Sexual abuse occurs in all cultures. Its meaning, however, and responses to interventions vary according to the victim’s and family’s cultural heritage and how society views these issues. For example, is the child seen by the family or others as tainted or wounded, as a victim or seductress? If individuals are marginalized and discriminated against, they often have greater trouble trusting or cooperating with intervening authorities in instances of sexual abuse. Undocumented immigrants may feel that the child’s disclosure will attract the attention of government officials and result in deportation, even if the perpetrator was not a family member. In fact, the opposite may be true. If the child is willing to help investigators or prosecute a crime, the child and caretaker may be eligible for “U Visas” under protections afforded by the Violence Against Women Act of 2000.

How a child responds to one or repeated incidents of sexual abuse depends on the abusive act, the child’s relationship with the perpetrator, how the disclosure is made, and the child’s ability to integrate the experience. For instance, in the presence of a perpetrator, a child may default to prior knowledge and beliefs about the good family. On the other hand, a child may also assert new insights and meanings as a result of disclosure and others’ responses.

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Susan Herman
Executive Director

Note to Readers: This expanded issue combines the Summer and Fall 2001 issues of NETWORKS.

Immigrant Victims of Child Sexual Abuse

CULTURE AND OPPRESSION MATTER

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Many people who immigrate to this country are refugees fleeing war or violence, often at the hands of authorities in their country of origin. A child’s disclosure of sexual abuse can wreak a fear of further abuse by American authorities. I have heard child protective workers wonder whether Cambodian parents looked on impassively and asked few questions as their children were removed from the home. The parents wrongly interpreted the parents’ silence as a lack of care. They failed to understand that the parents had suffered through the Khmer Rouge, the Cambodian holocaust, in which parents, children, husbands, and wives were often tortured and raped in front of each other by armed authorities. With this history, it would be most difficult for a Cambodian parent to challenge a public official.

What We Can Do
Professional must do everything in their power to help immigrant crime victims and their families feel at ease and regain their dignity. When working with immigrants, it is especially important to be clear about your role. Crime victims undergoing an interrogation may not understand the difference between an interview, evaluation, assessment, and interrogation. Professionals should explain the terms they use and encourage clients to ask questions. Describing what you do, whom you work for—including whom you do not work for—and who has access to the information you gather. For instance, you can say, “I am an advocate for you appointed by the court to help you through the legal process. I am not connected with immigration, housing, or welfare.” Concrete steps include:

1. Always address adults by their last name with their title. For instance, say Mr. or Ms. Rodriguez. Work hard to pronounce the names correctly, asking repeatedly for corrections.
2. Set aside time at the beginning and end of each meeting for socializing. Spending time cultivating the relationship should not be seen as a waste of time. Rather, if the professional tries to jump too fast into “business,” clients may pull away.
3. Do not assume you know the meaning of the abuse. I was taught this lesson by a Puerto Rican couple who was more upset to find out that their 15-year-old daughter was having consensual sex with her boyfriend than by her disclosure that she had been fondled at knifepoint by a family friend. The loss of the daughter’s virginity was the key issue to the parents. Ask what the abuse means for the family, and how it affects them.
4. Ask the family how they have coped in the past when facing hard times. Resources such as religious leaders, prayer, and friends that have been helpful before may be helpful in this new crisis.
5. Try to help ease the family’s isolation. Whether or not the family decides to tell others about the sexual abuse, immigrant families can be helped by interventions that integrate them into a community. Possible resources are English classes, religious groups, volunteer work, neighborhood associations, and psychotherapy.
6. If you recommend psychotherapy, describe it in non-pathological terms. Many cultures think of psychotherapy as appropriate only for people who are “crazy.” Individuals may be willing to consider therapy if it is presented as a way to learn more about what happened to avoid future problems, as part of a medical work-up, or as a way of “checking up” periodically to make sure everything is going fine.
7. Seek information about the cultural group or groups with whom you are working. While individuals may retain a part of their ethnic background, culture-specific information can orient you to issues that can affect recovery from sexual abuse. Two resources include McGoldrick, Pearce and Giordano’s Ethnicity in Family Therapy (Guilford, 1996) and my book, Sexual Abuse in Nine North American Cultures: Treatment and Prevention (Sage, 1995).
8. Make friends with people from the cultural communities you serve. This will help you understand which behaviors you see are cultural and which stem from trauma or one family’s idiosyncratic history. These relationships will also help you assess and use cultural strengths.
9. Pay careful attention to boundaries. People who have been abused sexually have had their boundaries violated. Typically, immigrants also experience violations of their privacy when they have to tell others about the sexual abuse. Whether or not the family decides to tell others about the sexual abuse, immigrant families can be helped by interventions that integrate them into a community. Possible resources are English classes, religious groups, volunteer work, neighborhood associations, and psychotherapy.
10. Look for strengths. In the aftermath of sexual abuse, there is no room for minimizing the distress or sounding notes of false cheer. On the other hand, in the wake of a recent sexual assault or disclosure, victims and families may not believe that recovery can ever be achieved. Professionals should explain that a period of crisis usually follows a disclosure, that it is likely to ease with time, and that the crisis is the first step on the road to recovery—even though it feels awful.

References
The evolution of victims’ rights from a social movement to a profession can be counted as one of the movement’s many successes. This evolution has produced a growing desire for further professional development and recognition. How do we achieve this for a field that encompasses a wide range of victim issues, services, and professional backgrounds? How do we promote quality victim services that have some basic consistency across all organizational settings?

To gain an informed consensus from the field, the Office for Victims of Crime (OVC) awarded a grant to the University of South Carolina’s Center for Child and Family Studies to convene a multidisciplinary consortium of victim service experts to examine professional development and credentialing for service providers. Participants included professionals recommended by the National Coalition Against Domestic Violence, the National Organization for Victim Assistance, the Victim Assistance Legal Organization, the National Center for Victims of Crime, Mothers Against Drunk Driving, and other organizations. Many were direct service providers and most had substantial experience with developing programs and services.

