

COURSE INFORMATION AND INSTRUCTOR PREPARATION

TITLE: THE ROLE OF THE VICTIM ADVOCATE

HOURS: 1

GOAL: THE STUDENT WILL KNOW AND UNDERSTAND THE ROLE OF THE VICTIM ADVOCATE.

TEACHING AIDS (CHOOSE ALL THAT APPLY):

Chalkboard and chalk

Easel notepad

Whiteboard and markers

VCR/DVD player

Computer and mouse

TV

Multi-media projector

Overhead projector

Lectern or table

INSTRUCTIONAL TECHNIQUES (CHOOSE ALL THAT APPLY):

Lecture

Group work

Discussion

Scenario-based training

Individual exercise

Hands-on techniques (i.e. driving, shooting, etc.)

STUDENT MATERIALS

None



STUDENT PERFORMANCE OBJECTIVES

At the completion of training, the student will be able to:

1. Identify several resources a law enforcement officer may use to find assistance for the victim of a crime.
2. Define "victim advocate."
3. Discuss methods by which to acquire the assistance of a victim advocate.
4. List other titles used to describe a victim advocate.
5. Describe training for a victim advocate.
6. Describe and discuss services an advocate may provide for a victim.
7. Describe and discuss services an advocate may perform to assist law enforcement personnel with a victim.
8. Describe and discuss services an advocate may perform within the legal system.
9. Name activities that a crime victim advocate should avoid.
10. Name some of the rights of crime victim advocates.



REFERENCES

Office for Victims of Crime, Bulletin, March 2001 Office of Justice Programs, US. Department of Justice, by Susan G. Parker

Picking up the Pieces, Your Rights and Responsibilities as a Crime Victim, Ohio Attorney General's Office.

Crime Victim Section Annual Report 2006, Ohio Attorney General Office

Court Advocacy Program Description, Green County Prosecutor's Office, Stephen K. Haller, Prosecuting Attorney

Crime Victim Services, a United Way agency web site <http://crimevictimservices.org>

Holmes County Victim Assistance Program, web site: <http://holmescounty.com>

Office of Victims of Crime, web site: <http://www.ojp.usdoj.gov>.

Community Justice in Ohio Department Implements Variety of Programs to "Restore" the Community, Ohio Department of Rehabilitation and Corrections, *Corrections Today*, December 1997

Stark County Prosecuting Attorney – Victim Witness Division- Overview
Web site: <http://co.stark.oh.us>

Montgomery County Sheriff's Office, Victim Advocacy, Special Investigation Section.
Web site: www.montgomery.oh.us

SUBJECT MATTER EXPERTS

Jeannette Adkins, MED, Administrator, Greene County Prosecutor's Office

Contributors: Erica, Rape Victim Advocate (last name withheld for security)
Amanda, Domestic Violence advocate, Madison County



THE ROLE OF THE VICTIM ADVOCATE

INSTRUCTIONS

SPO #1

NOTE: This course may be instructed by the local training officer or supervisory personnel. However, it is recommended that the trainer visit the following website to locate a crime victim advocate in the local area to help in the instruction of the course:
www.ag.state.oh.us/victim/dir_state.asp Click on **COUNTY** and scroll down to find your county. This web-site is an excellent resource of services available for crime victim assistance including locating crime victim advocates. Assistance may also be available at the county prosecutor's office, court mediator services, county Job and Family Services, County Sheriff's Office, United Way, various courts and through many non-profit agencies.

This course is presented in a narrative style and includes questions and discussion topics.

INTRODUCTION

There are many different agencies, private and public, that will provide assistance to victims of crime. Whether one calls that assistance an advocate, specialist, social worker, or counselor, the goal is to lessen the effect of the crime on the victim and/or the victim's family. The Crime Victim Service (CVS), a United Way agency in Allen County summed it up quite nicely in their simple mission statement, "To help victims prevail over the trauma of their victimization by assisting and advocating for safety, healing, justice & restitution."

It has been proven that victims heal faster and move on with their lives quicker when they receive assistance from trained advocates and have a voice in the judicial system. Emotional recovery largely depends on the support that victims receive. Victim advocates provide support, resources, an understanding of the process of victimization and trauma recovery. The goals of victim advocates and victim advocacy groups/departments include but are not limited to:

- a reduction of trauma suffered by victims and their families
- an inclusion of survivors in the criminal justice system and advocacy of their rights to participate
- an increased in resources available to crime survivors
- an increased public awareness of the trauma victims suffer
- a fostering of awareness in the legislature, the community, and criminal justice system regarding the needs of victims



The Ohio Department of Rehabilitation and Correction has joined the efforts of recognizing the victim's need to be involved in the legal process. The ODR&C stated in the December, 1997 edition of Corrections Today, that they had adopted "community justice" as a more holistic approach. The article stated, "Community Justice views crime as a violation against individuals, their families, and the community in which they live. It promotes an inclusive system, bringing all those involved or impacted by a crime into the decision making process."

"The article also said, Community Justice is more concerned with repairing the harm done to the victim and the community through negotiation, mediation, empowerment and reparation, rather than through vengeance, deterrence and punishment."

