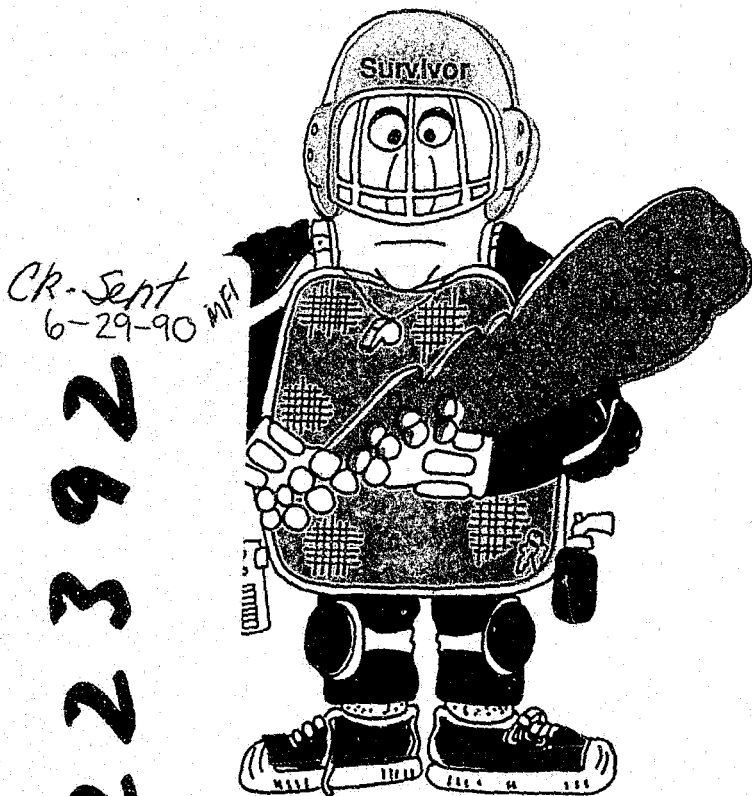


# SURVIVING VIOLENT CRIME

A Handbook for Victims, Their Families  
and Others Who Care



Written by Staff of the  
ctim Witness Assistance Program  
enth Judicial Circuit Solicitor's Office  
Greenville, South Carolina  
1987

122392

# **SURVIVING VIOLENT CRIME**

**A Handbook for Victims, Their Families  
and Others Who Care**

**NCJRS**

**MAR 15 1990**

**ACQUISITIONS**

**by**

**Jayne Crisp**

**with**

**Binnie Moseley**

**Mary Buckner**

**Jill Deretchin**

**Chris Gantt**

**Sue Scruggs**

**This handbook was written for the citizens of Greenville and Pickens Counties, South Carolina, but can be adapted for other areas as well. For information regarding purchasing *Surviving Violent Crime* for your community, an order form is available in Part Seven of this book.**

122392

**U.S. Department of Justice  
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been  
granted by

Jayne Crisp/Greenville County  
Victim Witness Assistance Program

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

**Copyright 1987  
Victim Witness Assistance Program  
Greenville, South Carolina**

# Acknowledgements

The authors gratefully acknowledge the assistance and advice of Solicitor Joseph J. Watson, Assistant Solicitors Tom Quinn, Jesse McCall, and Deputy Solicitor Matt Hawley. We appreciate the suggestions regarding the appeals process by Mary Ann Morris, victim advocate with the South Carolina State Attorney General's Office. A special thanks to our handbook advisory committee which provided thoughtful and valuable suggestions regarding the content and organization of materials. Committee members are Jan Vogelsang, M.S.W. of Behavioral Consultants, Linda Hutton, M.S.W. of Pettigru Therapy Group, Trudy Gregorie of the Ninth Circuit Solicitor's Victim Witness Assistance Program (Charleston), Wren Sandifer Hart of the Second Circuit Solicitor's Victim Witness Assistance Program (Aiken/Barnwell), Margaret Key with the Office of the Governor, and Kathy Adams, Arvilla Bakewell, Brenda Brannock and Carol Kerrigan, whose lives have been forever changed by crime but who have demonstrated courageous victory over personal injury and tragedy. The authors especially wish to acknowledge all those victims and their families we have met during the many years we have been advocates. Their pain, anger, losses, and suffering have inspired us to vigorously defend their right to information, just treatment and compassionate assistance. Their courage and self-determination have contributed to the successful movement in South Carolina and the nation to recognize and to provide some practical solutions to the numerous problems of victimization.

*Cover illustration by  
Gary Bazemore*

---

This publication was made possible by a generous contribution to the Victim Witness Assistance Program by Haaven and Arvilla Bakewell in loving memory of their daughter, Reva Bakewell Gyorfy, who was born December 30, 1942, and became a victim of homicide on October 17, 1981.

---

*"Victory at all costs, victory in spite of  
all terror, victory however long and  
hard the road may be; for without  
victory there is no survival."*

— Sir Winston Churchill

# ***DEDICATION***

*Heroes should not be determined by great deeds or accomplishments which are obtained by well-defined goals and self-discipline. Nor should they be identified in the exhilaration of a moment of sensational physical achievement. Real heroes are revealed day by day and moment by painful moment. They face each day alone with doubts, real fears, little understanding, and no recognition.*

*We dedicate this book to all survivors of violent crime. They have reflected extraordinary courage in their ordinary lives by confronting the fear, loneliness and pain of victimization. They, unknowingly in their resolve to survive, have become our everyday heroes.*

# Introduction

*Let us realize that what happens around us is largely outside our control, but that the way we choose to react to it is inside our control.*

— Anonymous

Our Victim Witness Assistance Program offers assistance to over 2,000 victims of violent crimes each year. Many of these citizens have never before been in contact with the criminal justice system. Criminal victimization often forces an individual to confront traumatic physical injury, emotional anguish and financial loss. If an arrest is made in the case, long delays, the complicated and often intimidating criminal justice system and the inconveniences of participating in the crime-to-court procedures may further traumatize and antagonize the victim/witness.

This handbook is written specifically for you. If you are a victim of violent crime or the friend or family member of a crime victim, we hope this handbook will reduce some of your anxiety about the court system and give you some tools and skills to cope with the after effects of crime. We are not naive enough to think that this book will solve all your problems or answer all your questions.

Everyone copes with crisis in different ways. You may be recovering from a significant loss or injury. You may be preparing for the task of confronting the criminal justice system. You may represent any portion of the spectrum of injury to recovery. We do know that the better informed you are about your emotions, the criminal justice system, and the resources you have at your disposal to help you cope, the more successful you will be in your crime-to-recovery process.

William Faulkner said, *"I believe that man will not merely endure; he will prevail. He is immortal not because he alone among creatures has an exhaustable voice, but because he has a soul, a spirit capable of compassion, and sacrifice and endurance."* We hope to help you develop the endurance, identify appropriate resources and acquire the information you need to triumph in your efforts to survive violent crime.

Jayne Crisp  
September 1987

# CONTENTS

## Part One

### YOUR ROAD TO RECOVERY

Emotional Reactions to Victimization .....	1
How You Can Help a Victim if You're a Friend or Family Member .....	4
Your Road to Recovery .....	6
Survival Strategy Number 1 .....	7
Survival Strategy Number 2 .....	13
Survival Strategy Number 3 .....	16
Conclusion .....	18
Resources Used for This Section .....	19

## Part Two

### COPING WITH THE CRIMINAL JUSTICE SYSTEM

Understanding the System .....	21
Your Rights as a Crime Victim .....	22
Commonly Used Terms .....	23
Crime-to-Court Procedures .....	25
Tips on Testifying .....	27
Child Victims .....	29
Juvenile Offenders .....	30
Defense Attorneys .....	31
The Media and the Victim .....	31
No Guarantees! .....	32

## Part Three

### WHAT HAPPENS AFTER COURT

The Appeals Process .....	33
The Death Penalty .....	34
Probation .....	34
If the Offender Goes to Jail .....	35
Department of Corrections .....	35
Parole .....	36

## Part Four

### FINANCIAL ASSISTANCE

South Carolina Crime Victims' Compensation Fund .....	38
Restitution to Victims of Crime .....	39
Filing a Civil Suit .....	40



<b>Part Five</b>	<b>YOUR PERSONAL SAFETY</b>	
	Your Personal Safety .....	41
	What You Should Do to Prevent Rape .....	43
	Your Personal Safety Rights .....	45
<b>Part Six</b>	<b>HOW YOU CAN GET HELP</b>	
	Books/Audio Cassettes .....	46, 47
	National Organizations .....	48
	South Carolina Organizations .....	50
	South Carolina Solicitors'	
	Victim Witness Assistance Programs .....	52
	Greenville Agencies and Organizations .....	53
<b>Part Seven</b>	<b>APPENDICES</b>	
	South Carolina Victim Impact Statement .....	56
	Letter to Corrections .....	57
	Letter to Parole .....	58
	Victimization Stress Test .....	59
	Order Form for <i>Survival of the Fittest</i> .....	64
	The Victim Witness Assistance Program,	
	Greenville, South Carolina .....	65
	Victim Witness Assistance Services .....	67
	Notes .....	68

# Part One

## *Your Road to Recovery*

*"Courage is the price that life exacts for granting peace.  
The soul that knows it not, no release  
From little things;  
Knows not the vivid loneliness of fear,  
Nor mountain heights where bitter joy can hear  
The sound of wings."*

*"Courage" by Amelia Earhart Putnam*

# EMOTIONAL REACTIONS TO VICTIMIZATION

Becoming a victim of crime is a tremendously traumatic event. It is estimated that one out of three Americans will become a victim of crime and it is now expected that one in four women will be the victim of a sexual assault before the age of eighteen! According to the Department of Justice, the risk of being a victim of violent crime is greater than the risk of being affected by divorce, or death from cancer. Today, anyone older than twelve has an 83% chance of becoming a victim of crime. Unfortunately, you are not alone!

The effect that the crime has on you is dependent on several factors: your injury; the type of crime; the number of assailants; your relationship to the assailant; the duration of assault; your support system; your age; and your ability to cope with stress.

Your reaction to the injury will also be determined by your perception of the injury and prior experience. That is, if you are a burglary victim you may experience greater emotional stress over a sentimental object that is stolen than the loss of an object of great value. A rape victim may be relatively unaffected by her injury if she has recently experienced the death of a loved one in her family.

We have written this section to help prepare you for the emotional aftermath of crime, to reassure you that your feelings are natural and normal, and to give you some information we hope will help in your recovery process.

Although you may expect your family and friends to be extremely helpful during your crisis, many times they are not able to be. They may tend to become impatient and expect you to "recover" on their timetable instead of yours. They may also be "grieving" as a result of the crime; or they, themselves, may be feeling vulnerable and thus will withdraw from you.

Although we know that victims of crimes such as murder, sexual assault and burglary reveal various reactions unique to the specific injury, there are several reactions that are commonly shared by many victims.

These common reactions are:

- Tension/anxiety
- Trouble concentrating, disoriented, personal intactness shattered, feeling of falling apart inside

- \* Disbelief — "This just can't be happening to me!"
- \* Shock/confusion
- \* Vulnerability
- \* Helplessness/confusion
- \* Profound sense of loneliness
- \* Childlike and dependent feelings and actions
- \* Outrage
- \* Intense anger toward the criminal
- \* Fantasies of revenge
- \* Fear
- \* Flashbacks
- \* Nightmares
- \* Sleeplessness
- \* Dreams about the crime
- \* Mood swings/irritability
- \* Panic or anxiety attacks
- \* Inability to get along with family and friends
- \* Feeling of being abandoned
- \* Emotional detachment/numbness
- \* Reliving experience
- \* Shame and guilt — "if only" feelings
- \* Sensation seeking through high risk activities or numerous sexual encounters
- \* Reduced or diminished sexual feeling

In homicide cases, according to the National Organization for Victim Assistance, some additional **acute reactions** may include:

- \* Preoccupation with the survivor's personal loss
- \* Horror about the suffering that the murder victim may have experienced
- \* A need to know every detail of the victim's death.
- \* A fixation on maintaining a day-to-day routine
- \* Flashbacks to the memory of receiving the death notification or an imagined picture of the crime itself
- \* Hostility toward everyone who cannot bring the victim back to life
- \* Either hopelessness or helplessness (unresolved grief)

Additional stressors such as other life events, demands on the victim's family, role changes, financial stress, and misguided compassion from the church, family and friends, and lack of intervention from a support system can contribute to more **LONG TERM** effects. These include:

- \* Complete feelings of helplessness
- \* Feelings that no one can help you and overwhelming despair
- \* Inability to resume regular activities

- \* Thoughts of suicide
- \* Fears of certain times of day or types of people which may remind you of the incident
- \* Alcohol or drug abuse
- \* Sexual dysfunction (especially with victims of sexual assault)
- \* Hopelessness
- \* Self-destructive and/or violent behavior

If the **common reactions** to victimization last longer than four to six weeks and you are experiencing **long-term** reactions, **GET HELP IMMEDIATELY** from your victim advocate. Excellent counseling programs are available for crime victims. Getting help is a positive step in reducing your emotional anxieties. **YOU ARE NOT ALONE.**

Compassionate assistance in individual and group counseling sessions are available by trained therapists who are familiar with the stresses of criminal victimization. A list of resources can also be found in Part Six of this handbook.

