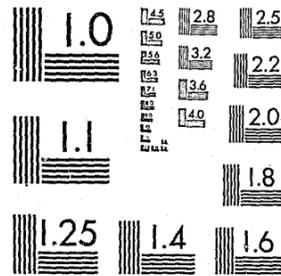


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National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

8/11/83

## VICTIM/WITNESS ASSISTANCE AN ADVANCED COURSE FOR UNION COUNSELORS

U.S. Department of Justice  
National Institute of Justice

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part the National  
Prevention Campaign.

- May 1981 -

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ACQUISITIONS



The AFL-CIO, a federation of national and international unions representing 14.6 million workers, has an important stake in resolving today's crisis of crime in America. All of our members and their families are potential victims and, accordingly, we must act now.

Insurance against crime simply cannot be written into a collective bargaining contract. And victim/witness service programs must necessarily come from members of the total community.

To promote the establishment of those services, and to make them accessible and responsive to the men and women of organized labor, are the reasons for the development of this manual, which came from the AFL-CIO/CSA Labor Participation Department of the National Council on Crime and Delinquency.

I hope that it will be useful -- and urge its use -- as an important addition to the education/action programs in the Community Services union counseling system.

Walter G. Davis, Director  
AFL-CIO Department of Community Services



Crime has become an all too familiar phenomenon in America. For decades, professionals in the field of criminal justice have been engaged in a series of struggles with both the causes and effects of crime. Some of our efforts have met with success; others have not.

But at least one conclusion has emerged: our hopes to reduce and eliminate crime cannot be achieved simply through professional efforts.

Progress must be a result of total community involvement; it is only through citizen participation that meaningful reform in our criminal justice system will be realized.

As you are most probably aware, the plight of both the victims and witnesses of crime has largely been ignored. If the goal of our criminal justice system is to promote full social justice, we cannot turn our backs on these groups of people. Your personal involvement in this Victim/Witness Counselor Training effort will be one more indication that the American citizenry is concerned about and prepared to act on behalf of victims and witnesses of crime.

I commend you for your courage and willingness to make a difference in the lives of the many persons victimized by criminal acts.

Milton G. Rector, President  
National Council on Crime and Delinquency

## ACKNOWLEDGEMENTS

Any effort like this VICTIM/WITNESS ASSISTANCE MANUAL is, inevitably, the product of numerous contacts and influences whose particular contributions are blended together in the final product. Such is the case here.

However, there are some seminal sources which spring immediately to mind as deserving particular recognition. They are: Robert Dumond, Director of the Victim/Witness Assistance Program in the District Attorney's Office in Lawrence, Massachusetts; Robert Cawley, Director of the United Labor Agency of Essex-West Hudson in Newark, New Jersey -- as well as the AFL-CIO-CSA union counselors trained in the pilot project conducted there -- and Herbert Jones, now with the National Association of Counties, which earlier produced the booklet INTEGRATED SERVICES FOR VICTIMS OF CRIME.

Of course, individual contributors notwithstanding, this manual would not have been forthcoming had it not been for the support and encouragement of LEAA/OJARS, which funded the project under grant 80-CJ-AX-0073.

## INTRODUCTION

*Crime victims have long been the "orphans" of the criminal justice system. Often overlooked by law enforcement officers in their zeal for arrest and conviction, less glamorous than criminals, suspected of causing their own injuries, and resented for asking for too much help, victims have only recently begun to speak out.<sup>1</sup>*

Crime victims have begun to speak out and capture the attention of the general public.<sup>2</sup> As the crime rate increases and receives additional media attention, a movement has appeared in this country which focuses primarily on the problems and special needs of victims and witnesses of crime. As it gains momentum, this movement is generating an increase in public scrutiny of the criminal justice system and, in particular, how that system deals with a victim/witness of a crime.

Traditionally, the criminal justice system has done little on behalf of the victim/witness. Focus has been primarily on the offense itself, and then on the offender. Until recently, efforts at reforming the criminal justice system have continuously overlooked the hapless victim and the bedeviled witness. Reform has focused on improving law enforcement effectiveness in apprehension, speeding up trials, improving sentencing, criminal justice decision making, and rehabilitation efforts with the offender.

Attention given to the victim/witness has also been offender -- and offense -- oriented.<sup>3</sup> Enforcement and judicial officers demanded that the victim/witness participate in the early stages of the criminal justice process. They were expected to make statements, review mug shots, attend line-ups, and repeat -- often under stressful circumstances -- the unsettling details of the crime. They will sometimes spend a day in court -- losing valuable time from work -- only to be told to return yet again.

Although the victim/witness is required to constantly relive the crime and suffer the trauma associated with it, he or she has minimal, if any, influence on the events that occur at this stage of the process. He or she has little say regarding things which affect him or her directly: whether or not the alleged offender remains confined pending trial, is required to make bail, or is released on recognizance. Moreover they have no input with respect to the charge which is filed nor involvement in most plea bargaining activities which occur.

It is understandable that the victim feels that he or she "stands alone" -- "the forgotten party in the criminal justice system".<sup>4</sup> The treatment such as that sketched above vividly

indicates why victims/witnesses do not readily cooperate with the criminal justice system. It is evident that, if the cooperation of the victim/witness is desired, there is a need for an education/advocacy process by which the plight of the victim or witness can be better understood, ameliorated, and eventually corrected.

The purpose of this training manual is to present to the American labor movement an educational program on the needs of victims/witnesses and a method to provide assistance to them through the AFL-CIO-CSA union counselor system. With the thought in mind that victim/witness assistance be eventually institutionalized as an education/advocacy component of the AFL-CIO Community Services program, this manual has been developed for use as a tool.

The first section of the manual presents basic capsulated information regarding crime victims, witnesses and efforts to assist them, by addressing the following questions:

- What is a victim?
- What is victimization?
- What are the problems experienced by crime victims?
- Who are "special" victims?
- What is a witness?
- What are the problems experienced by witnesses?

And most importantly --

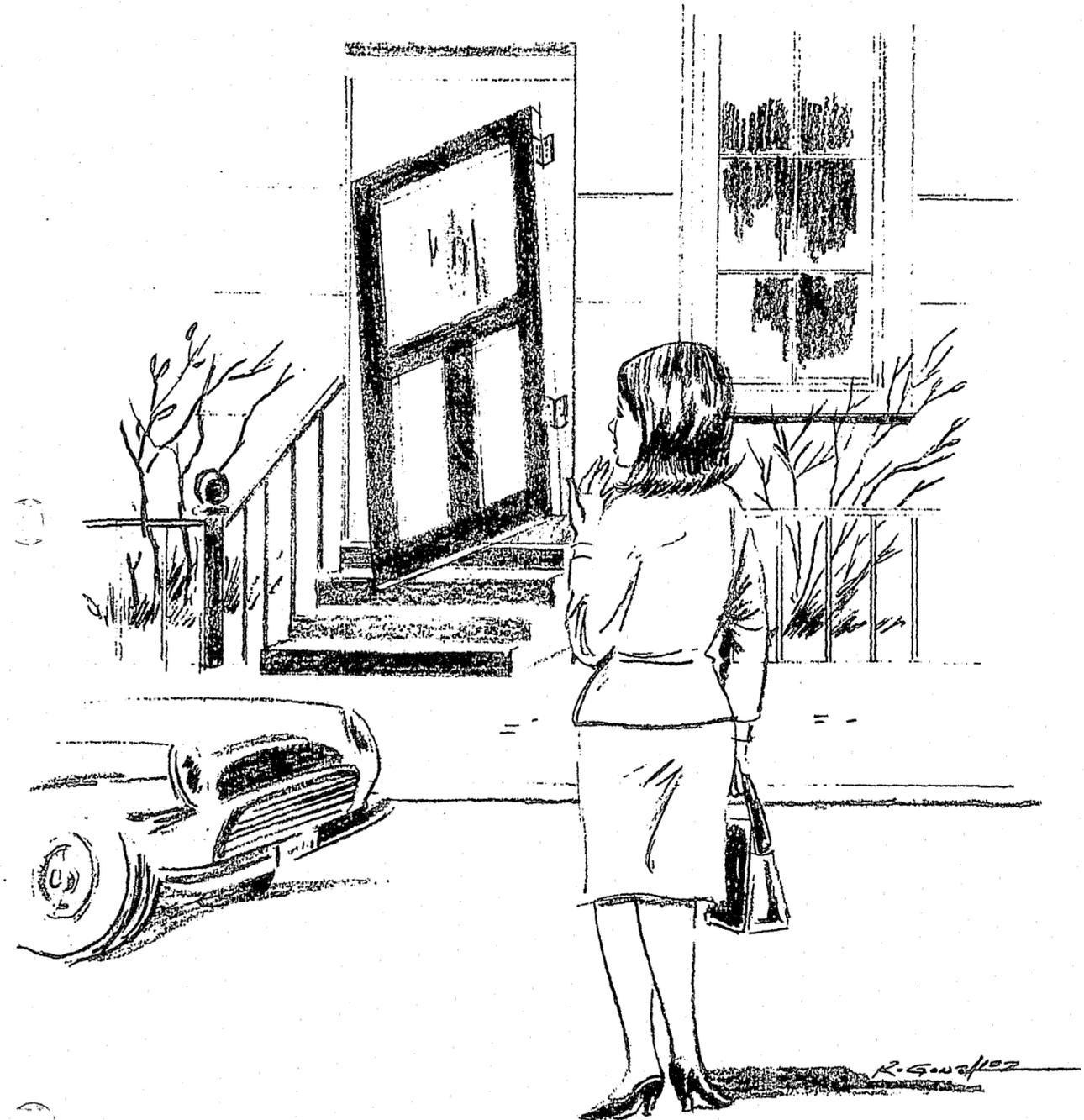
- How can the AFL-CIO Community Services union counselor system provide services to crime victims/witnesses?
- Why should the Union Counselor System get involved?
- How do we get started?

The second section outlines a training sequence through which the union counselor -- working within the CSA system -- can become a trained advocate and service expediter for victims and witnesses.

The final section of the manual includes various "bits" of information, including a program planning guide, recruitment materials, resource references, and a glossary to assist you in implementing victim/witness assistance training programs.

This manual is offered as a tool for Community Services liaison staff to use in making the community a better place to live, to work, and to play.

## VICTIMS OF CRIME



## VICTIMS OF CRIME

### What is a Victim?

As used in this manual, a victim is the person harmed by a criminal deed; someone directly affected by the detrimental acts or instrumentality of another person -- which acts are deemed to be wrongful in terms of social criteria (law).

### What is Victimization?

In the present context, "victimization" may be taken to summarize all the effects upon an individual of a wrongful act: direct personal harm or the exposure thereto (be it physical or mental); the immediate loss or damage of property or other assets; and any consequent losses, as of reputation, earnings, etc.

### What are the Problems Experienced by Crime Victims?

Victims of crime can experience numerous problems as a result of their victimization, including: physical problems, psychological impairment, economic loss, unplanned changes in lifestyle and social situations.

- o Physical Problems -- Many victims suffer physically -- disfigurement, disability, and in some cases, the need for long-term medical treatment and rehabilitative assistance.
- o Psychological Impairment -- The fear that the crime may be repeated is often implanted in the victim's mind and must be dealt with. Frustration and anger that the system is not serving them becomes a problem of many. They become depressed and even develop phobias which have lasting effects.
- o Economic Loss -- Economic impact is the difficulty most often found among victims, and it is the one most laymen deem as chiefly in need of attention. Though this may not be the case, as we've pointed out, this remains a very real problem for most victims.

No doubt crime victims suffer financially. They lose money and property as a result of robbery, theft, and vandalism. But it does not always stop there: other economic losses have to be considered.

An individual may lose his or her job because of a physical or psychological disability

suffered at the hands of a criminal. Or, at the very least, he or she may have a temporary loss of income for the same reasons. One's insurance may be cancelled for reasons relating to his or her victimization. And the inconvenience of seeking another carrier may be compounded by rate increases imposed because the victim is henceforth considered a high-risk client.