In Ohio, crime victims are guaranteed the right to:

1. Confidentiality
2. Be treated with dignity and respect
3. Know the case status at all times during the prosecution process
4. Receive notification at various times, when significant events occur
5. Be present at all hearings, when the defendant is present
6. Be protected from intimidation and threats of harm
7. Reasonable return of property
8. Information from and meaningful discussions with, the prosecutor
9. Make a Victim Impact Statement
10. A separate waiting area
11. Protection from punitive action from the employer due to attendance at hearings
12. Appoint a representative

The Ohio Attorney General's Office has the responsibility for overseeing the State's effort to helping crime victims on the road to recovery and ensuring their rights have been recognized. There are numerous agencies to assist with the recovery program. An important link to know is www.ag.state.oh.us/victim.assistance.asp

The following scenario will help demonstrate some ways a crime victim advocate can assistance in repairing, healing, helping the victim and victim's family in the recovery process and assist law enforcement. It will also show how a victim can have a voice in the judicial system as well as help them through the criminal justice system.

SCENARIO

You are a peace officer working in a rather small town. At 8:10 a.m. you are assigned to investigate a small child wandering around a rather quiet, middle-class neighborhood. Upon arrival you find a three year old girl sitting in a driveway sobbing. She is not properly dressed for the cold weather conditions. As you approach the young girl, you see blood on her clothes that does not appear to be from a wound on her person. You call for back-up. The young girl turns away from you. You ask her if she is okay but there is no response. You knock at the door of the residence. There is no response but you can hear a baby crying inside. You return to the young girl. You ask her if she lives at the house. There is no response. You ask her how old she is and again there is no response. Your back up arrives and you decide, based on the current scene and situation inside the residence, to enter the house. The door is not locked.

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Upon entry, you see a crying infant lying on a chair. In the kitchen you see a middle-aged woman lying on the floor bleeding from a head wound. She is alive but unconscious and needs emergency treatment. EMS and further back-up is requested. Cause of her injuries is not readily apparent with respect to a medical issue or possible assault. You can find no prescription bottles in the house. As one officer tends to the immediate medical needs of the woman, you clear the rest of the house. There appears to be no forced entry and nothing else in the house appears to be disturbed. No other person is found in the house.

In spite of the fact that there is a baby in the house, no crib is found but a diaper bag is lying next to the chair the baby is resting in.

Emergency vehicles are now in the driveway creating a very visible crime scene. Neighbors are gathering. Neighborhood interviews reveal that the residents have just moved into the neighborhood and not much is known about them. There are no vehicles on the premise. EMS arrives and the middle-aged woman is prepared for transportation to the hospital. The young girl attempts to run after the stretcher carrying the woman. You hold her back. She fights to get loose and even bites you attempting to free herself from your hold.

QUESTIONS:

What do you do with the sobbing young girl?

What do you do with the crying baby?

Who do these children belong to?

What is the identity of the injured woman?

Is the woman the mother of the children?

What is the relationship of the woman to the children: mother, babysitter, other relative, stranger?

Does another adult live here?

What caused the woman's injuries?

Was there an assailant?

Who else needs to be contacted about this seriously wounded person?

You have a lot of questions and no answers. Who can best help you?

A nearby town has a victim advocacy program. You have heard about this program through contact with the county welfare system. Would it be right for your town, for your police department? What services could a victim advocate perform and how would a victim advocate interact with your current officers, prosecutor and courts?

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ASSIGNMENT: Take a few minutes to write down what you believe would be the role of a victim advocate in the scenario. Would this be of help to you?



WHAT IS A VICTIM ADVOCATE

SPO #2

A victim advocate is a person who provides support, advocacy, information and referral services to those victimized by crime, those suspected of being victims of crimes or family members of a crime victim. The victim advocate could also provide services to neighborhoods where a crime has occurred and may provide services to friends, co-workers, classmates or extended family members of victims.

SPO #3

A victim advocate may be a paid staff member or a volunteer. A victim advocate may be located within:

A dedicated agency or program such as a law enforcement agency, prosecutor's office, municipal law director's office, court program or may be member of an independent program that contracts with any of these organizations.

OR

A community-based agency or program such as a rape crisis center, domestic violence shelter, child advocacy center, mental health/social services agency or an independent program that contracts with any of these community-based agencies.

SPO #4

A victim advocate may also be known as a victim assistance professional, victim services provider, victim services specialist or other similar titles.



TRAINING FOR VICTIM ADVOCATES

SPO #5

The following excerpts are from The Ohio Attorney General's Office, Crime Victims Section, Annual Report 2006. Since its creation in 1985 in Ohio, Crime Victims Assistance Division (CVA), in the Attorney General's Office has been responsible for allocating grant monies to private, non-profit and government agencies to assist Ohio's victims of crime. Funding provided by the CVA helps support direct victim services such as rape crisis centers, domestic violence shelters and criminal justice advocacy programs. Other services provided by CVA include TWO DAYS IN MAY, the annual conference for victims advocates providing training for those who assist victims of crime. Further training for victim advocates has been developed with the newest initiative, the Advocates Dedicated to Victim Assistance and Continuing Education (A.D.V.A.N.C.E.) Academy. This Academy provides both initial and continual training to victim advocates. The A.D.V.A.N.C.E. Academy, is the first of its kind in Ohio, and is dedicated to providing specialized training to victim advocates.