## HOW YOU CAN HELP A VICTIM IF YOU'RE A FRIEND OR FAMILY MEMBER

Many of the previously listed reactions to victimization can be reduced or diminished with the help from understanding family and friends. According to Michael Castleman in his book *Crime Free*, crime victims need three things: **support** from friends willing to listen throughout the grieving process, **permission** to recover in their own way, and the **power** to decide for themselves how to deal with the situation.

All victims react to crime differently and it is sometimes difficult for families and friends to understand the emotional consequences of violent crime. Here are some things you can do to help victims recover:

- Encourage the victim to express his or her fears and anxieties.
- Provide some structure and direction (don't give orders, ask questions).
- Provide tangible assistance when necessary. Ask what you can do or observe special needs and do it!
- Support the victim for **surviving** the crime. Be positive about his actions and **avoid blaming victim**. Many assault victims felt they were going to die during the incident. Let the victim know you're glad he survived and that you care.
- Listen, nurture and comfort. Pay close attention to the victim's needs. Support the victim's need to relive the events of the crime.
- With homicide family survivors, be willing to discuss the deceased and look at photos of the homicide victim. Most people want to talk about the deceased and are not allowed to by well-intentioned friends and family.
- Remember the survivors and victims at holiday times, the anniversary date of the homicide and birthdays. Let the survivors remember, too.
- Allow the victims to experience feelings or emotions.
- Be understanding if the victim becomes mad at you. The victim may need to get mad at somebody; do not become defensive or exchange anger. This really can be misinterpreted. Victims may become angry at those who care the most. Let the victim have a chance to blow off steam.

- Continue your support even though it may be difficult at times. You can provide stability and reassurance when victims feel discouraged.
- Identify your community resources (see our Resource section).
- Call your Victim Witness Assistance Program for assistance.
- Encourage and assist the victim to take direct action when necessary with court proceedings, counseling, advocacy, in reorganizing and gaining control of their lives. Victims need information, guidance and instruction. Do not fall into the trap of "doing it all" and trying to rescue your friend.
- Victims need to feel safe and secure after an injury. Practical assistance may be necessary to reduce their risk of further injury or their fear of being victimized again. Locks, peepholes, new phone numbers, security checks, and practical safety tips and devices can all aid in risk reduction. **By no means** blame the victim for the injury.
- Observe the emotional turmoil of the victim and make appropriate referrals by:
  - (1) Calling the agency for help.
  - (2) Arranging an appointment when necessary. Many victims can be encouraged to make their own appointments when appropriate. A friend or advocate may need to take this first step with permission of the victim.
  - (3) Coordinating with victim for any other necessary assistance.
- Keep listening.
- Take care of yourself.

The victim who receives help and support from family and friends and, if necessary, appropriate intervention from professionals, will be greatly helped in the crime-to-recovery process and will be taking the first steps in surviving violent crime.

# YOUR ROAD TO RECOVERY

*"Remember triumph, any triumph, is sweet."*

— Brenda Brannock, a survivor

As a victim of crime or as a family member of a victim, you may want to know what you can to begin or further your loved one's or your recovery. You may have experienced many of the reactions outlined on the previous pages. First of all, **you are not going crazy!** These are normal, natural and appropriate responses of a person who has experienced a traumatic event.

Many therapists and people who work with victims of traditional and extreme violence are using a type of "survivor therapy" to help victims resume normal lives. Many of us have found that victims can recover faster from violent victimization with immediate care, love, compassion and honesty from helpers.

Your speedy recovery depends on:

1. Your ability to **confront the reality** of the crime's impact on your life (not to minimize it);
2. Your ability to **get angry** about it...quickly;
3. Your ability to **get help** if you need it, and
4. Your ability to **take action and help others.**

The following pages outline survival strategies that you can apply to your life. If followed, they will help you feel better by reducing stress and increasing your self-esteem. If you have read this far, you are already taking some control of your life and are curious about your options and opportunities. Now, all you need is the time, energy and motivation to respond to your own needs. Taking care of yourself is the most important thing you can do for you!



SURVIVAL  
STRATEGY  
NUMBER

1



KEEP YOUR MIND HEALTHY

"Do you know what it is like to be abused? I'll tell you, because my whole life has been filled with terror. My parents abused me. My dad told me that I had a personality of zero minus and my mother said I was defective (born with an eye defect). My husband told me that the only thing I could do was produce babies. (They were defective, too, my mother-in-law said). So what do you do when you are told all these awful things all of your life? I'll tell you what you do: You survive. I lived through it because I had to. Survival was it. Through it all I developed a strong belief that I and only I could make me happy and I was the only person who could make me angry. These beliefs gave me hope to start the long climb up." (Forty-three-year-old woman abused by her family.)

From, *A Gift of Hope—How We Survive Our Tragedies* by Robert Veninga.

Our following three-point plan may help reduce your anxiety and aid in keeping you emotionally and mentally fit.

STEP 1. SEEK EMOTIONAL SUPPORT

How do you know if you need help? Answer the following questions as honestly as possible.

- \* Do you experience abrupt changes in moods?
- \* Do you feel lonely, that no one understands you?
- \* Do you have difficulty enjoying yourself?
- \* Do you feel tired most of the time?
- \* Do you wake up most mornings dreading the day?
- \* If you had your life to live over, would you do most everything differently?
- \* Do you withdraw from social contacts?

According to Robert Veninga in his book *A Gift of Hope*, if you answer "yes" to any of the above, it is a sign that you could benefit from counseling. If your answer is "yes" to all seven questions, you should:

- **Obtain help as soon as possible.**

You could benefit from the helpful assistance of a trained and sympathetic counselor. A good counselor will be honest and will tell you if he or she can help. They will treat you as a person, not a number, and will help you become aware of other community resources.

- **Reduce your sense of isolation.**

Talk to understanding friends who are curious and interested in your well being, who are good listeners, are optimistic, are honest, and will share their knowledge and experience. Contact family members, ministers, doctors, and victim advocates who can offer special help. Your advocate or therapist can help you get in touch with special support groups.

- **Learn to relax!**

Take a daydream vacation! Decide where you want to go. Prepare for your trip by reading up on the location. Sit back in a comfortable place with no distractions. Breathe deeply for a minute or two and get relaxed. Play some soft music, possibly some music from your "destination." Let yourself go! Visualize the foods you'll eat, the activities you'll enjoy, how you'll get there (first class, of course). It may get so good that you may want to continue your fantasy trip later in the day. Just a few minutes of this fantasy at a time will really work if you concentrate. Bon Voyage!

- **Try "Sigh" Therapy.**

Simple breathing exercises can often help overcome stress. Psychologist Dr. Alred Barrios offers two breathing exercises.

1. Sit down in a comfortable chair with your arms at your side or resting on the arms of the chair. Take a deep breath, hold it for a count of ten, then exhale or sigh, letting your breath out all at once and allowing your body to go completely loose and limp. Repeat at one-minute intervals until you feel more relaxed.
2. While breathing normally, relax as you exhale. Count slowly from twenty down to ten, one number per breath. With every breath you take, try to relax even more. Since this technique involves normal breathing, it can be done anywhere and any time.

- **Try the "Quieting Response" (QR).**

The revolutionary six-second technique developed by Dr. Charles Stroe-

del "can be done anytime, anywhere, and can eliminate emotional stress caused by everyday situations".

1. When tension strikes, relax your facial muscles.
2. Smile inwardly. Imagine a smile going across your face and spreading up to your eyes.
3. Consciously think of calmness and tranquility.
4. Take a deep breath and imagine you are inhaling through holes in the bottom of your feet, up through your legs and into your stomach.
5. Finally, slowly exhale, imagining the air is flowing back down through your legs. Let your jaw, tongue and shoulders go limp.

These last three activities were found in *Conquering Stress*, Pocketbooks, 1985. Other excellent relaxation techniques can be found in *Burnout: The Cost of Caring*, by Christina Maslach. It is available for \$6.95 in paperback from most book stores.

## STEP 2. PRACTICE POSITIVE ATTITUDES!

*"Believe in yourself! Have faith in your abilities!"*

— Norman Vincent Peale

- Whenever possible, surround yourself with positive, content and well-adjusted individuals. Accentuate the positives in your life. Never let a problem become an excuse.
  - \* Pay attention to your own accomplishments.
  - \* Make good things happen — it will make you feel good.
  - \* Take things less personally.
  - \* Look at what you have left — not what you have lost.
  - \* Reminisce about happy times and relive your happy memories.
- Learn to accept things that you cannot change.
- Have a clear set of personal values. Review your past—your values, your habits, your source of energy and inspiration. What has worked in the past for you during difficult times.
- Develop and reward a sense of humor. Sometimes all we can do is to sit back and try to make ourselves feel good. Merri Dee, a broadcast personality in Chicago who was kidnapped and shot, recently said that one of the crazy things she thought about as she was crawling to safety was how muddy she was getting her new, white silk suit!
  - \* Expose yourself to humorous situations and people, television comedies, books, records, and movies.
  - \* Listen to tapes of humorist Garrison Keillor of *A Prairie Home Companion* fame, and his wonderful tales of Lake Wobegon.
  - \* Try to look at the bright side. Woody Allen once remarked, "It's difficult to hum a tune and contemplate one's own death at the same time." Laughter really is the "best medicine."

## STEP 3. PRACTICE POSITIVE ACTIONS!

Tackle your problems instead of running from them. Set the realistic goals you want to meet and learn to rely on yourself when necessary. Don't always strive to be a "super-person"; accept being "mediocre" once in awhile.

- \* Take control! When you can't solve the problem, manage it. Seek all the facts about your case!
- \* Ask questions. Ask for assistance if necessary. Persist and get the information you need.
- \* Develop a "Plan Two" if "Plan One" does not work — a fall-back strategy if things don't work out as planned.
- \* Accept the consequences of your activity. Accept your limitations, but don't underestimate yourself.
- \* Recreate your life by setting goals at home and at work. Now's the time to eliminate bad habits. Don't wait!
- \* Take control of your life. Develop skills that give you a feeling of mastery such as sewing, cooking a special dish, gardening, or wood-working.
- \* Say "NO" once in awhile — even if you just start with your pets and work up to people.
- \* Keep a "Stress Diary" or use the *Victim Impact Statement* (see page 56) as a way to release some feelings about the crime's impact. Writing down your feelings will help relieve some tension and act as a record of your feelings.
- \* Involve yourself in your church activities or other positive affiliations.
- \* Listen to good music.
- \* Read a good book.
- \* Go bowling, fishing, or hiking (not all at once).
- \* Putter with your plants. Gardening is great therapy. It melts away

stress and anxiety and your plants will love you for it! By the way, don't start your "plant therapy" with some exotic plant that has a good chance of becoming comatose with the slightest mistake. Select something hardy for starters!

- \* If all else fails, buy a polka record. This music is guaranteed to lift your spirits! If your local music store doesn't carry this "spunky" music—you may find some old Lawrence Welk albums or some even "older" melodies by Johann Strauss. Your only other alternative is to fly to Minnesota and go to a county fair.

SURVIVAL

STRATEGY

NUMBER

2



KEEP YOUR BODY HEALTHY

## EXERCISE

There is a strong correlation between a healthy body and a healthy mind. In keeping your body healthy, you reduce the risk of "stress-related disorders" such as: migraine headaches, chronic neck and bowel syndrome, acne, coronary heart disease, impotence, and diabetes.

Physical exercise is one of the most important elements of good health. Exercise can prevent illness for healthy people and promote wellness for the sick.

One of the best exercises is walking. Even walking can be versatile: brisk, short, early-morning, after-dinner, and evening walks. Even Hippocrates, the founder of medicine, suggested early morning walks for emotional disturbances and brisk walks for weight reduction.

Aerobic exercises are vigorous exercises which improve the functions of your heart and lungs and increase your endurance.

Aerobic exercises may include running, swimming, bicycling, rope jumping, or brisk walking. Aerobics require a:

- WARMUP — stretching, walking
- DURATION — 20 to 30 minutes of continuous activity
- FREQUENCY — minimum of 3 days per week
- COOL DOWN — such as walking and stretching

To determine your physical activity needs, you may take the following Physical Activity Test from the Ministry of Connections in Ontario, Canada. (Do not feel guilty if you find you need more physical activity in your life — most of us do!)



