

2002

OREGON CRIME VICTIMS' NEEDS ASSESSMENT

Executive Summary

Prepared for the Crime Victims' Assistance Section of
the Oregon Department of Justice by the
Regional Research Institute of
Portland State University.

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Idea:

Special prosecution units where prosecutors are allowed to build rapport with victims by remaining with the case from intake to sentencing.

Needs assessment

On behalf of the Crime Victims' Assistance Section of the Oregon Department of Justice, Portland State University's Regional Research Institute for Human Services conducted an 18-month (July 2001-December 2002) needs assessment of the current state of crime victims' services and victims' needs in Oregon. The primary objectives of the needs assessment were to identify:

- Gaps in the current service delivery system, including agency linkages
- Range and quality of services
- Barriers to accessing services, particularly among underserved populations
- How well Crime Victims' Rights are implemented
- Model national and local programs

Data collection components included in this comprehensive assessment of Oregon crime victims' needs were:

- In-depth telephone interviews with 100 service providers that primarily serve victims of crime
- Mailed surveys from 206 other agencies that serve crime victims or refer victims of crime to other service providers
- Telephone interviews with 42 key informants who have specialized knowledge of underserved populations
- Mailed surveys from 434 victims of interpersonal crime or elder fraud
- Six focus groups with 51 crime victims from underserved populations
- Three public meetings with 38 community participants

This report is a compilation of the findings gathered from a broad range of knowledgeable and insightful people in Oregon. The findings are organized within this report in sections based on content areas of the data. Recommendations for policy makers, service providers and advocates for victims based on these findings are organized by overarching themes that cross the data content areas. This Executive Summary represents highlights of the findings and recommendations presented in more detail throughout the report.

"What I needed most at that time was someone to believe me, because nobody did. I didn't know what my options were." Juvenile victim of crime

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Oregon crime

Oregon, with a total population of 3,471,700, has seen crime increase by 1.5% in 2001 when compared to 2000, according to the Law Enforcement Data Service (LEDS). Total reported crimes increased in half of Oregon's 36 counties. Crimes Against Persons decreased 6.1% from 2000 to 2001. Of the individual crimes, large relative increases were observed for willful homicide (40.3%, from 67 to 94 reports) and negligent homicide (116.7%, from 6 to 13 reports), while forcible rape, other sex offenses, kidnapping, robbery, aggravated assault and simple assault showed decreases (down 3.2% to 13.5%).

The total number of arrests for 2001 was 169,147, a decrease of 1.8% from 2000. Arrests of adults decreased 1%; juvenile arrests were down 4.6% for the same time period. Frequently, such a pattern is seen nationally when reduced budgets have negatively impacted workload and staffing.

Victims' services

Victims' Assistance Programs (VAPs) can be found in 36 counties and five cities in Oregon. Victims' assistance services are primarily provided through district attorneys' offices; however, some VAPs are found in law enforcement agencies, juvenile departments and nonprofit organizations. Victims who report their crimes and cooperate with prosecutors can apply for Crime Victims' Compensation through the Crime Victims' Assistance Section (CVAS) of the Oregon Department of Justice. Service providers access a variety of state and federal grants to assist victims and their families.

In addition to the prosecutor-based VAPs, there are many other service providers who assist, advocate for and serve crime victims, such as approximately 49 domestic violence providers statewide. Some of the other types of providers to which victims go for help include mental health professionals, law enforcement officers, sexual assault teams, medical professionals, culturally specific human service agencies, child abuse assessment and advocacy centers and homeless shelters.

"The biggest barrier is culture. This population doesn't know the system. They don't believe the system is for them, it is for the more "mainstream" Americans." Key informant representing Asian victims of crime



Fact:

The risk of being physically or sexually assaulted for adults with developmental disabilities is likely four to 10 times as high as it is for other adults. (Sobsey, D. 1994. *Violence and Abuse in the Lives of People with Disabilities*. Baltimore, MD.)

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Idea:

Offer victims of domestic violence and sexual assault an online counseling service through a secure Internet server. This is done at the Rape Crisis Center in Bryan, Texas.

