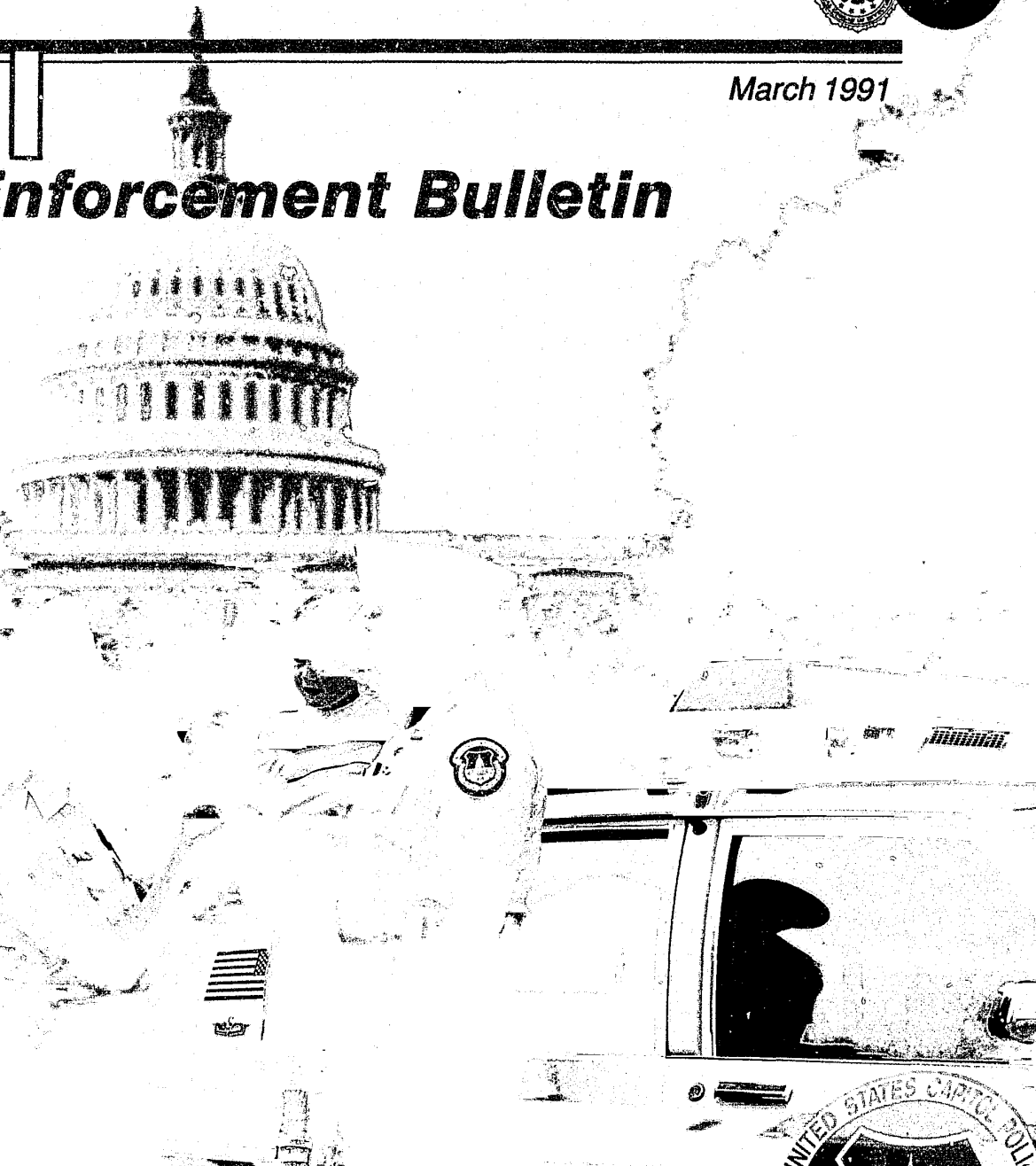


# FBI

March 1991

## Law Enforcement Bulletin



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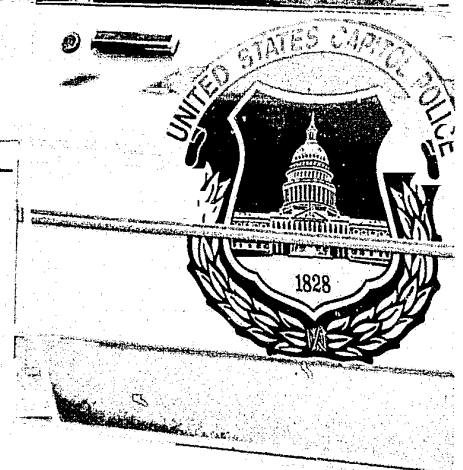
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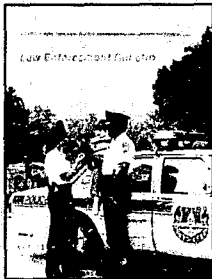
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William S. Sessions, Director

