast majority" of American hospitals could use the system and "billions" could be saved annually.

Although hospital administrators are pleased with the innovation, they encountered early resistance from medical staff. One administrator's strategy for dealing with that opposition was simply to begin using the system. "We just did it and afterwards told everybody how wonderful it was," he said. "And by then it was."<sup>1</sup>

#### Definition and Characteristics of Innovation

The example of the hospital admissions system fits the definition of an innovation as bringing something into new use, as contrasted to invention, which is bringing something new into being.<sup>2</sup>

Generally, an innovation may be described as any idea perceived as new by an individual or organization--a novel idea or practice, a new way of doing things.<sup>3</sup> Implied is a new use or rearrangement of present resources or practices. The hospitals in the above example merely rearranged existing admission practices.

Innovations may be only momentary, or they may have long-range effects.

One winter, shortly after the 747 jetliner was introduced for passenger travel, a blizzard swept through the Midwest, closing airports and stranding passengers. When the storm lifted somewhat, one airline deployed a 747 to gather up waiting passengers at several upper Midwest cities and fly them to Chicago. After deplaning at Chicago's O'Hare International Airport, the passengers were held up an inordinate time waiting for their baggage to arrive on two small delivery carrouseles, the normal number assigned to each plane. More than 300 passengers vied for a chance at finding their bags, effectively shutting each other out. After long minutes of delay, one passenger suggested to the airline officials, simply, "Why don't you use more than two carrouseles?" It was an innovation because it was contrary to the airline's customary practice. But the idea was adopted, and while passengers bumped and scurried from one to the other of ten additional carrouseles put into use, their frustration was broken by the activity and soon all had retrieved their bags.

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<sup>1</sup>"Reducing Hospital Costs: Basic Business Tools Cut Red Ink," The Washington Post, July 18, 1977.

<sup>2</sup>Mohr, Laurence, "Determinants of Innovation in Organizations," American Political Science Review, vol. 63, no. 1 (March 1969).

<sup>3</sup>Rothman, Jack, Planning and Organizing for Social Change (New York: Columbia University Press, 1974).

Once institutionalized, innovations lose their definition as being novel. The field of athletics has seen numerous innovations of the kind which began as unusual variations. The so-called "jump shot" in basketball--during which a player merely jumps as high as he can and releases the ball at the top of his leap--was a revolutionary alteration of the common "set shot" of many years back when a player seldom left his feet when shooting the ball at the basket. An innovation in track and field by a high jumper by the name of Fosberry introduced the "flop," a way of jumping over the bar backwards. It gained him greater heights, even though it was not as graceful a maneuver as the standard style. Today, most world-class jumpers use the flop. In a years-ago football game with Army, Coach Knute Rockne of Notre Dame pulled victory from defeat by employing a device which, while permitted under the rules, had never been tried--the forward pass.

Some innovations come from novel uses of new inventions. Television was introduced as a sight medium for public communication, an improvement on radio--but very soon found novel use in closed circuit systems which update airline schedules for airport travelers, allow medical students to observe surgical techniques in operating theaters, permit students who have missed a class to catch up by viewing videotape, and enable engineers to inspect sewers for leaks. The range of innovative uses of computers keeps broadening, reaching into the lives of citizens like a commercial relative, who adds up your bills and plays chess with you. Supermarkets in some cities now employ computers to scan and count up the cost of customers' groceries at check-out counters.

Probably because of the striving to increase productivity in order to increase profit, business and industry have taken a forerunner role in innovation. Examining the work processes of production employees, such as in time and motion studies, has permitted the adoption of new practices of increased efficiency and output. The growth of industry and the increasing complexity and breadth of its operations gave rise to a new way of examining processes--systems analysis.

While applied in an ever expanding scope, systems analysis is essentially a new look at old practices. Only in recent decades has systems analysis turned attention to the practices of public and social institutions--moving from the so-called "hardware" of industrial technology to the "software" of human services delivery.

The innovations which can result from such a disciplined, systematic scrutiny of traditional practices range from changing the color of the familiar "blackboard" to green (necessitating a change in name to "chalkboard") and improving its visibility for students, to experiments in "flextime" hours under which employees are required to be in their places of work for four to five set hours of the day and may be fill in the additional work hours at their own convenience. This innovation makes it possible for individuals to adjust their commuting schedules to avoid the rush hours of traffic.

Such a new look at old practices in search of better technology for the criminal justice system has been the mission of research and demonstration projects of LEAA's National Institute of Law Enforcement and Criminal Justice. Once research has been fruitful in discovering potentially effective new practices, an endeavor is made by the Institute's Office of Development, Testing, and Dissemination to introduce them across the country.

An example of such a new technology is the improved usage and management of juries. Systematic analysis of the present practices of courts shows that far fewer jurors are needed than are presently being called. Studies to show the average and peak needs for jurors, the effect of staggering the starts of voir dire and trial procedures, and the results of improved methods of notifying and selecting jurors came from research. The transfer of this technology to courts throughout the nation has resulted in saving hundreds of thousands of dollars in juror fees. But perhaps even more importantly, jurors themselves have been spared countless hours of waiting.

Technology in human-service organizations has been defined as "a series of complex sets of techniques used to alter objects in an appropriate manner." The term "objects," could involve both human behavior and work processes.

To satisfy this definition, technology should meet these criteria:

1. Knowledge of random cause-effect relationship;
2. Feedback such that the consequences of acts can be assessed objectively;
3. Possibility of repeated demonstrations of efficacy;
4. Proportion of successes that can be estimated;
5. Techniques communicated easily and performed under acceptable limits of tolerance.<sup>4</sup>

#### Resistance to Change

Resistance to change is normal. All that contributes to stability in personality or social systems can be regarded as resisting change. Culture, values, and institutions are preserved by resisting unwarranted change.

Nor is resistance to change rightly perceived as simple inertia in human nature. Most human beings are eager for some changes--better health, more money, more freedom, more work satisfaction.<sup>5</sup>

The human tendencies to preserve what is present and to return to equilibrium when what is present is disturbed have corresponding behavior in social systems or organizations sometimes described as norms, the customary and expected ways of behaving. Norms make it possible for people to work together, to know what to expect of each other. When norms are shared by many individuals in an organization, they cannot easily be changed.

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<sup>4</sup> Perrow, Charles, "A Framework for the Comparative Analysis of Organizations," Administrative Science Quarterly, vol. 32, no. 2, pp. 194-208.

<sup>5</sup> Watson, Goodwin (ed.), Concepts for Social Change (Washington: NTL Institute of Applied Behavioral Sciences, 1967).

Resistance comes in many forms and from a variety of motivations. Following are some generalizations on resistance to change which appear with some regularity in the literature:

- Change is resisted by force of habit.