## PHYSICAL ACTIVITY SURVEY

How many hours per day do you spend:

**Sleeping** \_\_\_\_\_ hours @ .85 points/hr. \_\_\_\_\_

**Sitting** \_\_\_\_\_ @ 1.5 points/hr. \_\_\_\_\_

Riding/driving \_\_\_\_\_ hours

Study/deskwork \_\_\_\_\_ hours

Meals \_\_\_\_\_ hours

Watching TV \_\_\_\_\_ hours

Reading \_\_\_\_\_ hours

Other \_\_\_\_\_ hours

(total sitting x 1.5) \_\_\_\_\_

**Standing** \_\_\_\_\_ @ 2 points/hr. \_\_\_\_\_

Standing \_\_\_\_\_ hours

Dressing \_\_\_\_\_ hours

Showering \_\_\_\_\_ hours

Other \_\_\_\_\_ hours

(total standing x 2) \_\_\_\_\_

**Walking** \_\_\_\_\_

Slow walk \_\_\_\_\_ hours @ 3 points/hr. \_\_\_\_\_

Moderate speed \_\_\_\_\_ hours @ 4 points/hr. \_\_\_\_\_

Very fast walk \_\_\_\_\_ hours @ 5 points/hr. \_\_\_\_\_

**Occupational** \_\_\_\_\_

Housework, \_\_\_\_\_

light physical \_\_\_\_\_

work \_\_\_\_\_ hours @ 3 points/hr. \_\_\_\_\_

**Heavy total body physical exertion:** \_\_\_\_\_

Rapid calisthenics \_\_\_\_\_ hours @ 4 points/hr. \_\_\_\_\_

Slow run (jog) \_\_\_\_\_ hours @ 6 points/hr. \_\_\_\_\_

Fast run \_\_\_\_\_ hours @ 7 points/hr. \_\_\_\_\_

Recreational \_\_\_\_\_

racket sports \_\_\_\_\_ hours @ 8 points/hr. \_\_\_\_\_

Competitive sports \_\_\_\_\_ hours @ 9-10 points/hr. \_\_\_\_\_

Stair climbing \_\_\_\_\_ hours @ 8 points/hr. \_\_\_\_\_

**TOTAL HOURS: 24**

**TOTAL POINTS: \_\_\_\_\_**



If you score below 40 points, you are a very sedentary person and should consider engaging in an activity which is higher in the point system than the activities you usually engage in. If you score above 55, you are probably enjoying the benefits of physical activity. Everyone who is physically able should have some regular activity which is worth more than five points per hour. To be a "regular exerciser" you should perform that activity five times a week for at least a half an hour per session.

Moderation is very important. You can do yourself more harm than good! Enjoy your personal exercise program. Stay disciplined and your rewards will be reduced tension and a better body.

**CAUTION**

Do not begin an exercise program without some supervision or approval from a qualified person, such as a doctor.

SURVIVAL  
STRATEGY  
NUMBER

3

EAT WELL

- Eat a balanced diet each day. Include fresh fruits, milk and cheese, vegetables and protein (not overcooked). Use unsaturated fats such as corn oil in salads. Eliminate from your diet: salt, processed meats and sugar which can alter your personality and make you nervous, irritable, depressed, hostile, and even irrational. Eliminate excessive use of alcohol or drugs that are not prescribed for a specific purpose.

- Dr. Linus Pauling, recipient of the 1954 Nobel Prize for chemistry and the 1962 Peace Prize, is an enthusiastic proponent of vitamin C. In his book *How to Live Longer and Feel Better*, he suggests seven ways to prolong your life and enjoy better health.

1. Take from 6,000 to 18,000 milligrams of vitamin C each day.
2. Take vitamin E every day — 400 IUs (International Units), 800 IUs, or 1,600 IUs.
3. Take mineral supplements.
4. Reduce your intake of sugar by one-half. The average person consumes over fifty (50) pounds of sugar each year! Avoid soft drinks and sweet desserts.
5. Drink plenty of water each day.
6. Avoid cigarettes.
7. Enjoy life!

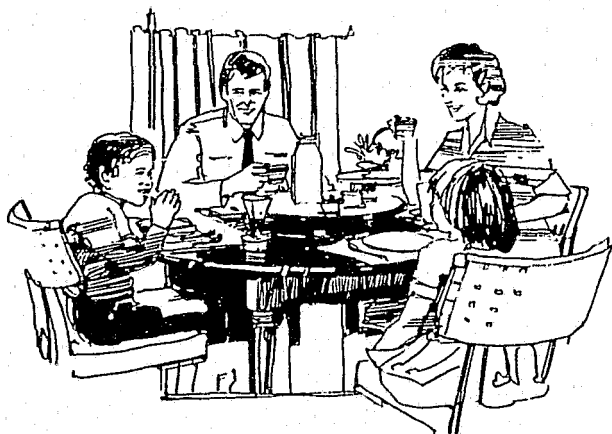
Pauling recommends that once an individual starts taking vitamins that it is important to continue. To stop taking vitamins, especially vitamin C, can increase your risk of disease for a short time (one to two weeks).

- Eat meals on a regular schedule. The levels of blood sugar and other necessary substances fluctuate so wildly if we don't eat on schedule, the body won't work efficiently.

• To reduce stress, try:

1. L-Tryptophane, a natural substance that can be purchased at health food stores in tablets. It is a natural tranquilizer and has been shown in studies to eliminate anxiety, mild depression, and sleep problems. One of the reasons that we feel so good after a Thanksgiving dinner is that turkey has significant amounts of tryptophane in it. Check with your doctor regarding possible reactions to large quantities of L-Tryptophane.
2. Herbal preparations in tablet or capsule form, such as "Nature's Plus" brand — "Mello Vites" or "Mega Stress Tabs" or "Nature's Way" brand — "Silent Night", "CA-T", or "EZ".
3. Herbal teas ("Celestial Seasonings" brand) such as:
  - a. "Sleepy Time"
  - b. "Tummy Mint"

These can be found in most health food stores or some grocery stores.



Inexpensive vitamins can be ordered from Bronson Pharmaceuticals, 4526 Rinetti Lane, La Canada, California 91011.

# CONCLUSION

Dr. Jay Segal, Director of Temple University's Stress Research Laboratory, says to reduce stress in your life, "you must conquer five attitudes":

1. FEAR — Face it step by step.
2. VUNERABILITY — Take control of your life.
3. BEING TOO DEMANDING — Eliminate unnecessary demands and expectations and expect that only realistic demands on yourself and others be met.
4. BEING TOO JUDGMENTAL — Think positive!
5. BEING TOO PESSIMISTIC — Think about all your worries that were groundless.

By changing your negative attitudes you will be able to recreate your life into positive blocks of activities. Take one step at a time. The road to recovery is long and challenging, and you may need assistance. Change doesn't happen all at once. You will need patience, discipline, humor, and energy. As a survivor, your emotional injury will leave some scars. Nothing will be quite the same again. It won't go away but you will learn to live with it. Don't give up! You have a support system you may not even know about. Contact us if we can be of assistance in your journey to recovery. Good luck!

## RESOURCES USED FOR THIS SECTION

Carl Aspler and Donald G. Evans. *Coping With Stress*, published by the Ministry of Correctional Services, Ontario, Canada, 1980.

Carl Aspler. "Stress and Burnout: The Art of Survival," Correctional Options, Ministry of Corrections, Ontario, Fall 1981.

Morton Bard and Dawn Sangrey. *The Crime Victim's Book*, Basic Books, New York, 1979.

Michael Castleman. *Crime Free, Stop Your Chances of Being Robbed, Raped, Mugged or Burglarized by 90 Percent*, Simon and Shuster, New York, 1984.

Allen Collins and Herbert H. Krauss. "Recognizing Stress," *Help Yourself Magazine*, (no date).

Alexandra Lett. *National Living: From Stress to Rest*, All Enterprises, 1984.

Christina Maslach. *Burnout: The Cost of Caring*, Prentice-Hall, 1982.

National Enquirer. *Conquering Stress*, Pocketbooks, New York, 1985.

National Organization for Victim Assistance. "Survivors of Homicide Victims," Network Information Bulletin, Volume 2, Number 3, October 1985.

*NIJ Reports* (magazine). U.S. Department of Justice, National Institute of Justice, November/December 1986.

Linus Pauling. *How to Live Longer and Feel Better*, Avon Books, 1986.

Ayala M. Pines and Elliot Aronson. *Burnout*, Published by MTI Teleprograms.

Robert H. Schuller. *Tough Times Never Last, But Tough People Do!* Bantam Books, 1983.

U.S. Department of Justice. *Report to the Nation on Crime and Justice*, 1983.

Robert Veninga. *A Gift of Hope: How We Survive Our Tragedies*, Little, Brown and Company, 1985.

Michael A. Weiner with Kathleen Grass, M.A. *Maximum Immunity*,  
Houghton Mifflin Company, 1986.

# Part Two

## *Coping With the Criminal Justice System*

*"Much of the fear and resentment  
felt by the victims toward the Courts  
is bound up in the unexplained  
mystery of our system."*

Judge Marilyn Hall Patel  
*President's Task Force on Victims of  
Crime Final Report*

# UNDERSTANDING THE SYSTEM

Parts Two and Three were written for the South Carolina crime victim. Many of the procedures and terms are similar to those in other areas. If you have questions about procedures in your community, ask and **get Involved!**

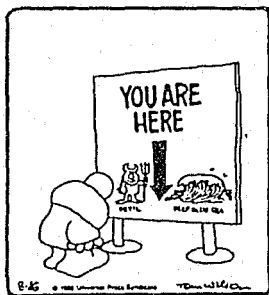
When a crime occurs, it occurs against the State. The "people of the state" prosecute the suspect because the suspect is charged with committing a criminal act under the penal codes and/or laws of the State. The attorney prosecuting the case against the suspect is called a Solicitor or an Assistant Solicitor in the State of South Carolina. You have the right to have your own attorney present if you wish. Often, because of the number of cases pending in our criminal courts, it may take up to six months before your case's trial date is set. Very few cases actually go to a jury trial. Many suspects plead guilty. In these cases, you may want to attend the guilty plea and present your "impact statement" to the judge prior to sentencing.

An advocate with the Victim Witness Assistance Program will keep you informed as to the progress of the case and will notify you when the trial date is set. It is best to call the victim advocate or your solicitor a day before the court date to be advised of any delays in the proceedings to prevent you from making any unnecessary trips to the courthouse.

Should a trial occur, the case is usually decided by a jury based on witnesses' testimonies and the physical evidence. For a suspect to be convicted, the jury must decide that the suspect is guilty "beyond a reasonable doubt."

The victim witness advocate will be with you in court to help you feel more comfortable and to help give you a better understanding of the criminal proceedings.

WCCV



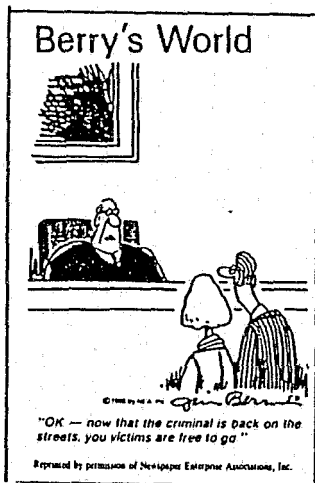
Reprinted with permission.  
All rights reserved — 9/87.



# YOUR RIGHTS AS A CRIME VICTIM

In 1984, South Carolina, in an effort to be more responsive to crime victims, enacted the South Carolina Victims and Witnesses Bill of Rights. Your rights as a crime victim are:

- ★ To be treated with dignity and compassion.
- ★ To be protected from intimidation and harm.
- ★ To be informed concerning the criminal justice process and the opportunity to submit a Victim Impact Statement.
- ★ To receive compensation if eligible and/or restitution.
- ★ To have preservation of property and employment. (The right to have your property returned and to not fear losing your job or wages.)
- ★ To due process in criminal court proceedings. Your rights should be protected as diligently as the defendant's rights. You have the right to a speedy trial.
- ★ To have special recognition and attention by all criminal justice, medical, and social services agencies if a victim is very young, elderly, handicapped, or who has special needs.



Reprinted with permission of Newspaper.  
Enterprise Associations, Inc.