Town hall meetings of practitioners were convened to identify issues as well as competency and program standards that cut across all victim service organizations. The consortium also examined competency standards of existing certification programs and program standards drafted by state agencies and organizations. Products and recommendations of these deliberations were sent to a larger group of direct service providers, program administrators, researchers, educators, and victim service activists for comment.

Overwhelmingly, participants concluded that the most effective starting point for achieving professional advancement goals and quality victim services is to identify baseline individual and program standards— “best practices” — for all victim service provider settings. Before determining the effectiveness of a certification program (or value of credentials), certain questions must be answered:

- What basic services do all victim service organizations provide?
- What are the “best practice” standards for each service?
- What demonstrable baseline skills, knowledge, and abilities are required of all victim service providers?

No Quick Fixes

A rush toward a quick fix of credentialing undermines the credibility of any certification or professional development initiative. Establishing credible professionalism requires a solid foundation of measurable competencies defined as demonstrated ability to translate knowledge into effective practice—and participation of a broad range of individuals likely to be affected. Many questions remain. Who should be certified? Who should conduct the certification to provide maximum credibility between service providers and employing organizations? Would a state certification system be more effective and practical than a national one? What qualifications does the certifying agency need to monitor the process?
An Argument for National Credentialing of Victim Service Providers

BY JEANNETTE M. ADKINS

Imagine, if you will, a world where there are no board certified doctors, no registered nurses, no licensed social workers or counselors. Think of the services that we seek from these professionals, trusting that they have received pre-service training and adhere to continuing education requirements. As these and other professions evolved, kinships developed among the individuals providing like services, followed by an exchange of training, skills and the identification of emerging issues. Efforts to formalize these kinships and distinguish the group from others were logical next steps, resulting in the birth of a profession.

This is what is happening today in the crime victims services field. No matter which target population we serve or where we provide services, ours is a group that arose from the similarity of our work with those victimized by crime. Because our work has now become more prominent in the criminal justice system and has been acknowledged by the social service world, we often have questions like, “Who are these people who call themselves victim advocates or rape crisis counselors and domestic violence counselors? Are they qualified to do what they do? Couldn’t we do it better?”

We Must Define Our Field

As a victim service provider for nearly 20 years, I believe it is crucial that we answer these questions and define the field, and how to determine its credentials. Then what are we afraid of?

Three Basic Principles

1. Individuals and programs intended to be held to the standards must be involved in planning, decisionmaking, and enforcement.
2. Standards must be viewed as aspirational and administrators must be directed toward bringing people into compliance rather than excluding them on the basis of noncompliance.
3. Administrators must remain mindful that the purpose of standards is to provide victims with the highest quality service, and that the enforcement of standards must avoid any harm to victims or undermining the quality of victim services.

Benefits of Standards

Establishing competency and ethical standards for service providers and programs is the first step toward achieving professional competency and quality services. Standards can be used as incentives rather than restrictions, serving to enhance programs and practitioner skills rather than to confine practice within rigid limits. Standards offer guidelines for assessing the competence and integrity of providers, and a measure for evaluating program services. Standards create a baseline from which to build and adapt to specialized needs. They also define criteria for individual or program performance and form the basis from which other professional development initiatives may grow.

In Performance Based Certification: How to Design a Valid, Defensible, Cost-Effective Program (Jossey-Bass, Inc., 1999) certification expert Judith Hale writes, “the most frequent oversight is the failure to conduct a thorough job or task analysis.” Frequently the people who are championing a certification or have the most to gain from its being implemented believe that they already know what people do and thus what constitutes doing it well.” Hale considers job analysis to be a crucial process for verifying what may already be believed and gaining a more complete picture of the task and expectations of those involved. She suggests convening a panel of experts, gathering input from stakeholders, conducting observations and surveys, and reviewing the literature. The consortium followed her suggestions in exploring strategies used by other disciplines in formulating standards and working toward credentialing as part of professional development.

What, Not Who

This consortium addressed program standards, provider standards, and ethical standards for both in concluding that compliance should be attainable rather than limited to a single means of achievement. Recommended program standards specify what should be accomplished but allow latitude on how programs should achieve compliance. Core competency standards for victim service providers apply to different types of providers and service settings. Competency standards also focus on what should be accomplished by the individual, but allow discretion on how to achieve each competency.

Providers can achieve competency through personal experience, on-the-job performance, training, formal education, or other ways determined by their organization. Ethical standards, on the other hand, identify behavioral expectations of providers based on core values of the field. Intended as “aspirational” guidelines, they apply to a range of issues that occur in daily service provision.

Misconceptions About Credentialing

Perhaps the most common misconception is that a national credentialing program would exclude victim service providers who serve only one target population, have no experience working with certain victim types, or worked in a particular geographic area. As testimony from the Office for Victims of Crime, the consortium addressed program standards as the foundation of an ongoing professionalism process and the need to enhance the confidence of the justice community, helping professionals, and general public in the integrity of victim service programs and practitioners. OVC does not consider development of standards to be the end of this process. We plan to promote professionalism by convening another group of victim assistance experts to facilitate linkages among local, state, and regional efforts to adapt the standards and promote coordination and mentoring. The consortium recommended this step to unify participation and commitment among diverse segments of the field. The group would be a vehicle for information sharing and consultation but would not serve as a credentialing body.

First things first.

What, Not People

Three lines may work in our field and some of us may also belong to those disciplines, we know best the impact of criminal justice system and have been acknowledged by the social service world, we often have questions like, “Who are these people who call themselves victim advocates or rape crisis counselors and domestic violence counselors? Are they qualified to do what they do? Couldn’t we do it better?”

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Misconceptions About Credentialing

Perhaps the most common misconception is that a national credentialing program would exclude victim service providers who serve only one target population, have no college degree, or volunteer their services. I would argue that the opposite occurs when a credentialing program is implemented. Credentials defined by the field and for the field create equality in the field. In essence, everyone who chooses to seek those credentials is equal. Voluntary participation in such a program might be likened to the licensing of social workers. An individual might seek and earn a degree in social work, but may...
choose not to seek the licensing that is available through a state social worker board.