The first basic training course, the Basic Advocacy Skills in Crime Victim Services (B.A.S.I.C.S.) was conducted in June of 2006. B.A.S.I.C.S. is a week long course geared toward advocates with five or less years of experience and offers 40 hours of baseline education on topics such as court accompaniment, crisis intervention, legal advocacy, etc. This course will be offered regularly in cooperation with the Ohio Peace Officer Training Academy in London.

An application for attendance and information about A.D.V.A.N.C.E. and the B.A.S.I.C.S. can be found on the Attorney General's web site.

Other courses have been developed and are offered through the Ohio Peace Officer Training Academy (OPOTA) including such topics as: cultural diversity, outcome measures, testifying in court, victims' rights, and many more. Additionally, coordination of activities in Ohio for National Crime Victims' Rights Week, held in April each year, is provided by the CVA.

OTHER EDUCATION/TRAINING:

There are also many other training opportunities for those who wish to be a crime victim advocate. Many non-profit agencies offer specific course work. For example, the Sexual Assault Response Network of Central Ohio offers a 48-hour training program to those who wish to help with victims of sexual assault. Many clergy attend specific course work, such as the Central Ohio Faith Community Responds to Family Violence, to assist members of the community in dealing with crime.

Crime victim advocates come from all walks of life. A college degree is not required. Many agencies have training programs for volunteers to gain experience by working with established advocates, counselors and social workers in providing services to victims. However, some specific paid jobs may require adherence to professional standards. Crime Victim Services of Allen County lists very specific requirements for the position of Victim Advocate. Candidates must meet the Standard for Victim Assistance Program and Providers as promulgated by the National Victim Assistance Standards Consortium as follows:

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SCOPE OF SERVICES:

This position is expected to:

- a. Adhere to legal, ethical and behavioral standards of conduct in the advocate/victim relationship.
- b. Know the overall services of the victim assistance system in the geographical area served.
- c. Know the community's justice systems and its relationship to public and private victim service programs.
- d. Know other service systems that effect victims in the geographical area served.
- e. Know the purpose of Crime Victim Services and its place within the criminal justice and services systems in the community

COORDINATION WITHIN THE COMMUNITY:

This position is responsible for:

- a. Coordinating with individuals and organizations to address victim needs
- b. Collaborating in efforts to improve systems, laws, institutions and policies that effect crime victims.

DIRECT SERVICES:

This position is responsible for:

- a. Developing rapport and communicating effectively with victims
- b. Helping victims to identify and access appropriate resources
- c. Advocating for victims within the organization and the community
- d. Assisting victims to address their traumatic responses to victimization
- e. Using effective crisis intervention skills when confronted with a crisis situation.
- f. Adequately preparing victims for interacting with criminal justice and services systems
- g. Advocating for victims in criminal justice settings (as appropriate to program goals)
- h. Using specific intervention appropriate to the type of victimization

ADMINISTRATIVE AND EVALUATION:

This position is responsible for:

- a. Using self-awareness to monitor and enhance his/her provision of services
- b. Competently responding to diverse and underserved victim populations
- c. Managing job-related stress



PROFESSIONAL WORK STANDARDS:

This position is responsible for conducting him/herself in a professional manner at all times including:

- a. Presenting a business-like demeanor and appearance in all crime victim services meetings
- b. Meeting all deadlines and scheduled appointments
- c. Prompt and orderly handling and storage of all paperwork and computerized data
- d. Maintaining confidentiality of victim and agency business at all times
- e. Contributing to program innovation and enhancements

The position summary for a Crime Victim Advocate as outline by Crime Victim Services states: The crime victim advocate is responsible for assisting and advocating for victims, in the following areas:

1. Property security and personal safety
2. Emotional and physical healing
3. Respectful treatment, legal rights, and sense of justice; and
4. Financial recovery and restitution



SERVICES A VICTIM ADVOCATE MAY PROVIDE FOR A VICTIM

SPO #6

There is generally a continuum of services offered by the victim advocate which may start immediately after a crime occurs and continue throughout the criminal and civil justice process, including the appellate and post-conviction processes.

