

United States  
Department of Justice  
Office of Justice Programs



# *Four years later*

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**A REPORT ON THE  
PRESIDENT'S  
TASK FORCE ON \_\_\_\_\_**

**VICTIMS OF CRIME \_\_\_\_\_**

**May 1986**

Dear Mr. President:

Four years ago you gave a voice to the innocent victims of crime in America. For years their pleas for help had been muffled in a society that didn't understand their plight and a justice system that didn't care to try. When you created the President's Task Force on Victims of Crime, the Nation began to listen and respond. You gave much needed support to the movement begun by the rape crisis centers and family violence shelters which have acted as the conscience for us all. This document summarizes the tremendous change at the local, State, and Federal levels following the report of the President's Task Force on Victims of Crime.

The change began even before the final report was published. The series of hearings stirred interest that had never before been shown. The media began covering the problems faced by crime victims. Communities began to recognize their plight and examine the justice system created to protect them. And the victims themselves, realizing that they are not alone, began mobilizing to support each other and to implement reforms to protect those who inevitably, unfortunately, would be stricken by crime in the future.

After traveling to six cities and hearing from more than 1,000 people, your Task Force concluded that the treatment of crime victims in America was a national disgrace. Ignored, mistreated, or blamed, the innocent victims had been handled like photographs or fingerprints—mere evidence to be manipulated at the criminal justice system's convenience. By the end of the ordeal, many victims vowed that they would never again become embroiled in the system, and that they would tell their friends and loved ones to stay away from the courts. Just as a pebble dropped in a pool causes rippling all across the water, the mistreatment of victims spread resentment and distrust of the justice system throughout entire communities. We saw that this insensitivity toward victims was not only unjust, it was unwise. The criminal justice system is absolutely dependent upon the cooperation of crime victims to report and testify. Without their help, the system cannot hold criminals accountable and stem the tide of future crime.

With this understanding, in January 1983, the Task Force presented its report with 68 recommendations for law enforcement and prosecutors, judges and parole boards, lawmakers and businessmen, physicians and therapists, and ministers and educators. The suffering of innocent victims compels action by all elements of society. Leaders in these fields have responded and are turning the Task

Force recommendations into real change. To date, nearly 75 percent of the proposals have been acted upon, led by a new Office for Victims of Crime in the Justice Department created expressly to implement the Task Force reforms.

As a result of your leadership, the report of your Task Force was not left on a shelf to gather dust. It has turned America's attention to the plight of crime victims, amplifying their calls for action to restore the balance that had been missing for so long from the criminal justice system. It has informed and inspired people to change their own behavior and encourage their colleagues to do likewise. Ignorance—not intention—is most often to blame when victims are treated poorly. As people are educated, they cannot help but respond to the anguish of an innocent person whose life is suddenly shattered by a criminal's act.

The following report explains specifically what action has occurred, building upon your commitment and the support of Attorneys General William French Smith and Edwin Meese III. There is much progress to celebrate. We hope that this document will help assure that the victim of crime will never be overlooked as an integral part of the criminal justice system. We cannot forget that last year more than 35 million Americans were victims of crime. Although crime has decreased, the chance of being a victim of violent crime is still greater than that of being injured in a traffic accident. As we consider our progress, we must not forget the pain that innocent victims of crime continue to suffer. For them and for us, we must remember that the responsibility for crime lies with those who commit it, not with those forced to endure it.



Lois Haight Herrington  
Assistant Attorney General and  
Former Chairman of the President's  
Task Force on Victims of Crime

# Fair Treatment for Crime Victims \_\_\_\_\_ Legislative Mandates \_\_\_\_\_



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 Before 1982

 After 1982



Darkened States have passed a majority of the laws listed on page 4. The remaining States have adopted few or none of these reforms.

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## Acknowledgments

The Office of Justice Programs would like to thank the people who read the report of the President's Task Force on Victims of Crime, took it to heart, and turned it into real reform.

We are grateful to Attorney General Edwin Meese III for his support and appreciate the commitment of the many national, State, and local groups in the effort to aid innocent victims. Most especially, we admire and acknowledge the citizens who continue to rise above their own tragedy to work to spare others the pain which they endured. We are all indebted to their courage.

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# A Report on Crime Victim Reforms

After learning of the heartaches suffered by the brave victims who testified before the President's Task Force on Victims of Crime, Task Force members perceived three fundamental needs of victims that a justice system that truly serves the innocent must be compelled to meet: 1) Victims must be protected; 2) The justice system must be responsive to victims' needs; and 3) Victims need assistance to overcome the burdens imposed by crime. Some of the 68 recommendations to fulfill those needs mandate legislative change; others require only common sense and compassion.

**Victims must be protected.** Their addresses and phone numbers must be kept private. Threats and harassment against them must be investigated and prosecuted. They should not be made to wait for trial in the same room as their assailants whom they have legitimate reason to fear. Their safety must be considered at defendants' pretrial release hearings.

**The justice system must be responsive to victims' needs.** Victims' interests must be considered throughout the criminal justice process. Victims should be kept informed about the progress of their cases. Before they take leave from work, hire babysitters, and cancel appointments, they should be notified of case postponements—decisions that should not be made without taking into account the effect of prolonged proceedings on victims. The consequences of violent crime to the victim should be brought to the attention of the court before plea bargains are accepted, sentences are imposed, or parole releases are granted.

**Victims need assistance to overcome the burdens imposed by crime.** The costs of crime—financial, psychological, and physical—can be great. Few victims are prepared to cope with these

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costs without help. Assistance must be made available. Restitution should be ordered whenever possible. If no assailant is found or if the criminal cannot make payments, the state should offer compensation to help defray the medical bills, lost wages, and funeral expenses that occurred as a direct result of violent crime.

To those who do not know the criminal justice system from personal experience, these reforms may seem rather simple requests. Indeed they are, but for decades they have been denied.

The following report does not pretend that the President's Task Force is solely responsible for all the recent efforts to assure justice for victims. Such efforts began years ago as rape crisis centers struggled to open the public's eyes to the plight of sexual assault victims. A number of exemplary programs for victims were established in many parts of the country during the 1970's. Yet, as crime soared during recent decades, citizen dissatisfaction with the justice system has grown. The Nation had spent millions of dollars trying to learn what causes crime, considering such factors as unemployment, poverty, drugs, bad genes, and violence on television. The studies were inconclusive and contradictory. The victims movement is in many ways a recognition that if we cannot find a cure for crime, we should at least strive to repair the lives it shatters.

Little by little, in living rooms and churches, in police departments and courtrooms, in city halls and statehouses, and in the United States Congress and the White House, the voices of victims are being heard. In the best tradition of grassroots advocacy, a groundswell of support for victims has grown over the years.

## **State Legislation**

When the President's Task Force on Victims of Crime began its inquiry, only four States had enacted laws to protect victims' interests in the court process. To translate the Task Force proposals into legislative action at the State level, the Office for Victims of Crime went to work with key organizations representing policymakers throughout the country. The Crime Victims Advisory Committee of the National Association of Attorneys General, the Center for Women Policy Studies, and the American Bar Association's Criminal Justice Section have carefully researched and written a package of 10 model laws for use by the States to protect the interests of crime victims.

The change in State laws for victims has been metamorphic. Now 31 States have passed major legislative packages to improve the treatment of crime victims.