Specialization and recognition for years of service may distinguish members within the credentialing program but that does not exclude anyone. Under Ohio’s program, an individual with five years of experience in the field and no formal degree may be credentialled as a “Registered Advocate with Senior Standing,” while an individual with a doctorate degree but fewer than three years of experience may be credentialled at the first level of experience: “Registered Advocate.”

The two are equal in that both are recognized as “Registered Advocates” in the state of Ohio, but we in the profession recognize the service provider with no degree as (nevertheless) more experienced in our field. As further illustration of this point, I am reminded of a colleague who has no formal degree but has provided rape crisis services for many years. She was called to testify in a criminal trial regarding a sexual assault: After the inquiry about her work experience, she was qualified as an expert, in part because of her credentials through Ohio’s program.

Standards: Go Hand-in-Hand

Another argument against a national credentialing program is that establishing standards is more important for our field at this time. Contrary to what some believe, standards are a good thing. They make us accountable. Standards require us to assess the services we provide through our programs and measure the effectiveness of those services. Standards also provide goals for new or growing programs and provide a framework for all to strive toward. Standards are what credentialled professionals need to put into practice everyday, I would contend, however, that standards are not more important than or necessary before implementing credentialling. They can certainly go hand-in-hand but they are not mutually exclusive. Standards provide the guidelines for optimum services while certification is the tool for recognizing an individual’s adherence to standards, preservice training, continuing education requirements, and ethics established and accepted by us and not imposed by others.

If the credentialling program that the national victim service organizations are considering today were accepted at the same time as the University of South Carolina consortium (see Kathryn Turman’s article) standards were implemented, then the two can and should complement each other. Standards and credentialling that respect both the similarities and diversities in our field and distinguish our profession from other professions could lead to universal recognition and acceptance of the victim assistance profession.

Moving Forward

The benefits of establishing a national credentialling program far outweigh setting back and doing nothing because we are afraid or believe that our diversities are too great to be addressed under one credentialing program. If victim service representatives unite to develop and implement a program, the result would be beneficial to all in the victim services profession who choose to participate. Three states—California, Ohio and South Carolina—have instituted credentialling programs. Others like Florida, Kansas, and Texas require training, part of which is legislated. Some states would rather wait for a national program in which they could participate, afford professional mobility and provide a sense of universal belonging.

We have made tremendous progress in our exploration of credentialling at the national level. More than 45 of our colleagues representing the gamut of victim service organizations met in Washington, D.C, last year and again this past April to talk about this issue and create a blueprint of what a national program might be. We agreed that the program should be overseen by representatives of the national victim assistance membership organizations, and that their respective members should have input into the development of the program.

In her 1911 children’s book, “The Secret Garden,” Francis Hodgson Burnett wrote:

“At first people refuse to believe that a strange new thing can be done, then they begin to hope it can be done, then they see it can be done—then it is done and all the world wonders why it was not done centuries ago.”

It is time that we work together to “get this done”—to implement a credentialling program that considers our diverse backgrounds and at the same time solidifies our similarities to provide the professional credentials we have earned and deserve. It should be a program that is inclusive rather than exclusive, one that is applicable to both paid and volunteer staff; one that is voluntary rather than mandatory; one with a fee to participants that is commensurate only with the costs of administering the program and one that is created and monitored by us. The time has come. We can define ourselves and our profession by establishing a national credentialling program through which we can become Certified Victim Service Providers. Today.”

Jeannette M. Adkins, M.Ed., L.P.C., R.A., has directed the Victim/Witness Division of the Greene County Prosecutor’s Office in Xenia, Ohio, since the program’s inception in 1982. She served as President of the Board of Directors for the National Organization for Victim Assistance where she is spearheading an NAVA initiative on credentialling. Ms. Adkins co-founded the Ohio Advocate Network in 1994, a credentialling program for victim advocates in the state. She can be reached by e-mail at jmadkins84@aol.com or by calling 937-562-5087.

Italics in text supplied by author.

For example, the National Organization for Victim Assistance, National Center for Victims of Crime, National Organization Against Domestic Violence, Mothers Against Drunk Driving, National Network to End Domestic Violence, and National Alliance of Sexual Assault Coalitions.

“Creation of provider and program standards as the foundation of an ongoing professionalism process is logical and necessary to enhance the confidence of the justice community helping professions, and general public in the integrity of victim service programs and practitioners.”

Kathryn M. Turman

“The time has come. We can define ourselves and our profession by establishing a national credentialling program through which we can become Certified Victim Service Providers. Today.”

Jeannette M. Adkins

Do victim service providers need a national credentialling program?

We want to hear from you.

The National Center has not taken a position on the issue of credentialling. We welcome your views on the pros and cons of moving forward to certify victim service providers. Is it a good idea? Please write us at

networks@ncvc.org

BROWN BAG TOPIC
since 1980, America’s incarceration rate has tripled. By the end of 1999, there were approximately two million inmates in the nation’s prisons and jails. Sooner or later, however, the majority of incarcerated offenders get released—usually on parole. Today, the volume of returning prisoners, an estimated 600,000 in 2001, is creating unprecedented challenges for many communities. It is also bringing new energy to the search for policies that will discourage reoffending and foster public safety.

Individual victims are often directly affected by reentry decisions and policies. They may be at risk when offenders return. They may also know more about offenders’ habits and lifestyles than others. Their input is vital to set appropriate conditions of release such as no-contact orders, mandatory treatment for substance abuse, restrictions on where offenders live and work, requirements to pay restitution. It is crucial that victims’ voices are heard. Participation is the most likely way to ensure this.