- o Lifestyle -- Another problem which besets most crime victims is that of unplanned changes in lifestyle. Clearly, both physical harm and uncompensated economic losses can change one's lifestyle -- as can the persistent fear of going out after dark.

And they tend to pyramid. For example, your auto is taken. You're without transportation while an insurance claim is being settled. Then the insurance company gives you a check for the auto's book value -- which doesn't come close to your effective loss. You now must purchase an older automobile to hold the economic damage to a minimum. Driving a used car may be only a temporary set-back, but it's nevertheless an unwanted change in lifestyle.

- o Social -- An individual's social situation may suffer should he or she become the victim of crime. Friends and neighbors may develop a negative -- if not unsupportive -- attitude. A classic case is that of rape victims, who not only suffer the physical and psychological effects of the assault, but have their reputations severely damaged in the course of the very trial "demanded" in their best interest.

The criminal justice process itself creates a number of problems for the victim. Normally, the victim is introduced into this system by the police officer, as the first "criminal justice official" that the victim encounters after the offense. This initial contact is important, for it is here the victim begins to create his or her perception of how he or she is going to be handled by this system. Unfortunately, many victims have reported that police are insensitive to their needs, treating their plight as a routine matter. They subsequently get the distinct impression that their needs and desires are subordinate to those of the enforcement/judicial process. For instance, victims state that police fail to keep them informed of the progress of their case. Also, many times victims experience difficulty in recovering property which has been retained for evidence.

The police, however, should not be blamed for all the problems experienced by victims in the criminal justice process. Victims have also reported insensitive treatment from other officials: prosecutors, judges, probation officers, etc., as well as from individuals outside the criminal justice system.

Many times the victim is, however tacitly, asked to assume some blame for being victimized. Friends, neighbors, relatives, and the community have a tendency to think that the individual is at fault because he or she should have known better than to park in that section of town, or to have such a flimsy lock on the door. This creates a double dilemma for the victim, who gets the impression that the community is not interested in, nor obligated to assume much responsibility for, them and, in fact may consider the victim part of the problem. The community passes its responsibility around to the criminal justice system, which has traditionally been unsympathetic to the needs of the victim.

Problems compounded are the rule rather than exception with victims of crime. Economic problems cause emotional problems, while physical difficulties cause psychological, social, and emotional problems. Through all this one thing is certain: the problems of the crime victim can never be summarized in terms of "economic loss," "personal injury," or "disrupted schedules".

"Trauma," comprehensively understood, is the operative word in beginning to understand the special needs of the victim.

#### Who are Special Victims?

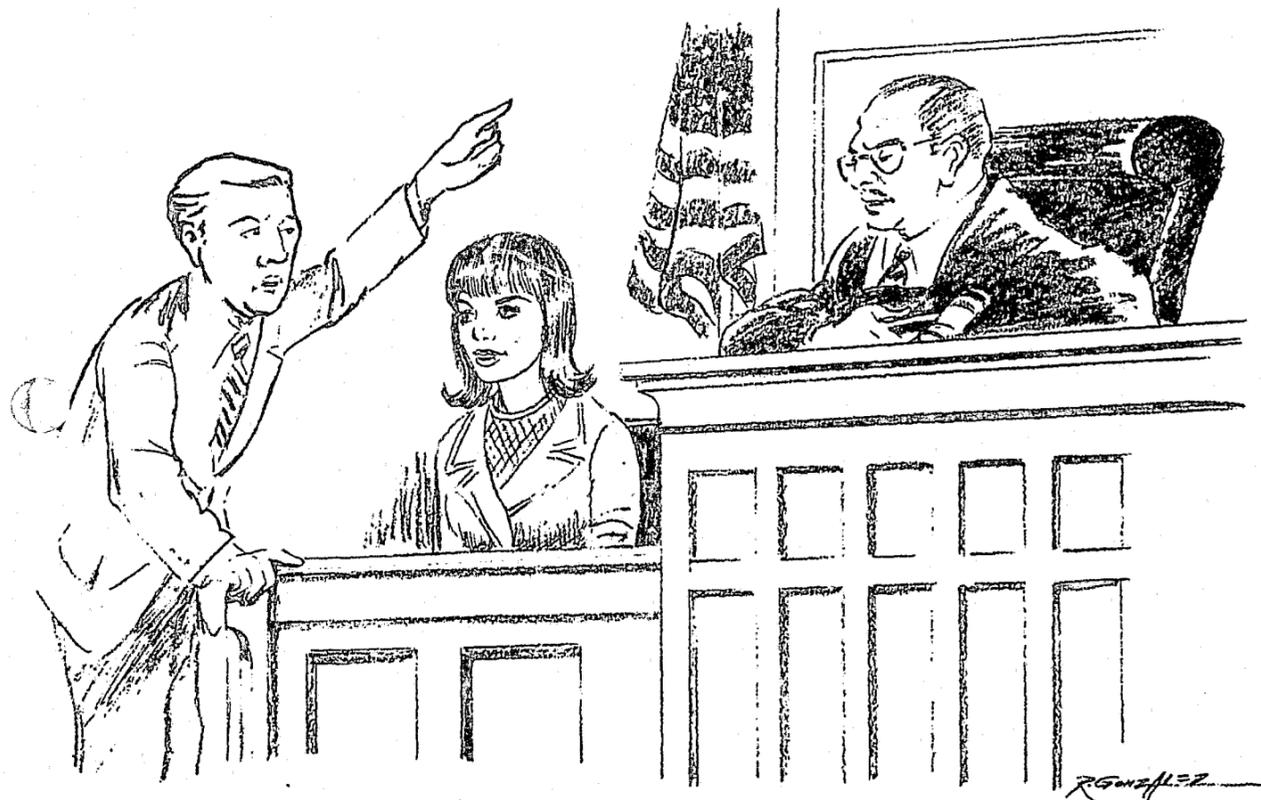
There exists a certain category of victims that, due to the circumstances of their victimization experience, require very immediate and very careful attention. These individuals must be served in a special, sensitive manner, usually requiring the assistance of highly skilled professionals.

Victims in this category include:

- o Victims of child abuse and neglect
- o Elderly victims
- o Abused spouses
- o Relatives of homicide victims
- o Sex crime victims

Although it is recommended that these special victims receive assistance primarily from professionals, there are situations where well-trained volunteers serve a useful purpose. It must be understood, however, that their usefulness will depend upon the nature of the crime and the ability of the volunteer, particularly in recognizing when the limits of his or her skill have been reached.

## CRIME WITNESSES



## CRIME WITNESSES

### What is a Witness?

A witness is a person who observes a crime or part of a crime in progress, or who has relevant information regarding a crime which may lead to its solution and/or the apprehension and conviction of those responsible. A person becomes a witness, as defined by our legal system, when he/she is called upon to relate this information to the police and/or the court.

The full application of justice, in many cases, is heavily dependent upon the witness. Without their cooperation and willingness to testify, many criminal cases end up being dropped, with suspects subsequently being allowed to return to the streets.

### What are the Problems Experienced by Witnesses?

Witnesses face many of the same problems as victims even when the witness and victim are not one and the same. Witnesses may suffer economic loss and emotional problems -- not to mention psychological difficulties. Their problems are not always as severe, or viewed in the same light, as those of the victims. Nevertheless, they are just as real and traumatic to the witness.

The following list describes the major problems that the witness may experience:

- o Fear of Intimidation: Past surveys have indicated that the fear of intimidation was a primary concern of many witnesses. The fear of suffering harassment and/or reprisal from the accused and/or his or her family and friends is always present.
- o Fear of Defense Attorneys' Cross Examination: Witnesses experience a fear of the "rapid fire" questioning techniques utilized by defense attorneys during cross-examination. They also fear being deceived by the defense attorney.
- o Having to Continuously Relive the Frightening Experience They Observed: Each time the witness is required to recall his/her observations or knowledge of the offense, they must relive the experience which, if particularly frightful, requires them to deal with their fears once again.
- o Lack of Trust in the Judicial System: Many times witnesses feel that they are "just

pieces of evidence"being handled within the judicial system. Frequently they receive very little information or education about the judicial process, resulting in problems such as locating the site of the trial, being notified when the trial/hearings are cancelled, etc.

- Misconceptions About the Criminal Justice System: The primary misconception experienced by witnesses is that the criminal justice system is on the offender's "side" instead of with/for the victim or society.
- Disruption of Personal Schedules: Witnesses are required to rearrange their personal schedules, subsequently taking time from work or their family throughout the investigation and subsequent trial. Many times they are interrupted during "off hours" for questioning.
- Inadequate Compensation for Economic Loss: Witnesses' compensation has been described as "inadequate and not commensurate with modern wage standards."<sup>5</sup> Some witnesses have reported suffering anywhere from mild to severe economic loss due to requirements on their personal time, absenteeism from their employment, additional transportation costs, etc.

Our society has always asserted that it is the specific duty of citizens to testify when necessary. This assertion, however unassailable, is extremely difficult to sustain in actual practice. The possibility of direct intimidation or reprisal aside, many witnesses -- particularly those not victimized directly -- would rather remain passive than subject themselves to unwanted and undeserved difficulties.

The ultimate effect of all this -- when witnesses' reservations are combined with the system's failing -- is a criminal justice system that necessarily releases suspects who might have otherwise been convicted.

## VICTIM/WITNESS ASSISTANCE THROUGH THE AFL-CIO COMMUNITY SERVICES UNION COUNSELOR



## VICTIM/WITNESS ASSISTANCE

### What Are Victim/Witness Assistance Programs?

Victim/witness assistance programs are those which directly or indirectly provide a broad spectrum of services to help victims of crime and prosecution witnesses.<sup>6</sup> These programs have been characterized by two related goals:

1. providing direct assistance to victims of crime by dealing with their emotional, economic, and other needs; and
2. improving the treatment of victims/witnesses of crime by the criminal justice system while increasing the willingness of victims/witnesses to cooperate with that system after reporting a crime.<sup>7</sup>

Initiated in this country in the mid 1960s, victim assistance programs appeared initially in the form of victim compensation efforts. The primary focus of the victim compensation program was to provide victims with financial compensation for the "loss" they sustained. The first victim compensation statute was passed in the State of California in 1965. The interest in victim compensation has continued to grow to the point that, today, over 30 states have some form of victim compensation statute and/or procedure. For a list of victim compensation services in operation in the United States, please refer to the Resource Section of this manual.

The movement to establish victim/witness assistance programs around the country has continued to grow. Varying in the nature and extent of the service they provide, most provide assistance and/or referral in the following areas:

- immediate companionship
- crisis intervention
- emergency assistance and advocacy services, including shelter, food, and medical aid
- direct counseling services to victims of serious crime
- transportation
- child care
- escort service
- education regarding individual and community resistance to crime

Generally, a victim/witness assistance program operates much like an information and referral agency. There are some exceptions, though, which do call for the establishment of the victim/witness program as separate from the community information and referral service. The following list of exceptions may be

illustrative:

1. A victim/witness program usually seeks out its clients rather than waiting for them to come looking for help. Although publicized, most information and referral programs do not have this outreach aspect.
2. A victim/witness effort can rely upon a corps of well-trained volunteers to assist in expediting services. Rarely does an information and referral service rely upon such a volunteer network.

Proponents of assistance for victims and witnesses believe that criminal justice agencies, at every level, should initiate steps to implement services for these individuals. Programs, however, should not be "fixed" in the local criminal justice network, or tailored solely to its needs and priorities. Victim/witness assistance programs should be required to interact with identified public and voluntary agencies already providing relevant services so that these victim/witness efforts are grounded in both the criminal justice and community human service systems. To say nothing of its other virtues, this approach is basically prudent, for social agencies are already providing services relevant to the problems of crime victims. Moreover, this "externalizing" is important for the insurance of citizen participation in victim/witness support and delivery.

Supporters of victim/witness programs within the traditional criminal justice system should stand ready to encourage the establishment of victim/witness assistance efforts grounded outside the system. Close operational linkages should be maintained though, between the criminal justice system and victim/witness programs to promote collaboration.