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## Victim-Witness Assistance



BY  
JOSEPH R. LUTERAN

**A** couple walking through a park on Capitol Hill is robbed at gunpoint by two subjects. The subjects flee the scene on foot. Both victims are extremely shaken and afraid, since the robbers threatened to shoot them during the robbery. The victims wave down a passing patrol car. Upon learning that they have been robbed, the officer immediately asks the communications dispatcher to have a Victim-Witness Assistance Coor-

dinator respond to the scene. The Watch Commander's Office is notified, and a coordinator is selected from the duty list.

Upon arriving on the scene, the coordinator meets with the investigating officer to determine the nature of the incident and the identity of the victims and/or witnesses. After introductions are made, the coordinator explains the program to the victims, then asks if they are all right and assures them that they are

safe now. The victims are then told that the coordinator will do whatever needs to be done to help them through this crisis.

The coordinator accompanies the victims to the Criminal Investigations Division offices. After being interviewed by detectives there, the victims are given a copy of the program's information pamphlet and the coordinator explains the kinds of assistance available to them.

## Victim and Witness Protection Act

The enactment of the Victim and Witness Protection Act of 1982 directed all Federal law enforcement agencies to develop and implement consistent guidelines for the fair treatment of Federal crime victims and witnesses. Like most other Federal law enforcement agencies, the U. S. Capitol Police (USCP) did not have existing policies or uniform procedures for officers to follow when responding to the needs of crime victims and witnesses.

Faced with this predicament, the department set out to design an effective system to serve the victims and witnesses of serious crimes occurring on Capitol Hill, be they Congressional staff members, tourists, or local residents of the Washington, D.C., metropolitan area. Serious crime was defined as crimes of personal violence, at-

tempted/threatened personal violence, or significant property loss. The most recurring serious crimes on the Hill are armed robberies and aggravated assaults.

### Manual Development

The first step taken to comply with the act was the development of the *USCP Victim-Witness Assistance Manual*. This comprehensive document states the Capitol Police's policy regarding victim assistance. It defines and governs the official responses and actions to be taken by officers assigned as Victim-Witness Assistance Coordinators, as well as other members of the department. The information contained in the manual is a point of reference for all USCP department members.

### Information Brochure for Victims

The next step was to create an eight-page brochure entitled *Infor-*

*mation for Victims and Witnesses of Crime*. The brochure informs victims and witnesses of their rights under the act, what they can expect from the USCP, and what is expected from them in terms of cooperation. The brochure is given to each victim or witness contacted by a Victim-Witness Assistance Coordinator. It has sections explaining the following aspects of their case, such as:

- The criminal investigation process
- What will occur if an arrest is made
- Right-to-know status of case and defendant's custody status
- Crime victims compensation programs/restitution
- How a victim's recovered stolen property is handled
- Assistance with victim's employer
- Threats or harassment of victims or witnesses
- Available community resources to assist victims

The brochure also has a map showing the location of the various USCP stations and the department's Property Management Division, where property can be claimed by its owners. The back cover provides space for victims or witnesses to write down the names and phone numbers of officers and detectives involved in the case, as well as other



Captain Luteran serves as the supervisor of the Victim-Witness Assistance Program for the U. S. Capitol Police.

“  
**[The program] ensures that victims and witnesses of crime...are treated fairly and courteously, and that they are provided with timely information and assistance.**  
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important information. It also indicates the program's hotline telephone number and mailing address in case questions occur or further action is necessary.

### **Victim-Witness Assistance Coordinators**

Rather than establishing and staffing a full-time unit, USCP administrators decided that the Victim-Witness Assistance Program would use 18 specially trained officers and detectives, called coordinators, on an "as needed basis." The 18 coordinators, representing each division of the department, cover all shifts, 24 hours a day, 7 days a week. When a serious crime occurs, coordinators respond to the scene of the crime to assist the victim(s) and witnesses. When not serving in this capacity, coordinators work their regular assignments.