As advocates, we should inform victims about their rights in the justice process as well as other possible opportunities to be heard. In addition, we should protect and promote victim interests by participating ourselves in reentry initiatives as new ideas are explored and translated into programs. There is another equally important reason we should be at the table. At present, the knowledge and experience of victim advocates is a valuable but largely untapped resource. We are experts in victim issues and different types of victimization. We are familiar with perpetrator behavior patterns and repeat offending. We know a lot about victims’ day-to-day lives with victims every day. Thus, as communities struggle to create and implement effective reentry policies, we have a great deal to offer.

As new reentry programs are developed and implemented, we can bring critical perspectives and understanding to help clarify issues, set priorities, and address practical details. This is a unique opportunity to work with corrections officials, law enforcement, offenders, and others to create and implement workable reentry plans.

The keynote of many innovative initiatives is community collaboration. Victims are important stakeholders with a common interest in reducing recidivism and making reentry successful. But, success is more than solving the complex problems of released prisoners, such as lack of housing or jobs, need for substance abuse treatment, and poor education. It means ensuring communities are safe and feel safe. It means addressing the needs of individual victims as well as broader public safety issues. The participation of victim advocates can make a real difference. By taking our place alongside representatives of other segments of the community and adding our energy and creativity to the discussions, society will have a better chance of finding effective solutions to the challenges of offender reentry.

A much lengthier discussion is contained in “A Role for Victims in Offender Reentry Efforts,” by Susan Herman and Cressida Wasserman, Crime and Delinquency 47, No. 3, July 2000 (available at www.ncvc.org). Susan Herman is the National Center’s director; Cressida Wasserman is the National Center’s senior research analyst.
For the past ten years, the National Center for Victims of Crime, with support from the Department of Justice’s Office for Victims of Crime, has worked throughout the country to enhance victim services in corrections settings. To date, more than 20,000 correctional practitioners have been trained under the “Promising Practices for Victims Services in Corrections” project. In addition to national teleconferences, technical assistance, and regional training events aimed at increasing sensitivity to victim issues, the National Center conducted four national symposiums, 20 state (standing room only) trainings, one jail training, three federal agency training meetings and three trainings for military correctional authorities at Ft. Lauderdale, Quantico and Miramar. Reaching out to juvenile corrections, the project also addressed the special needs posed by juvenile institutions on the premise that “victims of crime should not be discriminated against simply because of the age of their offenders.”

While the project originally focused on notification and protection issues for victims outside the prison gates, workplace violence emerged as a major concern during the project. Subsequent attention to this frequently overlooked issue generated development of a comprehensive manual and training tracks to deal with staff victimization and off the job.

A New Change
The results? “A sea change,” according to Project Director Trudy Gregorie. Forty-eight states have added language on victims’ rights to their correctional system’s mission statements, adjust- ing policies to incorporate victims as clients. While legislative reforms on parole and other mat- ters have grown out of victim advo- cacy efforts, procedural changes have been sufficient to put victims clearly on correction’s radar screen. Most states have estab- lished victim advisory boards and many say the boards have been the most helpful part of outreach to victims. Many have established a director of victims services position within the correctional hierarch- y. Correctional agencies have partnered with victim service groups to support victims’ rights legislation and victim advocates have, in turn, supported offender programs. In Texas, for example, victims went to the legislature along with corrections to lobby for mediation programs.

| OPPORTUNITIES FOR VICTIM INVOLVEMENT IN OFFENDER REENTRY |

**Sentencing, Parole, and Community Supervision**

- **Post-Release Supervision**
  - Victims are often the first to know if offenders violate probation or parole conditions. Informal victim communications with parole and probation officers can be critical for effective supervision in the community—especially in cases such as stalking or domestic violence where offenders tend to deny or minimize their behavior.

- **Parole Hearings**
  - Most states allow victims’ comment in person or writing on parole decisions for parolees from both inside and outside corrections. In some states, victims are seated as parole board members.
  - Parole boards may interview victim witnesses, and parole officers may interview victims.
  - Victim input is now used in all parole board decisions.

- **Impact of Crime Classes**
  - Victim Impact Statements
    - Conditions for offender reentry are initially determined at sentencing. All states now provide some form of victim input at this stage. An actuarial tool for victim input is an order that considers victim testimony and opinions in the determination of the conditions for offender reentry.

- **Victim Impact Statements**
  - Parole Hearings
    - Most states let victims’ comment in person or writing on requests for parole, and some states allow victim participation through teleconferencing, audiovisual, and other means.
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  - Victim input is now used in all parole board decisions.
The personal and professional opportunity to participate in this exemplary project rounded out 30-plus years of victim advocacy work for me. We truly expanded the "vision" for any Department of Corrections that had the commitment and heart to open their doors and include "crime victims" and services in their scope of public service and public safety. I would have believed it if I hadn’t seen it with my own eyes, touched it with my heart, gave it everything I am, and replicated it with a sense of commitment and caring that seemed to sell itself,—Sandi Menefee, Chief, Victim Services & Restitution Branch, California Department of Corrections.

When I started working in corrections as a victim advocate, I was uncertain about where to begin. I was overwhelmed by the support and information we received through the Promising Practices project. Before long, we were implementing comprehensive services for crime survivors here in Ohio and felt like we had a strong support system through the National Center for Victims of Crime and nationwide with other states’ corrections-based victim advocates.—Karín Hö, Administrator, Office of Victim Services, Ohio Department of Rehabilitation and Correction.

Victim Services had only existed in the Maine Department of Corrections for one year when we had the Promising Practices conference. That conference moved us a long way in educating our staff and community victim service providers on what corrections victim services is all about. Our Impact of Crime program and Peer Support Teams for staff are direct results of that conference.—Denise Giles, Victim Services Coordinator, Maine Department of Corrections.

Witness Intimidation is Pervasive

Witness intimidation is a factor in 75 to 100 percent of violent crime and endemic to gang-dominated neighborhoods and domestic violence cases, according to some prosecutors. Reporting bears out their concerns. A 1995 National Institute of Justice study found intimidation of victims and witnesses was a major problem for 53 percent of prosecutors in large jurisdictions and 43 percent in small jurisdictions. A 1996 study found 36 percent of victims and witnesses had actually been threatened; 57 of those not threatened feared reprisal; and 71 percent said they would be at risk if the defendant were out on bail.