Humans are creatures of habit. The time we get up, the way we dress, the route we take to work, where we carry our money, the place we sit in meetings or at home--all are habitual behavior. Changing any of these habits makes us uncomfortable. Routine seems safe, known. If by demand or circumstances, we are forced from habit, anxiety results.

- Change disturbs what is regarded as normal.

What is customary, what is old (the "good old days," the "old-fashioned way") are assumed to be "normal" while change is deemed "abnormal." The status quo is protected because it represents a known norm with which we can deal. Organizational norms are accepted as "the way we do things here" and are interpreted as tried and true simply because of their existence.

- Change is contrary to first-learned patterns.

Our primary experiences carry throughout life. The familiar music we first heard and learned to love, the foods we were "brought up on," the "way we were taught" was proper to dress or behave--these form an impervious pattern. Patterns in organizations often continue, in the absence of effective challenge, largely because "that's the way we have always done it."

- Some norms or values become sacrosanct.

Values or norms which have attributes of moral or religious significance are protected tenaciously from change. Organizational or professional codes of ethics, formal or informal, become "sacred cows." Negative patterns take on the form of a taboo, as practices which "just aren't done" because they were prohibited in early experience. Persons who first learned to read the King James version of the Bible view it as the only authorized version. Liturgical changes in church are fiercely resisted.

- Change may be perceived as an admission of failure or the judgment of inadequacy.

A new procedure which could save money can be resisted because making the change would appear to be an admission that money is now being wasted. Training is resisted because acceptance seems to be acknowledgement of ignorance. The advocacy of change takes on the weight of an indictment that "something is wrong."

- The reasons for change may be unclear or misunderstood or may conflict with personal goals.

Motivation for change may be suspected. An assumption can be made that the advocate of change would benefit inordinately from the change. Some changes which might be given superficial or "professional" acceptance are resisted because they conflict with personal attitudes or goals. The police officer may resent some service duties as being "social work." A change may interfere with an opponent's desire to press for some other change.

- Change can be resisted for its ripple effect.

When the full implications of change are not known or acknowledged by proponents, changes can be resisted because of the interrelationships or consequences involved. Change at one level may require changes at other levels--increased budget, more personnel, training, approval by authority figures, new policies or procedures, amended legislation.

- Change can represent a challenge to authority.

Change sometimes is perceived as an invasion of "turf," which could mean loss of control by an authority figure. Change initiated from outside may infer to a resister that "somebody is trying to tell me how to do my job." The "good guy" privileges of a leader may be diminished by change, robbing him or her of the opportunity to dispense rewards.

- Anything "not invented here" may be resisted.

Local pride resents suggestions from an "outside agitator" or the local "interference" of "the feds" or others not part of the local or organizational structure. Ideas which originate in other communities, especially competitive cities or those which carry a stereotyped antipathy, such as New York, are resisted with the contention that "it won't work here." Opposition to change is often justified by the uniqueness of the resisting community, because it is smaller, more rural or different in some way.

- Change may increase or decrease workloads.

Fear that a changed practice will require more work is expected, but sometimes change is resisted from fear that less work will result. Trade unions resist automation and computerized operations for the possible reduction in need for labor. Professional associations may resist new technology out of concern for a reduction in fees.

- People may feel powerless to make changes.

Traditional and bureaucratic organizations are perceived as immovable and hope for change as useless. A sense of impotence comes when accountability for change rests upon vague, faceless forces--"They ought to do something about it." The anonymous community, public, or "society" is held responsible for lack of change, such as in the view that "people get the kind of government they deserve." These statements represent a sense of powerlessness. Describing problems or causes in all-encompassing terms such as "racism," "sexism," or "the bureaucracy" or stating solutions in unmanageable terms like "public education" or "interagency cooperation" are subtle resistances to change which render change agents powerless.

### The Process of Implementing Innovation

The way an innovation is implemented has been described by some writers as the change process. Several different kinds of change processes have been defined, based upon the characteristics of the persons involved, their participation in the process and the distribution of power among them, and the setting for the change and the change itself.<sup>6</sup>

- Planned change

In this kind of process, change is derived through mutual goal setting and equal distribution of power and deliberateness among all persons involved. An example would be a task group in which all members hold equal responsibility and authority for solving a problem by determining the change action necessary and participating in implementation of the change.

- Indoctrination

Goals are assumed to be mutually accepted but power and deliberateness are unbalanced. A new recruit in a military service would be said to accept the goals of the service and thereby submits to indoctrination deliberately done by superiors.

- Coercive change

Goals are not mutually set, power is unbalanced, and deliberateness is one-sided. The ideological process of brainwashing is an example, or any change which is forced.

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<sup>6</sup>Bennis, Warren G., Changing Organizations, (New York: McGraw-Hill Book Company, 1966).

- Technocratic change

In this process, change comes from the superiority of data, new and expert information which prevails over any other considerations. An airline which adopts computerized procedures for passenger reservations would rely on computer experts in making the changes necessary.

- Interactional change

Mutual goals, fairly equal power, but no deliberateness among persons involved. A married couple change by virtue of their interaction with each other or a professional changes approach or practices through interaction with peers.

- Socialization change

In this process, change comes through kinship with hierarchical controls, as in the socialization of a child. Relations with parent or teacher result in change.

- Emulative change

The subordinate employee who identifies with and seeks to emulate a superior changes behavior or practices through emulation. Power figures and role models determine this kind of change, either positively or negatively.

- Natural change

No goals are set, no deliberateness to change is present. In this process, change results through accidents, quirks of fate, or acts of God, so the process is spontaneous.

Theorists who deal with innovation generally agree that the implementation of innovation occurs in a staged process.

Kurt Lewin has had substantial influence on change theory with his force field concept. This holds that an organizational structure or situation is not static, but dynamic. Equilibrium is maintained by a balanced field of forces working against each other. When an innovation is introduced, its proponents and opponents and conditions which support them arrange themselves into driving forces (seeking the innovation) and restraining forces (opposing the innovation). The implementation of innovation calls for change agents to increase the strength of the driving forces or to reduce the strength of the restraining forces, or both.<sup>7</sup>

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<sup>7</sup>Lewin, Kurt, Field Theory in Social Science, (New York: Harper & Row, 1951).

Lewin postulated a process of change much like that of Carl Rogers, the famous formulator of nondirective therapy. Change begins with a period of "unfreezing," during which defenses and resistances are minimized and a climate of openness is sought. Change can then occur. Once change has been adopted, a "refreezing" takes place, to consolidate the change.

The process in behavioral change moves from an external motivation for the change to an internalized motivation.

Psychologist Norman Maier has stressed the interdependence between the innovator and those who must implement the innovation in his concept of synergistic decisionmaking. Effective decisions (or implementations) are the product of quality thinking (ideas) multiplied by acceptance of the decision by the people who must carry it out.

Maier cast his concept in a mathematical formula: effective decisions equals quality thinking times acceptance. The thinking behind a particular decision (the idea or innovation) may be highly rational and extremely creative (Q equals 10). However, if the people who have to implement the decision do not accept it (A equals 0), the decision will suffer in its implementation (10 times 0 equals 0).