## **Federal Legislation**

In recent years, victims' cries for help have been heard and heeded in the halls of Congress and the executive branch. Former Attorney General William French Smith encouraged major legislative change during his tenure. Current Attorney General Edwin Meese III has shown longstanding concern for victims, having helped to create the President's Task Force and having continued the implementation of its recommendations. The Federal Victim Witness Protection Act of 1982 guaranteed a host of protections for victims of Federal crime. Later, Attorney General Smith issued explicit guidelines to his U.S. attorneys and Federal law enforcement agencies as a blueprint for them to follow in assuring that victims of Federal crimes are treated with dignity.

The Comprehensive Crime Control Act of 1984 caused major reforms throughout the Federal criminal justice system. From tightening bail procedures to strengthening the Government's hand against organized crime, this 23-chapter law marked the most sweeping change in the history of the Federal justice system. One of its provisions, the Victims of Crime Act, authorized the disbursement of up to \$100 million to the States for their programs. The act helps the States that compensate a victim's financial losses as a result of crime. It also offers funds to enhance victim services, which are vitally important as victims wind their way through the justice system and try to recover from their life-shattering experiences. It is important to note that the money for this program comes from the fines of Federal criminals—not from the pockets of innocent taxpayers.

The Justice Assistance Act, another provision of the massive Federal law, has provided—through the Bureau of Justice Assistance (BJA)—funding to improve State and local criminal justice efforts. In addition to block grants for every State, the BJA has launched demonstration projects in several communities that address family violence and the prosecution of child sexual abuse. The Office of Juvenile Justice and Delinquency Prevention, re-authorized by a provision of the Comprehensive Crime Control Act, supports many programs to aid child victims of crime. The Justice Assistance Act also continues the National Institute of

## State Legislation Mandating the Fair Treatment of Crime Victims

	Pre-1982	As of July 1985
Enacting comprehensive laws that include a majority of the reforms below	4	31
Requiring a victim impact statement at sentencing	8	39
Victim allocution at sentencing	3	19
Permitting victim input into key prosecutorial decisions	1	10
Opening parole hearings	6	19
Abolishing parole	5	8
Requiring that victim be notified of crucial developments in case	2	27
Keeping victim counseling records confidential	6	20
Not disclosing addresses and phone numbers of victims	0	5
Allowing hearsay at preliminary hearings	23	26
Assuring prompt property return	4	20
Protecting victims from intimidation and harassment	4	27
Providing separate and secure waiting rooms	1	17
Checking people who work with children for a history of sex offense convictions	1	20
Mandating restitution to victims as part of sentence	8	29
Providing funds for services to all victims of crime	7	28
Preventing criminals from profiting from the sale of their stories	14	32
Victim compensation	37	43

Justice, which has established victims of crime as a major research priority. More than 30 National Institute of Justice studies regarding victims have been conducted during the last 4 years. In addition, the Bureau of Justice Statistics will continue to conduct the annual National Crime Survey and to publish regular reports on key criminal justice issues ranging from the number of victims who do not report crime to the average time served by convicted criminals.

## **Victim Compensation Funds**

In 1982, 37 States had victim compensation programs which paid roughly \$50 million to victims. Some worked well; others were only programs on paper. As more people became aware of the tremendous financial burden a crime can impose, many States improved their responses. Now, 43 States and the District of Columbia offer compensation to victims and their survivors; they paid \$68 million in 1984. In addition to making awards to victims, more States are now able to offer assistance for other victim expenses such as mental health counseling and property loss. California, for example, is doubling the maximum payment allowable per claim. New York is enhancing its coverage for essential property loss. Independent organizations in Massachusetts, Arizona, and California are raising private funds to help victims with emergency financial needs.

## **Victim Services**

Undoubtedly, the crime victim's most important need is to know that someone cares and that a person can survive a horrifying crime. During the past decade, many national groups such as Parents of Murdered Children, Mothers Against Drunk Driving, Society's League Against Molestation, and the National Organization for Victim Assistance have emerged to provide this assurance. Their affiliates and countless other citizen groups meet in homes, schools, and churches to share their grief and express to each other feelings no one else wants to hear. They work with local professionals to educate them on the needs of crime victims. Some organizations lobby States for stronger victim protection laws. Utilizing the power of self-help groups, these people are reaching out to heal their own wounds and to ease the pain of others.

Since 1980, the number of these programs and victim advocacy services within the justice system has doubled. Primarily staffed

by volunteers, many of these efforts are now eligible to receive funds pursuant to the Victims of Crime Act of 1984 and the Justice Assistance Act of 1984. Moreover, 21 State laws enacted since 1982 are providing funds specifically for services to victims of all crimes. These advocates are a new, vital element of the criminal justice system. More and more professionals are relying upon the services these dedicated victim aides provide. "An officer doesn't get involved with a shooting every day, but he handles families, victims, and witnesses all the time," said one policeman, adding, "I'd rather go to work without my revolver than without a victim advocate."

## **Law Enforcement**

Increasingly aware of the victim's exasperation with the criminal justice system, the law enforcement community has enthusiastically taken action to improve the treatment of crime victims. The Office for Victims of Crime is working with national law enforcement organizations to educate their members on the needs of crime victims. For example, officers should keep victims informed about their cases, see that their property is returned promptly, and be able to refer victims to the services they need. The National Sheriffs' Association has launched a massive education project on these and other issues and has already reached 90 percent of the Nation's counties. "We're showing people that we really care about them," said one officer who concluded that as a result, "I think more people will be reporting crime and be willing to testify."

To meet the special needs of crime victims living in inner cities, the National Organization of Black Law Enforcement Executives has developed programs in eight urban areas. Of these, the Boston Police Department has established an emergency crime victim compensation fund, with donations from private corporations. Law enforcement agencies in Houston, Texas, and Oakland, California, for example, are improving their use of volunteer translators for non-English speaking victims.

So that law enforcement officers throughout the country will be educated about crime victims, the National Association of State Directors of Law Enforcement Training has written a model curriculum that will be used in law enforcement academies in 48 States. Several States have already begun to use it to train new recruits. Eventually, the course will reach 100,000 officers every year.

## Prosecutors


As the people who hold the keys to the court proceedings, prosecutors have a vitally important responsibility to see that the doors remain open to victims, who have a legitimate need to be informed about the progress of their cases and to be involved in major decisions. Prosecutors have the primary responsibility to see that victims have the opportunity to present their views to the court before the judge imposes a sentence. Unnecessary continuances can be avoided with the help of prosecutors who are committed to assuring the right to a speedy trial for the victim—as well as the defendant.

The growth in prosecutor-based victim aid programs has been tremendous. For example, when the President's Task Force held a hearing in Texas, it found only one victim advocate in one State's attorney's office there. Now, 18 prosecutors in Texas have created such programs in major jurisdictions and are working to expand services into outlying areas. Several national training programs are encouraging similar growth throughout the country. The Office for Victims of Crime is working with the National District Attorneys' Association (NDAA) and the National College of District Attorneys to train prosecutors and improve victim services in their offices. NDAA is identifying the best programs to serve as models from which other offices can learn. Several regional conferences have been organized to spur 200 top-level prosecutors in the Nation into enhancing victim services in their areas.