Witness intimidation—a crime itself—fundamentally undermines our justice system, forcing prosecutors to drop cases, demoralizing law enforcement and communities, allowing perpetrators to remain free, and true crime rates to remain unknown. In New Orleans last year, the Housing Authority hosted a “Night Out Against Crime,” a community event with music, face painting for kids, and barbecue, intended for neighbors to get to know each other in a relaxed setting. In the midst of the festivities, a child was shot and killed at close range—seemingly the unintended victim of local gang activity. More than 200 people were present at the community party and many witnessed the child’s killing. No one has come forward to identify the killer.

With no permanent protection or distance from those who have threatened them or their loved ones with injury or death should they cooperate with authorities, victims often conclude they have no other choice but to remain silent. This does not have to be the case.

A Solution in Safe Housing
Witnesses are more likely to remain safe and perpetrators brought to justice if alternative housing is available and comprehensive support services are provided to ease the stress of moving to a new neighborhood. Several prosecutors have initiated ad hoc programs and a few legislatures have allocated funding for intimidated victim/witnesses. The missing component has been concerted ... the myriad practical problems of relocation—problems usually exacerbated by the victim’s low income and lack of job skills.

Ironically, while increasing victims’ willingness to participate in the criminal justice process was one of the forces that gave rise to the victims movement, intimidated victims have not received the same attention—nearly 30 years later—as other victim populations. Whether this stems from confusion over their status—victim or witness—is unclear. There is little disagreement among criminal justice or victim service professionals that traditional short-term, expensive emergency accommodations do not meet the needs of witnesses whose testimony places them in jeopardy. According to Portland, Oregon District Attorney Michael Schrunk, “Most of the people we see would benefit from permanent alternative housing.”

The Partnership
Two years ago with support from the federal Bureau of Justice Assistance, the National Center for Victims of Crime joined the Enterprise Foundation to work with prosecutors in Brooklyn, NY, New Orleans, LA, and Portland, OR on developing or enhancing relocation programs for intimidated victims and witnesses. Brooklyn and New Orleans had prosecutor-based relocation efforts under way, but Portland agreed to start from scratch by convening a wide variety of individuals and agencies to help plan their program. The unique national demonstration project linked criminal justice, victim assistance, and housing development professionals and was propelled by shared concerns.

The project was grounded on two assumptions:

1. Most intimidated victim/witnesses can safely relocate within the same city or surrounding areas and don’t need to take on new identities;
2. The key to successful, safe relocation is a community-wide effort involving the district attorney’s office, housing providers, social and victim service agencies, and funders.

Each of the cities presented its own challenges, needs, and priorities, making adoption of any single relocation model unrealistic. Community culture, local crime problems, housing markets, social service landscapes, and resources all varied. While the project originally called for formal planning and implementation phases, the staff soon realized a better approach was “to implement as you go and never stop planning or improving the process,” said Michael Kaiser, National Center director of program services. “Start where people are and be flexible.”

Parallel Issues
Despite differences in the types of crime witnessed, handling of cases, assistance offered to victim/witnesses, and sources of funding in the three cities, there were significant commonalities across sites:

Need for Housing Solutions. Developing and strengthening relocation alternatives was the core effort in each jurisdiction. Project partners viewed assistance with security deposits, brokers’ fees, first and last month’s rent, and moving and storage expenses (if needed during a transitional period) as the minimum support needed by participating intimidated victim/witnesses. Critical components also included helping participants get expedited transfers between public housing projects or Section 8 vouchers.

Need for Safety Planning and Social Services. Since participants were not relocating to distant areas or changing their names—unlike the federal witness protection program—their active cooperation in ... safety was key. Each site faced the challenge of persuading participants to sever contacts with friends and family and...
Where are the biggest funding gaps?

Which government and private funders have a stake in helping this population?

How much does the district attorney’s office currently spend on helping intimidated victim/witnesses?

FUNDING

What kind of relationship should the prosecutor’s office have with service providers?

SERVICE PROVIDERS

What resources are available through community-based victim and social service agencies?

COMMUNITY

What is the housing authority’s policy on emergency transfers?

What role do nonprofit housing developers play in creating affordable housing in the community?

HOUSING MARKET

What role will the prosecutor’s office play in service provision?

What will the threat to a witness be assessed?

What will participants be required to sign an agreement?

Will program planning take place?

PROGRAM ISSUES

Who can refer intimidated victim/witnesses to the program?

How will eligibility for other programs be assessed?

Will there be an ongoing review process?

What is the availability of Section 8 Vouchers, and are any potential program participants created a task force including social service providers, government officials, police, domestic violence and gang assistance groups, low-income housing developers and providers, and the Housing Authority to provide advice, feedback, and assistance where possible. It also offered training on domestic violence and gangs to housing providers; created a case management system; and negotiated agreements with housing providers for housing for intimidated victim/witnesses.

The National Center urges other communities to build on the experiences of this effort and create more relocation options for intimidated victim/witnesses.

Readers wanting more information may contact the National Center’s Director of Program Services Michael Kaiser at 202-467-8700 or mkaiser@ncvc.org.

The Project Worked

The National Center’s experience in this project proved conclusively that a prosecutor’s office working with housing and social service professionals can make a difference in safely relocating intimidated victim witnesses who agree to testify in a criminal case. The project worked and is moving forward in three very different cities in three very different parts of the country. Attention to local factors, flexibility, and creativity were critical to the programs’ success. In each city, community culture, types of crime addressed, strengths of local service networks, and local housing markets played major roles in shaping the program.