The victim advocate may provide any of, but certainly not limited to the following services:

1. 24-hour crisis phone line support to a specific target population (such as a rape crisis hot line) and/or all victims of crime.
2. 24-hour in-person crisis response to provide support and advocacy services to victims of crime during the law enforcement, medical, criminal justice, civil and/or post conviction processes.
3. Information and support regarding any of the above procedures.
4. Court advocacy, accompaniment and support during the victim's participation in any aspect of the criminal justice process (law enforcement interview, meeting with the prosecutor, grand jury, preliminary hearing, trial preparation, trial, civil litigation and any post-conviction hearings). Assistance with the preparation of a Victim Impact Statement.
5. Crisis intervention, counseling, self-help group facilitation or referral to any of these. Locate links to local support groups for related crimes. For example, informing a rape victim of a local sexual assault support group or a mother of a murdered child to a support group for Parents of Murdered Children.
6. Employer intervention and assistance with any social service providers and any expenses incurred as a result of the crime victimization. Referral for additional services, as needed or requested by the victim.
7. Information about and assistance with filing for crime victim's compensation.
8. Assistance with crime scene clean up, recovery of property and replacement of essentials that may have been stolen or destroyed during the criminal victimization.
9. Ongoing support and follow up in the aftermath of the criminal victimization.
10. Provide educational presentations to schools, groups, agencies, etc. on victim/witness services and issues.
11. Object to delays in the legal system (numerous requests for continuances)



ASSIGNMENT: Refer back to the first scenario. It was determined that a neighbor called in the report about the young child wandering about unsupervised. Neighbors became concerned as emergency vehicles arrived and emergency squad personnel removed a person from the house. Would the neighbors collectively be considered a victim through the concept of fear? Did they need to be concerned about their own safety? Had a crime been committed? Is there an assailant loose in their neighborhood? What information could the neighbors provide? If they heard a noise who should the neighbors call? Should they allow their own children to play outside? Who could provide information to the neighbors? Discuss assistance a peace officer may receive from a victim advocate in this scenario.



THE VICTIM IMPACT STATEMENT

A crime victim or the victim's family has the right to describe to the judge how the crime has affected his/her/their life. No one knows better than the victim(s) as to how the crime has affected them. A victim impact statement describes the physical, emotional and financial affects of the crime. While completion of this victim impact statement is voluntary, it will help the victim have a say in the judicial system and will often cause the victim to feel less of a victim by taking back some rights he/she had before the crime. The victim advocate may assist in preparation of the statement but may not write the statement for the victim or the victim's family. The judge, probation officer, and prosecutor may read the statement and it will become a permanent part of the case.

ASSIGNMENT: Review the Victim Impact Statement outline below and discuss how you believe this could affect the victim and society in general. Do you have any recommendations to improve this document? If you were a judge, do you think this document would affect your decision on sentencing within the confines of the sentencing guideline?



**UNION CO. VICTIMS OF CRIME ASSISTANCE PROGRAM
(VOCA)
Victim Impact Statement**

What is a Victim Impact Statement and how is it used?

As a crime victim, you have the opportunity to use this Victim Impact Statement to describe how this crime affected you and others close to you. This statement has space for you to write about the physical, emotional, and financial affects of this crime, as well as any other changes in your life you may have experienced. If the defendant pleads guilty or is found guilty after trial, your impact statement will help the judge understand how this crime has affected you and those close to you.

Filling out this statement is voluntary.

You do not have to fill out a victim impact statement. However, it may be helpful to the judge when he or she decides what sentence the defendant should receive and/or any money the defendant may have to pay you for expenses you have incurred or owe because of the crime. When the judge makes the defendant pay the victim it is called "restitution." If the judge orders the defendant to pay you restitution, there is no guarantee that the defendant will be able to pay the entire amount. Your statement will become an official court document after it is given to the court, and will become a part of the defendant's permanent file. The judge, prosecutor and probation officer will read your statement. In addition, prison and parole officials may read your statement if the defendant is sentenced to a prison term. The defendant and the defendant's attorney will also be able to read what you have written. They may even be able to ask you questions about your statement in court. However, the defendant will not be able to see your address and telephone number because you are not asked to put them on your statement.

No one knows better than you how this crime may have changed your life. Those involved in your case believe that it is very important for you to help the court understand all of the ways this crime has affected you and those near you. Thank you for taking the time to provide this information.

You also have the right to speak to the judge at the time of sentencing. If you would like to do so, please contact our office right away and we will help set this up for you.

The statement also asks what you believe the sentence should be in this case. Although the judge will decide the defendant's sentence, the judge may consider your opinion before making this decision. Your statement also may be used at other hearings where decisions are made about parole or releasing the defendant early.

Suggestions for Completing Your Victim Impact Statement

The following suggestions and the attached form are offered only as a guide. Please answer as many questions as you wish. If you need more space, please use additional pages and simply attach these pages to the form when you return it.

Only you know how to best describe the effects this crime has had on you and those close to you. We realize it may be difficult to put into words the impact this crime has had on you and those close to you. Many victims find it helpful to organize their statement by the emotional, physical, and financial effects. Some victims have found it helpful to write a rough draft of their statement before completing the final statement. If you should need any assistance in completing your victim impact statement, please feel free to contact a victim advocate at the Union County Victims of Crime Assistance Program (937) 644-9192.

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If you would like to tell the court about the emotional impact of this crime, you may want to consider:

- Has this crime affected your lifestyle or those close to you?
- Have your feelings about yourself or your life changed since the crime?
- Has your ability to relate to others changed?