The Crime Victims Advisory Committee of the National Association of Attorneys General, the group representing the chief law enforcement official in every State, has pledged its support in this major education effort and is also working with the Criminal Justice Section of the American Bar Association on model legislation that would require prosecutors to consider the interests of victims throughout the criminal justice process.

## Judges

The ultimate arbiters of justice are judges. No matter what else has happened—how badly an innocent citizen has been injured and how poorly the justice system has treated him or her—victims expect that the judge will see that justice is done. Most members of the judiciary, however, have been unaware of the powerful



impact they have on victims. Two judges from every State heard this message in face-to-face meetings with victims at a landmark conference sponsored by the National Institute of Justice and the National Judicial College in November 1983. After unanimously adopting a "Statement of Recommended Judicial Practices" following the President's Task Force report, the judges vowed to educate their brethren at home. More than 20 similar conferences have occurred, and the National Judicial College is now offering courses on the needs of crime victims. In addition, judges who often handle child victims of crime are being educated about children's special needs—the result of 25 conferences sponsored by the National College of Juvenile and Family Court Judges.

## **Media**

No progress report on the crime victims movement would be complete without acknowledging the tremendous role played by the media in America. When the Task Force began looking for published stories on crime victims, it turned up very little reported material. The issue had been largely ignored. Now, every major broadcast network, every national newspaper and magazine, and hundreds of local media sources have covered the plight of victims of crime. In fact, many local victim service groups have begun to present awards to the press for outstanding coverage of the issue. Thanks to several television movies based on true stories about missing children and victims of violent crime, as well as the recent appearance of victim advocates on popular police shows, millions of Americans have watched dramatic television portrayals of lives wrenched by crime. By opening the public's eyes to the problem and publicizing innovative solutions, the media has provided great impetus for reform.

## **Victory for Victims**

The facts that follow show that national leadership has inspired efforts in States and communities everywhere on behalf of crime victims. Advocates of every political stripe, economic level, and ethnic group have joined together to remind the Nation that crime is a violation of a life—and not just a violation of law. This is a movement of peace officers and prosecutors, judges and lawmakers, doctors and educators, journalists and business leaders, and volunteers and victims who believed that something was seriously wrong



with the criminal justice system in America. They were right. But rather than throw up their hands in dismay, they have rolled up their sleeves to work to restore fairness to the system and confidence to the people it serves.

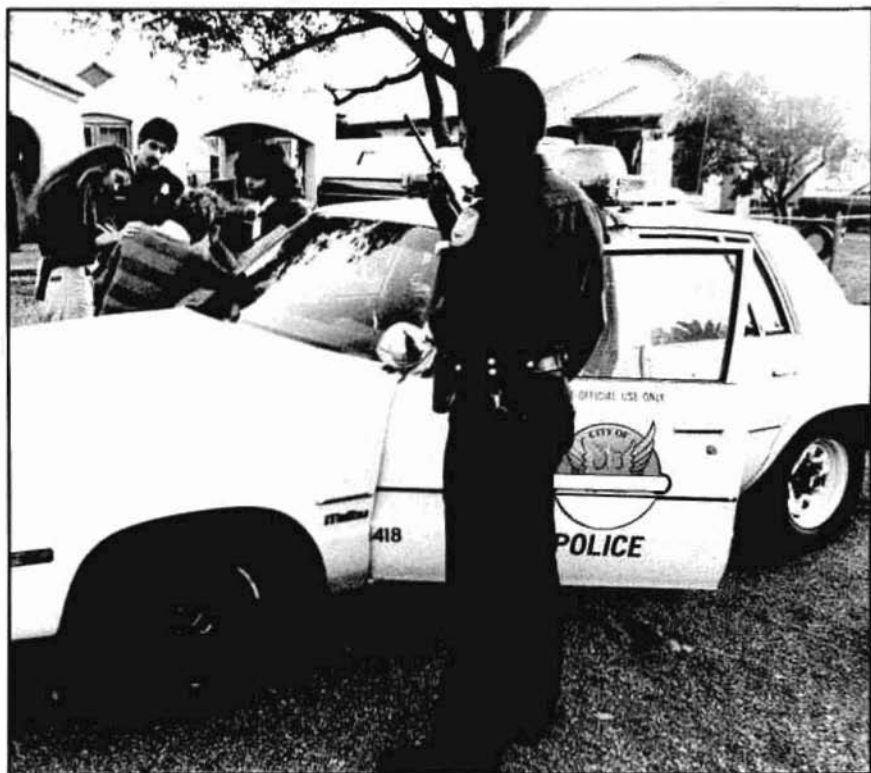
Perhaps even more than working to reform laws and technical procedures, these people have been struggling to change attitudes. A hidden reason for the mistreatment of crime victims is the fact that they are often blamed for their misfortunes. Americans believe in people's capacity to take charge of their destinies and pull themselves up by the bootstraps. With this attitude, however, also comes harsh expectations of those whose lives are suddenly devastated by crime. Many people expect victims to get up, brush themselves off, and take responsibility for getting on with their lives. Then, this responsibility for recovery somehow becomes transformed into responsibility for the crime itself—the victim is faulted for having been victimized. By blaming victims, others seem to believe they, themselves, are less vulnerable to crime. They tell themselves that they would not have driven with their car doors unlocked, walked down the street in the dark, or opened their doors to a stranger. Therefore, they would not have been victims.

The Nation must not allow this attitude to prevail. It causes people to stop speaking to strangers. They cease venturing out at night. They bar their windows and bolt their doors. This is already the situation in many cities, and it threatens to become more prevalent in suburbs and rural areas as well. As long as citizens accept this way of life, they are condemned to be victims. The responsibility for crime must rest on those who do it, not those who suffer it.

The movement for crime victims embraces another ongoing effort: to stop crime before it occurs. While assisting victims helps to repair the damage wrought by a violent act, crime prevention helps protect people from becoming victims in the first place. Practitioners of crime prevention, also, belong to a valiant drive to shatter the assumption that crime is to be expected and accepted as part of life in America. In communities throughout the Nation, citizens are working with law enforcement to keep violence out of their homes and neighborhoods. At least 10 million Americans participate in neighborhood watch programs and more than a third of all citizens have taken steps to protect themselves from crime. Rather than adopt a siege mentality in which no one feels safe without barred windows and elaborate burglar alarms, these citizens have banded together with their neighbors to open lines of communication and become more aware of activity in their communities. They are not

taking the law into their own hands; they are extending their hands to the law so that everyone may live more safely.

The positive spirit exemplified by those working to prevent crime and to help victims is the driving force behind the actions that are highlighted in this report. There is real evidence that our system, which for so long has listened solely to the concerns of the accused, is at last giving equal time to victims. These innocent people are being treated with more respect and compassion—consideration they have long deserved as citizens of a Nation that promises justice for all.



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# Action at the Federal and State Levels

## *Victim privacy*

**1. Legislation should be proposed and enacted to ensure that addresses of victims and witnesses are not made public or available to the defense, absent a clear need as determined by the court.**

Victims told the President's Task Force that they were frightened to know that the person who attacked them could find out where they lived. As a result of the Federal Victim Witness Protection Act of 1982, U.S. attorneys and Federal law enforcement officers must prevent disclosure of victims' addresses in Federal cases. Since the Task Force hearings, five States have adopted measures to keep this information private. To encourage more States to do so, the Office for Victims of Crime commissioned the Crime Victims Advisory Committee of the National Association of Attorneys General to draft model legislation that would keep both victims' addresses and phone numbers confidential.