Jurisdictions launching similar efforts should expect new needs to surface after programs are launched despite their best efforts to plan comprehensively. In New Orleans, for example, job training and drug treatment had to be added to the program because of the high proportion of young males needing these services in the victim witness caseload. The prosecutor’s office always kept in mind that the overarching goal involves blending permanent relocation options for intimidated witnesses with supportive services.

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Approaches to intimidated victim/witness assistance should fit a community’s culture, crime problems, housing market, social services network, and funding resources. Nevertheless, certain issues should be considered in every program plan.

CRIME

What crimes in your community are most likely to give rise to witness intimidation?

How effective has intimidation been in suppressing the testimony of witnesses and what means have been used?

What percentage of cases are dropped because witnesses refuse to participate?

What are the greatest obstacles to the participation of intimidated victim/witnesses?

Which neighborhoods are most of the cases likely to come from?

CULTURE

How do community members—especially those who might be asked to testify—perceive law enforcement?

To what extent are people in the communities you serve likely to know the offenders?

Approximately what percentage of projected participants reside in public housing?

How will program planning take place?

PROGRAM ISSUES

Who can refer intimidated victim/witnesses to the program?

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Will participants be required to sign an agreement?

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What role will the prosecutor’s office play in service provision?

HOUSING MARKET

What housing is available for potential participants?

What role do nonprofit housing developers play in creating affordable housing in the community?

What is the availability of Section 8 Vouchers, and are any potential program participants exclusively for intimidated victim/witnesses, estimated to save the district attorney’s office $500,000 per year.

New Orleans District Attorney’s Office reached out to more than 20 community groups for help in designing and implementing the project; secured eligibility for domestic violence victims to receive emergency transfers from public housing; submitted a proposal to the Justice Department’s Community Prosecution Program for expanding intimidated witness services; and conducted a survey of housing project residents. The study found only one fifth of those reporting witnessing a crime reported it to the police, and only half of those felt safe doing so.

Fortune District Attorney’s Office created a task force including social service providers, government officials, police, domestic violence and gang assistance groups, low-income housing developers and providers, and the Housing Authority to provide advice, feedback, and assistance where possible. It also offered training on domestic violence and gangs to housing providers; created a case management system; and negotiated agreements with housing providers for housing for intimidated victim/witnesses.

Washington, D.C. (District) Attorney’s Office incorporated many more social services as important elements in its existing program; established stronger relationships with the Housing Authority for emergency transfers and Section 8 vouchers; developed written protocols with New York’s Human Resources Administration to expedite emergency assistance; and is developing a transitional housing facility including on-site services exclusively for intimidated victim witnesses, estimated to save the district attorney’s office $500,000 per year.

The majority of participants—50 percent at some sites—were low-to extremely low-income individuals living in public housing, on the wait list, or receiving Section 8 assistance. They were either TANF (Temporary Aid to Needy Families) recipients or qualified for TANF.

Accomplishments

As a result of this project, prosecutors’ offices and communities broadened their vision of assistance to intimidated victim witnesses and today are providing more safety to the victims they serve. It is clear communities can respond to relocation and support service needs when local prosecutors reach out to engage public and private agencies in a joint effort. With the help of the National Center and The Enterprise Foundation:

Low-income Levels of Program Participants.

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Statutes of Limitation in Civil Suits

BY JIM FERGUSON

Time is of the essence for crime victims considering whether to file a civil lawsuit. A deadline—"a statute of limitation"—governs every type of civil case, dictating when a victim must file a lawsuit or forever lose the right to do so. While time limits set by statutes of limitation appear to be straightforward, the statutes vary widely from state to state and contain many complicated exceptions. Victims thinking about a civil suit should always consult with lawyers to determine whether filing a case is even an option under their state’s statute of limitation.

A growing number of states have created special statutes of limitation for crime victims who file civil lawsuits. Many of these deadlines apply only to specific criminal acts while others apply regardless of the victim's injury. The most common crime-specific civil statute of limitation is for child sexual abuse cases. Almost every state has a special statute of limitations for civil claims based on injuries suffered by the victim. California has a special statute of limitation for domestic violence cases stating that civil actions for damages suffered as a result of domestic violence must be brought within three years of the most recent act of domestic violence, or within three years of discovering that the injury resulted from domestic violence. Illinois imposes no statute of limitation for civil actions based on murder. New York offers a blanket extension to all victims who have had their cases prosecuted. A civil action by a victim of a criminal offense may be brought against a convicted perpetrator within seven years of the crime or one year from the termination of the prosecution.

Several states have enacted civil statutes of limitation for crime victims based on offender circumstances. In Illinois, suits for a minor’s loss of support or parental relationship as a result of crime must be brought no later than ten years after the perpetrator has served his or her sentence. Idaho's civil statute of limitation extends one year past the end of the perpetrator’s criminal sentence. Maine allows civil suits within three years of the victim's discovery or reasonable discovery of any profits from the crime. When a restitution order is entered as part of a criminal sentence in North Carolina, the civil statute of limitation can be tolled for up to ten years from the last criminal act. It appears the state wished to extend the statute only for victims whose financial losses resulted in court-ordered restitution.

The National Crime Victim Bar Association (NCVBA) has drafted model legislation to extend the statute of limitation for crime victims pursuing civil cases, and was instrumental in getting such legislation signed into law this year in Virginia. Please contact us if you are interested in pursuing similar legislation or have questions about civil statutes of limitation.

Jim Ferguson is the director of the National Crime Victim Bar Association, an affiliate of the National Center for Victims of Crime. He can be contacted at 202-867-0750 or jferguson@ncvc.org.