# COMMONLY USED TERMS

- **Circuit Solicitor** — Chief prosecuting attorney in South Carolina who represents the people (State) in the prosecution of all criminal cases. In other states known as District Attorney, State's Attorney, Commonwealth Attorney, etc.
- **Defendant** — A person formally accused of a crime.
- **Ball or Bond** — The defendant may be released if he or she has put up money or percentage of a sum of money required by the court as a guarantee that he or she will appear for trial. A defendant may also be released without being required to put up any money or other security.
- **Subpoena** — Order directing you to be present at a time and place stated. If your name, address, or phone number on the subpoena is incorrect, please be sure to let the Solicitor's Office know so that the appropriate changes can be made. Call the person whose name is on the subpoena.
- **Preliminary Hearing** — In many cases, the law requires that a preliminary hearing be held. If so, your first court appearance may be at this hearing which is held by a Magistrate without a jury. Here, the Magistrate listens to the evidence of the crime and determines whether the case should be sent to the Grand Jury for consideration.
- **Grand Jury** — A jury of eighteen which meets monthly and hears evidence presented to them to determine whether there is enough evidence to justify a formal charge or "indictment".
- **Indictment** — A formal charge made by a grand jury after hearing evidence justifying the return of a True Bill which allows the case to progress to trial.
- **Pre-Trial Conference** — The Pre-Trial Conference is a meeting between the Solicitor or one of the Assistant Solicitors and the witnesses to a crime. You will be notified of the date and time of this conference by receiving a summons. At the Pre-Trial Conference you will have an opportunity to fully discuss the case and ask any questions that you may have.
- **Plea** — A Plea before a Circuit Judge in General Sessions (Criminal) Court is an admission of guilt by a defendant. If a defendant pleads guilty, a trial is not necessary.
- **Trial** — The examination of an issue before a court; in a criminal case, the

defendant must be proven guilty beyond a reasonable doubt. A trial may take place before a judge or before a judge and a jury.

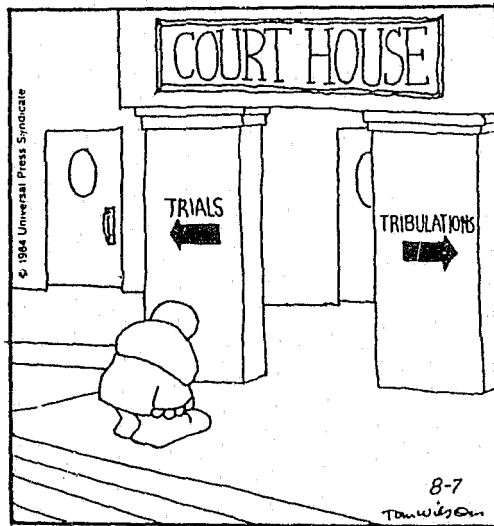
- **Disposition** — The final outcome of a case.
- **Arraigned** — The reading of the charge by the judge to a suspect and asking how he pleads.
- **Acquittal** — Being found not guilty.

# CRIME-TO-COURT PROCEDURES

It is important that you know the order of events in the Crime-to-Court process. Nothing is more frustrating than not knowing what is going to happen next, especially when you are the injured person. The order of events in a South Carolina Criminal Court proceeding is as follows:

- You file a crime report with law enforcement.
- You may look at mugshots, assist in making a composite picture or assist Law Enforcement in gathering facts about your case.
- A suspect may be arrested.
- The attorney for the suspect may request a preliminary hearing before a local magistrate.

**ZIGGY®**



Reprinted with permission. All rights reserved. 9/87.

- Law enforcement presents the case to the Prosecutor (called a Solicitor or Assistant Solicitor in South Carolina).

- You may be interviewed by the Prosecutor's office (a pre-trial conference).
- The Solicitor or an Assistant Solicitor decides whether there is enough admissible evidence to issue an indictment (a formal criminal charge).
- When the charge is murder, the suspect is arraigned before a judge.
- A preliminary hearing date is set and you may be subpoenaed to testify (though, only the investigating officer usually testifies). The hearing takes place in front of a judge without a jury. If the judge (Magistrate) decides there is enough evidence, the case could be sent to the Grand Jury for consideration.
- The Grand Jury meets and hears the evidence presented. The Grand Jury will either return a "True Bill of Indictment" or a "No Bill", allowing the prosecutor's office to proceed or to end the case due to lack of evidence.
- If the solicitor or an assistant solicitor proceeds with prosecution, the suspect may elect to go to trial or to plead guilty. Your assistance as a victim/witness may be necessary during a trial.
- The trial may result in acquittal (a not guilty verdict) or a conviction (a guilty verdict).
- At sentencing, you have the right as a victim/witness/survivor to offer a **VICTIM IMPACT STATEMENT** to the court prior to sentencing. This is a voluntary oral and/or written statement that is a device we use to ensure that the victim has a voice in the proceedings and the judge is fully aware of the crime's impact on a victim's life and family. The Victim Witness Assistance Program has Impact Statement forms which you may use or you may write your statement on a plain sheet of paper. Please allow us to make an extra copy for our records.

# Tips on Testifying\*

## Suggestions for Witness Preparation

1. The most important thing is to tell the truth. Victims sometimes become frightened, confused, and angry. If they feel overwrought they sometimes find it easier to alter their story to make themselves or someone they care about look perhaps a little braver, smarter, or nobler than they had been. It is important to remind them that the truth — even the ignoble truth — is best for them and for the case.
2. Speak clearly and loudly enough so that jurors and the judge can hear you.
3. Be serious in your approach. Sometimes witnesses become nervous and try to hide their worries behind jokes and laughter. This can be distracting and damaging.
4. Be courteous in response. Even when a defense attorney is rude and inconsiderate, a witness should try to retain his dignity and answer politely.
5. Do not lose your temper. Sometimes trial attorneys will try to hurt you or say things that are not correct in order to wear you out. Don't let them get to you.
6. Do not argue on cross-examination.
7. Don't ask the judge or the prosecuting attorney for help in answering a question. If you don't understand the attorney's question, tell him so honestly.
8. Don't try to memorize your testimony; simply be prepared to tell what happened.
9. Proper dress and a neat appearance are important. Don't chew gum or tobacco! The more your appearance draws the attention of the judge and jury, the less they will listen to your testimony. Remember you only have a brief time to make an impression with what you say.
10. Listen carefully to the questions that are asked and give thoughtful, considered answers. Take your time and if the question is confusing, ask to have it repeated. Don't let the defense attorney try to rush you into saying something you don't mean.

11. Answer directly and simply. Answer only the question that was asked perhaps the hardest discipline a witness should master — but explain your answer if necessary. If the question cannot be answered with a yes or no, you have a right to explain it.
12. Do not try to tell the jury what someone else told you unless you are specifically asked. Statements by others are generally inadmissible as "hearsay". There are many "hearsay" exceptions that make other people's words admissible and the lawyer may ask you specifically about those.
13. Don't give your opinions or feelings unless you are asked for them. The case must be decided on the facts and it is normally improper to add your own views. In some cases, the facts may be related to your feelings; your prosecuting attorney will tell you if that is true. (For instance, some courts have indicated that evidence of rape trauma is relevant to a sexual assault case. In such a jurisdiction the feelings of the victim may be asked for on the stand).
14. Don't end your answers with conclusions like, that's all that happened, etc. Instead indicate that is all you remember. Something may happen that makes you remember something else and you may want to add to your description at a later date.
15. Stop instantly when a judge interrupts or an attorney objects to a question. That can be difficult, but you don't want to say anything which might hurt your case or cause a mistrial.
16. Be as definite as possible in your answers. You do not want to raise doubt in the minds of the jury or the judge.
17. Sometimes, not often, a defense attorney may ask a trick question. For example, "Have you talked to anybody about this case?" In most cases, you will have talked to a number of people about the case, but if you say, "Yes", the defense lawyer may try to infer that you have been told what to say. The best thing to do is say that you have talked with whomever you have talked with — prosecuting attorney, victim, other witnesses, etc. — and that you only discussed the facts of the case.

# CHILD VICTIMS



The sequence of events in the crime-to-court proceeding for child victims is identical to the sequence for adult victims. If your child is preparing for a trial, it is important that your child know you are supporting him or her!

- \* Your child must know you believe him/her.
- \* Your child must know the Incident was not his/her fault.
- \* Your child must know that you are sorry about what happened.
- \* Your child must know that he or she did the right thing by revealing the Incident.
- \* Do not assume you know your child's feelings about the offender.
- \* Understand that your child may have confused feelings about the abuse that occurred.
- \* Do your best to protect and support your child and let your child know it.
- \* Be glad that he or she has told you about the Incident.
- \* Do not blame yourself for your child's victimization.
- \* Temper your own reactions as your child will reflect your anxieties.

You have the opportunity to either increase or reduce your child's anxiety about the court system. We hope you will not contribute to your child's fear about court. Remember, taking positive action is important!

The Child Abuse Prosecution Team in the Solicitor's Office is especially trained to work with child victims and is particularly sensitive to their needs.



The team includes a Child Advocate whose primary responsibility is to assist the child and family in preparing for court. The Advocate uses dolls, drawings and other courtroom aids which are made especially for children to be used in court. These aids help children cope more comfortably with describing details of the criminal incident. A major effort is made to prevent further traumatization to the child by the court system.

When appropriate, a child's testimony may be videotaped to eliminate the need for the child to appear in the court during trial. Whether or not to allow videotaping of a child's testimony is in the discretion of the judge. The State must convince the judge that the child would be further traumatized (injured) by having to testify in front of the defendant (the accused).

Early intervention can help your child's recovery and can also help in preparing you and your child for court. The Child Advocate can help you find a therapist who is trained to work with child victims. You may be eligible for financial assistance for counseling from the State Crime Victims Compensation Fund or through our "Crime to Recovery" Program in Greenville. Take advantage of these programs.

## *JUVENILE OFFENDERS*

When a person under the age of seventeen commits an offense which would be a felony or a misdemeanor for an adult, the case is referred to Family Court for prosecution.

There are procedures available by which the Family Court can transfer authority or jurisdiction of the case to the Court of General Sessions. For a sixteen-year-old offender, any charge may be transferred. If the offender is fourteen or fifteen years old, only certain specified violent offenses can be transferred. Most cases are not transferred unless the juvenile has a substantial prior record.

If a case is not transferred to the General Sessions Court, the Juvenile Court is somewhat limited in its choice of sentencing. The juvenile may be committed to a correction facility for youth, but only for an indeterminate period. The length of time actually spent in a juvenile facility is controlled by the Juvenile Probation Board and the Department of Youth Services.

A juvenile may not be fined, but may be required to pay restitution up to a limit of five hundred (\$500.00) dollars.

# DEFENSE ATTORNEYS

Witnesses are sometimes asked by lawyers representing defendants to give interviews to them. If you receive such a request, you may discuss the request with the Solicitor or an Assistant Solicitor responsible for that particular case. There are no rules or laws prohibiting you from telling the defendant's lawyer your testimony before you take the stand. However, this is your decision and you should not feel pressured to speak to anyone about the case. If you agree to talk to a defense attorney prior to the trial but would like a representative of the Solicitor's Office with you, please notify us and the Solicitor or an Assistant Solicitor will make the necessary arrangements and be present with you.

## THE MEDIA AND THE VICTIM



Too often victims and their families are traumatized by the news media when violent crimes are reported. Crime scene shots on television, details of the injuries, and insensitive attempts to interview survivors and witnesses all contribute to the continuing victimization of our citizens.

Victims are faced with publicity from the media once a violent crime has been reported. At times, the media coverage has violated the victim's right to privacy. The public has a right to be informed under the Constitution of the United States; however, the rights of victims should not be violated in the process of informing the public. Many realize the necessity of protecting the victims from further victimization by the media and, for this reason, some general rights for victims in relation to the media have been established.

Bill Wheless and Mary McCarthy of WYFF-TV in *A Better Mousetrap Won't Do It Anymore* have devised *A Victim's Bill of Rights* for victims concerning their encounters with the media. Some of these rights include:

- A victim has the right to sensitive treatment from news reporters and photographers. This right does not preempt the public's right to know, but reinforces the right of any member of the public to maintain his dignity in time of crisis.

- A victim has the right to proper notification about tragedy — in a private situation with appropriate authorities. This right does not affect the public's right to know, it only adjusts the timing of the telling.
- A victim of rape has the RIGHT to anonymity.
- A victim has the RIGHT to complain when he or she feels the media has gone too far.

The first National Symposium for Crime Victims and the media was held recently in Fort Worth, Texas, and was entitled "Crime Victims and the Media: The Right to Privacy Versus the Right to Know". The rights of victims established at this symposium included the victim's right to say "no" to an interview, as well as the right to refrain from answering any question. Victims are also given the right to make any formal complaint against a reporter who has offended them, as well as review photographs or quotes that are to be used in news stories.