Irrational or unimaginative thinking (Q equals 0) may lead to an inappropriate decision that is very acceptable to the people (A equals 10) who proceed to implement it. In that instance, a poor decision is implemented (0 times 10 equals 0).

The ideal combination, of course, is high quality thinking (a fine idea) (Q equals 10) which is very acceptable to those who must implement it (A equals 10). This produces the synergistic effect (10 times 10 equals 100) which leads to results beyond what could be expected from the total of the separate entities.

Maier's concept of the interdependence between change bringers and change implementers has been offered as a caution against the view that authority figures can bring about effective change by direct order. Those required to implement the ordered change who do not accept it can damage or sabotage it.

One of the most influential thinkers on the subject of innovation is Everett Rogers, whose book, Diffusion of Innovations, is generally considered a classic in its field.<sup>8</sup>

In the rest of this section, Rogers' formulations first are diagrammed in a paradigm (Figure 14-1) and then a summary is presented of generalizations from a review of the literature on social change which interpret Rogers' constructs, as described in Jack Rothman's work.<sup>9</sup>

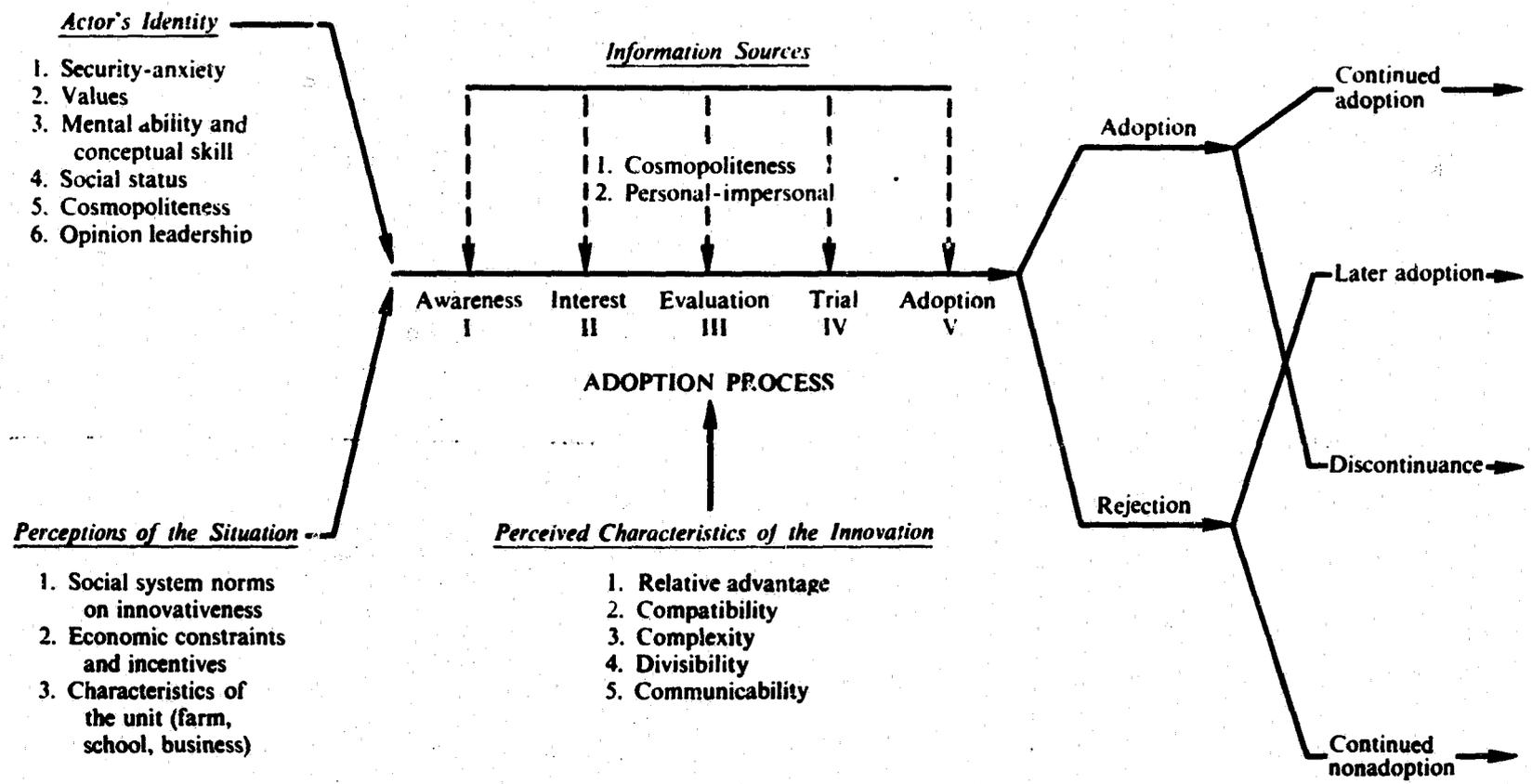
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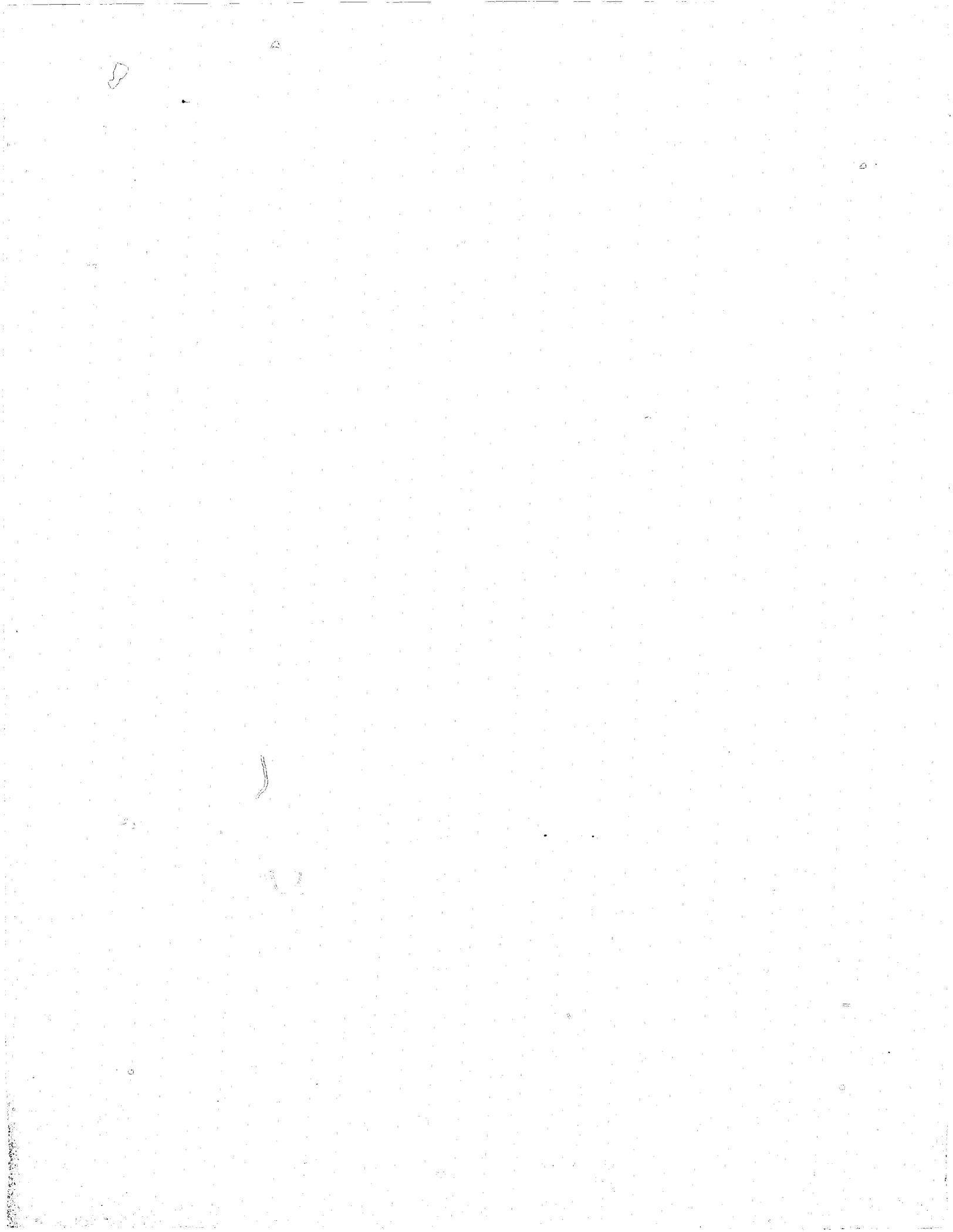
<sup>8</sup> Rogers, Everett, Diffusion of Innovations, (New York: Free Press, 1962).