VICTIM/WITNESS ASSISTANCE THROUGH THE  
AFL-CIO COMMUNITY SERVICES UNION COUNSELOR

How Can the AFL-CIO Community Services Union Counselor System  
Secure Services for Crime Victims/Witnesses?

The AFL-CIO union counseling program is an ideal vehicle for local union involvement in service to victims and witnesses of crime. Union counseling has already proven to be a productive component of most progressive local labor movements. It has been, and will no doubt continue to be, the labor movement's first link between its citizen members and the community's social service delivery system.

Through the AFL-CIO Community Services program, and ultimately the local Community Services liaison representative, local central labor councils, local unions, and union counselors should encourage and support the establishment of victim/witness assistance programs. In areas where programs already exist, the local labor movement should endeavor to become actively involved by enlisting and training victim/witness union counselors. Once trained, union counselors could be used by existing victim/witness agencies to:

- (1) assist the victim or his/her family to get in touch with public or private agencies, such as the department of public welfare, food stamp office, hospitals, Social Security office, etc.
- (2) assist with the filing of insurance and victim compensation claims
- (3) help the victim get credit payments extended when victimization results in a loss of money or job
- (4) arrange through union channels for time off and wherever possible, lost-time pay
- (5) arrange for child care, home care, grocery shopping, etc.

Why Should the Union Counselor Get Involved?

In many cases, the services rendered by union counselors will be done for members of their own local unions. Because of the union counselor's special position in the organized workforce, this could be accomplished at the worksite -- where no outside service has ready access. Existing victim/witness programs would, therefore, have a permanent presence in the organized workplaces that have an on-going union counselor program. That should go far to enhance their effectiveness, basic acceptance, and public support.

As a rule, victim/witness programs need volunteer help and will certainly nurture those who express an interest and a readiness to assist. Agencies, of course, also welcome the endorsement and influence of large community groups. Labor would probably be the kind of advocate a fledgling victim/witness assistance program would want in its corner.

And labor itself has a stake in seeing that services are provided to those in need. Victim/witness assistance would be another page in a long record. Furthermore, the high cost of crime -- direct and indirect -- is as much a burden to members of the American labor movement as it is to any group. Consequently, labor's interest could be elicited from an economic as well as humanitarian standpoint.

#### How Do We Get Started?

Expressing an interest in the problems of victims and witnesses and advocating services to meet their needs is one thing; but to be able to provide knowledgeable, willing, and trained personnel is another. Having union counselors function in this capacity will necessitate their participation in a training and orientation program. In order to set this training in motion, the following outline will first have to be adapted to local needs and resources. Local Community Services staff representatives will have to ascertain what will work best for their labor community and adapt the following pages accordingly.

## VICTIM/WITNESS ASSISTANCE TRAINING



VICTIM/WITNESS ASSISTANCE TRAINING

To encourage the development of victim/witness services through the AFL-CIO-CSA union counselor system, we have developed two separate training outlines:

1. a single session on victim/witness assistance
2. a concentrated course in victim/witness assistance for advanced union counselors

The single session is designed to be an initial two hour training program entitled, Victim/Witness Assistance: An Overview, for insertion into the basic union counselor course. This session provides the union counselor with an initial exposure to the concept of victim/witness assistance, the problems and needs of victims and witnesses, and the role labor can play in providing services to crime victims and witnesses.

The second outline presents an extended training curriculum for union counselors which is designed to provide them with the necessary orientation and training to become special victim/witness counselors and advocates. The course is designed for presentation over a six to eight week period. Six two-hour segments are provided in this manual. Each segment focuses on a major victim/witness topic and is designed to promote more indepth review and study of the concepts and issues relevant to that topic.

To assist in planning for and developing each session further, each program plan gives the title of the session, the learning objectives for that session, potential speakers, specific topics/issues, and the suggested method of instruction.

The reverse side of each outline provides additional resource material, exercises/simulations that can be used, sample flip chart outlines, and general "helpful hints" regarding the presentation of that particular session.

With the exception of the first and sixth segments (course orientation and wrap-up), the sessions are interchangeable. This was designed to provide some flexibility in recognition that each locale will have different resources and presenters available at different times. Topics may be inserted or deleted to accommodate issues or programs specific to your community.

PROGRAM PLAN

PROGRAM: Basic Union Counselor Training Course  
 SESSION: LENGTH: 2 hours  
 TITLE: "Victim/Witness Assistance: An Overview"  
 OBJECTIVE(S): Provide new union counselors with an:

- Overview of the needs and problems experienced by crime victims and witnesses
- Introduction to victim/witness assistance programs

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
20 minutes	<ul style="list-style-type: none"> <li>• <u>Labor Participation Staff</u></li> <li>- Handout: Lecture outline</li> <li>- Charts (prepared or blank) or overhead projector</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Lecture</u>: Overview of the situation of victims and witnesses</li> <li>- Definitions -- Victims, witnesses, special victims</li> <li>- Outline problems encountered by victims and witnesses</li> </ul>
40 minutes	<ul style="list-style-type: none"> <li>• <u>Victim, Domestic Dispute Officer, Juvenile Aide Officer, Prosecutor</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Panel Presentation</u>: Perspective of victim and/or law enforcement officials regarding situation of victims and witnesses</li> <li>- Q and A from audience</li> </ul>
15 minutes	<ul style="list-style-type: none"> <li>• BREAK</li> </ul>	
40 minutes	<ul style="list-style-type: none"> <li>• <u>Labor Participation Staff</u></li> <li>- Handout: Lecture outline</li> <li>- Prepared Charts</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Lecture/Discussion</u>: Solutions; needed services; model victim assistance programs</li> <li>- Definitions -- Victim/witness assistance; victim compensation</li> <li>- Outline types of services</li> <li>- Discuss role of labor through union counselor</li> </ul>
5 minutes	<ul style="list-style-type: none"> <li>• <u>Instructor</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Wrap-Up</u></li> </ul>

"Victim/Witness Assistance: An Overview:

Suggestions -- Program Options

- I. Alternate Opening Exercise Before Lecture: To involve participants in brief victimization exercise. (total = 20 min.)
  - 1) Instruct participants to reflect back on their pasts and to identify a situation or experience where they felt like a victim. Reflect on that experience; those feelings (2-4 mins.)
  - 2) Ask participants to answer 4 questions: (write answers on questionnaire given to them)
    - a. What did you feel like at the time?
    - b. What did you feel like afterwards?
    - c. Whom did you tell? What was their reaction?
    - d. How do you feel about the incident now? (10 mins)
  - 3) Have participants share their experience and feelings. (10 mins)

or

- II. Use film - What About The Victims? (See film resource list.)

Sample Flip Chart Outline: Topical Headings, sub-topics, etc.

I. Definitions - What is a victim or witness

- a. A Victim --
  - b. Victimization is --
  - c. A Witness is --
- > See Glossary to Complete these definitions

II. Becoming a Victim

1. Precipitation -- person may do or say something
2. Facilitation -- person may be deliberate or reckless
3. Vulnerability -- person makes himself an "easy mark"
4. Opportunity -- person has something wanted
5. Attractiveness -- person may look affluent
6. Fate -- It just happened!
7. Environment -- person may be in bad (high crime) area

III. Problems Faced By Victims

- a. Physical -- pain, suffering, disability, etc.
- b. Psychological -- fear anxiety, anger/frustration, etc.
- c. Social -- negative/unsupportive family reaction, loss of status or reputation
- d. Emotional -- loss of money, property, income, job, etc.
- e. Lifestyle -- inconvenience, frustration, personal schedule change

IV. Victim/Witness Assistance

- a. Crisis services -- intervention, management
- b. Social service assistance -- counseling, emergency medical, shelter, food, clothing, medical rehabilitation, child care, etc.
- c. Victim compensation -- compensation

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course  
 SESSION: 1 LENGTH: 2 hours  
 TITLE: Welcome, Course Orientation, "Victim/Witness Assistance: An Overview"  
 OBJECTIVE(S):

- Welcome participants to course
- Introduce participants to each other
- Provide overview of course
- Provide overview of needs of and problems experienced by crime victims/witnesses
- Introduce participants to concepts of victim/witness assistance

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
20 minutes	<ul style="list-style-type: none"> <li>• <u>Instructor</u></li> <li>• <u>President</u> - AFL/CIO Central Labor Council and representative, co-sponsor organization, e.g. IUPA, NOVA, United Way, CSA</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Call to Order</u></li> <li>• <u>Welcoming Remarks</u></li> </ul>
30 minutes	<ul style="list-style-type: none"> <li>• <u>Representative</u> - AFL-CIO <u>Community Services</u> <ul style="list-style-type: none"> <li>- Course outline</li> <li>- References</li> <li>- Training manual</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <u>Participant Introduction and Course Orientation</u></li> </ul>
15 minutes	<ul style="list-style-type: none"> <li>• <u>BREAK</u></li> </ul>	
50 minutes	<ul style="list-style-type: none"> <li>• <u>Prosecutor, Victim, Director or Representative from Victim/Witness Assistance Agency, AFL-CIO/NCCD Liaison Staff</u> <ul style="list-style-type: none"> <li>- Literature presented by each panel member pertinent to their respective role/function relative to victim/witness</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• <u>Individual/Panel Presentation:</u> <ul style="list-style-type: none"> <li>- Crime victims/witnesses: Problems, Needs, Issues</li> <li>- Victim/witness assistance: Rationale for, history of, models for programs, funding options</li> <li>- Q and A; group discussion</li> </ul> </li> </ul>
5 minutes	<ul style="list-style-type: none"> <li>• <u>Instructor</u></li> </ul>	<ul style="list-style-type: none"> <li>• <u>Wrap-Up</u></li> </ul>

"Welcome, Course Orientation, Victim/Witness Assistance: An Overview"

Suggestions -- Program Options

- I. Report results of local victimization survey of local unions conducted 3-4 weeks prior to start of course. (See sample Victimization Survey in Resource Section)

or

- II. Use Alternate Opening Exercise Before Panel  
Presentation: To involve participants in brief victimization exercise (total = 20 min)
  1. See opening exercise description presented
  2. in Basic Union Counselor Session.
  - 3.

or

- III. Use Film -- What About the Victims? (See film resource list)

Sample Flip Chart Outline:

- I. Definitions -- What is a victim or witness
  - a. A victim is --
  - b. A witness is --
- II. Victim/Witness Assistance
  - a. Where did victim/witness assistance start?
  - b. Victim/Witness Services -- What are they?
    1. Crisis Services -- intervention, management
    2. Social Services -- counseling, emergency medical, shelter, food, clothing child care, etc.
    3. Victim Compensation -- compensation, restitution
    4. Crime Prevention
  - c. Why provide services to crime victims & witnesses
    1. To meet the needs of victims and witnesses
    2. To increase the effectiveness of the criminal justice system

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course  
 SESSION: 2 LENGTH: 2 hours  
 TITLE: Becoming A Victim  
 OBJECTIVE(S):

- Increase participants' understanding of what a victim is, who gets victimized
- Introduce methods to prevent crime
- Review problems experienced by victims

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	• <u>Instructor</u>	• <u>Lecture</u> : Overview of today's program - Introduce speakers
55 minutes	• <u>Director, Rape Crisis Center; Director, Victim/Witness Agency; Crime Prevention Officer; Local Police Department</u> - Literature provided by presenter - Outline of topical issues (chart)	• <u>Individual/Panel Presentations</u> : Becoming a victim! - Definitions: Victim, victimization - Prevention methods - Status and rights of victims under (state) law - How a person becomes a victim? - Victim reactions - Q and A
15 minutes	• <u>BREAK</u>	
50 minutes	• <u>Same Panel As Above, Expanded to include: Victim; Emergency Room Doctor/Staff; Local Hospital (can replace Crime Prevention Officer with Domestic Dispute Officer)</u> - Outline of topical areas (chart)	• <u>Individual/Panel Presentation</u> : Problems faced by crime victims - Physical - Psychological and emotional - Economic - Lifestyle - Social - Q and A
10 minutes	• <u>Instructor</u>	• <u>Wrap-Up</u>

"Becoming a Victim"

Suggestions -- Program Options

I. Use Film - Someone Else's Crisis, to start the session

or

II. Have participants list who became victimized (limit to 2 minutes); have participants read lists & instructor record on flip chart to make central list.