## *Privileged communication*

**2. Legislation should be proposed and enacted to ensure that designated victim counseling is legally privileged and not subject to defense discovery or subpoena.**

It can be a terrifying experience for a crime victim to take the witness stand in a court of

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law; the nightmare is compounded when the defense uses a victim's intimate feelings, disclosed in strictest confidence to a therapist, in cross-examination. The Office for Victims of Crime and the American Bar Association's Criminal Justice Section have prepared a model statute to prevent this injustice. Currently, 20 States, up from 6 States in 1982, make victim counseling records privileged information.

***Admissibility of  
hearsay at  
preliminary  
hearings***

**3. Legislation should be proposed and enacted to ensure that hearsay is admissible and sufficient in preliminary hearings, so that the victims need not testify in person.**

The purpose of the preliminary hearing is to determine whether there is enough evidence to proceed with prosecution. At this stage of the process, there is no constitutional right to confrontation. Yet, at this point, the defense's questioning is not restrained by a desire not to alienate the jury, and it is often the most grueling interrogation of the victim, especially the child victim. A recent National Institute of Justice report on the problems faced by child victims and witnesses in the court process highlighted these concerns, and offered strategies for improvement.

The model legislation project by the Crime Victims Advisory Committee and the Office for Victims of Crime addresses this vital reform, which is already the law in the Federal criminal justice system and in 26 States. The statute provides that no victim must appear at the preliminary hearing, unless his or her testimony may lead to a finding that there is no probable cause for prosecution.

***Bail reform***

**4. Legislation should be proposed and enacted to amend the bail laws to allow**

**courts to deny bail to persons found by clear and convincing evidence to present a danger to the community.**

The Bail Reform Act of 1984, included in the Comprehensive Crime Control Act of 1984, changes many bail provisions in Federal proceedings. It allows Federal judges and magistrates to consider danger to the community when determining whether a defendant is eligible for pretrial release. To encourage States to amend their laws, the Office for Victims of Crime and the Crime Victims Advisory Committee of the National Association of Attorneys General have prepared extensive background information on bail reform to accompany the language of the Federal statute.

### ***Checking sex offense histories***

**5. Legislation should be proposed and enacted to make available to businesses and organizations the sexual assault, child molestation, and pornography arrest records of prospective and present employees whose work will bring them in regular contact with children.**

Several major child sexual abuse cases involving childcare workers have been uncovered recently. Even before these cases gained notoriety, the President's Task Force recommended that laws be developed to stop molesters from obtaining jobs close to children as a means of easy access to their prey. Since 1982, 20 States have passed bills requiring criminal history background checks of people who work with children. Many other States, which had asked applicants if they had a criminal history, are now verifying the truthfulness of the answers they receive.

To guarantee even better protection against molesters, the Criminal Justice Section of the American Bar Association and the Office for

Victims of Crime have written a model statute that would enable employers in child-related fields to know if a person had been convicted or twice arrested for a sex offense against a child.

Further, in October 1984, Congress mandated that in order to receive additional funds from the Department of Health and Human Services for training childcare workers, States must establish a means to check criminal histories of those workers.

***Victim input and protection***

**6. Legislation should be proposed and enacted to accomplish the following:**

- a. Require victim impact statements at sentencing;**
- b. Provide for the protection of victims and witnesses from intimidation;**
- c. Require restitution in all cases, unless the court provides specific reasons for failing to require it;**
- d. Develop and implement guidelines for the fair treatment of victims and witnesses; and**
- e. Prohibit a criminal from making any profit from the sale of the story of his crime. Any proceeds should be used to provide full restitution to his victims, pay the expenses of his prosecution, and finally, assist the crime victim compensation fund.**

To ensure fair treatment for victims of Federal crimes, the Victim and Witness Protection Act of 1982 mandated victim impact statements before sentencing and required judges to order restitution or state the reason for not doing so on the record. The Attorney General's guidelines for this act instruct Federal prosecutors to seek restitution whenever appropriate. Prior to

passage of the act, only eight States required either victim impact statements or restitution as a part of the sentence. However, since that time, 31 additional States have enacted laws requiring victim impact statements, and 21 additional States now require restitution.

The act also toughened Federal provisions against intimidation or harassment of victims or witnesses. Model legislation commissioned by the Office for Victims of Crime is helping to promote these reforms at the State level. Twenty-three of the twenty-seven States that protect against intimidation enacted their laws since the Task Force hearings.

When the Task Force began, 14 States prohibited criminals from making money from the sale of their stories. Now 32 States have enacted "notoriety for profit" legislation, which turns over money earned from the criminals' stories to programs that benefit victims. The Victims of Crime Act of 1984 established a procedure to recover "Son of Sam" profits from offenders convicted of Federal crimes.

### *The cost of forensic exams*

**7. Legislation should be proposed and enacted to ensure that sexual assault victims are not required to assume the cost of physical examinations and materials used to obtain evidence.**

Forcing sexual assault victims to bear this cost is tantamount to charging burglary victims for collecting fingerprints. The Office for Victims of Crime commissioned a study by the Center for Women Policy Studies to write a model statute to put an end to this unfair practice. In its survey of State procedures, the Center found that nearly half of the States do not pay for the medical examination required to gather the evidence of a sexual assault.<sup>1</sup> Even those States that



do offer some assistance use confusing and inconsistent means to reimburse the victims. In addition to the model statute designed to change this practice, the Victims of Crime Act of 1984 provides funds for State compensation programs to pay for forensic examinations.

### *Compensation*

#### **8. Congress should enact legislation to assist State crime victim compensation programs.**

Although the States have paid for the food, clothing, legal counsel, medical care, psychiatric care, and job training of convicted criminals, they have offered little or no assistance to victims who are often financially devastated in the wake of crime and whose tax dollars cover the criminals' expenses.

The Victims of Crime Act is providing, for the first time, Federal funds to match 35 percent of a State's compensation payments to victims. The sources of these funds are Federal criminal fines, penalties, and forfeited appearance bonds. To receive this money, States must help victims pay medical bills, including mental health counseling, loss of wages, and funeral expenses incurred as a result of the crime. Both residents and nonresidents must be covered, and they must be encouraged to cooperate with law enforcement authorities.

This new assistance is already helping States expand their compensation programs. California, for example, will double the maximum payment allowed per claim. Due to the additional Federal funds, New York is enhancing its coverage for essential property loss.<sup>2</sup>

### *Services*

#### **9. Congress should enact legislation to provide Federal funding, reasonably**

**matched by local revenues, to assist in the operation of Federal, State, and local programs, and private nonprofit, victim-witness assistance agencies that make comprehensive assistance available to all victims of crime.**

Money can help but it cannot heal the deepest wounds resulting from a crime. Victims need help from people who care—people in law enforcement agencies, courthouses, and private citizen groups. Therefore, the Victims of Crime Act also provides funds derived from Federal criminal fines and penalties for victim assistance programs, giving priority to services for child sexual assault or spouse abuse victims. Funds were awarded on a population formula basis, and the States shared a total of \$41,270,000 collected in 1985.