<sup>9</sup> Rothman, Jack, op. cit., pp. 442-482.

Figure 14-1.

PARADIGM OF THE ADOPTION OF AN INNOVATION BY AN INDIVIDUAL WITHIN A SOCIAL SYSTEM





## Antecedents

Adoption of an innovation by an individual is contingent upon two primary antecedents--the actor's identity and his or her perceptions of the situation.

Factors which influence the actor's (or group of actors') reception of innovation include his or her present security-anxiety state, values, mental ability and conceptual skill, social status, cosmopolitanism (interest in, association with and openness to information and influences outside his or her own group, organization or community) and readiness to be influenced by opinion leaders.

**Generalization:** The innovativeness (tendency to adopt innovations) of an individual is directly related to his or her level of social participation. Persons who are active in formal organizations are more innovative than persons who are not.

Perceptions of the situation into which an innovation is introduced are vitally influenced by the membership of the actor in a social system, organization or economic condition. That which affects the system to which he or she belongs marks the actor's perceptions.

**Generalization:** The innovativeness of a system is inversely related to the extent to which that system adheres to traditional norms. Systems with more modern orientation are more innovative. Generally, indices of receptivity to innovation include:

1. An urban character or orientation
2. A nuclear family structure
3. A high level use of mass media
4. A high level of residential mobility
5. A more heterogeneous population
6. A high level of scientific knowledge

**Generalization:** The innovativeness of a system is directly related to its socioeconomic status. High socioeconomic systems are more innovative.

**Generalization:** The innovativeness of a system is directly related to previous experience with innovation. Systems that have previously experienced successful innovations are more innovative than those which have not.

Generalization: The innovativeness of a system is directly related to the extent to which it feels a need for change. Discontented systems generally are more innovative than contented ones.

Generalization: The innovativeness of a system is directly related to its supportive value orientations. Conservative, fatalistic, and authoritarian systems are less innovative.

### Adoption Process

The adoption process is affected by the perceived characteristics of the innovations themselves and by the sources from which the actor receives information about the innovations.

Characteristics of the innovation which are important to the actor are relative advantage, compatibility, complexity, divisibility, and communicability.

Generalization: The rate of adoption of an innovation is related to people's perception of its advantages relative to other innovations or to the status quo. A crisis situation may emphasize the relative advantage of an innovation. The adoption rate will be higher during or shortly after a crisis period.

Generalization: Adoption of an innovation is related to the degree to which it is seen as compatible with the existing values of the system. More compatible innovations will have a high adoption rate. Compatibility is a judgment made by the system, by standards such as cultural values, previously accepted practices and professional standards of conduct.

Generalization: Innovations which can be explained or demonstrated with ease will have a higher adoption rate than those which are difficult to explain or demonstrate. Oral transmission of technical information about innovations may result in distortion. Oral communication should be supplemented by visual aids or experiential exposure or with feedback interactions. Generally, the closer the communication to the system's language or vernacular, the better.

Generalization: The rate of adoption of an innovation is inversely related to its degree of perceived complexity. Less complex innovations will have a higher adoption rate.

Rogers characterized the manner in which information about an innovation is communicated as the diffusion process. Factors of importance in this process are whether the communication is personal or impersonal, that is, face-to-face communication or by media, and whether communication originates within the system or from an external source.

Generalization: Innovation adoption is directly related to the extent to which it is diffused in a manner that is compatible with the system's norms, values, and customs. Innovations diffused in a compatible manner have a higher adoption rate. Innovations communicated with the cooperation of the system's power structure generally have a higher rate of adoption.

In some systems, informal and personal exchange of information is traditional. The rate of adoption of innovation in such a system is related to the use of the informal, personal mode of communication.

Generalization: The adoption rate is related to the extent to which innovations are supported by the peers of a system. The adoption rate is also related to the amount of discussion of the innovation and informed discussion prompts a higher innovation-adoption rate.

Generalization: The innovation-adoption rate is directly related to the extent to which opinion leaders, persons from whom others seek advice, promote the innovation. Opinion leaders are not necessarily innovators themselves.

Generalization: Generally innovations communicated with a clear and unambiguous message are more likely to be adopted than those subject to unclear and confusing interpretations.

Rogers lists five stages in the adoption process--awareness, interest, evaluation, trial, and adoption. Behavior associated with each of these stages: exposure to innovation, increased interest and information gathering, decision whether to try innovation, trial for the innovation, and decision as to further continuation.

Actors involved in the process are categorized by Rogers as falling into five groups: innovators, early adopters, early majority, late majority, and laggards. Innovators are the first to adopt innovations and laggards are the last.

### Results

The innovation adopted in the adoption process may undergo altered results. An adopted innovation may be continued after some experience with it or discontinued. An innovation which was rejected may later be adopted.