If you or your family members were injured, you may wish to tell the court about the physical impact of this crime. You may wish to:

- Describe the physical injuries you or members of your family suffered.
- Describe how long these injuries lasted or how long they are expected to last.
- Describe any medical treatment you have received or expect to receive in the future.

If you are making a written statement, you may want to discuss how this crime has affected your ability to earn a living and how it has affected you financially. We have also included a separate Victim Financial Statement to help you fully record the financial impact of this crime. It is important to be as complete as possible in describing your financial losses as this information will be used by the prosecutor and provided to the judge for determining restitution. Restitution is the possible payment by the defendant to you for any financial losses you may have suffered as a result of this crime.

Crime Victim Compensation

Did you know that you may be able to receive financial help from the Crime Victim Compensation Program? This program can pay victims back for certain types of out-of-pocket expenses for physical or emotional injuries received as a direct result of a crime. These expenses include medical bills, counseling costs, funeral bills, and lost wages and support. This is not the same as restitution. You may be able to receive money to help you with some of your medical bills even before you go to court.

You will have to meet certain conditions to receive Crime Victim Compensation benefits, but you can file for benefits immediately following the crime even if no arrest has been made. If you would like more information on the benefits available, or how to apply for compensation, please contact our office for assistance.

For Help with Your Victim Impact Statement

Please return your completed impact statement to our office within 5 days. If you have any questions while writing your impact statement or if you would like to speak to the judge at sentencing, please contact our office right away so we can help set this up for you. If our office can help you in any way at all, please feel free to contact our office at:

**Union Co. Victims of Crime Assistance Program
715 South Plum Street
Marysville, Ohio 43040**

**Phone (937) 644-9192 or Toll free 1-800-262-5995
Fax (937) 644-3426**



Victim Impact Statement

If you need more space to answer any of the following questions, please feel free to use as much paper as you need and simply attach those sheets of paper to this impact statement. Thank you.

Your Name: _____

Defendant's Name (s): _____

1. How has this crime affected you and those close to you? Please feel free to discuss your feelings about what has happened and how it has affected your general well-being. Has this crime affected your relationship with any family members, friends, co-workers or other people? As a result of this crime, if you or others close to you have sought any type of victim services, such as counseling, you may wish to mention this.
2. What physical injuries or symptoms have you or others close to you suffered as a result of this crime? You may want to write about how long the injuries lasted, or how long they are expected to last and if you sought medical treatment for these injuries. You may also want to discuss what changes you have made in your life as a result of these injuries.
3. Has this crime affected your ability to perform your work, make a living, run a household, go to school or enjoy other activities you previously performed or enjoyed? If so, please explain how these activities have been affected by this crime.



Sentencing Recommendations

What are your thoughts regarding the sentence the court should impose on the Defendant?
(please circle all that apply)

- A. Community Services
- B. Restitution
- C. Counseling/ Treatment
- D. Probation
- E. Incarceration
- F. No Contact with you or your family
- G. Other (please specify)

Comments:

The above statements are true to the best of my knowledge. I authorize VOCA to contact, gather and release information to creditors, insurance companies and anyone else who might have information relating to this criminal case in order to determine the correct restitution and victim impact.

Victim's Signature _____ Date _____

If you are completing this statement for the victim, please complete the following:

Relationship to Victim _____ Your Name _____

Please return your Victim Impact Statement to the address below:

Victims of Crime Assistance Program
The Office of the Prosecuting Attorney of Union County
221 West 5th St., Third Floor
Marysville, Ohio 43040
(937) 645-4190



SERVICES A VICTIM ADVOCATE PERFORM TO ASSIST LAW ENFORCEMENT PERSONNEL WITH A VICTIM

SPO #7

The victim advocate can be a valuable resource for law enforcement. A victim advocate may assist law enforcement personnel in a multitude of services that can be provided to crime victims including but definitely not limited to:

1. Help inform the crime victim of his/her rights as granted under the Ohio Constitution Article 1, section 10a and under ORC 2930. Answer questions that the victim has about his/her rights.
2. Provide support to the crime victim at the time of the investigation -- Victims who receive good support are more likely to cooperate with the investigation. The victim advocate can provide information to the victim about the investigation, why certain questions need to be answered, what will happen next, explain procedures, perhaps re-word on officers question so not to appear as threatening, and provide information on providing safety to the victim. For example: A woman has been beaten by her husband. A victim advocate may offer temporary shelter services to the victim which may put the victim more at ease in answering officer's questions.
3. Provide a connection between the crime victim and the officer so more information is discovered or recalled by the victim and can be disseminated to the other authorities. Victim advocates can encourage crime victims to be forthcoming with information they might otherwise withhold out of fear or embarrassment.
4. Relieve officers of some responsibilities such as updating the victim, providing transportation for the victim, explaining the rights of victims, aiding in completing paperwork and disseminating information to those requesting or needing it.
5. Protect the crime scene by taking victim(s), family members, friends, etc. to a location outside of the crime scene, allowing officers to conduct the investigation and the process the scene.
6. Act as a liaison between victims/witnesses and any other parties to provide information and updates as directed by officers. This may include assisting with neighbors who may be dealing with their own fears or asking for assistance from neighbors.
7. Facilitate professional assistance with crime scene cleanup and decontamination (if needed). Through communication with officers, the victim advocate can expedite clean-up services when the crime scene is released by law enforcement personnel. This will allow the victim or his/her family to avoid having to clean up the scene and keep the victim to return to normalcy sooner.