With these funds, many State programs are significantly expanding their services to crime victims. The Illinois grant, for example, will more than triple the amount of money that the State spent on victim aid in 1984. New York's share will double the State's expenditures on victim services.<sup>3</sup>

In addition, the Bureau of Justice Assistance provides block grants and technical assistance to States to improve a variety of criminal justice programs, including victim-witness assistance.

***National resource center***

**10. The Federal Government should establish a federally based resource center for victim and witness assistance.**

As one of its first actions, the Office for Victims of Crime established a National Victims Resource Center. With a data base of thousands of State and local programs, the Resource Center has been able to advise the

victims who write seeking assistance regarding where to turn for help in their communities. It also informs victim advocates about new programs in other communities that they could replicate in their areas. Its library of videotapes, literature, and information on new laws provides professionals with the tools they need to better assist victims.

### *Family violence*

**11. The President should establish a task force to study the serious problem of violence within the family, including violence against children, spouse abuse, and abuse of the elderly, and to review and evaluate national, State, and local efforts to address this problem.**

The President's Task Force recognized that, contrary to prevailing attitudes, those who have crimes committed against them by relatives are just as much victims of crime as those who are victimized by strangers. Wrestling with fear, love, loyalty, guilt, and shame, these victims suffer complex problems requiring special attention and further study.

In August 1983, then-Attorney General William French Smith established a Task Force on Family Violence, which held hearings throughout the United States and spoke with hundreds of victims and experts. Its final report in September 1984 recommended 63 reforms,<sup>4</sup> many of which direct more vigorous intervention by the justice system in family violence cases. Violence is violence whether in the home or on the street, by a loved one or a stranger. It is a crime and must be treated like one. The relationship alone cannot guide the criminal justice system's response.

The Office for Victims of Crime has been implementing the Family Violence Task

Force recommendations examined in more detail in another report, "The Attorney General's Task Force on Family Violence: The Status of Its Recommendations." Current initiatives include improving the statistics and research on family violence; training law enforcement officers, prosecutors, and judges; and enhancing the network of services for battered spouses. The Department of Justice's National Symposium on Child Molestation in October 1984 brought experts together to address the most effective approaches for investigating, prosecuting, and sentencing sexual abusers, as well as helping their victims recover.<sup>5</sup> In addition, the Justice Department has funded demonstration projects in several cities to improve the prosecution of child sexual abuse and to establish family violence intervention teams composed of law enforcement, social service, and medical professionals.<sup>6</sup>

### *Juvenile justice*

#### **12. A study should be commissioned at the Federal level to evaluate the juvenile justice system from the perspective of the victim.**

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has mounted several efforts to assist victims of crimes committed by juveniles, and victims of crime who are juveniles and children. One project informs State legislators about recent trends in juvenile justice, specifically the treatment of victims. Other activities include a national survey of experts on how best to deal with juvenile crime, recommendations for change in legal codes, and training for professionals implementing new reforms. In another effort, OJJDP launched a 2-year national project to help 800 jurisdictions use restitution for victims as a sanction for delinquent acts. Another program is designed to improve the prosecution of habitual serious and

violent juvenile offenders and includes victim-witness awareness training. Several major programs supported by OJJDP are aiding young victims of crime: the National Center for Missing and Exploited Children, Covenant House for runaway youth, a major University of Pennsylvania research project on sexually abused children, and a specialized law enforcement training program. Permanent Families for Abused and Neglected Children and the Court Appointed Special Advocates training programs are improving the treatment of child victims in the court system. The Missing Children's Assistance Act of 1984 established a special program of financial assistance, based in OJJDP, to assure the continuation of research, program development, and technical assistance regarding child victimization and the problem of missing and exploited children.



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# Action by the Criminal Justice System

## Police

### *Law enforcement training*

**1. Police departments should develop and implement training programs to ensure that police officers are:**

- a. Sensitive to the needs of victims;**
- b. Informed, knowledgeable, and supportive of the existing local services and programs for victims.**

### *Property return*

**2. Police departments should establish procedures for the prompt photographing and return of property of victims (with the prosecutor's approval).**

### *Notification*

**3. Police departments should establish procedures to ensure that victims of crime are periodically informed of the status and closing of investigations.**

### *Investigation of threats*

**4. Police officers should give a high priority to investigating witnesses' reports of threats and intimidation and should forward these reports to the prosecutor.**

Law enforcement officers are often the first to see the victim after a crime occurs; their manner can determine how the victim will cope in the crime's aftermath and whether that person will cooperate with the system.

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Several Justice Department projects are applying the Task Force proposals to the law enforcement community nationwide. At the Federal level, the Attorney General has issued guidelines to direct Federal law enforcement officers to follow the Task Force recommendations.

The National Sheriffs' Association has developed a major training network to educate sheriffs and their deputies on the needs of crime victims and the resources available in their communities. This project has reached at least 90 percent, or 2,800, of the Nation's counties, and intends to cover the remaining 400 counties within the next 18 months.

In another effort, the National Organization for Black Law Enforcement Executives is training its members in eight major urban areas to better serve inner-city victims. For example, the Boston Police Department has worked with local businesses to create an emergency compensation fund to help victims suffering immediate and severe financial hardship in the wake of a crime. In Houston and Oakland, police departments have expanded their use of volunteer translators to aid non-English speaking victims. The Baltimore Police Department now includes service to victims in officer personnel evaluations.

The National Association of State Directors of Law Enforcement Training developed a certified training program on victim assistance for every State. This package has been presented to law enforcement trainers from 48 States. Vermont, Mississippi, Washington, Oregon, and Virginia, for example, have already begun to conduct courses for law enforcement officials concerning the treatment of crime victims. Eventually, all



police academies will be able to offer victim aid courses, thereby reaching more than 100,000 officers a year. In addition, the Commission on the Accreditation of Law Enforcement Agencies is working with major law enforcement organizations to build standards for victim services into the accreditation process.

The National Organization for Victim Assistance (NOVA) has written and tested a statewide training package for use by many professionals, including police officers. NOVA works with an extensive network of victim services and continues to enhance victim aid programs in law enforcement departments.

## **Prosecutors**

### ***Keeping victims informed***

**1. Prosecutors should assume ultimate responsibility for informing victims of the status of cases from the time of the initial charging decisions to determinations of parole.**

### ***Permitting victim input***

**2. Prosecutors have an obligation to bring to the attention of the court the views of victims of violent crime on bail decisions, continuances, plea bargains, dismissals, sentencing, and restitution. They should establish procedures to ensure that such victims are given the opportunity to make their views on these matters known.**

### ***Prosecuting harassment***

**3. Prosecutors should charge and pursue to the fullest extent of the law defendants who harass, threaten, injure, or otherwise attempt to intimidate or retaliate against victims or witnesses.**

### ***Limiting case postponement***

**4. Prosecutors should strongly discourage case continuances. When such delays are necessary, procedures should be estab-**

lished to ensure that those cases are continued to dates agreeable to victims and witnesses, that those dates are secured in advance whenever possible, and that the reasons for the continuances are adequately explained.