### Axioms for Action

The implementation of an innovation is a creative, dynamic, and practical process. Many successful innovators are not informed by the literature of social change but move intuitively to achieve results. From that experience, certain commonly accepted empirical guidelines emerge. They are presented here as axioms for action.

- Gather complete, precise information.

A carefully thought-through statement of the problem which the innovation seeks to resolve is necessary--one which is fully documented, describes the situation in all its ramifications, the results expected and the possible impact of the innovation, as a rationale for action. More bluntly: Know exactly what you are talking about.

Caution: Information alone will not bring change. A report or study, diffused or not, needs active support. Information is, however, the beginning of an innovation. People with the same information tend to move in the same direction.

- Know exactly what innovation is sought.

The innovation you want adopted should be stated in the language of goals and objectives--clear, simple, and concise. Ambiguity and complexity should be avoided at all costs. Reducing your goal to a simple statement is a useful discipline and prepares your description of the innovation to stand up in interactive discussion.

- Enlist the support of power figures.

Authority persons usually cannot produce change simply by ordering it, but innovations are rarely adopted without their approval. While change can occur in spite of resistance from power figures, implementation of innovation is more rapid and smooth with their support, particularly when that support is observable to others.

- Inform and involve all concerned.

While this activity may be time consuming, the involvement of all who might conceivably be concerned is ultimately the shortest route to innovation. Keeping everyone up to date, touching base with both advocates and opponents will prevent the outcropping of resistance which comes from misinformation or not being informed.

Try to give everyone--even those of lesser concern--the same information. Informed people tend to assume responsibility for action simply because they were "let in on what is going on."

- Know your opposition.

Analyze the resistance the innovation is apt to encounter. Identify the actors--who must be convinced if the innovation is to succeed and what their response to it is likely to be, whether they are part of the driving or restraining forces, as Lewin's force-field analysis terms them. Put most emphasis on reducing the restraining forces; that is, minimizing the opposition.

- Focus on the local level.

Innovation should be justified as valid and needed in the home community, where the benefits will accrue. How another city made use of an innovation may stir resentment. Appeal to local pride.

- Let others take the credit.

Nothing impedes the progress of change more than concern over who gets the credit. The copybook rule that there is no limit to what can be accomplished if a person does not care who gets the credit is a prescription for successful innovation.

- Provide feedback on both success and setbacks.

Frequent progress reports, intended to convey "how we are doing" should not only update progress but describe delays, setbacks, and rejections as well. Negative news has value. By sharing reverses, all become aware of problems encountered and obtain the idea that all are in the process together. Help can come on setbacks from those least expected to give it if they are informed.

- Listen to the resisters.

Respect those who oppose the innovation and take their views seriously. Listen hard to what they are saying. Paying close attention may disclose openings for you to reduce their resistance. Obstacles may not be as severe as you suspect. Resistance is uneven; sort that which is hard from that which is soft. Work on the soft spots in your opposition.

- Remember that piecemeal changes are most easily accepted.

"Try it for a while" may be the opening wedge for an innovation. A new procedure that can be withdrawn after a time will sometimes be supported when one which is permanent will not.

- Be mindful that people seldom change immediately under pressure, but they seldom change without pressure.

Intensive striving to have an innovation adopted, applying pressure, increases tension and resistance. Withdraw pressure after the innovation has been introduced. Allow time for defenses to drop and for the innovation to germinate. When "saving face" is no longer a factor, acceptance of a new idea can come in more abundant form than first expected.

- Do not expect adoption to come in the form or at the time you anticipated.

Because the process of adoption of innovation has a dynamic of its own, the equilibrium of the process will evolve differently as time goes on. When new factors arise, they may signal change occurring. Be ready to modify your timetable and your expectations. The innovation may not be adopted in the manner or form in which it was first presented. Learning to recognize success requires the ability to change perceptions.

- Acknowledge that adoption of innovation will occur at the pace of the person or organization.

Some people or organizations are more open to change and move more rapidly toward adoption than others. Adjust the expectations of the rate of adoption to those concerned. Do not expect all to move at the same pace. Pushing for implementation too rapidly may generate additional resistance.

- When you confront a stalemate, look for higher ground.

If forces for and against an innovation become locked in immovable position, seek some new action or objective which rises above the frozen situation and offers something more for each side. An enlarged goal which "sweetens the kitty" for each set of forces can sometimes break the inertia. Try to move from a win-lose condition to a win-win proposition.

### The Change Agent

The impetus for innovation--particularly the kind of innovation that is undertaken--usually comes from a source outside an organization or system. The conditions or climate of receptivity to innovation, however, generally require a combination of internal dissatisfaction and an external stimulation.

Customary practices may fail to produce acceptable results and this failure may be noticeable to both those within the organization and persons or forces outside the organization to whom there is some accountability. Fear of criticism or demands for improvements may prompt a search for innovation. An organizational crisis or even a noncritical but continuing history of problems may open the way to consideration of new practices. Unfavorable coverage by the news media, disenchantment among citizens, and, in the case of business organizations, a falloff in profits can create a climate for change. Sometimes, innovation is mandated from the outside. In the criminal justice system, organizational practices are changed by court decisions or the passage of new legislation.

Whatever the stimulus for innovation, the role of change agent is vital, although the role is not always sought; it sometimes falls accidentally on some unsuspecting member of an organization. When an organization is under some compulsion to improve, the charge to seek out new ideas may be assigned to persons whose prior role has been to protect and maintain present procedures. Or, simple exposure to an innovative concept may be enough to drop the mantle of change agent upon a person. He or she may learn of a new idea by attending a conference, reading a periodical, or visiting a comparable organization in another city.

The change agent role has been given multiple definitions in the literature. Enabler, demonstrator, stimulator-innovator, broker, advocate, activist, analyst, planner, organizer, initiator, and transmitter are some of the titles attributed to change agents. Most titles describe a function or role set that is carried out by the change agent. Social scientists seem to be moving away from this characterization of the change agent by function, however, toward an interpretation that the role requires a repertoire of many functions. In recent years, for instance, the once popular description of the change agent as primarily an enabler has been regarded as too limiting.<sup>10</sup>

Performance of the role varies in time, place, and circumstances and sometimes requires a mix of overlapping functions.

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<sup>10</sup> Rothman, Jack, "An Analysis of Goals and Roles in Community Organization Practice," Social Work, vol. 9, no. 2 (April, 1964) pp. 24-31.

The change-agent role is beset with limitations. One study of consultants who served as change agents disclosed that the approach or focus orientation of the consultant was a major determinant in his or her diagnosis of problems in an organization. The organization-development-oriented consultant saw problems in the norms and practices of the organization, while the people-change-oriented consultant could detect problems in the way individuals functioned. Out of different perceptions, the different consultants advised diverse solutions for the same organization.<sup>11</sup>

Perhaps the most misconstrued perception of the change agent's role involves his or her standing as a power figure. The assumption is often made that authority figures or "decisionmakers" have the power to implement innovation almost automatically, purely by virtue of that power. The assumption follows that persons with less or no authority do not have the power to require change. While this is traditionally described as the top-down or the bottom-up flow of influence, most change-agent functions by persons not in positions of authority are a lateral influence of peers, a side-to-side activity.