A selection process for coordinators was established, and a list of applicants was approved. In addition to other criteria, the evaluators looked for officers who were able to deal with the public in a concerned, sensitive, and professional manner. Officers with formal education in psychology, sociology, or social work and those with field experience in victim assistance or related social work were especially sought. After being selected for the program, each coordinator went through an intensive 40-hour, 1-week training course, during which representatives from regional law enforcement agencies shared victim-witness information concerning legal issues, available resources,

and cooperative measures with them.

It was decided that the program's supervisor should report directly to the Assistant Chief of Police for two reasons. First, because the program is staffed by officers from different bureaus within the department, reporting to a single source keeps matters unified. More

**“  
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”**

importantly, however, reporting directly to the Assistant Chief of Police eliminates the possibility of the program being stymied by a long chain of command or the policies becoming "watered down." Direct supervision of the program is provided by a captain, who is assisted by a sergeant.

### **Victim Hotline**

Because the program is designed as a reactive unit and its coordinators are assigned to various divisions located in different stations, there was an apparent need for a central office to handle calls for assistance. The Watch Commander's Office, a headquarters-based, 24-hour operation, was selected as the site of the program's hotline number. Officers assigned there process all incoming

telephone calls for the program coordinators, either by transferring them to the on-duty coordinator, entering the message into the department's computerized electronic mail system, or if necessary, contacting requested off-duty coordinators.

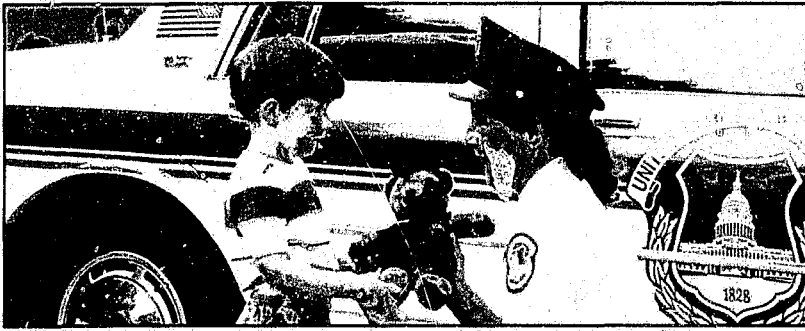
### **U.S. Attorney's Office**

After establishing the Victim-Witness Assistance Program within its own department, the USCP decided to ally itself with other sources in order to operate even more efficiently. Their cooperative efforts with the Victim/Witness Assistance Unit (VWAU) of the U.S. Attorney's Office for the District of Columbia has proved very beneficial.

In its unique role serving as both Federal and local prosecutor in most criminal cases in Washington, D.C., the U.S. Attorney's Office prosecutes some 35,000 cases involving about 90,000 victims and witnesses each year. The VWAU, established in 1979, is responsible for providing information and services to these victims and witnesses while they are involved in the criminal justice system.

The USCP's program parallels some of the services offered by the U.S. Attorney's VWAU. Each USCP coordinator works closely with the assigned VWAU coordinator to serve those who have been victimized on Capitol Hill. Because the programs complement each other, caseloads are lessened.

Prior to the USCP program, the U.S. Attorney's Office VWAU assisted only those victims whose



### “Officer Bear” Program

The department decided to incorporate its new “Officer Bear” Program as a part of the Victim-Witness Assistance Program. A small, plush teddy bear dressed in a blue police officer’s uniform, “Officer Bear” serves as an “emotional shock absorber” and has proven very effective in breaking down a child’s fear and anxiety. They are given to children under certain circumstances, such as cases involving children under the age of 13 who have been the victim of a traffic accident, crime, disaster, or other distressing events that have produced serious emotional trauma. They are also used for children up to the age of 15 who are the victims of sexual assault. In addition to these general guidelines, bears may be distributed by coordinators in special cases that they deem appropriate.

cases resulted in the arrest of a defendant. Now, with the implementation of the USCP’s program, cooperative efforts ensure that all victims are assisted.