Sample Flip Chart Outlines

I. Definitions - What is a victim or witness

- a. A Victim --
  - b. Victimization is --
  - c. A Witness is --
- > See Glossary to Complete these definitions

II. Becoming a Victim

1. Precipitation -- person may do or say something
2. Facilitation -- person may be deliberate or reckless
3. Vulnerability -- person makes himself an "easy mark"
4. Opportunity -- person has something wanted
5. Attractiveness -- person may look affluent
6. Fate -- It just happened!
7. Environment -- person may be in bad (high crime) area

III. Problems Faced By Victims

- a. Physical -- pain, suffering, disability, etc.
- b. Psychological -- fear anxiety, anger/frustration, etc.
- c. Social -- negative/unsupportive family reaction, loss of status or reputation
- d. Emotional -- loss of money, property, income, job, etc.
- e. Lifestyle -- inconvenience, frustration, personal schedule change

IV. Victim/Witness Assistance

- a. Crisis services -- intervention, management
- b. Social service assistance -- counseling, emergency medical, shelter, food, clothing, medical rehabilitation, child care, etc.
- c. Victim compensation -- restitution

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: An Advanced Course

SESSION: 3 LENGTH: 2 hours

TITLE: Becoming a Witness -- Problems Faced by Witnesses

- OBJECTIVE(S):
- Survey how people become witnesses
  - Review the rights and issues regarding witnesses
  - Provide a "witness experience" for participants
  - Discuss the "witness experience" of participants

Note: Session should be conducted in courtroom, if available

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	• <u>Instructor</u>	• <u>Lecture</u> : Overview of today's program - Introduce guest presenters
40 minutes	• <u>Court Prosecutor or District Attorney Representative</u>	• <u>Lecture</u> : Becoming a witness - Definition of witness - Review statutes regarding witnesses, legal obligations - Concept of civic responsibility - Compensation for court appearances - Rights of witnesses to police protection - The victim as a witness - Problems faced by witnesses: intimidation, reliving bad experience, disruption of work/home schedule, etc.
15 minutes		• <u>Set-Up Simulation Activity</u> : Prepare group for simulation activity with brief introduction of what types of roles will be presented
15 minutes	• <u>BREAK</u>	
50 minutes	•	• <u>Simulation</u> : Being a witness - Role play - Place selected participants in witness situation - Have participants examine and share this experience in group discussion
10 minutes	• <u>Instructor</u>	• <u>Wrap-Up</u>

"Becoming a Witness -- Problems Faced by Witnesses"

Suggestions -- Program Options

I. If possible, have participants visit court during a trial. This would allow direct observation of the witnessing process and the adversarial nature of the judicial process.

II. Use Film: Maximizing Witness Cooperation (See resource film section)

Sample Flip Chart Outlines

WITNESS PROBLEMS

- |  |   |
|--|---|
| 1. FEAR OF TESTIFYING -- ANXIETY   | 7. LACK OF TRUST IN SYSTEM                                  |
| 2. MISCONCEPTIONS ABOUT COURT SYSTEM   | 8. RE-LIVING EXPERIENCE IN TESTIFYING                       |
| 3. INTIMIDATION -- FEAR OF REPRISAL  | 9. CROSS EXAMINATION -- BEING MADE TO FEEL LIKE "DEPENDANT" |
| 4. TIME-CONSUMING PROCESS (ARRAIGNMENT, GRAND JURY, PROBABLE CAUSE, TRIAL, ETC.) | 10. QUESTIONS ABOUT PROTECTION                              |
| 5. SUBPOENAS -- MANDATORY RESPONSIBILITY   | 11. PROBLEMS OF WORK, HOME, TRANSPORTATION, CHILD CARE      |
| 6. CONTINUATIONS OF TRIALS, WAITING ALL DAY IN COURT)                            |   |

Simulation Activities (Role Play)

Scene A - Cross-examination of a witness by defense attorney.

Role #1 - You witnessed the hit-and-run of an elderly woman, at an intersection, on a rainy day. The driver came around corner, through a yellow light, swerved, hit the woman, stopped and then sped off.

Role #2 - You are defense attorney - your client, charged with leaving the scene of a personal injury accident and operating motor vehicle while intoxicated, maintains his innocence.

Scene B - Cross-examination of a victim regarding his testimony.

Role #1 - You were robbed and severely beaten 6 months ago. Although it occurred in the evening, in a "bad" neighborhood, you remember the crime vividly.

Role #2 - Defense Attorney. You are cross-examining a victim of a robbery and severe assault. This occurred in a "bad" neighborhood. Your client maintains his innocence, but has no solid alibi.

Scene C - Witness being questioned by police officer during crime investigation.

Role #1 - Witness: You observed a fight in a bar which resulted in the stabbing death of one person and the shooting of another. You saw the activity but are reluctant to get involved.

Role #2 - Police Officer: You are investigating a homicide which occurred in a bar of questionable reputation. It is unclear as to how the fight started and who is to blame. You are questioning a witness who admits being there during the fight but who is reluctant to offer more information.

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course  
 SESSION: 4 LENGTH: 2 hours  
 TITLE: Compensating Crime Victims

- OBJECTIVE(S):
- Introduce concept of victim compensation programs
  - Introduce concept of restitution programs as compensation services to victims
  - Review the structure and operation of victim compensation program in own state (if existent)
  - Discuss the issues regarding how much victims should receive, eligibility for payment, limits, exclusions
  - Review role of union counselor in victim compensation

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	• <u>Instructor</u>	• <u>Lecture</u> : Overview of today's program
55 minutes	• <u>Representative State Victim Compensation Division/Agency/Board and Probation Officer</u> - Lecture outline handout - Charts - Literature from state victim compensation program	• <u>Lecture</u> : Victim compensation services - Rationale for victim compensation - State victim compensation law - Funding sources of victim compensation eligibility - Application procedures - Role of attorney - Right to appeal - Role of union counselor - Restitution program
15 minutes	• BREAK	
40 minutes		• <u>Exercise</u> : How much should the victim receive? What limits should be set? - Participants should complete exercise - Group discussion (15 minutes)
15 minutes	• <u>Presenter</u> (listed above)	• Q and A
5 minutes	• <u>Instructor</u>	• <u>Wrap-Up</u>

"Compensating Crime Victims"

Suggestions -- Program Options

- I. Exercise: Set-up participants in small groups of 4-6 persons. Instruct them to:
- with list of crimes provided (eg. robbery of possessions worth \$1,000; robbery of possessions worth \$15,000; larceny of motor vehicle; arson of home); identify how much each victim should be reimbursed.
  - Answer questions -- Who is eligible? What limits should be set? What exclusions should be set?

or

- II. Exercise (instead of I) -- Have each small group design a victim compensation program by identifying: Purpose, Eligibility (residency, types of crime,) benefits (maximum/minimum, harm & suffering, property losses), Administration (separate agency, within existing agency, private, state).

Sample Flip Chart Outlines

Use lecture outline presented in program plan.

NOTE: This alternate session is for use in those states where no formal victim compensation law/service exists.

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course

SESSION: 4 -- Alternate LENGTH: 2 hours

TITLE: Compensating Crime Victims

- OBJECTIVE(S):
- o Introduce concept of victim compensation programs
  - o Introduce concept of restitution programs as compensation services for victims
  - o Review general structure of victim compensation and/or restitution programs
  - o Discuss issues regarding how much compensation/restitution victims should receive, eligibility for payment, limits, exclusions
  - o Review role of union counselor in restitution services to victims

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	o <u>Instructor</u>	o <u>Lecture:</u> Overview of today's program
55 minutes	o <u>Court representative and/or Local Probation Officer</u>	o <u>Lecture:</u> Victim compensation services - Rationale for victim compensation - Potential funding sources - Eligibility requirements, limitations, exclusions - Restitution programs as compensation services to victims - State law regarding restitution programs, e.g., administration of, procedures, eligibility, limitations - Role of union counselor
15 minutes	o <u>BREAK</u>	
40 minutes	o	o <u>Exercise:</u> How should victims be compensated? What limits should be set? Should we initiate the establishment of a victim compensation law/service in our state? - Participants should complete exercise - Group discussion (15 minutes)
10 minutes	o <u>Presenter</u> (listed above)	o Q and A
10 minutes	o <u>Instructor</u>	o Wrap-Up

"Compensating Crime Victims"

Suggestions -- Program Options

- I. Exercise: Seat participants in small groups of 4-6 persons. Instruct them to look at case studies (provided by local probation office or court) of restitution situations and:
1. Set the amount of restitution that the offender should make
  2. Discuss concerns/issues regarding adequacy of restitution, setting the amount, who should monitor.

or

II. Simulation:

Scene A: Probation officer is interviewing a victim regarding developing a restitution plan for the victim to recover part or all of his losses.

Role #1 -- Probation Officer: You are interviewing a victim to determine the amount of loss suffered by that victim. You have to pay particular attention to establishing the "real market value" of the items stolen. These items include: Watch (Timex Electric), Jewelry (gold earrings, jade necklace), a Coin Collection (not previously appraised), a Bank containing silver dollars (not recently counted) a six year old 19 inch color TV and a 2 year old C.B.

Role #2 -- Victim: You were recently the victim of a house burglary. A number of items were taken, including a coin collection (which you did not have recorded as to contents) and a bank full of silver dollars you had been saving for 15 years (which you had not recently counted and, although you feel certain some of the coins were worth more than face value, you had not had them appraised).

Sample Flip Chart Outlines Use lecture outline presented in the program plan.

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course  
 SESSION: 5 LENGTH: 2 hours  
 TITLE: Special Victims -- Handle With Care  
 OBJECTIVE(S):

- Identify who are "special victims" and why
- Review the needs of special victims
- Increase understanding regarding the skills required to work with special victims
- Identify how the union counselor can help

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	• <u>Instructor</u>	• <u>Lecture</u> : Overview of today's program
45 minutes	• <u>Director, Victim/Witness Assistance Agency, Director, Rape Crisis Center, Representative: Child Abuse Intake Unit, Domestic Violence Agency/Program, Senior Citizen Program</u> - Lecture outline handout - Literature describing agency/services represented	• <u>Panel Presentation</u> : Special victims-- Their needs and problems - Identify and define special victims - Discuss their needs - Crisis intervention - "Rehabilitation" - The role and limits of the volunteer
15 minutes	• <u>BREAK</u>	
30 minutes	• <u>Panel</u> (as above)	• <u>Film Presentation(s)</u> : Brief films regarding child abuse, domestic violence, etc. (if available) - Panel react to film
30 minutes		• <u>Small Group Discussion</u> : Break large group into sub-groups; have a panel member facilitate each small - How can the union counselor help
5 minutes	• <u>Instructor</u>	• <u>Wrap-Up</u>

Special Victims -- Handle with Care

Suggestions -- Program Options

I. A field trip to a rape crisis intervention center, emergency room, shelter for abused spouses prior to this session would be advisable.

II. Film -- If it Happens to You: Rape  
Education Development Center, Distribution Center, 39 Chapel St., Newton, Massachusetts 02160

or

Film provided by local Rape Crisis Center, Domestic Violence Agency, etc.