***Reducing  
unnecessary  
trips to court***

**5. Prosecutors' offices should use a victim and witness on-call system.**

***Returning  
property***

**6. Prosecutors' offices should establish procedures to ensure the prompt return of victims' property, absent a need for the actual evidence in court.**

***Improving  
victim services***

**7. Prosecutors should establish and maintain direct liaison with victim-witness units and other victim service agencies.**

***Prosecuting  
sexual assault***

**8. Prosecutors must recognize the profound impact that crimes of sexual violence have on both child and adult victims and their families.**

Many States have passed laws on these issues and prosecutors are changing their procedures accordingly. Since 1982, the number of States requiring prompt return of a victim's property has grown from 4 to 20. Now 17 States mandate separate waiting rooms for victims and defendants, up from only 1 State in 1982. While only 2 States before 1982 required that the victim be kept informed of the defendant's release on bail, request for plea bargain, sentencing hearing, and other court decisions, now 27 States have enacted such notification requirements. Ten States, nine since 1982, have passed laws permitting victim input into key decisions, such as plea bargains. Finally, 39 States, 31 since 1982, require a victim impact statement prior to sentencing.

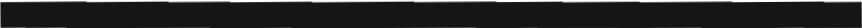
Other Justice Department initiatives are encouraging more reforms. In the Federal

system, the Attorney General's guidelines (established pursuant to the Federal Victim Witness Protection Act) give specific instructions to prosecutors on improving their treatment of victims. The Office for Victims of Crime is working with U.S. attorneys' offices to assure maximally effective implementation of the guidelines.

To spur change by prosecutors at the State and local levels, the Justice Department's Office for Victims of Crime is working with the National District Attorneys' Association to identify exemplary victim aid programs in prosecutors' offices, and to show their peers how to create similar successes. In addition, with the help of a grant from the Office of Juvenile Justice and Delinquency Prevention, the National District Attorneys' Association has opened the National Center for the Prosecution of Child Abuse, a vital resource in view of the growing concern over child molestation cases throughout the country. Beginning this spring, in another project funded by the Office for Victims of Crime, the National College of District Attorneys will conduct 5 regional training conferences to train 200 district attorneys and their top aides on ways to better serve victims.

Many prosecutors are taking on this responsibility themselves; for example, one Colorado district attorney created his own commission to implement the President's Task Force report. As a result, criminal justice professionals are changing their behavior, and the State has passed a comprehensive package of laws protecting victims.

In February 1986, the American Bar Association House of Delegates ratified guidelines for criminal justice professionals, particularly prosecutors, to reduce case continuances.



For example, it recommended that the impact of trial delay on the victim be considered when a continuance is requested.

Under a grant from the Office for Victims of Crime, the National Organization for Victim Assistance has developed curricula to train professionals from many fields, including prosecution. In particular, it encourages attorneys to work with law enforcement personnel, probation officers, judges, and other officials to improve victim services for entire communities, rather than at particular stages of the judicial process.

## **The Judiciary**

### ***Training***

**1. It should be mandatory that judges at both the trial and appellate levels participate in a training program addressing the needs and legal interests of crime victims.**

### ***Victim convenience***

**2. Judges should allow victims and witnesses to be on call for court proceedings.**

### ***Separate waiting rooms***

**3. Judges or their court administrators should establish separate waiting rooms for prosecution and defense witnesses.**

### ***Few postponements***

**4. When ruling on requests for continuances, judges should give the same weight to the interests of victims and witnesses as that given to the interests of defendants. Further, judges should explain the basis for such rulings on the record.**

### ***Court efficiency***

**5. Judges should bear their share of responsibility for reducing court congestion by ensuring that all participants fully and responsibly utilize court time.**

### ***Victim input at sentencing***

**6. Judges should allow for, and give appropriate weight to, input at sentencing from victims of violent crime.**

***Restitution***

**7. Judges should order restitution to the victim in all cases in which the victim has suffered financial loss, unless they state compelling reasons for a contrary ruling on the record.**

***Court attendance***

**8. Judges should allow the victim and a member of the victim's family to attend the trial, even if identified as witnesses, absent a compelling need to the contrary.**

***Photographing property***

**9. Judges should give substantial weight to the victim's interest in speedy return of property before trial in ruling on the admissibility of photographs of that property.**

***Child molestation***

**10. Judges should recognize the profound impact that sexual molestation of children has on victims and their families and treat it as a crime that should be punished, with treatment available when appropriate.**

In November 1983, the National Institute of Justice and the National Judicial College sponsored a landmark symposium for judges in Reno, Nevada, which marked the beginning of a national effort to educate judges on the importance of these recommendations. For 3 days, two judges from every State met with victims and their advocates to learn how the criminal justice system appears to an innocent lay citizen who is suddenly pulled into it. According to one South Dakota participant, "As judges, we almost never think of the victim. This was the first time in my life I'd ever listened to a victim. Now I see them as people—not just pieces of evidence." After adopting almost every Task Force recommendation for the judiciary in a "Statement of Recommended Judicial Practices,"<sup>7</sup> the judges vowed to take this message back to their homes. Since then, more than 20 States have held conferences for judges, strictly devoted to crime victims, and many

more States have emphasized that subject during their general sessions.

Several organizations are educating judges throughout the Nation with the assistance of grants provided by the Office of Justice Programs. In 1983, the National Judicial College began offering courses on victim assistance for judges. The National Center for State Courts is likewise incorporating victim concerns in its curriculum at the Institute for Court Management. Addressing the needs of child victims particularly, the National College of Juvenile and Family Court Judges has sponsored 25 conferences reaching 3,000 officials through an 18-month project with the Office of Justice Programs. The National Organization for Victim Assistance training program includes material to improve victim services in the courts.

These courses come in the wake of major legislative change affecting the judiciary's treatment of victims. When the Task Force began, only eight States required a victim impact statement at sentencing. Now, 39 States mandate the consideration of information about the effect of the crime on the victim. Since 1982, 21 States have added laws requiring that judges must consider restitution, for a total of 29.

Finally, the Task Force found that sexual molestation of children is one of the most misunderstood and mishandled crimes facing the justice system. It urged judges to recognize the general agreement in the medical and mental health communities that there is no known successful treatment for pedophiles; that they generally continue to prey upon children while being "treated" out of custody; and that they must be sequestered from their prey for a time at least commensu-

rate with the penalty for adult sexual assault victimization. The growing acceptance of this new approach has been ratified by the many experts who testified before the Attorney General's Task Force on Family Violence and who participated at the National Symposium on Child Molestation in the Department of Justice.

## **Parole Boards**

### ***Notification***

**1. Parole boards should notify victims of crime and their families in advance of parole hearings, if names and addresses have been previously provided by these individuals.**

### ***Victim input***

**2. Parole boards should allow victims of crime, their families, or their representatives to attend parole hearings and make known the effect of the offender's crime on them.**

### ***Open hearings***

**3. Legislation should be proposed and enacted to open parole hearings to the public.**

### ***Custody of offender***

**4. Parole boards should take whatever steps are necessary to ensure that parolees charged with a crime while on parole are immediately returned to custody and kept there until the case is adjudicated.**

### ***Parole board accountability***

**5. The Task Force endorses the principle of accountability for gross negligence of parole board officials in releasing into the community dangerous criminals who then injure others. A study should be commissioned at the Federal level to determine how, and under what circumstances, this principle of accountability should be implemented.**

***Abolish parole,  
limit judicial  
discretion*****6. Legislation should be proposed and enacted to abolish parole and limit judicial discretion in sentencing.**

The President's Task Force charged that parole boards operate in secrecy, make decisions based upon speculation, escape accountability, and should, therefore, be abolished. The Comprehensive Crime Control Act of 1984 eliminated parole from the Federal system, and eight States have removed it from their systems.