#### Specialized Training

The first step in ensuring an effective program was to develop a specialized training course on victim assistance. In October 1989, the USCP, in association with the Office for Victims of Crime, the U.S. Department of Justice, and the Federal Law Enforcement Training Center (FLETC), hosted a regional training conference on Victim-Witness Assistance for Federal law en-

forcement agencies. The course was an intensive, state-of-the-art course in victim assistance taught by nationally recognized experts in the field. This course was the first of its kind for Federal law enforcement agencies in the Washington, D.C., area.

This 40-hour course served as basic training for new USCP coordinators and representatives of other agencies attending. The training course consisted of core modules of instruction centering on Federal law enforcement’s responsibilities to victims and witnesses, as defined by the Federal Victim and Witness Protection Act of 1982. There were

also blocks of instruction presented by representatives of those local private and governmental agencies in the Washington, D.C., area that are responsible for providing a wide range of services to crime victims. The course was designed to be a fundamental program that would provide the officers with practical information and techniques to assist victims and witnesses effectively.

Agencies providing instruction to the class attendees included:

- D.C. Rape Crisis Center
- National Organization for Victim Assistance
- D.C. Crime Victims Compensation Program
- House of Ruth (a local domestic abuse shelter)
- D.C. Crime Victims Assistance Program
- National Resource Center on Child Sexual Abuse
- Delaware State Police, Victim Services Unit
- Office for Victims, U.S. Department of Justice
- American Association of Retired Persons
- Federal Bureau of Prisons
- Victim/Witness Assistance Unit, U.S. Attorney’s Office
- National Sheriff’s Association

All representatives explained the purpose of and the capabilities of their respective programs and

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provided attendees with materials that would assist them.

Each attendee also received a *Community Services Directory* compiled by the Victim/Witness Assistance Unit of the U.S. Attorney's Office. This directory, which is updated annually, is a comprehensive listing of area services, including mental health counseling, alcohol and drug rehabilitation programs, emergency financial assistance, sources of emergency food and clothing, legal assistance, and emergency housing assistance. It serves as an excellent resource tool for coordinators when working with victims.

### Case Management System

Another aspect of the USCP's Victim-Witness Assistance Program was to design a recordkeeping system for case information. All cases initiated by the program are entered into a specially formatted information management program built into the department's mainframe computer. The coordinators enter selected data on each case, including basic information taken from the original crime report, court dates, custody status of the defendant, referrals to other programs, notes on action taken by the coordinator, incidents of harassment/intimidation, and other pertinent information. Cases requiring followup action are noted in the system's calendar function to ensure prompt and efficient action.

### Feedback From Victims

In order to evaluate the program's effectiveness, a system allowing feedback from victims and witnesses was developed. Ninety

days from the date of initial contact, a letter is mailed from the chief of police to each victim or witness assisted by the program. The letter is accompanied by a short survey form and a stamped self-addressed return envelope. The survey elicits victim and witness opinions of the program itself, the coordinator assigned to the case, and other referral agencies with which the victim came into contact.

Receiving constructive criticism, as well as compliments, serves as an effective mechanism to ensure that the program is satisfying its users and is performing its mission of effectively assisting victims of crime and their families in coping with and recovering from the effects

In addition to ensuring compliance with the letter of the law, the Victim-Witness Assistance Program provides the U. S. Capitol Police with the ability to comply with the spirit of the law effectively and cooperatively. It also ensures that victims and witnesses of crime on Capitol Hill are treated fairly and courteously, and that they are provided with timely information and assistance. As one part of the growing victims' rights movement, the USCP Victim-Witness Assistance Program is doing its part in restoring balance within the criminal justice system.

Though local and State agencies are not required to set up a Victim-Witness Assistance Program

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***The main ingredients of the [USCP Victim-Witness Assistance Program] could be incorporated into programs on the local or State level.***

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of crime. Comments from returned surveys have resulted in several useful changes in the program, as well as improved techniques by the coordinators.

### Conclusion

Historically, Federal law enforcement took no active role in the area of victim and witness assistance. Passage of the Victim and Witness Protection Act of 1982 and the Victims of Crime Act of 1984 spurred action in this very important area.

under the 1982 act, a program such as this could certainly be developed by individual departments. The main ingredients of the Federal approach contained in this article could be incorporated into programs on the local or State level. By using victim-witness assistance coordinators, preparing guidelines and an information brochure, putting together a community services directory, and organizing victim-witness training programs, a department could create an effective victim-witness program.

**LEB**