Sample Flip Chart Outlines

I. Immediate Needs -- Crisis Stage (up to 72 hours)  
-Emergency Medical Services  
-Crisis Intervention

II. Intermediate Stage (24 hours to 6 weeks)  
-Emergency Fears  
-Need for support  
-Emotions - Embarrassment

III. Reintegration (one week to one year)  
-Trying to resume a normal life

PROGRAM PLAN

PROGRAM: Victim/Witness Assistance: Advanced Course

SESSION: 6 LENGTH: 2 hours

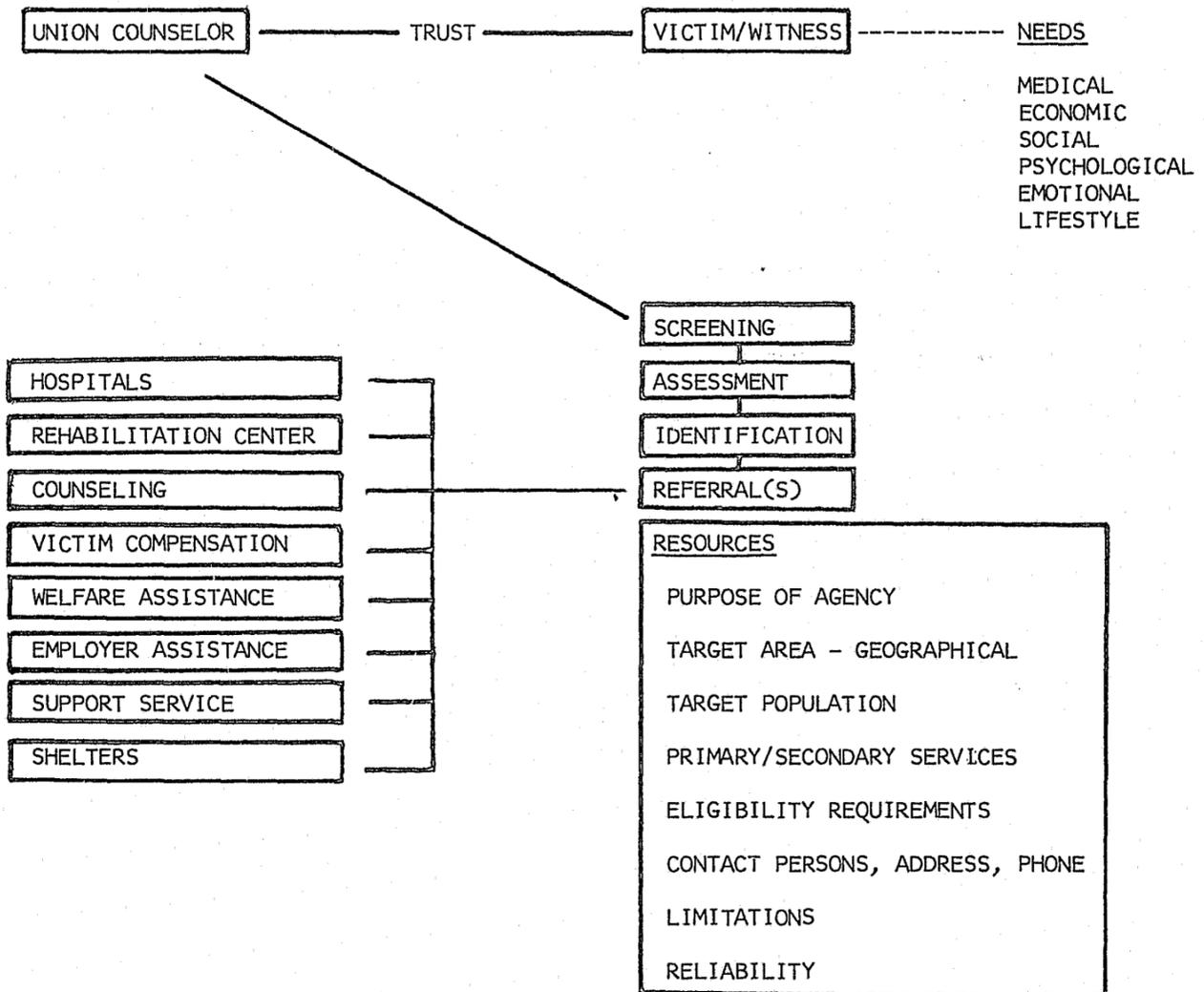
TITLE: Labor's Role in Victim/Witness Assistance

- OBJECTIVE(S):
- Identify and analyze the role of the union counselor
  - in providing assistance to crime victims
  - Review the course content
  - Provide opportunity for feedback regarding the course

<u>TIME</u> Minutes	<u>RESOURCES</u> Presenter/Materials	<u>ACTIVITIES</u> Format/Topic(s)
5 minutes	• <u>Instructor</u>	• <u>Lecture</u> : Overview of today's program
55 minutes	• Director, Victim/Witness Assistance Agency; AFL-CIO-CSA Representative; - Lecture outline handout - Handout of strategy and step-by-step process of establishing victim/witness services among the union counselor network	• <u>Lecture/Discussion</u> : What is labor's role in providing and promoting victim/witness assistance - Union counselor network - Providing the "missing link" - Information and referral - Advocacy - Handholding
15 minutes	• <u>BREAK</u>	
20 minutes	• <u>Instructor</u> - manuals - chart for each program	• <u>Review</u> : Brief run-through of entire course outline
20 minutes		• <u>Course Evaluation</u>
20 minutes		• <u>Open Discussion</u>

UNION COUNSELOR ROLE

(CONFIDENTIALITY)



**PROGRAM PLANNING, RECRUITMENT,  
RESOURCES AND REFERENCES**

## PROGRAM PLANNING, RECRUITMENT, RESOURCES AND REFERENCES

This section of the manual contains information and sample materials that would be useful in the overall planning and coordination of a victim/witness training program. The information is presented in the following sub-sections:

- o Program Planning -- Contains information and "tools" designed to build and present a victim/witness assistance training program.
- o Recruitment -- Outlines a step-by-step process for: 1) generating interest in the victim/witness assistance program; 2) notification of the appropriate persons and/or agencies that may be involved in the program; and 3) recruiting participants for the program.
- o Resources -- Provides information regarding available resources that could be "tapped" to obtain additional information or assistance in the presentation of a victim/witness assistance training program.
- o References -- Identifies references used in preparing this manual and presents a selected bibliography for further study regarding the field of victim/witness assistance.

The information presented in this section is the most up-to-date, useable information available. Should additional information and/or assistance be required in the development of a victim/witness assistance training program, you should contact the following resources:

Mr. Jean Lushin  
Labor Participation Department  
AFL-CIO/National Council on Crime and Delinquency  
107 West Mulberry Street  
Kokomo, Indiana 46901  
(317) 459-3177

or

Mr. Jerry Eggleston  
Training Center  
National Council on Crime and Delinquency  
411 Hackensack Avenue  
Hackensack, New Jersey 07601  
(201) 488-0400

## PROGRAM PLANNING

PLANNING GUIDE  
VICTIM/WITNESS ASSISTANCE PROGRAM

1. Has the Central Labor Council approved the course? Yes \_\_\_ No \_\_\_
2. Will there be a co-sponsor? \_\_\_\_\_
3. How many sessions are planned? \_\_\_\_\_
4. On which day of the week will the sessions be held? \_\_\_\_\_
5. Time of the sessions: From \_\_\_\_\_ To \_\_\_\_\_
6. What are the dates and subjects of each weekly session?
  - (a) \_\_\_\_\_ (e) \_\_\_\_\_
  - (b) \_\_\_\_\_ (f) \_\_\_\_\_
  - (c) \_\_\_\_\_ (g) \_\_\_\_\_
  - (d) \_\_\_\_\_ (h) \_\_\_\_\_
7. Who will moderate classes? \_\_\_\_\_
8. Have arrangements been made to obtain supportive pamphlets and other printed material? \_\_\_\_\_
9. Where will the classes be held? \_\_\_\_\_
10. How many will the room seat? \_\_\_\_\_
11. Are a blackboard, chalk, A-V equipment, flip charts, etc., available? \_\_\_\_\_
12. Is the building accessible to public transportation? \_\_\_\_\_
13. Who will be responsible for checking physical arrangements each week? \_\_\_\_\_  
\_\_\_\_\_
14. Who is responsible for contacting speakers and making the necessary arrangements for their participation? \_\_\_\_\_
15. Who will make the banquet arrangements? \_\_\_\_\_
16. Have hotel accommodations been arranged for out-of-town resource people? \_\_\_\_\_  
\_\_\_\_\_
17. Will refreshments be served during the session? \_\_\_\_\_  
If so, what will this consist of? \_\_\_\_\_
18. Who will be responsible for refreshments? \_\_\_\_\_

### POSSIBLE FIELD TRIPS

Throughout the period during the six weeks of the training program, you may want to include one or more field trips for the participants. Here are a few suggestions.

1. Criminal Courts Building -- A visit to the local criminal courts building would give the participants an opportunity to view the layout and to learn firsthand where key offices are located. You might want to arrange for a mock run-through to demonstrate what a witness would be subjected to if required to testify.
2. Police Ride-Along -- Arrange with local police department for your participants to ride with a local officer during his/her routine patrol. This would give participants an insight to the problems of police, how citizens respond to police officers, and the method by which police handle victims and witnesses.
3. Hospital Emergency Facilities -- A visit to the hospital trauma unit should be considered. This would afford your group the opportunity to see the way hospital staff handle emergency situations that involve crime victims.
4. Domestic Violence Shelter -- A field trip could include a visitation to the local Domestic Violence Shelter where 24 hour emergency shelter care for abused spouses is available. Learn firsthand what services are available for these victims.
5. Shelter Home for Boys and Girls -- Many communities have shelters that usually house youngsters who are victims of either abuse or neglect. Arrange a visit for the group to see this operation.

These are but a few field trips that might be taken. There may be others that are more appropriate for your respective community. Whichever you choose, arrangements should be made several weeks in advance.

### RESOURCE FILMS

THE AGED VICTIM: A CALL FOR UNDERSTANDING, Center for Studies in Aging, North Texas State University, Denton, Texas 76203.  
Producer: North Texas State University. Video, B & W.

Abstract: This videotape is intended for use in the context of a two-hour training program for law enforcement officers to increase officers' awareness of the special problems of the elderly and to provide tools for working with the elderly.

Critique Of Film For Suitability For Senior Citizens: The film is useful to sensitize police to the unique problems of the elderly and to modify police behavior.

BEFORE IT'S TOO LATE, 1974, Motorola Teleprograms Inc., 4825 North Scott Street, Suite 26, Schiller Park, Illinois 60176.  
Producer: NCPI Corporation/Firemen's Fund Grant/Woroner Films.  
28 minutes, 16 mm., color, \$225.

Abstract: The film discusses the change of the role of law enforcement agencies, insurance companies, and community groups toward programs of crime prevention.

Critique: The film is clear, interesting, and informative, and emphasizes community cooperation on all levels, and in urban or rural areas.

MAXIMIZING WITNESS COOPERATION, Harper and Row, 2350 Virginia Avenue, Hagerstown, Maryland 21740. Color, 1977, 16 mm.

Abstract: This film is aimed at helping police deal more effectively with witnesses.

Critique: The film clearly depicts the importance of getting witness cooperation, and the frustration of a police officer whose case is dismissed because of the failure of a witness to appear.

SOMEONE ELSE'S CRISIS, Motorola Teleprograms, Inc., 4825 North Scott Street, Suite 26, Schiller Park, Illinois 60175.  
Producer: The Filmmakers. 25 minutes, 16 mm., color, \$375/\$50.

Abstract: The film consists of five vignettes: a child who has lost his dog, a residential burglary, an armed robbery, a purse snatch, and a violent rape. The vignettes illustrate a police officer's role to provide psychological and emotional first aid to victims prior to investigating a crime. Instructor's manual included.

Critique: The crimes are portrayed extremely explicitly, to help the police officer to empathize more completely with the emotional states of victims, e.g., attachment to personal belongings, total disorientation. The film is excellent.

WHEN WILL PEOPLE HELP? THE SOCIAL PSYCHOLOGY OF BYSTANDER INTERVENTION, 1976, Harcourt, Brace and Jovanovich, 757 Third Avenue, New York, New York 10017. 25 minutes, 16 mm., color, \$440/\$44 per week.

Abstract: Using social psychology techniques, the film explores the reasons for bystander non-intervention (people are more likely to respond to emergencies when they are alone). The Kitty Genovese case is used as an example.

Critique: By showing that the witness to a crime is, in effect, a victim himself, the film offers invaluable and unique insights into bystander behavior. It is a must for police officers and victim/witness assistance workers and could effectively teach neighborhood groups the importance of looking out for one another.