The media and the criminal justice system have realized the necessity to protect victims from further victimization by the media. If you feel you need assistance from media intervention, contact the Victim Witness Assistance Program.

## NO GUARANTEES!

The Criminal Justice System depends on people to work. One observation our staff has made during the last thirteen years in the courts is that *Murphy's Law* is alive and well in the Criminal Justice System. That is, if anything can go wrong, it will!

Real life crime-to-court activity is just as dramatic as fictional television adventures, although at times far less efficient. There are no guarantees regarding your satisfaction with the outcome of the case. Criminal investigations require time, talent, hard work, and long hours. Effective prosecutions need evidence, victim/witness cooperation, skill and, during trials, a jury that is convinced of an individual's guilt. We have dedicated and experienced people in the system and, unfortunately, we too are not always satisfied with the outcome of a case.

Express your opinions and ideas early in the crime-to-court sequence of events. The result of the investigation and prosecution may or may not be to your satisfaction, but we want you to feel influential in your case and that, as public employees, we did everything we could to help you.

# *Part Three*

*What Happens  
After Court?*

# THE APPEALS PROCESS

Victims of crime experience what is called the "second injury" after the initial victimization. The second injury is the second victimization by the criminal justice system. The never-ending appeals process and the tremendous effect it has on the victim's family is an excellent example of the second injury. Individuals who have been convicted of crimes have the opportunity to appeal their cases to the South Carolina Supreme Court and to the United States Supreme Court. This is an attempt to get their conviction overturned by finding errors in the law during the trial or by alleging that their attorney was incompetent in representing them.

There are two types of appeals. A Direct Appeal is an attempt to get a conviction overturned by finding errors in the law during the trial. An individual convicted of a crime has ten days to file an appeal. Upon filing, an Appeal Bond is set and if the individual convicted can make bond, he or she can be released and back on the streets. If the bond is not made, the individual starts serving his/her sentence. A decision will be made by the State Supreme Court in six to nine months as to whether the sentence should be reversed or upheld. South Carolina State Supreme Court decisions can, in some instances, be appealed in the United States Supreme Court and a Federal Court Magistrate has the authority to set an appeal bond at the federal level. This process can take two to three years.

When an individual convicted of a crime alleges that his attorney was incompetent in representing him/her, this is known as Indirect Appeal. The individual requests a hearing called a Post Conviction Relief Hearing (PCR) which is held before a circuit judge. There are no time limits in filing a PCR. Victims frequently call our office when they find out that an inmate is coming to court for a PCR. Our office can inform them when certain hearings are taking place or about the results of a PCR hearing.

Victims of violent crimes find that following the appeals process is a major emotional challenge. Victims are constantly afraid that the conviction will be overturned. Some are, and victims again are required to endure new trials years after the initial conviction. These additional criminal justice procedures resurrect the emotional consequences of crime and emphasize once again the long-term psychological injuries.

# *THE DEATH PENALTY*

South Carolina is the only state in the country that has a victim advocate in the office of the South Carolina State Attorney General. This advocate helps family members of death penalty homicides. These victims not only have to endure long, two-part trials, but know that each person convicted of a homicide and who receives the death sentence will have the opportunity for a lengthy appeals process. Some of these sentences are overturned, and all of these cases receive significant media coverage during trials. This is especially true if the death sentence is carried out. The Attorney General's victim advocate will help these surviving family members of the most aggravating crimes, in the crime-to-court process and during the appeals and sentencing process. The address and phone number of the State's Attorney General's Victim Assistance Advocate is: Victim Assistance Coordinator, Attorney General's Office, Post Office Box 11549, Columbia, South Carolina, 29200; (803) 758-2697.

## *PROBATION*

The offender may receive a probationary sentence instead of, or in addition to, a jail term. Probation is a way for the offender to serve his or her sentence in the community. Probation involves the judge possibly imposing a jail term on the offender which is suspended upon the offender's reporting at least once a month to a probation officer, paying any restitution ordered, paying the fine and court costs and refraining from certain locations, persons and any further involvement in criminal behavior. The judge may additionally require, if appropriate, mental health, drug or alcohol counseling during probation.

If the offender does not successfully complete his probationary sentence, he or she is returned to court and the judge may sentence him or her to an active jail term. Contact the Department of Parole and Community Corrections (the Probation Office) in your county if you have a question about a person who is serving a probationary sentence and may be violating certain conditions. An agent is assigned to each case and has the information and authority to respond to your requests or concerns.

# ***IF THE OFFENDER GOES TO JAIL***

You have opportunities after sentencing and during the offender's incarceration to know when he or she is eligible for parole and when he/she may be released from jail.

The Victim Witness Assistance Office has form letters you may send to the South Carolina Department of Corrections and the South Carolina Department of Parole and Community Corrections, if you are interested in being kept informed. These agencies **MUST** know of any changes in your address so they can notify you in the future of inmate activities. They are interested in making sure victims and survivors are not "surprised" by the release of inmates. You may not want to know anything more about the case so you will be kept informed **ONLY** if you alert these agencies of your interest in the case.

## ***DEPARTMENT OF CORRECTIONS***

*"We found real bitterness among victims of crime who later discovered their assailant free after what amounted to a token punishment. I don't think these victims are asking for a pound of flesh. I think they're asking for a measure of justice."*

— Thomas Amberg  
*President's Task Force on Victims of Crime  
Final Report*

If the person who committed the crime against you (or someone in your family) has been ordered to serve more than 90 days in the state prison system, the South Carolina Department of Corrections Victim/Witness Notification Program can help you keep informed of temporary or final release. Send information requests to the Victim/Witness Liaison, S.C.D.C., Post Office Box 21787, Columbia, South Carolina, 29221, or call (803) 737-9313. This agency has an excellent publication out for victims entitled "Good News and Hard Facts: What Crime Victims Need to Know About the South Carolina Department of Corrections." A copy can be provided to you by the Victim/Witness Advocate. This publication contains information specific to

## *PAROLE*

*"I also feel that I should be allowed at the parole hearings or be allowed to send a representative. I think it would be very difficult for me to attend them; but I feel that it should be my right to have the option."*

— A Victim  
*President's Task Force on Victims of Crime  
Final Report*

The majority of the criminals in the South Carolina penal system will become eligible for parole at some point. The facts determining the eligibility of parole include the original sentence, work credits earned and good time credit. Violent offenders are generally eligible for parole after serving one-third of their sentence, minus earned credit. There are exceptions to this formula.

Many victims find the parole phase as traumatic as the original crime. Years after the original sentencing of a criminal, a victim must suddenly refocus his or her attention on the crime.

For a variety of reasons, not all survivors of violent crime choose to oppose parole. Many victims, however, who have become involved in the process, relate that they feel an element of control and a reduction of the helplessness associated with the trial and sentencing phases.

Parole hearing notifications are mailed to victims who request notification approximately four to eight weeks before the hearing date. It is the responsibility of the victim to make arrangements to attend the hearing in Columbia if he or she chooses to do so. It is important during the period before the hearing to write the Parole Board and state your feelings of opposition.

A victim may also solicit support from the community in the form of opposition letters. Family, friends, clergy, special interest groups, state and local legislatures, and law enforcement officials may all be called on to write letters on the victim's behalf.

If you plan to attend the parole hearing to oppose parole for an offender, the Department of Parole and Community Corrections has an advocate who will assist you. A victim advocate with the Victim Witness Assistance Unit of the



Solicitor's Office may also be available to attend the hearing with you. You will not have to confront the offender at the hearing, but you may have to present your views to the Parole Board in Columbia. You may not have the opportunity to express your feelings if the Board has already decided to deny parole.

If parole is denied or rejected, inmates serving time for crimes designated "violent" by Section 16-11-312B of the South Carolina Code will NOT be eligible for another parole hearing for TWO years. These crimes are: murder; criminal sexual conduct first and second degree; assault with intent to kill; kidnapping; voluntary manslaughter; armed robbery; drug trafficking; arson first degree; and burglary first and second degree (with aggravating circumstances).

If the inmate is serving time for any other offense (which is designated "non-violent") the inmate will become eligible for parole in ONE year.

If you are concerned about your safety pending the release of an inmate, contact the victim advocate in Columbia. The supervising parole agent and the state parole victim advocate can have the authority to place special conditions on the parole certificate.

It is still important to voice your concern or opposition to an inmate's release through letters, both personal and from the community. Send letters to the Parole Board. The address is: Chairman of the Parole Board, South Carolina Department of Parole and Community Corrections, Post Office Box 50666, Columbia, South Carolina, 29250. You may call the victim advocate's number in Columbia at (803) 734-9278.

# Part Four

## *Financial Assistance*

*"I think if the criminals who do these things are caught they should have to pay for the damage they do, even if it takes them years. My family and I will be trying to recover from this for the rest of our lives."*

— A Victim  
*President's Task Force on Victims of Crime  
Final Report*

---

*"The man who murdered my husband is in prison, thankfully. We as taxpayers are paying for his room, board, and medical and psychiatric help. My husband was my only means of support. I'm now destitute, very ill, and have no financial means. Meanwhile, the murderer has 600 acres of valuable property. Why should the man who ruined my life be able to keep and return in a few years to that, while I have nothing?"*

— A Victim  
*President's Task Force on Victims of Crime  
Final Report*

# THE SOUTH CAROLINA VICTIMS' COMPENSATION FUND

## 1. *Who may make a claim?*

A claim may be filed by anyone in South Carolina who was the actual victim of a crime which was committed in South Carolina or who was injured attempting to prevent a crime, or attempting to apprehend a criminal after the commission of a crime. Surviving family members or homicide victims may file for burial expenses.

## 2. *How do you qualify?*

The crime must be reported to the proper authorities within forty-eight hours. The Claimant (victim or family member) must cooperate with the police. The Claimant must be a surviving family member of the homicide victim or be physically injured by the victimization. There are no awards made for property crimes.

## 3. *What expenses will it pay?*

It will pay a sexual assault emergency room examination cost as well as unpaid medical expenses. It will cover funeral expenses up to \$1,000.00\* and it will pay for loss of earnings and mental health counseling.

## 4. *How much will it pay you?*

The maximum amount which may be awarded in any claim shall not exceed three thousand dollars (\$3,000)\* in the aggregate. Awards for mental health counseling will be paid for ninety (90) consecutive days of treatment only.

## 5. *How do you file a claim?*

Get a claim form from the Victim Assistance Office or call the Victim Advocate in the Solicitor's Office. An advocate will send you a form.

\* As of publication of this handbook, this is the maximum amount awarded at this time. Contact the Crime Victim Fund to make sure this amount has not been changed!

6. *How long will it take?*

If you are eligible it may take at least six months from the time you file the claim until you receive payment.

7. *Where is the South Carolina Crime Victims' Compensation Fund located and how can I contact it?*

For information regarding claims contact the South Carolina Crime Victims' Compensation Fund at (803) 737-9465 or call the toll-free number at (800) 521-6576. The address is: Post Office Box 10100, Columbia, South Carolina 29221-5000.

## **RESTITUTION TO VICTIMS OF CRIME**

### **Restitution as an Order of the Court**

When there is financial loss connected with a crime, such as property damage, medical expenses, mental health costs, the offender is often ordered to pay restitution to the victim for this damage and loss. The word "restitution," according to *Webster's New World Dictionary*, means: "a giving back to the rightful owner of something that has been lost or taken away; restoration, a making good for loss or damage; reimbursement, a return to a former condition or situation."

We know that crime often leaves permanent scars and damages. It is unrealistic to expect that restitution made to you will "return you to your former situation", but it is an attempt by the court to help in the reconstruction of your life. The Solicitor's Office will want to know your actual losses and expenses related to the crime. You may use a Victim Impact Statement to itemize those expenses or losses.

A victim may receive restitution by an order of the court upon the conviction of the defendant (as a part of the sentence). Restitution can be ordered by the judge as a condition of probation or as an addition to a jail term. The funds are collected by the Clerk of Court and then are released to the victim. It frequently takes two or three months after sentencing for this process to begin and, oftentimes, several years before all funds are collected.

Some judges frequently order restitution — others do not share the same confidence that a defendant will be able to pay. The process of collecting restitution is oftentimes frustrating. Contact the Probation Office if you find that an offender who has been sentenced is not making restitution. The agent will explain the circumstances relating to your case.

In juvenile cases, court-ordered restitution is limited to five hundred (\$500.00) dollars per case.

## **Pre-Trial Intervention**

One other way a victim may collect restitution is through a formal pre-trial intervention program. This program was developed for first offenders of non-violent, non-drug related crimes. The program permits a first offender to compensate the victim in order to avoid receiving a criminal record. The offender must pay a fee to enter the program, have a job or be in school, participate in counseling and have the approval of the victim, law enforcement and the Solicitor's Office before enrolling. The program is available only to those individuals who are highly committed to succeed.