Ross v. Garabedian

742 N.E.2d 1046 (Mass. 2001)

Child Sexual Abuse: Plaintiff Prevailed

When John Garabedian was twenty-seven years old, he began to sexually molest then thirteen-year-old James Ross. At the time, the sexual contact produced feelings of guilt and shame in Ross. At the end of three years, Ross ended contact with Garabedian but he suffered from emotional and psychological difficulties for the next thirty years. In 1998, Ross briefly sought counseling and in March 1998, he entered into psychotherapy with Christopher Gruener. According to Gruener, although Ross had never repressed his memories of the molestation, it was not until the spring of 1997 that he began to become aware of a link between the molestation and his psychological problems. Ross sued Garabedian in January 1999. In his answer to the suit, Garabedian admitted the molestation but moved for summary judgment based on the statute of limitation. The court rejected the argument that Ross’s shame at the time of the molestation should have been enough to trigger the statute of limitation. The court also disagreed with the lower court’s conclusion that Ross should have linked his emotional problems with the molestation, since the record showed other childhood family difficulties which he reasonably might have concluded were the source of his problems.

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STALKING RESOURCE CENTER:
ONE YEAR LATER
Launched in July 2000, the Stalking Resource Center is an exciting initiative of the National Center, supported by the Department of Justice’s Violence Against Women Act (VAWA) Grant to Encourage Arrest Policies Program grantee that are experiencing challenges to anti-stalking efforts; and
Assembled a multidisciplinary, advisory committee of local, state and national stalking experts will provide guidance to the Stalking Resource Center throughout the course of its development.

The Stalking Resource Center now has a web page on the National Center’s website featuring a calendar of training events, educational resources, training tools, and offline resources. For more information or to request training and technical assistance, call 202-467-8700 or e-mail SRC@ncvc.org.

MISS ILLINOIS: A NATIONAL SPOKESPERSON FOR TEEN VICTIMS
Miss Illinois Kristin Castillo, who has a particular interest in victimization issues, will serve as a national spokesperson for the National Center’s new Teen Victim Engagement Program, launched in July 2001. Castillo believes that too frequently, victims, especially young people, frequently blame themselves. Further, many adolescents believe nobody could understand what they are going through.

PROJECT SUPERWOMAN: Beating the odds, domestic violence survivors prove they can make it in traditionally male occupations
In April 2003, fourteen women—survivors of domestic violence—graduated from the second round of Project Superwomen in New York City. Almost all have been placed in jobs averaging more than $13 per hour, several as apprentices in the electricians, laborers, and marble polishers unions, one as an electrician, and one as a locksmith apprentice. One graduate is awaiting word on her application to the Iron Workers Union.

A coalition of three nonprofits with complementary expertise came together to launch Project Superwomen, New Destiny, which coordinated the effort, is a New York City-based organization that develops, owns, and manages housing for low-income domestic violence survivors and other groups at risk of homelessness. NEW (Nontraditional Employment for Women) specializes in job training and placement, Safe Horizon, a victim service agency, has lengthy experience assisting domestic violence victims. Over the course of two rounds of the training program, the partners learned that: frequent communication is essential; roles must be clearly delineated and accepted; and a single organization must take the lead in coordinating the project.

“The idea behind Project Superwomen,” said Carol Corden, executive director of New Destiny Housing Corporation, “is to broaden options for women coming off welfare. We wanted to target low-income domestic violence survivors for free training in nontraditional work that pays better and has a much better career ladder than traditional jobs. Each participant had hands-on training in a range of construction skills—carpentry, electrical work, plumbing—and got experience working with supervisors, fellow employees, work schedules, job expectations, etc.”

“A key factor in the program’s success was the case management and social services support we provided,” said Corden, noting that half the participants were former recipients of public assistance and one was still receiving public assistance. “With domestic violence survivors, there are always legal issues, housing, and childcare issues, medical complications, often denial and depression,” she said. “It was clear all these needs had to be addressed simultaneously with the job training.” Peer counseling was an especially valuable innovation, encouraging the women to listen to each other, take advice, and interact as a team. “Almost all of the women had been very isolated,” Corden said. “Their trust level was zero. Learning to relate to each other, to trust another person, were major steps for them in building confidence and making them feel stronger. The program simply wouldn’t have worked without the social services support and peer counseling.”

The training was varied and rigorous. Staff from Nontraditional Employment for Women worked with participants “in the shop” and at a Habitat for Humanity house-building site teaching basic plumbing and construction skills. A trainer from New York’s Con Edison took charge of the electricity portion of the curriculum. On-the-job internships were available for trainees learning maintenance.

The unusual six-month training program has won rave reviews from employers. Corden reports the Marble Polishers Union, whose first female member was a graduate of the program, has already called to request three more students. Weekly follow-ups with graduates indicate a high degree of satisfaction with their jobs, and one has already become union spokesperson for the electrician apprentices.

Project Superwomen was supported by several funders including the New York City Council, Liz Claiborne Foundation, New York Women’s Foundation, United Way’s Strategic Alliance Fund, Independence Community Foundation, Citigroup Foundation, and the Patrina Foundation. Project Superwomen is now recruiting for its third round of training. “We haven’t nixed all the funding yet,” said Corden, “but we know this program works. And it’s especially great for women who have felt so powerless to be successful in traditionally male-dominated jobs. It gives domestic violence survivors a real feeling of potency.”

To learn more about Project Superwomen, contact Carol Corden, New Destiny Housing Corporation, 2 Lafayette Street, 3rd Floor, New York, NY 10007. Phone: 212-577-7751. E-mail: c.corden@safehorizon.org.
The result is often isolation from friends and family. With encouragement from an 18-year-old national spokesperson who can give voice to the emotions and experiences with which teen victims may be struggling, the National Center hopes many more young crime victims will come forward to seek help.

TRAINING INSTITUTE COMING TO SOUTHERN CALIFORNIA

Be there or be square—October 17, 2001, in Los Angeles. West Coast victim service providers will soon have a chance to take part in the National Center’s innovative Training Institute. Whether you are a community or system-based provider, therapist, volunteer, law enforcement officer, school counselor, or work with crime victims in any way, you now have a great opportunity to learn from national experts, network with colleagues, and take home a wealth of best-practice information. The training site will be the Los Angeles Marriott, 555 W. Century Boulevard, Los Angeles, CA 90045 (323-644-3700). A limited number of rooms are available for $158 per night. Register for this and other upcoming Training Institute programs online at www.ncvc.org.