8. Respond to the needs of the victim – The victim advocate may need to address the immediate needs of the victim. Such needs may be: providing temporary shelter, clothing, taking the victim to the hospital, doctor visits, making calls to support group(s), family and/or friends and clergy and making calls to public and private agencies for immediate financial assistance for food and medical purchases.
9. Assist in acquiring sensitive photographs for evidentiary purposes - The victim advocate can be very helpful in explaining the need for the pictures, who will take the photos, where the photos will be stored, where in the court process they might be needed, and what will eventually happen to the pictures. The victim advocate can also be used to assist in covering up private parts of the victim while the pictures are being taken. In rare cases, the victim advocate may also be used take the pictures.
10. Assist with death notification – The victim advocate can provide assistance to the officer and to the family when it is necessary to inform family and friends of the death of a loved one. The victim advocate can help with funeral arrangements, assist with providing explanation of the death, assist with viewing the body and explaining the autopsy (need for such) and the process. The victim advocate can assist in providing counselor referrals appropriate for different family members, assist with extended family notification, assess the need for long-term counseling and perform follow-up as needed.
11. Assist with group crisis intervention and support to large numbers of victims/witnesses in criminal acts which occur in businesses or public locations. Unfortunately, we have experienced many high profile criminal incidents involving large groups. Such incidents as the Columbine High School shootings or attacks on September 11, 2001 leave thousands of people totally devastated. Victim advocates aid law enforcement authorities in contacting relatives of those injured or killed. Victim advocates can also arrange for support and counseling for school children, co-workers, neighbors, and friends.
12. Assist with the victim interview, as requested by officers in charge of investigation. For example, very personal and intimate details of a sexual assault may be better asked by a victim advocate rather than a police officer. The officer must get facts and must separate the facts from feelings and emotions of the victim. That process often intimidates victims who have had either limited or previously negative interaction with police. The victim advocate could explain the need for such questions. The presence of the victim advocate may provide comfort to the victim as details of the crime are conveyed to the officer. With a child victim, the victim advocate may be perceived by the child as taking on the role of protector thus allowing the child to be more open.
13. Assist with viewing photo line up, polygraph examination, and/or viewing the body. The victim advocate can answer questions about the process and the system to put the victim at ease as much as possible. The victim may need to be supported and comforted when seeing the perpetrator again even if it is in an identification line up.



14. Accompany law enforcement to meetings with the prosecutor regarding possible charges in case, to assist in providing assessment of case, victim(s) and witnesses. A victim advocate may have spent more time with the victim and he/she may be best to assess the victim's ability and willingness to testify.
15. Support and assist law enforcement personnel, his/her family members, colleagues and the department in any officer-related accident, shooting, incident or death. The victim advocate can provide much needed support for the victim's family by providing information, notifying relatives, transporting to the hospital, seeking and providing information as requested by officer and/or family of officer, support throughout legal process, etc.

ASSIGNMENT: You respond to a distress call from a woman who has been assaulted. You rush to the scene only to find the woman is fearful will not open the door for you. Explain ways a victim advocate can be of help to you.



THE ROLE OF THE VICTIM ADVOCATE IN THE LEGAL SYSTEM

SPO #8

The victim advocate can be of great assistance to the victim, prosecutor, judge and/or jury throughout the legal process. There are many rights guaranteed to the victim that often are unclear to the victim. The perpetrator has an attorney. The prosecutor is working for the state to ensure a conviction. The victim is often left with no representation or advocate during the process. The victim advocate can help equalize the players. Here are some of the ways a victim advocate can help:

1. Accompany the victim to all hearings, meetings, court dates, etc.
2. Explain the process and interpret legal jargon for the victim.
3. Explain rights guaranteed to the victim through the U.S. and Ohio Constitutions and Ohio Revised Code and how to implement those rights. Example: Ohio law prohibits employers from firing an employee who misses work to attend a grand jury, delinquency, or criminal proceeding that the employee is subpoenaed to attend. The victim advocate can intercede with the employer on behalf of the victim.
4. A victim advocate can add a line of protection to the victim should there be a confrontation with the perpetrator and/or his/her family.
5. The victim advocate can intervene and make requests to the court for the victim if entering and exiting the court room becomes too confrontational or uncomfortable.
6. The victim advocate can help explain when things don't happen the way they were expected to happen. For example: the perpetrator was expected to plead guilty then suddenly changes his/her plea to innocent, or a perpetrator was released on bail when jail confinement was expected.
7. Assist the victim with arranging to have a discussion with the prosecutor.
8. The victim advocate can assist victims by putting them in touch with other victims or support groups.
9. The victim advocate can also assist with the concerns of the victim's family during the legal process.