## **FILING A CIVIL SUIT**

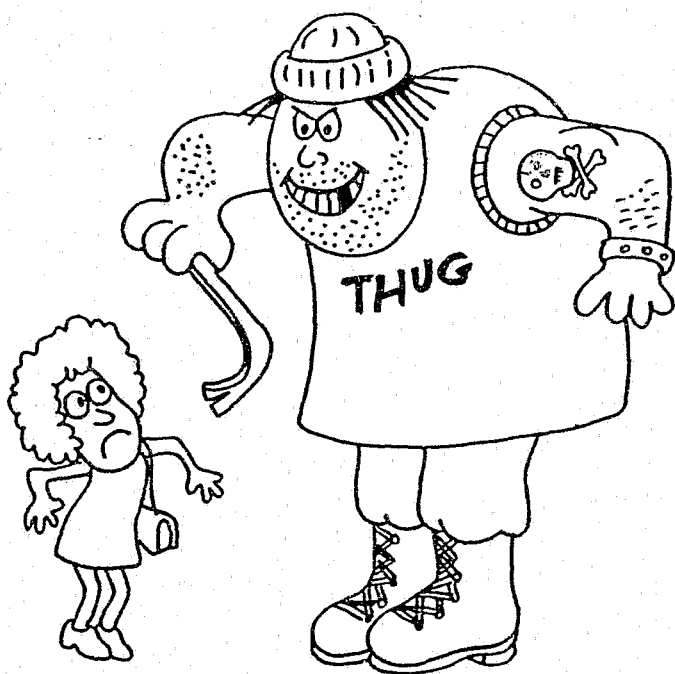
You may want to sue the suspect for damages during or after the criminal proceedings. Unlike the criminal proceedings which require testimony and evidence showing the suspect is guilty "beyond a reasonable doubt", the civil proceedings only require a "preponderance of evidence".

You will have to retain your own attorney and go to either Circuit Court or to Magistrate Court, in which suits for lesser amounts of money are handled. Also, if you were assaulted in an area such as a parking lot or structure, you may be able to sue the owner(s) for negligence. Discuss these matters with an attorney.

In South Carolina, victims have a civil cause of action available for any intentional act committed by a minor. This is limited to a \$1,000.00 recovery from the offender's parents. (This is in addition to the \$500.00 restitution that may be ordered in Juvenile Court during criminal proceedings).

# Part Five

## *Your Personal Safety*

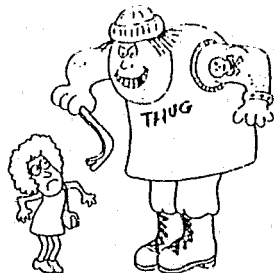


# YOUR PERSONAL SAFETY

As unfair as it seems, you as a victim of violent acts may be more vulnerable now to accidents, illness or further victimization. The stress related to your injury may cause your defenses to be down. Preoccupation with your crisis or injury and the distraction caused by your stress and grief understandably reduce your alertness to even the most common dangers such as those that occur while driving a car, operating machinery, cooking, and going about your daily routine.

It is important that you are aware of your vulnerability so that you can protect yourself by remaining alert to potential danger. Some people look assaultable. Law enforcement officers and prison inmates agree that some people look like easy prey just by the way they walk. Michael Castleman, author of *Crime Free*, suggests these ways to reduce your risk of victimization:

- Move like a cat. Alert, purposeful and determined with a steady, confident stride. Look ahead of you and swing your arms comfortably.
- Try to stay in good physical condition.
- Walk in populated and well-lit areas.
- Walk with a companion when possible.
- Cultivate your intuition and trust it.
- Act in any way necessary, including being impolite, to separate yourself from a person who causes you to feel "distress or danger signals".
- Use alcohol moderately or not at all.
- Park on the street in urban areas unless garage has parking attendant.
- Stay alert while waiting for buses, trains, or elevators.
- Do not hitchhike.
- Have car keys in your hand before going to your car.



- Dress in clothing that allows you to move freely in case you need to run.
- Drive with your car windows closed and your car doors locked in unfamiliar or high-crime areas.
- Ask friends and hotel personnel about areas to avoid when traveling.
- Assume a more defensive, unfriendly posture if your intuition gives you distress signals. Women, especially, feel obligated to smile, answer questions, give directions and give help if asked. Protect yourself at home and on the street by being "rude" if necessary. Don't feel silly being impolite and overcautious. It may save you from being injured again!

An excellent community resource for safety education and prevention information is your local law enforcement agency's crime prevention unit which has numerous publications available regarding different types of crimes. The unit will also give you advice on securing your home and valuables. More and more Victim Assistance Programs and Rape Crisis Councils are aware that crime prevention information is helpful and therapeutic for victims. These agencies may have excellent resources and films available for loan.

Castleman concludes, "Constant paranoia is counterproductive. It interferes with projecting a confident, non-victim image. The best strategy is to stay alert, recognize risk situations early, and balance them against appropriate precautions."

Understanding how you can protect yourself and reduce your chances of victimization, injury, or illness can give you better control of your life and will aid in your crime-to-recovery process.



# What You Should Do To Prevent Rape

Facing the facts about rape is the first step. You know that anyone can be the victim. So the next step is to learn how to prevent it from happening.

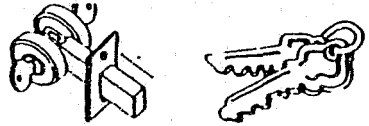
## Outside

Many rapes occur on the street or in a park, playground, or schoolyard. Be alert to your surroundings and the people around you when you are outside, particularly at night or if you are alone. You should:



- Stay in well-lighted areas as much as possible.
- Walk confidently, directly, and at a steady pace. A rapist looks for someone who appears vulnerable.
- Walk close to the curb. Avoid doorways, bushes, and alleys where rapists can hide.
- Wear clothes and shoes that give you freedom of movement. Do not burden yourself with too many packages.
- If you think you are being followed, turn around and check. Walk quickly to areas with lights and people. If a car appears to be following you, turn and walk in the opposite direction, or walk to the other side of the street.
- Be careful when people stop you for directions. Always reply from a distance.
- If you feel you are in danger, do not be reluctant to scream and run. Consider carrying a whistle, freon horn, or other noisemaker. If you are in trouble, use it.

- If you are in trouble, attract help any way you can. Scream, call for help, yell "fire", or break a window in a house where you think someone is home.



## At Home

Many rapes occur in the victim's home, in a garage, or an apartment building laundry room. In some cases, the rapist may be a burglar who breaks into a house and unexpectedly finds someone home. In others, an attacker purposely looks for women home alone. One of the best ways to prevent sexual assault is to protect your home.

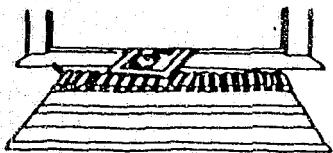
- Make sure all doors are solid and sturdy. Entry doors should be solid core wood (at least 1 3/4 inches thick) or metal. Deadbolt locks with a 1-inch throw are a must. Do not rely on chain locks. The average man can easily break most chain locks.
- Have your locks changed or rekeyed when you move into a new home.
- Install a viewer in your door.



- If strangers ask to use your telephone in an emergency, offer to make the call yourself. Have them wait outside while you make the call.



- Install good exterior lighting around your home.



- If a sales or repair person is at the door, always check identification. Ask that identification cards be held up to your viewer or slipped under the door for you to check. For additional security, call the person's office for verification.
- If you come home and find a door or window open or signs of forced entry, do not go in. Go to the nearest telephone and call the police.
- If strangers telephone or come to your door, do not acknowledge you are home alone.
- If you rent, tell your landlord what security improvements are needed. Better lighting, stronger locks, and night security guards are all ways to make a building safer.

### When Driving or Riding

Rapes also happen in cars and other vehicles. Be very careful about accepting rides from strangers. A casual offer of a ride home from somebody you do not know — or know only slightly — could mean trouble. Never hitchhike.

Be especially cautious when driving. Reduce your risk by taking these precautions.

- Check the back seat before you get in.
- Keep doors locked while you drive.
- Park in well-lighted areas.
- If you think you are being followed, drive to a public place or a police station.



- If your car breaks down, use distress signals such as opening the hood, attaching a white cloth to the car antenna, or flares. Stay in your locked car. Ask anyone who stops to call the police or a garage.

### What Should You Do If You Are A Victim?

Call the police right away, get help from a friend, your doctor, a hospital emergency room, or the local rape crisis or victim/witness assistance center listed in the telephone book.

The most important thing to remember after an attack is that you should not change your clothes, wash, douche, or disturb anything in the area where the rape occurred until you have contacted the police and been to a hospital. If you do, you may accidentally destroy valuable evidence the police or prosecutor might need to arrest and convict your attacker.

# YOUR PERSONAL SAFETY RIGHTS

You have certain "rights" as an individual to reduce your risk of victimization. You have:

- THE RIGHT TO TRUST YOUR INSTINCTS, INTUITION, AND FUNNY FEELINGS;
- THE RIGHT IN ANY SITUATION TO SAY NO TO UNWANTED TOUCH OR AFFECTION;
- THE RIGHT TO BE RUDE OR UNHELPFUL;
- THE RIGHT TO QUESTION AUTHORITY AND TO SAY "NO" TO QUESTIONABLE DEMANDS AND REQUESTS;
- THE RIGHT TO LIE AND NOT TO ANSWER QUESTIONS;
- THE RIGHT NOT TO BE INTIMIDATED;
- THE RIGHT TO RUN, SCREAM, AND MAKE A SCENE;
- THE RIGHT TO BE "PARANOID" ABOUT YOUR SAFETY ("IT'S BETTER TO BE JUMPY, THAN JUMPED");
- THE RIGHT TO ASK FOR HELP;
- THE RIGHT TO INFORMATION, ASSISTANCE AND AC-  
TION FROM OUR CRIMINAL JUSTICE SYSTEM;
- THE RIGHT TO SURVIVE VIOLENT CRIME WITH DIGNITY AND SUPPORT.

# Part Six

*How You  
Can Get Help*

# BOOKS

- Anderson, Walter. *Courage Is a Three-Letter Word*. Fawcett Crest, 1986.
- Austern, David, Esquire. *The Crime Victim's Manual*. Viking Penguin Books, 1987.
- Bard, Morton and Sangray, Dawn. *The Crime Victim's Book*. 2nd Edition, 1985 New York: Brynner/Mazel Publisher, 19 Union Square, New York, New York 10003.
- Barkas, Janet. *Victims*. Scribner, 1978.
- Beaudry, Jo and Ketchum, Lynne. *Carla Goes to Court*. New York: Human Services Press, 1983.
- Caine, Lynn. *Widow*. William Morris and Company, 1979.
- Castleman, Michael. *Crime Free*. Simon and Shuster, 1984.
- De Montalembert, Hughes. *Eclipse: A Nightmare*. New York: Viking, 1985.
- Dyer, Wayne W. *Pulling Your Own Strings*. Avon Books, 1978.
- Gaylin, Willard, M.D. *The Killing of Bonnie Garland, A Question of Justice*. Simon and Schuster, 1982.
- Hyde, Margaret O. *The Rights of the Victims*. Franklin Watts, 1985.
- Johnson, Ray with Stoianoff, Carol. *Ray Johnson's Total Security*. Pastimes Publications, 1984.
- Kinder, Gary. *Victim: The Other Side of Murder*. Dill Press, 1983, Paperback.
- Kushner, Harold S. *When All You've Ever Wanted Isn't Enough*. Pocket Books, 1986.
- Kushner, Harold S. *When Bad Things Happen to Good People*. Avon Books, 1981.
- Ledray, Linda E. *Recovering from Rape*. New York: Henry Holt & Company, 1986.
- Leshan, Eda. *Learning to Say Good-by*. Avon Books. October, 1978.
- Lord, Janice Harris. *No Time for Good-byes*, Pathfinder Publishing, 1987.
- Morris, James E., Judge. *Victim After Shock: How to Get Results from the Criminal Justice System*. Franklin Watts, 1983.
- Peale, Norman Vincent. *Power of the Plus Factor*. Fleming H. Revell Company, 1987.

Rowland, Judith. *The Ultimate Violation*. New York: Doubleday and Company, Inc., 1985.

Saldana, Theresa. *Beyond Survival*. New York: Bantam Books, 1986.

Segal, Julius. *Winning Life's Toughest Battles*. McGraw-Hill, 1986.

Shuller, Robert H. *Tough Times Never Last, But Tough People Do!* Bantam Books, 1983.