WHAT ABOUT THE VICTIMS? National Organization for Victim Assistance, 700 North Fairfax Street, Suite 260, Alexandria, Virginia 22314. Color.

Abstract: This film presents a report produced and shown on the show 60 Minutes regarding the way victims are treated, the problems the victim experiences, and the victims' reactions to their situation.

Critique: This is a well written, moving program which briefly covers the experience of the crime victim.

AFTERSHOCK -- THE VICTIMS OF CRIME, Westinghouse Broadcasting, WJZ/TV 13, Baltimore, Television Hill, Baltimore, Maryland 21211. AH: James Eaton, Executive Producer.

Abstract: Program surveys the problems and coverage of a 24 hour crisis hot line program in Pima County, Arizona.

Critique: Not available.

SAMPLE EVALUATION  
Union Counseling Course on Victim/Witness Assistance

We would appreciate your rating the various elements of this course for AFL-CIO-CSA union counselors in terms of three factors:

- 1) The quality and informativeness of the resource people and their presentations:
- 2) The usefulness of the discussion/Q&A in terms of your "need to know" on the topic; and
- 3) The relevance and utility of the handout materials, films, etc.

Please rate each topic/unit, re the applicable factors, on this scale:

1 = poor-to-fair      2 = good      3 = excellent

<u>UNIT/TOPIC</u>	<u>RESOURCE/PRESENTATION</u>	<u>DISCUSSION/Q&amp;A</u>	<u>HANDOUTS/A-V</u>
1) Victim/Witness: An Overview	( )	( )	( )
2a) Becoming a Victim of Crime	( )	( )	( )
2b) Problems Facing Crime Victims	( )	( )	( )
3a) The Problems of Witnesses	( )	( )	( )
3b) Simulation: Being a Witness	( )	( )	( )
4) Compensating Crime Victims	( )	( )	( )
5) Special Victims Needs & Problems	( )	( )	( )
6) Labor's Role in Victim/Witness	( )	( )	( )
7) Field Trip	( )	( )	( )

Finally, your thoughts on victim/witness assistance, on this course and how it might be improved, etc., would be appreciated. Please use the back of this form for any comments.

VICTIMIZATION SURVEY

VICTIMIZATION SURVEY: INSTRUCTIONS

A victimization survey would provide excellent background information to present to participants during the first session. To conduct this survey, you should:

1. Notify the Central Labor Council, with the course introductory letter, that you would like to conduct a "mini" victimization survey through a number of local unions.
2. Ask the local union to identify one member who will coordinate the survey with the local membership. Instruct that person regarding the survey process.
3. Send victimization questionnaires directly to the local union coordinator identified. Ask that it be distributed to members selected randomly.
4. Request that they return the survey to you by the end of ten days, through the local coordinator.
5. Gather completed questionnaires and compile data. (see Survey Compilation Procedure)

**VICTIMIZATION SURVEY**

Adopted from a crime prevention survey conducted by the Communications Workers of America AFL-CIO Local 1006, in cooperation with the United Labor Agency of Essex-West Hudson, Inc., Newark, New Jersey.

1. Sex  Male  Female
2. City of Residence \_\_\_\_\_
3. Place of Work \_\_\_\_\_
4. During the past year, were any crimes committed against your person?

Yes  No

5. If "YES" please describe the nature of the offense.  
(Example: assaulted, life threatened, attempted robbery, rape)
- First Incident \_\_\_\_\_
- Second Incident \_\_\_\_\_

6. For each incident, please identify where the crime occurred by checking the appropriate box under the columns labelled First and Second Offense.

First Offense	Second Offense
<input type="checkbox"/>	<input type="checkbox"/> a. At or in home, apartment
<input type="checkbox"/>	<input type="checkbox"/> b. Near home, yard, or sidewalk
<input type="checkbox"/>	<input type="checkbox"/> c. At or in place of work
<input type="checkbox"/>	<input type="checkbox"/> d. Near place of work, street, or parking lot
<input type="checkbox"/>	<input type="checkbox"/> e. Inside a business, store, bank
<input type="checkbox"/>	<input type="checkbox"/> f. Other (Please specify) _____

7. For each incident, did you report the crime to the Police?

First Incident  Yes  No If no, why not? \_\_\_\_\_

Second Incident  Yes  No If no, why not? \_\_\_\_\_

8. If "YES", please indicate the degree to which you were satisfied with the Police response. Check the box in the appropriate column marked First and Second Offense.

First Offense	Second Offense
<input type="checkbox"/>	<input type="checkbox"/> a. Very satisfied
<input type="checkbox"/>	<input type="checkbox"/> b. Satisfied
<input type="checkbox"/>	<input type="checkbox"/> c. Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/> d. Very dissatisfied

- 8a. Please elaborate on the degree of satisfaction you selected.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

9. During the past year, were any crimes committed against your property?

Yes  No

10. If "YES" please describe the nature of the offense.  
(Attempted break-in, stolen auto, home burglarized).

First Incident \_\_\_\_\_

Second Incident \_\_\_\_\_

11. For each incident, please identify where the crime occurred.

First Offense	Second Offense
<input type="checkbox"/>	<input type="checkbox"/> a. At or in home, apartment
<input type="checkbox"/>	<input type="checkbox"/> b. Near home, yard, or sidewalk
<input type="checkbox"/>	<input type="checkbox"/> c. At or in place of work
<input type="checkbox"/>	<input type="checkbox"/> d. Near place of work, street, or parking lot
<input type="checkbox"/>	<input type="checkbox"/> e. Inside a business, store, bank
<input type="checkbox"/>	<input type="checkbox"/> f. Other (Please specify) _____

12. For each incident, did you report the crime to the Police?

First Incident  Yes  No If no, why not? \_\_\_\_\_

Second Incident  Yes  No If no, why not? \_\_\_\_\_

13. If "YES", please indicate the degree to which you were satisfied with the Police response.

First Offense	Second Offense
<input type="checkbox"/>	<input type="checkbox"/> a. Very satisfied
<input type="checkbox"/>	<input type="checkbox"/> b. Satisfied
<input type="checkbox"/>	<input type="checkbox"/> c. Dissatisfied
<input type="checkbox"/>	<input type="checkbox"/> d. Very dissatisfied

- 13a. Please elaborate on the degree of satisfaction you selected.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

14. Within the past year or two, do you think that crime in your neighborhood and near your place of work has increased, decreased, or remained about the same?

- | Neighborhood             | Place of Work            |                      |
|--------------------------|--------------------------|----------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | a. Increased         |
| <input type="checkbox"/> | <input type="checkbox"/> | b. Decreased         |
| <input type="checkbox"/> | <input type="checkbox"/> | c. Remained the same |
| <input type="checkbox"/> | <input type="checkbox"/> | d. No opinion        |

15. Are there any ways the Police and courts in your residential community or where you work could improve their services for the public and crime victims especially?

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16. If a program was organized to prevent crime, would you be willing to participate or become involved?

- Yes     No     Uncertain

17. Any further comments you wish to add:

#### SURVEY COMPILATION PROCEDURE

The results of the victimization survey will provide interesting and useful background information to use in the training program and will demonstrate the need for victim/witness assistance through the union counselor system.

The victimization survey was designed primarily to identify the following information: persons victimized during the past year, the nature of the victimizations, the location of the victimizations, and the victim's perception regarding the police response and the overall crime rate in their neighborhood and/or workplace. This survey compilation procedure outlines a process for pulling together and analyzing the responses received in order to determine that information.

The Information Tally Form is designed to use as a tool to analyze the responses received on the survey to gain a clearer picture of the results. This form is divided into four columns to simplify the "scoring" process.

Column I -- Identifies the question number and the focus of that specific question, e.g., question 4 -- responses to this question will indicate the number of individuals (of survey respondents) who were victims of personal crimes during the past year.

Column II -- Provides a sum total of the responses received from all individuals who completed and returned the questionnaire.

Columns III and IV -- Breaks down the information received according to the sex of the respondent as identified in question 1.

#### Compilation Procedure

1. Gather all questionnaires into a single stack
2. Divide questionnaires according to the sex of the respondents, as identified by question 1
3. Score responses given by male respondents, placing tally marks in Column III that correspond to the answers provided on the questionnaire
4. Repeat process for responses received from female respondents, placing tally marks in Column IV
5. Add the tally mark totals in III and IV for each answer, mark that number in Column II Total Results.

Questions 2, 3, 5, 8a, 10, 13a, 15, and 17 require narrative responses, therefore, responses to these questions cannot be

scored on the Information Tally Form. Responses to these questions should be listed in narrative form to elaborate upon the victim's reaction to his or her experience, particularly in the area of satisfaction with police response. These responses could be used to further analyze the information, should you choose to do so.

7 7

INFORMATION TALLY FORM

Note: Use tally marks (e.g., |||| || = 8) to score.

I. QUESTION NUMBER/FOCUS	II. TOTAL RESULTS Total number of responses received	III. MALE Responses from male respondents		IV. FEMALE Responses from female respondents	
4. Respondents who were victims of crimes (against person, e.g., assault, robbery, etc.) during past year.	YES  NO	YES  NO		YES  NO	
6. Location of Offense	a.            a. b.            b. c.            c. d.            d. e.            e. f.            f.	<u>FIRST</u> a. b. c. d. e. f.	<u>SECOND</u> a. b. c. d. e. f.	<u>FIRST</u> a. b. c. d. e. f.	<u>SECOND</u> a. b. c. d. e. f.
7. Police Notification	YES  NO	<u>FIRST</u> YES  NO		<u>SECOND</u> YES  NO	
8. Degree of satisfaction with police response	a. b. c. d.	<u>FIRST</u> a. b. c. d.	<u>SECOND</u> a. b. c. d.	<u>FIRST</u> a. b. c. d.	<u>SECOND</u> a. b. c. d.

INFORMATION TALLY FORM

PAGE TWO

I. <u>QUESTION NUMBER/FOCUS</u>	II. <u>TOTAL RESULTS</u> Total number of responses received	III. <u>MALE</u> Responses from male respondents		IV. <u>FEMALE</u> Responses from female respondents	
9. Property crime victims during past year	YES  NO	YES  NO		YES  NO	
11. Location of crime	a. b. c. d. e. f.	<u>FIRST</u> a. b. c. d. e. f.	<u>SECOND</u> a. b. c. d. e. f.	<u>FIRST</u> a. b. c. d. e. f.	<u>SECOND</u> a. b. c. d. e. f.
12. Police notification	YES  NO	<u>FIRST</u> YES  NO	<u>SECOND</u> YES  NO	<u>FIRST</u> YES  NO	<u>SECOND</u> YES  NO
13. Degree of satisfaction with police response	a. b. c. d.	<u>FIRST</u> a. b. c. d.	<u>SECOND</u> a. b. c. d.	<u>FIRST</u> a. b. c. d.	<u>SECOND</u> a. b. c. d.

INFORMATION TALLY FORM

PAGE THREE

<u>QUESTION NUMBER/FOCUS</u>	II. <u>TOTAL RESULTS</u> Total number of responses received	III. <u>MALE</u> Responses from male respondents		IV. <u>FEMALE</u> Responses from female respondents	
Perceptions regarding crime rate		<u>NEIGHBORHOOD</u>	<u>PLACE OF WORK</u>	<u>NEIGHBORHOOD</u>	<u>PLACE OF WORK</u>
	a.	a.	a.	a.	a.
	b.	b.	b.	b.	b.
	c.	c.	c.	c.	c.
d.	d.	d.	d.	d.	
Willingness to participate in crime prevention program	<u>YES</u> <u>NO</u>	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>

# — ATTENTION —

IF YOU HAVE BEEN A VICTIM OF A CRIME OR RECENTLY  
WITNESSED A CRIME, YOU MAY NEED ASSISTANCE.  
PERHAPS WE CAN HELP.