Where parole boards do exist, there must be an opportunity for the victim to testify. The parole board needs to know of the consequences of the crime on the victim when making release decisions. In the past, many boards have asserted that their meetings did not exclude victims. However, the boards had no process to notify victims of their opportunity to be heard.


Since the Task Force hearings, 13 States have passed laws to open parole board hearings to victims and the public, for a total of 19 States. States that have for some time permitted victim input at parole hearings are now revising their procedures to make certain that victims know they can participate. For example, a group of Indiana citizens recently succeeded in overturning a parole board decision to release a woman convicted of torturing a teenager to death. The judge overruled the decision on the grounds that it was made in violation of the State's new open door law. At a later hearing, open to the public and the press, the parole board denied the release.<sup>8</sup> So that other States may adopt such progressive policies, the American Bar Association's Criminal Justice Section and the Office for Victims of Crime have prepared model legislation.



The Office for Victims of Crime commissioned the Victims Assistance Legal Organization to study third-party civil accountability claims in which citizens sue the Government to recover for injuries committed by someone released on parole or escaped from prison. Currently, the Government can only be held liable for damages under very limited circumstances. This study is examining the possibility and ramifications of lowering the standard that victims must meet in order to recover damages for their injuries.

In the Federal system, parole policies have changed radically. For earlier cases not subject to the new abolishment of parole, the United States Parole Commission in 1984 began permitting victims to attend parole hearings and also established a means to notify victims of their opportunity to testify. The Sentencing Reform Act abolished parole and strengthened sentencing standards. The Attorney General has appointed a Sentencing Commission to prepare guidelines for Federal judges to reduce disparity in sentencing. The Crime Victims Advisory Committee of the National Association of Attorneys General and the Office for Victims of Crime have written an extensive background paper to accompany legislation following this new Federal law.

It is also important to note that the Bureau of Justice Statistics (BJS), a division of the U.S. Justice Department, publishes regular reports on sentencing, the prison population, and other corrections issues. For example, BJS has reported that the prison population has increased by more than 50 percent since the beginning of this decade, for an all-time high of 490,000 inmates.<sup>9</sup> But the drama of this increase diminishes when one recognizes that the growth of prisons has fallen far short of the increase in violent crime. During the



past two decades, while the serious crimes of murder, rape, robbery, and burglary skyrocketed 332 percent, State prison capacity grew only 27 percent.<sup>10</sup>

It is also known that even among those convicted of felonies—the most serious offenses such as murder, rape, robbery, aggravated assault, and drug trafficking—only slightly more than half are sentenced to State prison. Instead, they receive either probation or probation in combination with a sentence to local jail, usually for less than 1 year.<sup>11</sup> Those who do go to prison serve sentences that most Americans would consider too lenient for the crime. In a recent year, half of the convicted murderers released from prison served fewer than 6 years for their offense; half of the rapists served 3 years or less; half of the robbers served less than 2½ years; half of the burglars served fewer than 14 months; and half the drug offenders served 11 months or less.<sup>12</sup>

The Task Force recognized that the abolition of parole and the imposition of tougher sentences for violent crime may exacerbate prison crowding. But there is action on this issue as well. The Comprehensive Crime Control Act of 1984 directs the Justice Department to turn over surplus Federal property to States and localities for corrections use. Several surplus properties have already transferred or are in the process of transfer at this time. The National Institute of Justice conducts research and provides assistance to State and local governments to build and operate prisons and jails more economically. In addition, the President's 1987 budget requests \$145 million in new funding to continue the Federal Bureau of Prisons' program for buildings and facilities.



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# Action by Other Organizations

## Hospitals

### *Sensitize personnel*

1. Hospitals should establish and implement training programs for hospital personnel to sensitize them to the needs of victims of violent crimes, especially the elderly and those who have been sexually assaulted.

### *Emergency financial help*

2. Hospitals should provide emergency medical assistance to victims of violent crime without regard to their ability to pay, and collect payments from State victim compensation plans.

### *Crisis counseling*

3. Hospitals should provide emergency room crisis counseling to victims of crime and their families.

### *Referrals*

4. Hospitals should encourage and develop direct liaison with all victim assistance and social service agencies.

### *Standard rape kit*

5. Hospitals should develop, in consultation with prosecuting agencies, a standardized rape kit for proper collection of physical evidence, and develop a procedure to ensure proper storage and maintenance of such evidence until it is released to the appropriate agency.

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The National Symposium on Sexual Assault, sponsored by the Office of Justice Programs and the Federal Bureau of Investigation in January 1984, marked the first time at a national level that medical professionals were brought together with individuals working in criminal justice and social services to discuss ways to improve the treatment of victims of sexual assault.

Following this symposium, the Office for Victims of Crime funded a project with the Office of the Attorney General of Illinois to improve emergency room procedures for handling sexual assault victims. Proper collection of evidence is vital to the well-being of the victim as well as the strength of the prosecution's case. A standardized rape kit, which includes the tools and procedures for gathering physical evidence of the crime, is being developed along with instructions for working with the victim in the emergency room. In addition to instructing how best to preserve the evidence, this "protocol" will train nurses and others to explain to the victim how the examination will proceed, what evidence is needed, and why. Simple acts of consideration, such as telling victims why the hospital must keep their clothing, can make this painful process much easier for victims.

For child victims of sexual assault who may have difficulty testifying, the medical evidence becomes even more important. The National Symposium on Child Molestation invited experts to discuss a new instrument, the colposcope, which can detect small scars and striations previously not visible on a child's body. One renowned physician said many of his colleagues often deny that molestation occurs and do not always perform careful, compassionate examinations of the molested child. The standardized rape kit can

remedy this problem by providing guidance to hospital professionals on how best to work with child victims of sexual assault.

The medical community must cooperate with the criminal justice system and victims' services to reduce the trauma of victimization. The National Sheriffs' Association's education project trains deputies to establish victim service networks that include hospital staff members. As a result of a 1985 National Institute of Justice project, the Hollywood Presbyterian Medical Center has designed a victim treatment center as a model for other health care facilities to emulate.

## **The Ministry**

### ***Awareness***

**1. The ministry should recognize and address the needs of crime victims.**

### ***Education***

**2. The ministry should develop both seminary and in-service training on the criminal justice system, the needs of victims, and ways to restore victims' spiritual and material health.**

Until the President's Task Force made its recommendations, few in the religious community had recognized their potential to aid crime victims. The government may compensate for economic loss; the state may punish; doctors may physically heal; but a scarred spirit is not so easily treated. Ministers and their congregations can provide solace found nowhere else.

To educate religious leaders on the responsibility to minister to victims as well as to offenders, Justice Department representatives have arranged several meetings with inner-city church stewards, national evangelical leaders, and seminary instructors. The Prison Fellowship program, traditionally

geared to serving prison inmates, is now discussing with criminals the plight of victims and the importance of making restitution. In addition, the National Sheriffs' Association is working with an organization of law enforcement chaplains to better aid victims.