CIVIL JUSTICE FOR VICTIMS OF CRIME BOOKLET

The National Crime Victim Bar Association (NCVBA), an affiliate of the National Center for Victims of Crime, has published an informative booklet for crime victims and those who serve them. A basic overview of the civil justice system, the publication describes the process that crime victims can follow in filing civil lawsuits against perpetrators and other responsible parties and instructs victims on finding and working with qualified attorneys. Call NCVBA at 202-467-8753 for free copies.

COMPREHENSIVE REPRESENTATION OF CRIME VICTIM CLIENTS


Learn from an impressive faculty of national experts at this NCVBA conference. Discover effective legal strategies and new resources that can help clients. Participating trial lawyers who represent crime victims in civil cases can receive up to 12 CLE (continuing legal education) credits.

For more information or to register visit www.adlit.org or call 1-800-FYI-CALL.

NCVBA CALL FOR NOMINATIONS

The National Crime Victim Bar Association is seeking nominations for two special achievement awards recognizing individuals and organizations whose services in empowering crime victims are outstanding.

The Ricki Corinthino Champion of Civil Justice Award will be presented to the NCVBA member who has shown extraordinary dedication to pursuing justice for crime victims in one case or throughout a career.

The Victim Advocate of the Year Award will honor the victim service provider who has gone above and beyond the call of duty to help victims pursue civil justice. Victim Advocate nominees should have at least five years of experience in victim assistance.

Nominations should include a narrative describing how the nominee has helped victims of crime; the impact of that assistance; and how the nominee has demonstrated creativity meeting the needs of crime victims. The narrative should not exceed two pages. More than one nomination can be made for each award but each should be submitted on a separate nomination form available from NCVBA.


Fax entries to 202-467-6701.

The awards will be presented at a banquet during the Comprehensive Representation of Crime Victim Clients conference, October 19-20, 2001.

HOW ARE WE DOING?

NETWORKS would love to hear from you to help shape future issues. What would you like information about? What are the most pressing issues you face in your work? What NETWORKS articles have been particularly helpful to you in your work? Which haven’t? Your feedback is vitally important to us as we plan future issues. Please e-mail your thoughts, comments, and suggestions to network@ncvc.org.

STATE LEGISLATIVE HIGHLIGHTS

Arkansas

May 1. Arkansas legislature enacted a bill designed to ensure that crime victims are notified of their rights as guaranteed under the state’s Protection from Domestic Abuse Act. Ark Code §§ 5-14-103.

Connecticut

July 1. Connecticut’s legislature unanimously enacted a bill designed to ensure that crime victims are notified of their rights as guaranteed under the state’s constitution. Under the law, superior court judges are required to read a scripted announcement to each crime victim at the beginning of each day’s arraignment informing victims of their rights to be treated fairly and with respect throughout the criminal justice process, to speak with the prosecutor, to object to or support any plea agreement, to be notified of any pending court proceedings, and to restitution. H.B. 6947.

Florida

At least four states, Florida, Georgia, Indiana, and Louisiana, have passed laws so far this year restricting access to autopsy photos or images. Similar bills are pending in other states.

Georgia’s law went into effect in response to efforts by Florida news organizations to obtain autopsy photos of NASCAR driver Dale Earnhardt who died in a racing crash February 18, 2001. The law ensures that designated family members whose loved ones are subjected to an autopsy in the aftermath of a tragic death will be notified about requests for access to autopsy photos, and that they have the opportunity to have their interests considered before access is granted. Previously in Florida anyone could request and receive autopsy photos for personal or public use. While the Act limits access to autopsy photos, individuals with a legitimate need for such photos may apply for a court order granting access. H.B. 1083.

Indiana’s governor signed a similar bill on May 11. Indiana’s law specifically permits the deceased victim’s next of kin—the surviving spouse, parents, or adult child of the victim—to view and copy autopsy photos or video recordings and to listen to and copy autopsy-related audio recordings. The legislation also lists factors to be considered by the court in determining whether good cause exists to authorize access to other individuals. Factors include the possible need for disclosure for the purpose of making a governmental performance, the seriousness of the intrusion into the family’s right to privacy, and the availability of similar information in other public records. The surviving spouse, parent, or adult child must be notified of any petition filed with the court requesting access and given the opportunity to be present and heard at any hearing on the matter. S.B. 406.

Louisiana

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Under Louisiana’s new law, photographs, videos, and other such images relating to an autopsy are confidential and exempted from the state’s Public Records Act. The bill allows such materials to be released to family members of the deceased, law enforcement, and persons who obtain a court order. Members of the media and public may view autopsy photos but may not copy them or remove them from the Office of the Coroner. H.B. 494.

West Virginia

May 2. West Virginia’s law prohibits hospitals from releasing autopsy photographs or images for public use without written permission of the family. H.B. 316.

Wyoming

May 30. Wyoming law prohibits employers from taking adverse employment action against crime victims who object to or support any plea agreement, to be notified of and attend court proceedings, and to restitution. H.B. 6947.

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**SUMMER/FALL 2001 NETWORKS**

**The National Center Offers**

Hope and help through 1-800-FYI-CALL. "Vic timization can erode self-esteem and lead to deep feelings of helplessness, isolation, and despair," said Susan Herman, executive director of the National Center for Victims of Crime, in a press statement following the publication of the new study. "We hope this troubling report will encourage teenage girls to break the silence that surrounds dating violence and get help."


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**JAMA**


**JAMA**

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**The National Center Centennial**

A preliminary analysis by the National Center for Victims of Crime 1993-1998 "Enhanced Surveillance for Pregnancy-Related Risks Among Adolescent Girls: A Preliminary Analysis" by Isabelle L. Horon and Diana Cheng. The report comes at a time when the youth population is increasing and awareness of dating violence is growing. The study highlights the need for continued research and prevention efforts to address this critical issue.

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**National Center for Families and Communities: Summary 2001**

28

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29
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