Earlier, discussion of Maier's concept of synergistic decisionmaking was cited as a concept which illustrates the dependency of power figures who seek to make changes on the subordinate persons who must implement the changes.

The notion that authority figures are able to order change is based upon a limited definition of power and its effect. Yet power, or influence upon others, derives from a variety of bases with different degrees of effect.

French and Raven have defined six sets of power bases which grow from the interaction of persons and groups and their belief systems.<sup>12</sup>

- Referent power

Two individuals in constant reference to each other through friendship, love, respect or worship may be regarded as having almost inadvertent power over each other. One may act as he or she thinks the other wishes, without overt attempt at influence. The power or influence of one over the other is not perceived negatively, if at all. Referent power generally is confined to individuals.

- Legitimate power

Power is legitimately attached to certain persons by virtue of the office or position they occupy. This vested authority, when accepted by others, becomes legitimate power as individuals and groups act out of an obligation to be influenced. The authority figure is regarded as having the "right" to have influence. Acceptance of this power by those who are influenced is what makes it legitimate.

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<sup>11</sup> Richy, Noel M. and Horstein, Harvey A., "Stand Up When Your Number is Called: An Empirical Attempt to Classify Types of Social Change Agents," Human Relations, vol. 29, no. 10, (1976) pp. 945-167.

<sup>12</sup> French, J. R. R. and Raven, B., "The Basis of Power," in Group Dynamics, ed. Darwin Cartwright and Alvin Zander (New York: Harper & Row, 1968).

- Expert power

The strength or superiority of special knowledge or expertise gives persons who possess such expertise a power over others. Expert power can be attributed to groups and organizations as well as individuals. It is dependent upon the recognition of superiority in expertise.

- Reward power

The capacity of persons or groups to reward others carries power. Behavior can be influenced by the promise of reward, if the rewards are those which are valued. Reward power must be exercised to be effective.

- Coercive power

The capacity to punish is a power often used as a corollary to reward power. The strength of coercive power depends upon the subordinate's fear of punishment if he or she does not conform. Coercive power is also limited to the behavior which the individual believes is observable to the power figure. An individual's past experiences with punishment and circumstances away from the influence of power figures--such as independent support--also limit the strength of coercive power.

- Information Power

The concept that "information is power" is legitimate, particularly in situations where information is vital to effective functioning. The withholding of information, as well as its sharing, is a base of power.

The important implication to be drawn from the delineation of different bases of power is that more activity is required of the authority figure than implementing innovation by decree. Rewards, expertise, information, recognition of legitimacy are necessary for the full power of the authority figure to be effective. Coercive or punishment power is seldom sufficient to generate change.

Probably the most human, yet dysfunctional temptation of the change agent is to expect all change to come from others. An essential for the effective innovator is the willingness to change himself or herself.

Change itself can evoke change in others through interaction. The skilled innovator views change as a sharing in which each side moves toward the other in the process of changing. The proponent of innovation who refuses to change is modeling a behavior of no-change, which is contrary to his or her purpose.

### Ignoring Innovation

Jean-Henri Fabre, the noted French naturalist, conducted some experiments with processionary caterpillars which have significance for attitudes about innovation.

Processionary caterpillars are called so because of their habit of moving through trees in a long procession, feeding upon pine needles. One leads and the others follow, each with eyes half closed and head snugly fitted against the rear extremities of his predecessor.

Fabre put a large group of processionary caterpillars in a flower pot and enticed them to the rim of the pot. With great patience, he got the first one connected to the last one, so that all the caterpillars formed a circle, moving around the rim of the flower pot in an unending chain.

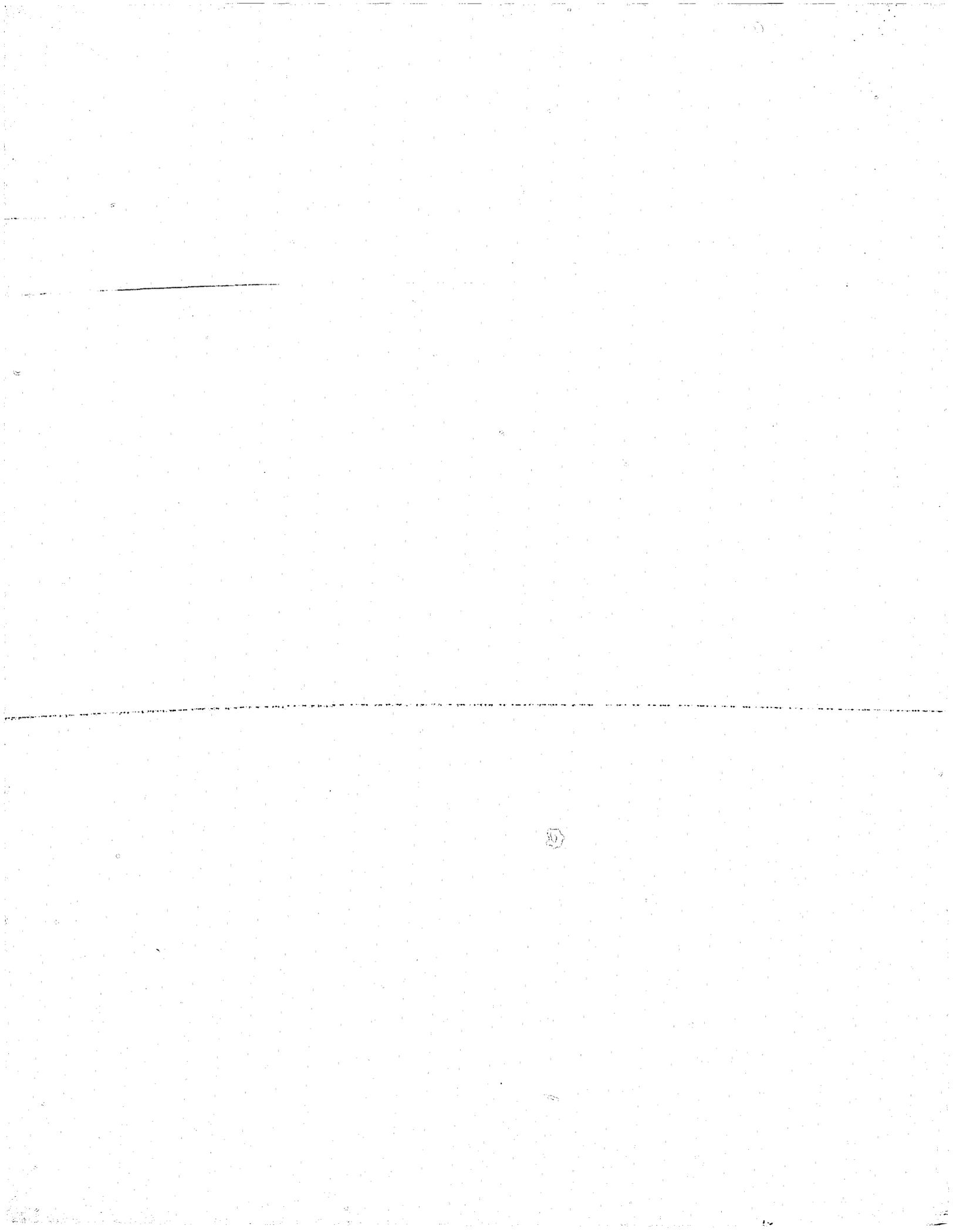
He placed a supply of food close at hand and visible just outside the range of the circle and expected that after a time the caterpillars would break out, start off in some new direction.