ACTIVITIES A VICTIM ADVOCATE SHOULD AVOID

A victim advocate, whether a paid staff member or a volunteer, may be limited in what functions he/she can perform on behalf of the victim, courts, or law enforcement. These limitations include but are not limited to:

SPO #9

Not providing legal advice: The victim advocate can provide a great deal of information to victims providing them many options. At no time may the advocate offer, be it solicited or not, any legal advice or make decisions for the victim. Many times victims look to another for advice and while it may be very tempting to give an opinion, advocates are prohibited from providing any form of legal advice.

Not speaking for the victim: The victim advocate should not speak for victims. When questions are asked of victims, it is up to them to provide the answers. However, under certain circumstances as provided in ORC 2930, the victim advocate may be asked or directed to make a statement on behalf of the victim or to serve as a Victim Representative.

Not challenging the victim: The victim's statements should not be challenged or questioned in any manner by the victim advocate. It is important for the victim to have a victim advocate there in a supportive role. The advocate should leave the questioning of any discrepancies to the law enforcement officer.

Not making any promises: The victim advocate should avoid making any guarantees about the outcome of the case, what the court might do or fate of the perpetrator, etc. This could influence victims' consideration of their choices. It may also give false hope regarding the outcome.



RIGHTS OF A VICTIM ADVOCATE

SPO #10

The victim advocate has the right to feel and be safe. The victim advocate must not be put in a position of danger or in a situation in which the advocate perceives there is danger.

The victim advocate has the right to be respected by the law enforcement officers, social workers, nurses, doctors and any and all personnel while performing his/her duties.

The victim advocate has the right to set personal limits as to his/her involvement in response to any crime incident. For instance, a victim advocate who has been a victim of sexual assault may decline to respond to a similar incident. The victim advocate should take the steps necessary to protect herself/himself from becoming too emotionally involved.



OTHER FUNCTIONS OF THE VICTIM ADVOCATE

Testify on victim-related legislation to various legislative bodies

Publish and distribute newsletters and victim-related publications

Prepare public service announcements and make presentation to the community on crime victims' rights and concerns

Develop protocols with media, police and prosecutors to protect victims and evidence

Implement specialized programs for child victims/witness

Cooperate with offender rehabilitation programs to encourage accountability, healing and crime reduction/prevention



VARIATION IN VICTIM ASSISTANCE BY GEOGRAPHICS AND AGENCY SIZE

The range of assistance for crime victims is vast. Some communities, particularly rural areas, are very limited in the assistance they can provide due to budget constraints. In one rural area, victim advocates reported spending only 12% of their time talking via telephone to victims and 8% in face to face communication with victims. Administrative duties including updating addresses and phone numbers, scheduling interviews for attorneys and witnesses accounted for 18% of their time.

The Ohio Victim Witness Association implemented a traveling victim advocate program to deliver victim advocacy services in Ohio jurisdictions with no victim advocate program. The Ohio Victim Witness Association also provides services when local personnel lack experience in a particular area or when there is a high-profile case requiring a neutral advocate.

Cutting edge victim advocacy services include: Domestic Dispute Early Intervention program, 911 Emergency Telephone, Alzheimer's Disease ID, Huggable Friends Program, Suicide Attempt Follow-up and Holiday Assistance. These are usually found in more heavily populated counties.

The Domestic Dispute Early Intervention Program – provides for early intervention of services to the parties involved in the dispute. The goal is to prevent escalation of the domestic violence. This also helps to build relationships between the victim advocate and the victim should the violence continue and court proceedings result.

911 Emergency Telephone-Victims identified as high risks of retaliatory abuse are provided with 911 cell phones. The goal is to increase accessibility to emergency services and provide peace of mind for the victim.

Alzheimer's Disease ID – While not specifically related to crime victims, registering loved ones in a database for missing persons can expedite distribution and community notification in the event of a lost or disoriented family member. The database can include a photograph, personal identification information and family contact information.

Huggable Friends- A friendly looking and familiar huggable stuffed bear can provide comfort to a child who is a victim or a witness to a crime.

Suicide Attempt and Follow-up - Victim advocates make follow-up calls to individuals who have attempted suicide or made a suicidal gesture. The victim advocates make mental health care referrals and provide other community resource information. Suicide prevention information can also be provided to the families of the loved one.

Holiday Assistance- Victim advocates can help families in need of food, Christmas gifts and clothing during the stressful holiday season. This may be coordinated with local food pantries or HELP houses.



AN INTERVIEW WITH A CRIME VICTIM ADVOCATE

This author had an opportunity to interview two crime victim advocates: one specializing in sexual assault work with victims (Erica) and the other in domestic violence (Amanda).

Question: Why did you become a crime victim advocate?

Answer: *I wanted to help victims because it is an issue I feel strongly about.*

Question: Name something that a crime victim advocate should not do.

Answer: *Don't touch the victim without permission. Don't invade his/her personal space.*

For everything you do make sure that you ask permission. For example, ask, "May I sit here?" "Do you want me here?" or "Is it okay for me to be here." This gives the victim some power back that he/she may feel was lost in the attack.