Stark, James and Goldstein, Howard W. *The Rights of Crime Victims*. Bantam Books, 1985.

*Surviving Sexual Assault*. Edited by Rochel, Grossman with Joan Sutherland. New York: Congdon & Weed, Inc., 1983.

Veninga, Robert. *A Gift of Hope: How We Survive Our Tragedies*. Little, Brown and Company, 1978.

Viorst, Judith. *Necessary Losses*. Simon and Schuster, 1986.

Waitley, Denis. *Seeds of Greatness*. Revell, 1983.

Watson and McAninch. *Citizens Guide to South Carolina Criminal Law and Procedure*. University of South Carolina Book Store.

Weiner, Michael A., Dr. *Maximum Immunity*. Houghton Mifflin Company, 1986.

Westberg, Granger E. *Good Grief, A Constructive Approach to the Problem of Loss*. Fortress Press, 1971.

Wheeler, Eugene D. and Robert E. Kallman. *Stop Justice Abuse*, Pathfinder Publishing, 1987.

## AUDIO CASSETTES

*Living Through a Personal Crisis*. Ann Kaiser Stearns. Bantam Audio Cassette.

All Garrison Keillor's Audio Cassettes:

*Gospel Birds*

*Lake Wobegon Days*

*Prairie Home Companion Tenth Anniversary*

*News From Lake Wobegon*

*Leaving Home*

(Produced by Minnesota Public Radio and are available at most book stores.)

# NATIONAL ORGANIZATIONS

## THE NATIONAL ORGANIZATION FOR VICTIM ASSISTANCE (NOVA)

717 "D" Street, N.W.  
Washington, D.C. 20004  
(202) 393-6682

## SUNNY VON BULOW NATIONAL VICTIM ADVOCACY CENTER

307 West 7th Street, Suite 1001  
Fort Worth, Texas 76102  
(817) 877-3355

## THE NATIONAL GAY AND LESBIAN TASK FORCE

1517 "U" Street, N.W.  
Washington, D.C. 20009  
(202) 332-6483

## PARENTS OF MURDERED CHILDREN (POMC)

1739 Bella Vista  
Cincinnati, Ohio 45237  
(513) 721-LOVE or (513) 242-8025

## MOTHERS AGAINST DRUNK DRIVING (MADD)

669 Airport Freeway, Suite 310  
Hurst, Texas 76053  
(817) 268-MADD

## NATIONAL COALITION AGAINST SEXUAL ASSAULT (NCASA)

527 East Capital Avenue, Suite 100  
Springfield, Illinois  
(217) 753-4117

## NATIONAL COALITION AGAINST DOMESTIC VIOLENCE (NCADV)

2401 Virginia Avenue, N.W., Suite 306  
Washington, D.C. 20037  
(202) 293-8860

## NATIONAL CRIME PREVENTION COUNCIL (NCPC)

805 15th Street, N.W., Room 718  
Washington, D.C. 20005  
(202) 393-7141

**NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN**  
1835 K Street, N.W., Suite 700  
Washington, D.C. 20006  
(202) 634-9821

**NATIONAL COMMITTEE FOR THE PREVENTION OF CHILD ABUSE**  
111 East Wacker Drive, Suite 510  
Chicago, Illinois 60601

**NATIONAL DISTRICT ATTORNEYS ASSOCIATION**  
708 Pendleton Street  
Alexandria, Virginia 22314  
(703) 549-9222

**NATIONAL SHERIFF'S ASSOCIATION**  
Victim Witness Association Program  
1450 Duke Street  
Alexandria, Virginia 22314  
(703) 836-7827

**AMERICAN BAR ASSOCIATION**  
Child Advocacy Project  
1800 M Street, N.W., Suite 200  
Washington, D.C. 20036  
(202) 331-2250

**NATIONAL CHILDREN'S ADVOCACY CENTER**  
106 Lincoln Street  
Huntsville, Alabama 35801  
(205) 533-KIDS

**CHILDREN'S HOSPITAL NATIONAL MEDICAL CENTER**  
111 Michigan Avenue, N.W.  
Washington, D.C. 20010

**KEMPE CENTER**  
1205 Oneida Avenue  
Denver, Colorado 80220  
(303) 321-3963

**NATIONAL INSTITUTE OF JUSTICE**  
U.S. Department of Justice  
633 Indiana Venue  
Washington, D.C. 20531  
(202) 272-6001



# **SOUTH CAROLINA\* ORGANIZATIONS**

## **CITIZENS AGAINST VIOLENT CRIME**

Post Office Drawer 5867  
Columbia, South Carolina 29250  
(803) 256-7037

## **SOUTH CAROLINA COALITION AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSAULT (SCADVSA)**

Post Office Box 7291  
Columbia, South Carolina 29202

## **SOUTH CAROLINA CRIME VICTIMS' COMPENSATION FUND**

Post Office Box 102100  
Columbia, South Carolina 29221-5000  
(803) 737-9465; Toll Free: 1-800-521-6576

## **SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (VICTIM WIT- NESS LIAISON)**

Post Office Box 21787  
Columbia, South Carolina 29221  
(803) 737-8510

## **SOUTH CAROLINA DEPARTMENT OF PAROLE & COMMUNITY COR- RECTIONS (VICTIM ASSISTANCE)**

Post Office Box 50666  
Columbia, South Carolina 29250  
(803) 734-9278

## **SOUTH CAROLINA LEGAL ASSISTANCE**

### **SOUTH CAROLINA LAWYER REFERRAL SERVICE**

(803) 799-7100; Toll Free: 1-800-922-1583 M-F 9 a.m.-5 p.m.

If you cannot afford a lawyer, you can call this toll free number: 1-800-922-2730

## **SOUTH CAROLINA VICTIM ASSISTANCE NETWORK (SCVAN)**

Post Office Box 11201  
Columbia, South Carolina 29211  
(803) 737-9450

**SOUTH CAROLINA VICTIM ASSISTANCE PROGRAM**

Post Office Box 102100  
Columbia, South Carolina 29211-5000  
(803) 737-9465

**VICTIMS' ASSISTANCE COORDINATOR (For death penalty cases)**

Attorney General's Office  
Post Office Box 11549  
Columbia, South Carolina 29211  
(803) 758-2697

**CRIME VICTIMS RESEARCH AND TREATMENT CENTER**

171 Ashley Avenue  
Charleston, South Carolina 29425-0742  
(803) 792-2945

Contact the State Victim Assistance Program for telephone numbers and locations of domestic violence shelters and rape crisis programs.

# **SOUTH CAROLINA SOLICITORS' VICTIM WITNESS ASSISTANCE PROGRAMS**

**Victim Witness Assistance Program (VWAP)**  
1st Circuit, Post Office Box 1525  
Orangeburg, South Carolina 29116-1525  
(803) 533-1000, Extension 165

**VWAP/2nd Circuit**  
Post Office Box 2327  
Aiken, South Carolina 29802  
(803) 642-1557

**VWAP/3rd Circuit**  
Sumter County Courthouse, Room 318  
Sumter, South Carolina 29150  
(803) 773-1581, Extension 312

**VWAP/4th Circuit**  
Post Office Drawer 737  
Bennettsville, South Carolina 29512  
(803) 479-6895

**VWAP/5th Circuit**  
Richland County Courthouse, 3rd Floor  
Columbia, South Carolina 29201  
(803) 748-4785

**VWAP/6th Circuit**  
Post Office Box 728  
Chester, South Carolina 29706  
(803) 377-1141

**VWAP/7th Circuit**  
Spartanburg County Courthouse  
Spartanburg, South Carolina 29301  
(803) 596-2575

**VWAP/8th Circuit**  
Post Office Drawer 516  
Greenwood, South Carolina 29648  
(803) 223-1111

**VWAP/9th Circuit**  
Post Office Box 58  
Charleston, South Carolina 29402  
(803) 723-6714

**VWAP/10th Circuit**  
Anderson County Courthouse  
Anderson, South Carolina 29621  
(803) 261-4046

**VWAP/11th Circuit**  
Lexington County Courthouse  
Lexington, South Carolina 29072  
(803) 359-8267

**VWAP/12th Circuit**  
Box Q, City/County Complex  
Florence, South Carolina 29501  
(803) 665-3091

**VWAP/13th Circuit**  
Greenville County Courthouse  
Greenville, South Carolina 29601  
(803) 298-8647 or 298-8623

**VWAP/14th Circuit**  
Post Office Box 457  
Hampton, South Carolina 29924  
(803) 943-3580

**VWAP/15th Circuit**  
Post Office Box 1276  
Conway, South Carolina 29526  
(803) 248-6247

**VWAP/16th Circuit**  
Post Office Box 726  
York, South Carolina 29745  
(803) 584-9261

# **GREENVILLE AGENCIES AND ORGANIZATIONS**

## **ADVOCACY**

- Citizens Against Violent Crime (CAVE) — (803) 271-4275**
- MADD (Mothers Against Drunk Driving) — (803) 242-6331 (1987-88)**
- Parents Anonymous — (803) 233-2719**
- Parents United, Inc. — (803) 733-5430 or (408) 279-1957 (Nationwide Hotline)**
- Piedmont Council for Prevention of Child Abuse, Inc. — (803) 232-2434**
- Rape Crisis Council — (803) 232-8633**
- South Carolina Center for Missing and Exploited Children — (803) 239-2986**
- Victim Witness Assistance Program — (803) 298-8647 Information  
242-0900 Child Advocate  
298-8612 HOUSEWISE STREETWISE Prevention Program  
298-8623 — Other Services & Assistance  
298-8481 Crime-to-Recovery Counseling Program**

## **COUNSELING**

- Compassionate Friends — (803) 244-2320 or 288-8342**
- Crisis Intervention (Help Line) — (803) 233-HELP**
- Department of Youth Services — (803) 271-6314 (for juvenile offenders)**
- Family Services of Greenville — (803) 232-2434 (counseling and shelter)  
233-HELP (emergency)**
- Greenville County Commission on Alcohol & Drug Abuse — (803) 242-1781**

**Greenville Mental Health Center — (803) 235-0186 Adolescent Services  
235-0184 Adult Services**

**Piedmont Center for Mental Health Services — (803) 963-3421**

**Rape Crisis Council — (803) 232-8633 Crisis Counseling**

**Victim Witness Assistance Program — (803) 298-8481 Crime-to-Recovery  
Counseling Program**

## **LEGAL**

**Family Court of the 13th Judicial Circuit — (803) 242-0900**

**Greenville County Department of Social Services — (803) 232-8703  
Adult Protective Services, Foster Care, Child Protective Services**

**Guardian Ad Litem Project — (803) 232-3699**

**Legal Services of Greenville County — (803) 233-2779**

**Pre-Trial Intervention — (803) 298-8717**

**South Carolina Department of Parole & Community Corrections —  
(803) 298-8585**

**South Carolina Department of Youth Services — (803) 271-6314**

**Thirteenth Judicial Circuit Solicitor's Office — (803) 298-8647 Greenville,  
878-7806 Pickens**

**Clerk of Court — (803) 298-8551**

## **POLICE/EMERGENCY**

**Emergency Medical Service — 911**

**Greenville County Sheriff's Department and Greenville Police Department — 911 Emergency; (803) 271-5100 General**

**Pendleton Place (Shelter for Children) — (803) 232-8703**

**Help Line (Crisis Intervention) — (803) 233-HELP**

**Family Services of Greenville County — (803) 232-2434 Shelter (for victims of family violence)**

# *Part Seven*

## *Appendices*

# SOUTH CAROLINA VICTIM IMPACT STATEMENT

STATE VS. \_\_\_\_\_

CASE # \_\_\_\_\_ CHARGE \_\_\_\_\_

NAME OF VICTIM (or next of kin) \_\_\_\_\_

AGE of victim \_\_\_\_\_

ADDRESS HOME WORK

PHONE \_\_\_\_\_

It is your responsibility to inform the Solicitor's Office, the Department of Corrections and the Parole and Community Corrections Board of any change in the above.

I do \_\_\_\_\_ wish to be present or I do not \_\_\_\_\_ wish to appear in court unless needed.

I do \_\_\_\_\_ do not \_\_\_\_\_ wish to be notified of post sentence hearings affecting criminal probation or parole and also release or escape from prison.

1. If you have suffered any property damage or other economic loss, please explain. \_\_\_\_\_
2. If you have suffered any physical injury, please explain. \_\_\_\_\_
3. If you have suffered any psychological or emotional injury and/or if you or your family have received any counseling, please explain. \_\_\_\_\_
4. If your personal welfare or family relationship has changed as a result of the crime, please explain. \_\_\_\_\_

If necessary, use back of this sheet for your answers.