Not so. Through sheer force of habit, the creeping circle kept moving relentlessly around and around the rim of the pot, for seven days and seven nights. Ultimately, the caterpillars died of starvation or exhaustion.

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**APPENDIX**



## GLOSSARY OF TERMS

- AGGRAVATED ASSAULT** - Attack with a weapon resulting in any injury and attack without a weapon resulting either in serious injury (e.g., broken bones, loss of teeth, internal injuries, loss of consciousness) or in undetermined injury requiring two or more days of hospitalization. Also includes attempted assault with a weapon.
- ASSAULT** - An unlawful physical attack, whether aggravated or simple, upon a person. Includes attempted assaults with or without a weapon. Excludes rape and attempted rape, as well as attacks involving theft or attempted theft, which are classified as robbery.
- ATTEMPTED FORCIBLE ENTRY** - A form of burglary in which force is used in an attempt to gain entry.
- BURGLARY** - Unlawful or forcible entry of a residence or business, usually, but not necessarily, attended by theft. Includes attempted forcible entry.
- CALENDARS** - Schedule of cases to be heard by a court.
- CASE ARRAIGNMENT** - A proceeding when the offender is brought before a judge to see whether there is sufficient evidence to justify proceeding to trial.
- CASE CONTINUANCE** - When a court hearing is extended to another date for a justified reason.
- CASE DISPOSITION** - The end result of the case.
- CASE DISPOSITION LETTERS** - Notice to witnesses explaining the decision on the offender's guilty status, sentencing and restitution plan of the offender.
- CASE STATUS CALLS** - Employers or volunteers calling witnesses in advance of the court hearing date to personally advise them of scheduled hearing time, place, etc., asking if there are any unique problems, such as transportation needs, schedule conflicts, etc.
- CITIZEN COMPLAINT OFFICE** - An office in the courthouse where a citizen can walk in or telephone asking about making a criminal charge. Citizens have a place to initiate a complaint when a police officer was not a witness to an incident or otherwise decides not to issue a complaint.
- COMMERCIAL CRIMES** - Burglary or robbery of business establishments and certain other organizations, such as those engaged in religious, political, or cultural activities. Includes both completed and attempted acts.

- COST BENEFIT** - An analysis of defined program benefits which are quantified to estimate in dollar terms potential or realized benefits with a comparison to actual or projected costs.
- COST OF REPLICATION** - An analysis which determines the cost to run a project, program or services in another jurisdiction. (What would it cost you to start the service?)
- CJS** - Criminal Justice system.
- CRISIS INTERVENTION** - A person assisting another during an emotional or traumatic event with the prime purpose of calming the affected person or returning the person to a normal behavior level.
- DATA ENTRY** - A task where information is entered into the computer through a computer terminal (TU Tape Type-Typewriter machine) to include in the computer file for a transaction, storage, etc.
- DEFENDANT LOCKUP** - A room(s) where a defendant is in secure custody removed from the general public, witnesses, court official work areas.
- DISCRETIONARY-BLOCK GRANTS** - Discretionary grants are direct special purpose project funding grants from the Law Enforcement Assistance Administration, Washington, D.C., Administrator's Office. Block grants are unspecified funds given to state planning agencies to disburse to local jurisdictions or allocate specifically for state projects.
- DISPATCHER DELAY** - Interval of time between the moment a caller to the police finishes his telephone conversation and the moment the dispatcher is ready to consider the call.
- FLOWCHART** - A chart to represent, for a problem, the flow of data, procedures, growth, equipment, methods, documents, machine instructions, etc.
- FORCIBLE ENTRY** - A form of burglary in which force is used to gain entry (e.g., by breaking a window or slashing a screen).
- HOUSEHOLD** - Consists of the occupants of separate living quarters meeting either of the following criteria: (1) Persons, whether present or temporarily absent, whose usual place of residence is the housing unit in question, or (2) Persons staying in the housing unit who have no usual place of residence elsewhere.
- HOUSEHOLD CRIMES** - Burglary or larceny of a residence, or motor vehicle theft. Includes both completed and attempted acts.
- HOUSEHOLD LARCENY** - Theft or attempted theft of property or cash from a residence or its immediate vicinity. Forcible entry, attempted forcible entry, or unlawful entry are not involved.
- INCIDENT** - A specific criminal act involving one or more victims and offenders.

- INFORMATION AND REFERRAL** - A victim/witness delivery step which begins when a client makes a contact with the agency for help. The agency acquires the necessary information about the problem, needs for service, and advises on service alternatives or makes a referral to another agency who can help.
- JUSTIS PROGRAM** - A computerized case tracking-witness noticing system developed by Milwaukee County. This acronym means Justice Information System.
- LARCENY** - Theft or attempted theft of property or cash without force. A basic distinction is made between personal larceny and household larceny.
- LEAA** - Law Enforcement Assistance Administration.
- MOTOR VEHICLE** - Includes automobiles, trucks, motorcycles, and any other motorized vehicles legally allowed on public roads and highways.
- MOTOR VEHICLE THEFT** - Stealing or unauthorized taking of a motor vehicle, including attempts at such acts.
- NOLLE PROSEQUI** - An entry on the record of a legal action denoting that the prosecutor or plaintiff will proceed no further in his action or suit either as to one or more counts, or one or more defendants, or altogether.
- NOLO CONTENDERE** - A plea by the defendant in a criminal prosecution that, without admitting guilt, subjects him to conviction but does not preclude him from denying the truth of the charges in a collateral proceeding.
- NONSTRANGER** - With respect to crimes entailing direct contact between victim and offender, victimizations (or incidents) ~~are classified as having involved~~ nonstrangers if victim and offender are related, well known to, or casually acquainted with one another. In crimes involving a mix of stranger and nonstranger offenders, the events are classified under nonstranger. The distinction between stranger and nonstranger crimes is not made for personal larceny without contact, an offense in which victims rarely see the offender.
- OFFENDER** - The perpetrator of a crime; the term generally is applied in relation to crimes entailing contact between victim and perpetrator.
- OFFENSE** - A crime; with respect to personal crimes, the two terms can be used interchangeably irrespective of whether the applicable unit of measure is a victimization or an incident.
- ON-CALL** - An arrangement with a witness to appear at a court hearing for a scheduled hearing appearance. This method is used for persons who can avoid waiting long periods in court because of their ability to reach the court at a specific time.
- ON-LINE DOCKET RECORD** - Computer file containing an up-to-date (on-line) court hearing transaction summary.