Question: How much training did you receive before becoming a crime victim advocate?

Answer: *About 50 hours of very specific training.*

Question: What one thing would you recommend that a crime victim not do?

Answer: *The crime victim should not be self-blaming. There is a tendency for the victim to feel that they have done something to deserve the crime against them. The crime victim did not ask to be a crime victim and someone beating up another person is a crime.*

Answer: *The crime victim should not tolerate an obnoxious (disrespectful – OPOTC Comment) law enforcement officer. I see it as a responsibility of the advocate to ensure fair treatment of the victim by law enforcement officers. The victim can call the supervisor and request a different detective if she feels the officer is being disrespectful.*

Question: What would you like to say to law enforcement officers that would help them when responding to a crime victim?

Answer: *I would like for them to understand that a rape is a personal crime. It is not like a theft of a car. Rape attacks the person in a very intimate manner. It is an attack on the person. This is unlike the person who steals the car who wants the car for money or for a joy ride. The theft of the car is what they want not to hurt the owner of the car. The law enforcement officer needs to be compassionate and understanding. A "second injury" can occur by the police who use blaming or accusatory statements. Such statements as, "What were you doing out at 2:a.m?" or "Why were you out walking alone?" can be perceived by the victim as placing blame on them.*



Question: Anything else?

Answer: I would like for them to know that we are trained and we do this selflessly. They should show us respect.

Question: What do you see as the role of the victim advocate?

Answer: I see it as support for the victim, to be a friendly face, to always believe the victim and not ask questions. I see us as providing information to the victim about resources available to them such as AG Crime Victim section, counseling services available to them, emergency contraceptives, hot lines, protection orders, women shelters, and advocates for the legal process.

Question: When you get the call to help a victim, in what time frame do you respond?

Answer: The victim advocates strive to be where needed within 30 minutes of the call.



COURSE SUMMARY

The victim advocate can reduce the effects of a violent crime on the victim and/or the victim's family. The victim advocate helps the victim, the law enforcement officer, the prosecutor and the court process. The advocate may not speak for nor provide any legal advice to the victim but aids in providing information to empower the victim. Victim advocates come from all walks of life. Some may be highly educated while others may be a volunteer who has limited training. Either way the goal is to support the victim and provide information. Local entities may have their own advocates. Check with your county to determine whether victim advocacy services are available before the need arises. Respect individual roles and compliment each other in your efforts to ensure justice for the victim.



QUESTIONS

1. List the two sources of Victim's Rights in the State of Ohio?

2. Name three of the four activities a Victim Advocate should avoid:

3. A victim Advocate may also be known as a:

4. Name two sources of victim advocate training:

5. True or False
 - A. Victim Advocates must have a degree in social work.
 - B. The first time any victim advocate meets a victim is during the legal process.
 - C. A crime victim advocate may be used to cover up other parts of the body while injured parts are being photographed by a crime scene photographer.
 - D. A crime victim advocate would never assist with death notifications.
 - E. A crime victim advocate is not permitted to speak for the victim.
 - F. A crime victim advocate is always a paid staff member of the prosecutor's office.



DISCUSSION:

- A. What would be a reason for the victim to complete a Victim's Impact Statement?
- B. Why would a crime victim advocate give a Teddy Bear to a child?
- C. Name some things a crime victim advocate would do behind the scenes.
- D. List some of the advantages of the Domestic Dispute Early Intervention Program?



QUESTION/ANSWER KEY

1. List the two sources of Victim's Rights in the State of Ohio?
 - A. Article 1; Section 10A Constitution
 - B. Section 2930 of the Ohio Revised Code

2. Name three of the four activities a Victim Advocate should avoid:
 - A. Should not answer for the victim
 - B. Should not give legal advice
 - C. Should not make any guarantees
 - D. Should not challenge the victims' statements to law enforcement

3. A victim Advocate may also be known as a:
 - A. Victim Assistance Professional
 - B. Victim Services provider
 - C. Victim Services specialist

4. Name two sources of victim advocate training:
 - A. Two Days in May Conference
 - B. A.D.V.A.N.C.E.
 - C. B.A.S.I.C.
 - D. Sexual Assault Response Network of Central Ohio
 - E. Central Ohio Faith Community Response to Family Violence.



5. True or False

- A. Victim Advocates must have a degree in social work. (False)
- B. The first time any victim advocate meets a victim is during the legal process. (False)
- C. A crime victim advocate may be used to cover up other parts of the body while injured parts are being photographed by a crime scene photographer. (True)
- D. A crime victim advocate would never assist with death notifications. (False)
- E. A crime victim advocate is not permitted to speak for the victim. (True)
- F. A crime victim advocate is always a paid staff member of the prosecutor's office. (False)

DISCUSSION:

- A. What would be a reason for the victim to complete a Victim's Impact Statement?
- D. Why would a crime victim advocate give a Teddy Bear to a child?
- E. Name some things a crime victim advocate would do behind the scenes.
- D. List some of the advantages of the Domestic Dispute Early Intervention Program?