## **The Bar**

### ***Fairness to all parties***

**1. All attorneys should recognize that they have an obligation, as officers of the court, to make certain that the justice system deals fairly with all participants in criminal litigation.**

### ***Speaking out for victims***

**2. Prosecutors in particular should recognize their obligation to be active members of the bar at the local, State, and national levels and to represent the often unspoken needs and interests of victims.**

### ***Balanced representation***

**3. Those who organize formal bar committees to deal with issues arising in the criminal justice system should ensure that the members of such groups represent a balance between opposing parties in criminal litigation.**

The Office for Victims of Crime has established an important working relationship with the Criminal Justice Section of the American Bar Association, which represents prosecutors and defense attorneys. The American Bar Association House of Delegates has adopted guidelines for the treatment of all victims of crime, including children.

The training curriculum prepared by the National Organization for Victim Assistance encourages attorneys to work with law enforcement officers, probation officers, judges, and other officials to improve victim programs serving entire communities, rather than single stages of the justice proceedings.

Moreover, increased public concern for crime victims is prompting defense lawyers to change their procedures. A State task force in Colorado, formed in 1983 to implement the President's Task Force recommendations, brought together prosecutors, public defenders, and other community members. As a result, the public defenders developed good procedures that protected the rights of their clients while also responding with sensitivity to victims of crimes. One leading public defender in Colorado, for example, now permits therapists to accompany child victims to the witness stand.

With assistance from the Office for Victims of Crime, the National District Attorneys' Association and the National College of District Attorneys are urging local prosecutors to become more active within their bar associations on behalf of victims.

## Schools

### *Reporting crime*

**1. School authorities should develop and require compliance with guidelines for prompt reporting of violent crimes committed in schools, crimes committed against school personnel, and the possession of narcotics.**

### *Checking sex offense records*

**2. School authorities should check the arrest and conviction records for sexual assault, child molestation, or pornography offenses of anyone applying for work in a school, including anyone doing contract work involving regular proximity to students, and make submission to such a check a precondition for employment.**

### *Instructing students*

**3. Educators should develop and provide courses on the problems, needs, and legal interests of victims of crime.**



***Preventing crime*****4. School authorities should be mindful of their responsibility to make students aware of how they can avoid being victimized by crime.**

A National School Safety Center was created in 1984 under the sponsorship of the Office of Juvenile Justice and Delinquency Prevention and the Department of Education. The Center helps schools develop safety programs, conducts research, and distributes information on delinquency prevention and criminal laws affecting schools. OJJDP has incorporated into its Law-Related Education Program, taught in schools throughout the country, new lessons on what it means to be a crime victim.

The National Institute of Justice has established its School Crime and Student Misbehavior Project in 44 schools in 3 cities. A videotape on this program, "Safer Schools, Better Students," is available from the Institute.

Since 1983, the National Crime Prevention Council has directed its messages to children and teenagers. With support from the Justice Department and the Advertising Council, the National Crime Prevention Campaign features a hound dog named McGruff who wears a trench coat and growls tips to "Take a Bite Out of Crime." This campaign works. Dade County, Florida, has the fourth largest school system in the country. It also had a major crime problem. Students decided to put an end to the violence and began to organize crime prevention programs with parents, law enforcement, and school officials. Now, every secondary school in the county has a Youth Crime Watch Program, and the crime rate has plummeted by 25 percent in 2 years. This results in considerably fewer crime victims.

McGruff's message for 1986 alerts teenagers to the fact that they are much more likely than adults to be victims of crime. McGruff's public service messages and the National Crime Prevention Council's work with local groups encourage teens to get involved in crime prevention activities and offer tips to teens on how to better protect themselves and their friends.<sup>13</sup>

## **The Mental Health Community**

### ***Treatment programs***

**1. The mental health community should develop and provide immediate and long-term psychological treatment programs for victims of crime and their families.**

### ***Training***

**2. The mental health community should establish training programs that will enable practitioners to treat crime victims and their families.**

### ***Research***

**3. The mental health community should study the immediate and long-term psychological effects of criminal victimization.**

### ***Cooperation***

**4. The mental health community should work with public agencies, victim compensation boards, and private insurers to make psychological treatment readily available to crime victims and their families.**

### ***Liaison***

**5. The mental health community should establish and maintain direct liaison with other victim service agencies.**

In the wake of a crime, healing emotional wounds is as vital to victims as setting their broken bones or punishing offenders. Since the President's Task Force was initiated, the mental health community has taken significant steps to fill a previous vacuum of

services for victims. The American Psychological Association sponsored a Task Force on Victims of Crime and Violence which examined how well the mental health community had met the needs of crime victims. Its proposals include requiring that psychologists be trained to work with victims, and that criminal justice professionals be trained to handle the emotional needs of victims. The American Psychiatric Association conducted a similar inquiry, and the American Orthopsychiatric Association is currently examining the effect of crime on child victims. Shortly after the American Psychological Association report,<sup>14</sup> the National Institute of Mental Health, the National Organization for Victim Assistance, and the Office for Victims of Crime sponsored a 4-day symposium on "The Aftermath of Crime: A Mental Health Crisis."

Since 1982, more researchers have studied the psychological impacts of crime. The National Institute of Mental Health undertook the first survey of programs serving the mental health problems of crime victims in order to develop the best approach to follow. The Institute also organized a major conference of leading mental health researchers to assess the profession's current knowledge of crime victims' psychological trauma.

Criminal justice research also has recently focused on crime victims. The National Institute of Justice's research efforts have included examining the fear of crime,<sup>15</sup> the psychological impact of crime,<sup>16</sup> and the criminal justice system's response to victim harm.<sup>17</sup> Finally, the Victims of Crime Act underscored the importance of mental health treatment by requiring that States compensate some counseling expenses in order to receive Federal funds.

## The Private Sector

### *Paid leave*

**1. Businesses should authorize paid administrative leave for employees who must miss work because of injuries sustained in a violent crime and for employees who must attend court hearings.**

### *Victim aid programs*

**2. Businesses should establish employee assistance programs for victims of crime.**

### *Credit allowances*

**3. Creditors should make liberal allowances for persons who are unable to make timely payments because of recent victimization.**

### *Contributions*

**4. The private sector should encourage private contributions of money and other support to victim service agencies, whether public or private.**

Crime is costly to victims, to their families, and to their employers. Several projects follow these recommendations to help businesses assist victimized employees.

The National Institute of Justice sponsored a project with Laws At Work which created victim services in 10 major corporations. For example, CBS Inc., expanded its employee consultation service to include referral and education programs for employees stricken by crime, and GTE involved its retirees in a community outreach program to assist senior citizens. These models will be widely distributed to encourage greater corporate involvement in victim assistance.

The Federal guidelines for the Victim Witness Protection Act instruct prosecutors to help victims arrange for delayed payments to creditors. The National Organization for Victim Assistance's "Fair Treatment Guidelines for Victims" asks that victims be allowed to take paid administrative leave.

Encouraging more private sector involvement in an effort to protect children from crime is one of the most important missions of the President's Child Safety Partnership. Under the leadership of the Attorney General in close coordination with the Secretary of Education and the Secretary of Health and Human Services, this group of 26 leaders from local, Federal, and State governments, private nonprofit organizations, the media, and the private sector is studying the range of crime striking children. It will report to President Reagan in April 1987 on ways to boost corporate involvement, to promote effective programs for child safety, and to increase public awareness of solutions to the problem.

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