- PERSONAL CRIMES** - Rape, robbery of persons, assault, personal larceny with contact, or personal larceny without contact. Includes both completed and attempted acts.
- PERSONAL CRIMES OF THEFT** - Theft or attempted theft of property or cash, either with contact (but without force or threat of force) or without direct contact between victim and offender. Equivalent to personal larceny.
- PERSONAL CRIMES OF VIOLENCE** - Rape, robbery of persons, or assault. Includes both completed and attempted acts.
- PERSONAL LARCENY** - Equivalent to personal crimes of theft. A distinction is made between personal larceny with contact and personal larceny without contact.
- PERSONAL LARCENY WITH CONTACT** - Theft of purse, wallet, or cash by stealth directly from the person of the victim, but without force or the threat of force. Also includes attempted purse snatching.
- PERSONAL LARCENY WITHOUT CONTACT** - Theft or attempted theft, without direct contact between victim and offender, of property or cash from any place other than the victim's home or its immediate vicinity. In rare cases, the victim sees the offender during the commission of the act.
- PRECINCT** - A geographical area that is treated as independent from other areas by the patrol car dispatcher. Each patrol car is assigned to an entire tour in one precinct, although it may work in only part of the precinct.
- PREVENTIVE PATROL** - The practice of driving a patrol car through an area, with no particular destination in mind, looking for criminal incidents or opportunities, suspicious occurrences, etc.
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- PROJECT TURNAROUND** - A Milwaukee County multi-service program for crime victims and witnesses which includes a witness appearance management unit, witness protection, a citizens' complaint office, a sensitive crime unit, and an information systems unit.
- RAPE** - Carnal knowledge through the use of force or the threat of force, including attempts. Statutory rape (without force) is excluded. Includes both heterosexual and homosexual rape.
- RATE OF VICTIMIZATION** - See "VICTIMIZATION RATE."
- RESTITUTION** - Restitution involves the payment by (property) offenders to the victim as redress for the damages done in committing a crime. The payment may be either direct or indirect or through a third party. Payments may take the form of money or service, and they are aimed at making the offender accountable for his past actions and at restoring the victim's loss.
- ROBBERY** - Theft or attempted theft, directly from a person or a business, of property or cash by force or threat of force, with or without a weapon.

**ROBBERY WITH INJURY** - Theft or attempted theft from a person, accompanied by an attack, either with or without a weapon, resulting in injury. An injury is classified as resulting from a serious attack if a weapon was used in the commission of the crime or, if not, when the extent of the injury was either serious (e.g., broken bones, loss of teeth, internal injuries, loss of consciousness) or undetermined but requiring two or more days of hospitalization. An injury is classified as resulting from a minor (e.g., bruises, black eyes, cuts, scratches, swelling) or undetermined attack but requiring less than two days of hospitalization.

**SENSITIVE CRIMES** - The term means rape, child abuse, and neglect cases.

**SIMPLE ASSAULT** - Attack without a weapon resulting either in minor injury (e.g., bruises, black eyes, cuts, scratches, swelling) or an undetermined injury requiring less than two days of hospitalization. Also includes attempted assault without a weapon.

**SIMULATION** - A method of replicating the operations of a system with a computer model that incorporates the same statistical behaviors as found in the actual system. Parts of the system may be simulated by human participants.

**SOCIAL SERVICE** - Professional and paraprofessional counselors trained to provide counseling and personal supportive help.

**SPA** - State Planning Agency.

**STRANGER** - With respect to crimes entailing direct contact between victim and offender, victimizations (or incidents) are classified as involving strangers if the victim so stated, or did not see or recognize the offender, or knew the offender only by sight. In crimes involving a mix of stranger and nonstranger offenders, the events are classified under nonstranger. The distinction between stranger and nonstranger crimes is not made for personal larceny without contact, an offense in which victims rarely see the offender.

**SUBPOENA** - An official notice to appear in court.

**SUBPOENA RECALL** - A notice not to appear in court because of a scheduled court hearing cancellation.

**TIME-SHARING SYSTEM** - A computer system that can interact with several users simultaneously.

**TOUR** - A period of time during which a patrol officer is on duty. Also called shift or watch.

**UNLAWFUL ENTRY** - A form of burglary committed by someone having no legal right to be on the premises even though force is not used.

**VERTICAL PROSECUTION** - A process when a prosecutor is responsible for the case from the point of referral to the office through all court procedures, including post-conviction remedies.

**VICTIM** - The recipient of a criminal act; usually used in relation to personal crimes, but also applicable to households and commercial establishments.

**VICTIM ADVOCATE** - A person who assists a victim to get the help needed.

**VICTIM COMPENSATION** - A program to compensate crime victims for medical expenses, loss of income, and other expenses directly caused by the crime.

**VICTIMIZATION** - A specific criminal act as it affects a single victim, whether a person, household, or commercial establishment. In criminal acts against persons, the number of victimizations is determined by the number of victims of such acts; ordinarily, the number of victimizations is somewhat higher than the number of incidents because more than one individual is victimized during certain incidents, as well as because personal victimizations that occurred in conjunction with either commercial burglary or robbery are not counted as incidents of personal crime. Each criminal act against a household or commercial establishment is assumed to involve a single victim, the affected household or establishment.

**VICTIMIZATION RATE** - For crimes against persons, the victimization rate, a measure of occurrence among population groups at risk, is computed on the basis of the number of victimizations per 1,000 resident population age 12 and over. For crimes against households, victimization rates are calculated on the basis of the number of incidents per 1,000 households. And, for crimes against commercial establishments, victimization rates are derived from the number of incidents per 1,000 establishments.

**VICTIMIZE** - To perpetrate a crime against a person, household, or commercial establishment.

**WEAPON** - With respect to personal crimes of violence by armed offenders, a distinction is made between firearms, knives, and weapons of "other" types, such as clubs, stones, bricks, and bottles; a fourth category covers weapons of unknown types.

**WEAPON USE** - For purposes of tabulation and analysis, the mere presence of a weapon constitutes "use." In other words, expressions such as "weapons use" apply both to situations in which weapons served for purposes of intimidation, or threat, and to those in which they actually were employed as instruments of physical attack.

**WITNESS INFORMATION SPECIALISTS** - Paralegal employees charged with assisting crime witnesses to testify and appear in court.

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