## SUMMARY OF FINANCIAL COSTS

	COSTS TO DATE	FUTURE COSTS EXPECTED
Property/economic loss	\$ _____	\$ _____
Medical expenses	_____	_____
Counseling expenses	_____	_____
Income lost from work	_____	_____
Other expenses (explain)	_____	_____
Total	\$ _____	\$ _____
Subtract insurance recovery	_____	_____
Net loss to victim	\$ _____	\$ _____

It would be helpful if copies of receipts or cancelled checks were attached.

SWORN and subscribed before me,  
THIS \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Signature of victim (or next of kin)

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission expires \_\_\_\_\_

\_\_\_\_\_  
Date

AG 7 86



# S.C. DEPARTMENT OF CORRECTIONS

## VICTIM/WITNESS NOTIFICATION REQUEST

To help the S.C. Department of Corrections be more responsive to victims, their families, and witnesses, please fill out this form and mail it to the address below. IF THE DEFENDANT HAS RECEIVED A SENTENCE OF MORE THAN 90 DAYS IN PRISON, you will be notified by the Department of Corrections in the event that he or she should escape, is being considered for some kind of community program or is to be released.

NAME OF PERSON REQUESTING NOTIFICATION \_\_\_\_\_

RELATIONSHIP TO VICTIM \_\_\_\_\_

INMATE'S NAME (DEFENDANT) \_\_\_\_\_

CHARGE \_\_\_\_\_ CHARGE PLEADED TO  
OR CONVICTED OF \_\_\_\_\_

APPROXIMATE SENTENCING DATE \_\_\_\_\_ COUNTY \_\_\_\_\_

PLEASE PROVIDE ADDITIONAL INFORMATION ABOUT INMATE, IF KNOWN:

DATE OF BIRTH \_\_\_\_\_ SOCIAL SECURITY NUMBER \_\_\_\_\_

\* \* \*

In the space below, please provide us with your statement of the crime. This is very important because it may be the only statement of the crime other than the offender's contained in the offender's record. However, he or she will not see it.

---

---

---

---

---

---

(feel free to use back of form)

YOUR HOME ADDRESS AND PHONE:

---

---

---

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

YOUR WORK ADDRESS AND PHONE:

---

---

---

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

MAIL TO:

Katherine Reed  
S.C. Department of Corrections  
P.O. Box 21787  
Columbia, S.C. 29221-1787

Let us know if your address or phone number changes!

Date: \_\_\_\_\_

Mr. Grady Wallace, Commissioner  
Dept. of Parole & Community Corrections  
P.O. Box 50666  
Columbia, S.C. 29250

\_\_\_\_\_ (inmate's name)

\_\_\_\_\_ (inmate's Dept.  
of corrections  
number if known)

Re: "Victim Notification" Letter To Parole & Community Corrections

Dear Mr. Wallace:

As the \_\_\_\_\_ of the victim,  
(Victim, parents, wife, husband, witness, guardian, etc.)

\_\_\_\_\_, I hereby request to be notified of and  
(victim's name)

be present at any parole hearing scheduled for \_\_\_\_\_, who was tried in  
(inmate's name)

\_\_\_\_\_ county for the crime of \_\_\_\_\_.  
(county) (crime)

I request that this letter be a permanent part of his records and that the Parole Board have this letter on file.

(Statement of the crime)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

cc: •

Sincerely,

\_\_\_\_\_  
(signature)

Home Address & Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

\*Your Victim Assistance Program.

Work Address & Phone

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

4/01/87

# VICTIMIZATION STRESS TEST

This evaluation instrument is designed to measure the degree of victimization. You may take this survey after your injury and again six months later to determine the degree crime has impacted your life. **REMEMBER!** Get help immediately after your injury to aid in reducing the severe impact of crime on your life!

\*\*\*\*\*

## PHYSICAL INJURY

Did you suffer any physical injury from the assault?

Yes 1  
No 0

Did you require hospitalization for one night or longer?

Yes 1  
No 0

Did you require medical treatment for an injury due to the assault more than one month after the assault?

Yes 1  
No 0

Did you suffer any permanent disability due to the assault?

Yes 1  
No 0

Total Score for Physical Injury

\_\_\_\_\_

## PSYCHOLOGICAL INJURY

During the assault, did you fear you might be seriously injured or killed?

Yes 1

No 0

Since the assault, have you considered harming or killing yourself?

Yes 1

No 0

Since the assault, have you considered harming or killing someone else?

Yes 1

No 0

Have you had any significant changes in sleep patterns (insomnia, early awakening, trouble falling asleep, etc.) since the assault?

Yes 1

No 0

Have you experienced a weight loss or gain (of five to ten pounds) since the assault?

Yes 1

No 0

Have you had any difficulty concentrating since the assault?

Yes 1

No 0

Do you find that you cry more easily than before the assault?

Yes 1

No 0

Have you experienced nightmares or flashbacks about the assault more than three months after the assault?

Yes 1

No 0

Have you been nervous, jumpy, and easily startled since the assault?

Yes 1

No 0

Do thoughts of the assault come to you even when you do not want them to?

Yes 1

No 0

Since your injury have you been talking to anyone such as a friend or minister who is helping you cope with the assault?

Yes 1  
No 0

Have you sought psychological treatment since the assault?

Yes 1  
No 0

Total Score for Psychological Injury

\_\_\_\_\_

### CHANGES IN SOCIAL FUNCTIONING

Are there things you are unable to do since the assault that you were able to do before the assault (e.g., go shopping alone, going to a party, going out on dates)?

Yes 1  
No 0

Do you avoid certain places, or need to be accompanied by someone to go to certain places, since the assault?

Yes 1  
No 0

Are you generally afraid to be alone?

Yes 1  
No 0

Would actually staying at home cause severe distress?

Yes 1  
No 0

Do you avoid social contacts with other people?

Yes 1  
No 0

Have you started using alcohol or increased your intake of alcohol since the assault?

Yes 1  
No 0

Have you started using medication or increased your use of medication since the assault?

Yes 1

No 0

Has your relationship with your spouse, boyfriend/girlfriend, or family member/members become more problematic since the assault?

Yes 1

No 0

Do you feel that there have been more disagreements at home since the assault?

Yes 1

No 0

Total Score for Changes In Social Functioning \_\_\_\_\_

### CHANGES IN VOCATIONAL FUNCTIONING

Have you had to quit a job, had to change jobs or quit school since the assault?

Yes 1

No 0

Have you noticed a decline in your job performance since the assault?

Yes 1

No 0

Have you missed work (or school) because of the assault?

Yes 1

No 0

Total Score for Changes In Vocational Functioning \_\_\_\_\_

GRAND TOTAL \_\_\_\_\_

#### Score

0-9

10-14

15-19

20-28

#### Degree of Victim Impairment

Minimal

Mild

Moderate

Severe

**PREPARED BY:**

**Connie Best, Ph.D**  
**Medical University of South Carolina**  
**Dept. of Psychiatry & Behavioral Science**  
**Charleston, South Carolina 29425-0742**  
**and**  
**Victim Witness Assistance Program**  
**Room 318, Greenville County Courthouse**  
**Greenville, South Carolina 29601**  
**(803) 298-8647**

## ORDER FORM

You may wish to send *Surviving Violent Crime* to friends, relatives, organizations or private and public officials on local, state or federal levels.

To order additional copies of *Surviving Violent Crime*, mail the order form below along with your check, money order or purchase order number to:

**Victim Witness Assistance Program**  
Greenville County Courthouse  
Greenville, South Carolina 29601  
(803) 298-8647  
Attention: Jayne Crisp

\*\*\*\*\*  
PLEASE PRINT CLEARLY AND DO NOT FORGET TO ENCLOSE YOUR PAYMENT!

Date \_\_\_\_\_

Please send me \_\_\_\_\_ *Surviving Violent Crime* book(s) at \$5.00 each. (Price includes shipping and handling. Payable to Victim Witness Assistance Program.)

Total \$ \_\_\_\_\_

Please ship *Surviving Violent Crime* to:



\_\_\_\_\_  
Name

\_\_\_\_\_  
Title/Position

\_\_\_\_\_  
School or Agency

\_\_\_\_\_  
Address

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Purchase Order # (if applicable)

.....  
If necessary make other copies of this page.



# THE VICTIM WITNESS ASSISTANCE PROGRAM

## GREENVILLE, SOUTH CAROLINA

The Victim Witness Assistance Program was created by Judge William W. Wilkins, Jr., in 1978 as a project of the Thirteenth Circuit Solicitor's Office when Wilkins, now a Judge of the United States Fourth Circuit Court of Appeals, served as the prosecutor for Greenville and Pickens Counties. Although the program is one of the smallest in the United States, it has received national and regional recognition for its services to crime victims. The Victim Witness Assistance Program was recognized by the *President's Task Force on Victims of Crime Final Report 1982* as a model program in three program areas and was presented the 1984 Tadini Bacigalupe Award by the National Organization for Victim Assistance (NOVA) for outstanding service to crime victims.

The unit keeps in touch with victims and family members apprising them of each step of the crime-to-court process from arraignment, hearings, pre-trial conferences to continuances, and parole hearings. The unit also determines if the family or victims are in need of financial or emotional assistance. The program refers victims to the South Carolina Crime Victims' Compensation Fund, to counselors and to other rehabilitative organizations. Victims are sometimes put in touch with self-help groups or individuals who have experienced similar victimizations. Some services to the community include seminars and conferences, a public education program in the courtroom for students and HOUSEWISE STREETWISE,<sup>®</sup> a safety education/abuse prevention program for elementary school children which trains over 4,000 children a year. HOUSEWISE STREETWISE<sup>®</sup> was a recent recipient of the President's Child Safety Partnership Award at a White House ceremony.

The Victim Witness Assistance Program in Greenville is an exemplary program and is used as a resource by the Department of Justice, the Office of Justice Programs, NOVA, the National Sheriff's Association, the National District Attorneys' Association, the National Center of Missing and Exploited Children, the National Crime Prevention Council and the South Carolina Governor's Office as a model program and a national resource in program management, organization and services. Greenville, South Carolina, was identified by the National Institute of Justice in a May 1984 published report entitled "The Criminal Justice Response to Victim Harm" as having the most responsive criminal justice system to victims of crime of eight cities surveyed nationally.

Co-author and Program Director Jayne Crisp has been a victim advocate for fourteen years and is a member of the National Organization for Victim Assistance and other organizations such as the South Carolina Crime Victims Compensation Advisory Board, the Governor's Committee on Criminal Justice Crime and Delinquency, the National Crime Prevention Council Advisory Board, the Governor's Subcommittee on Victims of Crime and Domestic Violence, the South Carolina Sheriff's Association Task Force, and the South Carolina Victim Assistance Network.

Co-author Binnie Moseley, now an investigator with the Solicitor's Office, is a member of the Rape Crisis Council of Greenville Board and the South Carolina Attorney General's Victims of Crime Advocacy Committee.

Other staff members of the Victim Witness Assistance Program are all members of the National Organization for Victim Assistance and have experience in research, child advocacy, and direct service to crime victims.

# **VICTIM WITNESS ASSISTANCE SERVICES**

Victim advocates are available in most Solicitors' Offices throughout South Carolina. Contact the one in your community to determine what services they can offer you!

The following services are confidential and free of charge to crime victims and witnesses in Greenville and Pickens counties:

- OUTREACH, whether or not there is an arrest in your case!
- ORIENTATION to courtroom procedures and setting.
- PREPARATION for testimony.
- NOTIFICATION of court schedule and status of your case.
- ESCORT SERVICE to court, providing emotional/moral support.
- MORAL/EMOTIONAL SUPPORT before, during, and after trial and for parole hearings.
- EMPLOYMENT INTERVENTION to explain time missed from work due to court appearances.
- REFERRAL to social service agencies, counselors and others who can assist you with your personal problems.
- INFORMATION and explanation about criminal justice proceedings.
- ASSISTANCE with any problems or anxieties that you may be having as a result of the crime itself or court appearances.
- PROPERTY RECOVERY ASSISTANCE for stolen items that are being held as evidence.
- COUNSELING by private and public psychotherapists for eligible victims and family members in our "Crime-to-Recovery Program" to help individuals cope with the aftereffects of crime.
- VICTIM COMPENSATION assistance for eligible victims for help with medical and counseling bills, burial expenses, and lost wages.
- A CHILD VICTIM ADVOCATE is available to help with children and their parents recover from victimization.

**Greenville Address:**  
The Victim Witness Assistance Program  
Greenville County Courthouse  
Greenville, South Carolina 29601  
(803) 298-8647

**Pickens Address:**  
Solicitor's Office  
Pickens County Courthouse  
Pickens, South Carolina 29671  
(803) 878-7806

## \* Notes \*

---