- Financial Ass't.
- Medical Ass't.
- Legal Ass't.
- Temporary Shelter
- Escort Services
- Child Care
- Transportation
- Counseling
- Rehabilitation
- Food

SEE YOUR VICTIM/WITNESS COUNSELOR  
COUNSELOR(S)

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OR CALL

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# Certificate



THIS IS TO CERTIFY THAT

HAS SUCCESSFULLY COMPLETED AN ADVANCED  
TRAINING COURSE IN

## VICTIM/WITNESS ASSISTANCE

AND HAS JOINED THE AFL-CIO/NCCD COOPERATIVE EFFORT  
TO IMPROVE THE CRIMINAL JUSTICE SYSTEM IN AMERICA

GIVEN THIS DATE \_\_\_\_\_ IN \_\_\_\_\_

PRESIDENT, CENTRAL LABOR COUNCIL  
AFL-CIO

## RECRUITMENT

## RECRUITMENT PROCESS

When a Central Labor Council sponsors a Victim/Witness Assistance program for union counselors, it is necessary to recruit (1) members currently functioning as union counselors for their local union, and (2) resource speakers to teach during the course of the program. The following guidelines, therefore, are suggested in order to assist in the recruitment of union counselors:

1. Letters from the Central Labor Council should be sent to all local unions announcing the program. They should be sent at least eight to ten weeks prior to the start of the first session. (see Sample Introductory Letter in this section)
2. The letter should be followed by a phone call to the president or business agent asking that they personally assist in recruiting experienced union counselors.
3. After receiving the names of participants from the local unions, a letter should be sent to each one congratulating him/her on their selection to participate and providing all pertinent information regarding the program, e.g., dates, times, location, etc.
4. Select the agencies, services, or facilities you want to include in the training exercise. Call them, explain the program, and request their participation.
5. The call should be followed by a letter from the Central Labor Council thanking them for agreeing to participate. The letter should include specific instructions on what is expected of them along with specific information regarding course agenda (could include copy of program plan for their session), time, location, etc. (see Sample Thank You Letter in this section)
6. A meeting should be arranged with the resource persons prior to their session to be sure they fully understand the role they are to play.

SAMPLE - INTRODUCTORY LETTER

February 20, 1981

Mr. Sam Williams, President  
Local 1014 United Federation of Postal Clerks  
1234 South Armstrong Street  
Anywhere, USA 54321

Dear Mr. Williams:

The Howard County Central Labor Council AFL-CIO, in cooperation with \_\_\_\_\_, will sponsor a six week advanced course for Union Counselors on the very timely subject of Victim/Witness Assistance.

You are urged to carefully select at least two of your graduate Union Counselors to participate in this worthwhile program. The individuals you choose should have an interest in the problems and needs of victims and witnesses of crime, and a better-than-working knowledge of the social service network of our community. Your selection is most important and will ultimately assist both your members and the community.

The first session will be held in the \_\_\_\_\_, on Wednesday, April 2, 1981 at 7:00 p.m. and then for five consecutive Wednesday evenings thereafter. You and your officers are invited to attend the opening session. The program will conclude with the Graduation Dinner on \_\_\_\_\_, 1981.

The nominal cost of training to local unions will be \$ \_\_\_\_\_ per union counselor, which will include all materials and banquet. Checks should be made payable to the Howard County Central Labor Council AFL-CIO.

Brother John Jones of \_\_\_\_\_ will contact you personally with additional information and provide you with whatever assistance you may need in your recruitment.

Please return the attached registration form as soon as possible. If you have any questions, please call.

Sincerely and fraternally,

Marion Howard, President

MH:lmb  
Attachment

SAMPLE

REGISTRATION FORM

Please enroll the following union counselors in the Victim/Witness Assistance Training Program:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_ TELEPHONE \_\_\_\_\_

Please find the enclosed check in the amount of \$ \_\_\_\_\_ to cover the cost of registration.

SIGNED \_\_\_\_\_

LOCAL UNION \_\_\_\_\_

Return To: Mr. John Jones  
Program Coordinator  
401 North Main Street  
Anywhere, USA 54321

(317) 459-3177

SAMPLE -- THANK YOU LETTER  
FOR PRESENTERS

March 10, 1981

Mr. Joseph Symes, Director  
Victim/Witness Assistance  
123 Courtland Avenue  
Anywhere, USA 54321

Dear Mr. Symes:

We wish to express our sincere gratitude to you for agreeing to be with us \_\_\_\_\_ at \_\_\_\_\_ to participate in one session of our Victim/Witness Assistance course for union counselors.

Enclosed is a brief description of the program outline which should assist you with your planning. You will also receive a complete course agenda at a later date.

For your information, if you intend to circulate brochures or printed material, each union counselor has been supplied with a three ring loose-leaf binder; therefore, we suggest that all material be 8 1/2 x 11.

Our current registration number is \_\_\_\_\_ students.

The basic objective of this advanced course for union counselors is to provide them with sufficient knowledge and information so that they can link either crime victims or witnesses to the proper source of help in the community. It is also expected that the counselors will serve as advocates to insure that the needs of crime victims and witnesses are met expeditiously.

Please keep in mind that the students you will be addressing already have a better-than-working knowledge of available social services in the community, but must be informed of how victims and witnesses are to be served and supported as a special group.

If you need any additional information or have questions regarding our program or intent, please feel free to call me at \_\_\_\_\_.

Thanking you in advance, I am

Sincerely yours,

Joe Williams  
Program Coordinator

JW:lmb  
Enclosure

SAMPLE - LETTER FOR REGISTRANTS

March 15, 1981

Mr. Michael Robertson  
432 Williams Street  
Anywhere, USA 50321

Dear Mr. Robertson:

We wish to express our sincere gratitude to you for your interest and willingness to participate in our Victim/Witness Assistance -- Advanced Course for Union Counselors.

The course will be     (number)     sessions in length. The sessions will be held every                      evening, from (starting time) to (ending time), at (location).

Enclosed you will find a brief description of the course outline and a copy of the introduction to the course.

The basic objective of this advanced course is to provide you with the knowledge and skills required to identify and insure that crime victims and witnesses receive the assistance they need through the proper community resources. The Union Counselor will serve as an advocate for the victim/witness assistance to insure that the needs of crime victims and witnesses are met within your community.

As usual, all course materials will be provided for you.

I look forward to your involvement in this course. I am sure you will find it to be a very rewarding experience. Should you have any questions or additional information regarding this course, please feel free to contact me at \_\_\_\_\_.

Thank you again for your interest and willingness to serve your sisters and brothers.

Fraternally,

Joe Williams  
Program Coordinator

JW:lmb  
Enclosure

RESOURCES

NATIONAL RESOURCE ORGANIZATIONS

NATIONAL VICTIM/WITNESS RESOURCE ORGANIZATIONS

Labor Participation Department  
AFL-CIO/National Council on Crime and Delinquency  
107 West Mulberry Street  
Kokomo, Indiana 46901  
(317) 459-3177

National Council on Crime and Delinquency  
Training Center  
411 Hackensack Avenue  
Hackensack, New Jersey 07601  
(201) 488-0400

Department of Community Services AFL-CIO  
815 16th Street, N.W.  
Washington, D.C. 20006  
(202) 637-5193

National Organization for Victim Assistance  
700 North Fairfax Street, Suite 260  
Alexandria, Virginia 22314  
(703) 549-8503

American Bar Association  
Criminal Justice Section  
1800 M Street, N.W.  
Washington, D.C. 20036  
(202) 331-2260

Victim/Witness Support Center  
Aurora Associates, Inc.  
1140 Connecticut Avenue, N.W.  
Washington, D.C. 20036  
(202) 659-0480

National District Attorneys Association  
Commission on Victim/Witness Assistance  
666 North Lake Shore Drive, Suite 1432  
Chicago, Illinois 60611  
(312) 944-4613

International Union of Police Associations  
422 First Street, S.E.  
Washington, D.C. 20003  
(202) 546-0010

National Association of Counties  
1735 New York Avenue, N.W.  
Washington, D.C. 20006  
(202) 783-5113

VICTIM COMPENSATION PROGRAMS

VICTIM COMPENSATION PROGRAMS

Victim compensation programs across the United States vary greatly in the nature and extent of service they provide. This diversity makes a detailed analysis of each program virtually impossible to present at this time. Therefore, it is suggested that each Community Service liaison representative contact the program in his or her state to learn the details of their state's program. (In areas where a victim compensation program does not exist, the CSA representative should contact one or more of the groups identified in the National Resource List presented in this manual.)

The following is an up-to-date list of victim compensation programs in the United States:

<u>ALASKA</u> , Juneau 99811 Violent Crime Compensation Board Pouch, North (907) 465-3040	<u>HAWAII</u> , Honolulu 96809 Criminal Injuries Compensation P.O. Box 399 (808) 548-4680
<u>CALIFORNIA</u> , Sacramento 95814 Victims of Crime Program 926 J Street, Suite 300 (916) 322-4426	<u>ILLINOIS</u> , Chicago 60601 Crime Victims Program 188 West Randolph 22nd Floor, Suite 2200 (312) 793-2585
<u>CONNECTICUT</u> , Hartford 06115 Victim Compensation Program 80 Washington Street (203) 566-4156	<u>INDIANA</u> , Indianapolis 46204 Violent Crime Compensation Division 601 State Office Building (317) 232-7104
<u>DELAWARE</u> , Wilmington 19801 Violent Crime Compensation Board 800 Delaware Avenue, Suite 601 (302) 571-3030	<u>KANSAS</u> , Topeka 66603 Crime Victims Reparation Board 503 Kansas Avenue, Suite 343 (913) 296-2339
<u>FLORIDA</u> , Tallahassee 32301 Crimes Compensation Commission Montgomery Building, Suite 201 2562 Executive Center Cir., East (904) 488-0848	<u>KENTUCKY</u> , Frankfort 40601 Crime Victims Compensation Board 113 East Third Street (502) 562-2291
<u>GEORGIA</u> , Atlanta 30334 Claims Advisory Board State Capitol Building Room 214 (404) 656-2881	<u>MARYLAND</u> , Baltimore 21201 Criminal Injuries Compensation 1123 North Eutaw Street 601 Jackson Towers (301) 523-5000

MASSACHUSETTS, Boston 02108

Assistant Attorney General  
Torts Division  
One Ashburton Place  
(617) 727-5025

MICHIGAN, Lansing 48909

Crime Victims Compensation  
The Plaza Hotel, Suite 809  
111 South Capitol Avenue  
P.O. Box 30026  
(517) 374-9484

MINNESOTA, St. Paul 55101

Crime Victims Reparation Board  
702 American Center Building  
160 East Kellogg Boulevard  
(612) 296-7080

MONTANA, Helena 59601

Crime Victims Unit  
Workmen's Compensation Division  
815 Front Street  
(406) 449-5633

NEBRASKA, Lincoln 68509

Crime Victims Reparation Board  
State Capitol -- 6th Floor  
(402) 471-2828

NEVADA, Carson City 89710

Board of Examiners  
Blasdel Building, Room 205  
209 East Musser Street  
(702) 885-4065

NEW JERSEY, Newark 07102

Violent Crimes Compensation  
1180 Raymond Boulevard, Room 802  
(201) 648-2107

NEW YORK, New York 10007

Crime Victims Compensation  
270 Broadway  
(212) 488-5080

NORTH DAKOTA, Bismark 58505

Crime Victims Reparation  
Workmen's Compensation Bureau  
Russel Building -- Highway 83 North  
(701) 224-2700

OHIO, Columbus 43215

Victims of Crime Division  
Court of Claims  
225 East Main Street, 2nd Floor  
(614) 446-6480

OREGON, Salem 97312

Crime Victims Compensation Fund  
SAIF Building  
(503) 378-5348

PENNSYLVANIA, Harrisburg 17120

Crime Victims Compensation  
Justice Department  
Strawberry Square  
(717) 783-5153

TENNESSEE, Nashville 37219

Criminal Injuries Compensation  
State Board of Claims  
450 James Robertson Parkway  
(615) 741-2734

TEXAS, Austin 78701

Texas Industrial Accident Board  
Crime Victim Division  
Capitol Station Box 12757  
(512) 475-8362

VIRGINIA, Richmond 23214

Crime Victims Compensation  
Department of Workmen's Compensation  
Industrial Commission of Virginia  
P.O. Box 1794  
(804) 786-5170

VIRGIN ISLANDS, St. Thomas 00801

Crime Victims Compensation Commission  
P.O. Box 539  
(809) 774-1166

WASHINGTON, Olympia 98504

Crime Victims Division  
Department of Labor and Industries  
(206) 753-6138

WISCONSIN, Madison 53707

Crime Victims Compensation Bureau  
P.O. Box 7951  
(608) 266-6841

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GLOSSARY

GLOSSARY

ACCUSED: One charged with a crime; the defendant in a criminal action.

ACQUITTAL: A setting free from a charged offense by a not guilty verdict.

ADJUDICATION: The process of determining guilt or innocence by judicial process.

ADVISEMENT: The process of informing an individual of his rights.

AFFIDAVIT: A written or printed declaration or statement of facts, taken before an officer having authority to administer oaths.

ALTERNATIVE SENTENCING: The use of community programs e.g., community service, fines, probation, etc., for a convicted offender, in lieu of confinement.

APPEARANCE BOND: A bail bond in which the only obligation is for the principal to appear in court on the day set for trial.

ARRAIGNMENT: The pleading process; legal proceeding at which formal charges are read, the defendant is notified of his or her rights, and a plea to the charges is requested.

ARREST: The taking of a person into custody to answer a criminal charge.

ASSAULT: An unlawful attempt to hurt another person physically.

ASSAULT AND BATTERY: An unlawful touching of the person of another by the aggressor, or by some substance put in motion by him.

BAIL BOND: A bond posted by a defendant to guarantee he or she will appear to answer the legal charges.

BAILIFF: A court attendant; a person to whom some authority, care, guardianship or jurisdiction is given.

BATTERY: Any unlawful beating or use of force upon an individual.

BONDSMAN: A specialized businessman who posts bond for the full bail amount, charging the individual a percentage fee.

BOOKING: The process of recording information at the police station or receiving desk of a county jail, concerning a person who has been arrested.

CIVIL LAWSUIT: A legal case which does not involve a criminal matter; usually a legal dispute between two individuals rather than the government prosecuting an individual as in criminal law.

COMMUTE: To reduce the length of a sentence.

COMPLAINT: A charge preferred before a magistrate having jurisdiction, that the person named has committed a specific offense. Usually the first document filed in a court to charge the individual with the offense.

CONDITIONAL RELEASE: Release from confinement in a correctional facility subject to specific conditions and under supervision, usually based on earned good time.

CONTEMPT OF COURT: An act or omission tending to obstruct or interfere with the orderly administration of justice, or to impair the dignity of the court or respect for its authority.

CONTINUANCE: The adjournment or postponement to a subsequent date of an action pending in a court.

CONVICTION: The result of a criminal trial which ends in a judgement or sentence that the person is guilty.

CORROBORATION: Confirmation or support of the story of a witness or victim.

CRIME PREVENTION: Efforts by individuals and/or groups to avoid or reduce their chances of becoming victims of crime; involves the anticipation, recognition and appraisal of a crime risk and the initiation of some action to remove or reduce it (also referred to as crime resistance).

CRIMINAL CHARGE: An accusation of crime in a written complaint, information or indictment.

CRIMINAL INTENT: An intent to commit a crime; malice, as evidenced by a criminal act; an intent to deprive or defraud the true owner of his property.

CRIMINAL PROCEDURE: A method for the apprehension, trial, prosecution, and fixing of punishment for persons who have broken the law.

DEFENDANT: The accused in a criminal case; the person from whom the money or other recovery is sought in a civil case.

DEFERRED SENTENCE: A sentence in some states, which provides a form of probation in which the court delays sentencing for a period of time, permitting the defendant to remain in the community under probation supervision.

DELINQUENCY, JUVENILE: Offenses committed by persons legally defined as children according to state code; the anti-social acts of children or persons "under age" -- such acts being specifically forbidden by law.

DEPOSITION: A method of pre-trial discovery which consists of a statement of a witness under oath, taken in question and answer form as it would be in court, with opportunity given to the adversary to be present and cross-examine, with all this reported and transcribed.

DISPOSTION: Formal action of the court or parole board.

DIVERSION: Programs which are specifically designed to keep individuals from entering the formal criminal justice system.

DUE PROCESS: Fundamental rights of the accused to a fair trial, and all safeguards and protections given to one accused of committing a crime.

FELONY: A major crime, usually punishable by confinement in a state correctional institution for one year or more. Each state will have its own definition of a felony, but felonies are always crimes of a more serious nature than those designated as misdemeanors.

HEARING: Any portion of a proceeding before the court.

INCARCERATED: Confined to a penal institution.

INDETERMINATE SENTENCE: A sentence which is not precisely fixed or determined as to its length.

JURISDICTION: 1) The limits of authority of a criminal justice agency by geographical criteria, by age of clientele, or by type of offense; 2) The power conferred upon a court to hear certain cases.

JUVENILE CODE: The body of law which establishes and governs the juvenile court and its proceedings.

JUVENILE INSTITUTIONS: A residential facility, often called a training school, for the treatment of children who have been found to be delinquent by a court and who have been committed to the institution.

LARCENY: The intent to deprive another of the use of property or to appropriate the same; wrongfully taking, obtaining, or withholding money or property.

MALICE: A conscious intent to harm another person without just cause or excuse.

MALICIOUS MISCHIEF: A misdemeanor such as changing a signpost on a highway, injuring or destroying property, sending false alarms, usually applied to juveniles.

MIRANDA WARNING: The warning which must be given to the suspect whenever suspicion focuses on him. The officer must warn the suspect: 1) that he has the right to remain silent; 2) that if he talks, anything he says may be used against him; 3) that he has a right to be represented by counsel and the right to have counsel present at all questioning; 4) and that if he is too poor to afford counsel, counsel will be provided for him at state expense.

MISDEMEANOR: A minor offense as defined by state law and municipal ordinances. Depends on the state's definition of felony. For example, if the state law defines the theft of an item worth \$100 as a felony, then the theft of an item worth less than \$100 is a misdemeanor. Most crimes without victims are misdemeanors, and are punishable by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both.

NEGLECTED CHILD: Any child who: 1) is abandoned by its parents, guardian, or custodian; 2) who lacks proper parental care because of the faults or habits of his parents, guardian, or custodian; 3) whose parents, guardian, or custodian neglect or refuse to provide him with proper or necessary subsistence, education, medical, or surgical care, or other care necessary for his health, morals, or well-being; 4) whose parents, guardian, or custodian neglect or refuse to provide the special care made necessary by his mental condition.

PAROLE: Method of releasing an offender from an institution prior to completion of his maximum sentence, subject to conditions specified by the paroling authority. The offender is still in legal custody.

PERJURY: Criminal offense of making false statements under oath; at common law, only a willful and corrupt sworn statement made without sincere belief in its truth, and made in a judicial proceeding regarding a material matter, is perjury. Some statutes have broadened the offense so that in some jurisdictions any false swearing in a legal instrument or legal setting is perjury, even if it is not material and even though it is not presented in a judicial proceeding.

PERSONAL RECOGNIZANCE: Pre-trial release based on the person's own promise that he will show up for trial (sometimes referred to as "OR" -- Own Recognizance, No bond required).

PLAINTIFF: A person who initiates a civil lawsuit.

PLEA: The original answer by the defendant to the accusation against him; usually either "guilty" or "not guilty".

PLEA BARGAINING: Negotiations between a defense attorney and a prosecutor in which a guilty plea is exchanged either for a lesser charge or a lesser sentence.

PREMEDITATION: When a crime was thought about beforehand; deliberation.

PRE-SENTENCE REPORT: A background investigation conducted by a probation department following an individual's conviction of a crime.

PRE-TRIAL INTERVENTION: A program designed to provide a rapid rehabilitative response for young first-offenders following arrest, but prior to trial, conviction, and sentencing. The court suspends prosecution for a specific period and places offenders in a program of counseling, training, and employment assistance. Successful participation results in dismissal of charges and thus avoids the stigma of a criminal record.

PROBABLE CAUSE: Reasonable cause for belief that a person has committed a criminal act.

PROBATION: A sentence releasing the defendant into the community under the supervision of a probation officer (possible only where the law does not require a minimum jail term for that crime). The person remains under jurisdiction of the sentencing court.

PROSECUTOR: One who prosecutes another for a crime in the name of the government.

PUBLIC DEFENDER: A court appointed attorney responsible for the defense of indigent persons accused of crimes.

PUNITIVE DAMAGES: Money awarded by a court to an injured person in order to punish the person who hurt him.

RAPE: The act of unlawful sexual intercourse between persons not married to each other, accomplished through the use of force or fear of force and implying lack of consent and resistance by the victim. An essential element of common law offense of rape was penetration by the male, however slight. In the absence of penetration, only an attempt can be established.

RECIDIVISM: The term used to express the percentage of return to criminal activity by persons previously convicted of crime.

REMAND: To send a prisoner or defendant back into the custody to await trial or further investigation; to send a case back to a lower court for additional proceedings.

RESTITUTION: Reimbursement to the victim of a crime for loss or for expenses incurred because of the crime; often imposed upon the offender as a condition of probation.

SEARCH AND SEIZURE: A police practice whereby a person or place is searched and evidence useful in the investigation and prosecution is seized. Search and seizure is constitutionally limited by the Fourth and Fourteenth Amendments to the United States Constitution, and by provisions in several state constitutions, statutes, and rules of court. A search and seizure must be reasonable. This reasonableness usually requires the existence of "probable cause", the belief that the item searched for was involved in criminal activity and will be located at the place to be searched. In most cases, a search warrant is required.

SEARCH WARRANT: An order issued by a judge directing certain law enforcement officers to conduct a search of specified premises for specified things or persons, and to bring them before the court. Search warrants are issued only upon probable cause supported by sworn allegations and must particularly describe the place to be searched and the persons or things to be seized.

SENTENCE: The judgment formally pronounced by the court upon the defendant after conviction, defining the punishment.

SEQUESTER: In practice, at common law, juries were kept together throughout the trial and deliberations, and guarded from improper contact until they were discharged. The sequestration of witnesses is frequently ordered by the court at the request of one of the parties in order to insure that the in-court testimony of each witness will not be colored by what another witness said.

SUBPOENA: A writ issued under authority of a court to compel the appearance of a witness at a judicial proceeding, the disobedience of which may be punishable by a fine and/or jail term.

SUMMONS: A writ directed to the sheriff or other proper official to notify the defendant that an action has been instituted against him and that he is required to answer in court.

SUSPECT: A person who is believed to have committed a criminal offense.

TESTIMONY: A statement made by a witness, under oath, usually related to a legal proceeding; evidence given by a competent witness under oath or affirmation, as distinguished from evidence derived from writing and other sources.

TORT: A private or civil wrong independent of contract. A breach of legal duty owned by defendant to plaintiff.

VENUE: The place of trial. It deals with the locale where the power of the court is to be exercised.

VERDICT: The opinion of a jury, or of a judge sitting as a jury, on a question of fact. A verdict differs from a judgment in that a verdict is not a judicial determination, but rather a finding of fact which the trial court may accept or reject and utilize in formulating its judgment.

WAIVER: An intentional and voluntary giving up, relinquishment, or surrender of some known right.

WARRANT: A written order directing the arrest of a person or persons, issued by a court body or official, having authority to issue warrants of arrest; also, a writ from a competent authority directing the doing of a certain act.

WRIT: A mandatory precept issued by the authority and in the name of the sovereign or the state for the purpose of compelling a person to do something -- notice to appear, cease and desist, etc. It is issued by a court or other competent tribunal, and is directed to the sheriff or other officer authorized to execute the same. In every case the writ itself contains directions as to what is required to be done.

YOUTHFUL OFFENDER: Younger offenders beyond jurisdiction of the juvenile court -- generally 18-22 years of age. The primary purpose of the youthful offender process is the avoidance of the stigma and practical consequences of conviction of a crime.

**END**