*"In our case, we could have used more financial assistance for funeral costs and the debts of the person (my daughter) who was murdered. Help with that process was needed as it was very hard to deal with her creditors and banks."
Co-victim of a homicide*

Overview of victims' services

Unmet service needs

Three-quarters of the victims who responded to this survey said they received the services they needed. However, it's likely that the majority of victims who completed the questionnaire had reported their crimes to law enforcement, which triggers victim access to services. In addition to a crime not being reported, providers and key informants who work with victims noted that victim needs were not being met for a variety of reasons, including time limits, limited funding, limited staff, monetary caps, professional attitudes and eligibility criteria. When the team looked at information from all sources — victims, service providers, and key informants — the top unmet victim service needs identified were: financial assistance, criminal justice support and advocacy, emergency housing and shelter, mental health services and legal assistance.

- ✓ Detailed information about this topic can be found in the Needs Assessment Report in the section entitled: *Unmet service needs of crime victims.*

Range and quality of services

Victims have access to a wide range of services. According to the crime victims surveyed, the most frequently used services were help with applying for Crime Victims' Compensation, medical services, mental health services and victim notification regarding case status.

The picture the research team received of service quality was mixed. Victims said mental health providers, medical personnel, victims' assistance staff and law enforcement officers were moderately helpful, although not surprisingly, they gave friends and family the highest "helpfulness" ratings. Both providers and victims said improvements could be made in service accessibility. The respondents identified access problems such as difficulties finding appropriate services, calls that were not returned, and geographic distance from services.

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Service providers and victims gave professionals high marks for respect and responsiveness, but there were many written and verbal comments complaining of rudeness, insensitivity, or lack of sympathy from law enforcement officers, district attorneys' offices, judges and/or child welfare staff. In many cases, these experiences caused further trauma for victims. Furthermore, it also was clear from written and verbal comments that many victims perceived the criminal justice system to be unbalanced in favor of offenders.

- ✓ Detailed information about this topic can be found in the Needs Assessment Report in the sections entitled: *Service use and availability*, *Unmet service needs of crime victims* and *System improvements*.

Barriers to accessing services

The majority of service providers and referral agencies (84.9%) and key informants (100%) reported that crime victims experienced barriers to accessing services. According to information from victims, providers and key informants, the most influential barriers to crime victims' services were:

- Lack of information about what is available and how to access it
- Insufficient services
- Language and cultural issues that prevent reporting and/or lead victims to assume the system is not "for them"
- Victim issues, such as fears, attitudes or perceptions about how responsive and helpful the system will be
- Geographic isolation and mobility.

- ✓ Detailed information about this topic can be found in the Needs Assessment Report in the section entitled: *Barriers crime victims encounter*.

"No one offered victim/offender mediation to us at all. It would have made a great difference to myself, my son and his dad to hear some remorse from the offender, who in this case, was my son's cousin." Co-victim of crime



Fact:

In 1997, 67% of the 10,255 victims of hate/bias crimes were victims of crimes against persons. Nearly six of every 10 victims were attacked because of their race. (Federal Bureau of

Investigation. Nov. 1998 release. *Crime in the United States, Uniform Crime Reports, 1997*. Washington, D.C.)

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Idea:

The Seattle Abused Deaf Women's Advocacy Services provides comprehensive assistance to deaf and deaf-blind victims, who began reporting crimes in record numbers after the organization was founded.

"Facing the criminal and reading my statement, voicing my opinion. It helped me to air out some of my pain." Victim

Underserved populations

Specific populations of crime victims were identified by the CVAS as possibly being underserved: Native Americans, African Americans, Asians, Latinos, new immigrants, non-English-speaking individuals, elderly, persons with disabilities, persons with mental illness, homeless youth, rural and isolated populations, and gay, lesbian, bisexual, and transgendered individuals. Throughout the needs assessment process, the team focused on developing a better understanding of the special circumstances of these groups of people. Data indicated that victims coming from these populations were often underserved, had trouble finding services that met their needs and tended not to report crimes. People from these groups often did not receive the services and compensation they needed to recover from their victimization.

For many reasons, underserved victims believed the system was not for them. According to information gathered from all of the respondents familiar with these underserved populations, their needs included specialized peer advocates, more bi-lingual and culturally sensitive services, outreach and prevention efforts and adequate basic services in rural communities.

- ✓ Detailed information about this topic can be found in the Needs Assessment Report in the section entitled: *Underserved populations of crime victims*.

Crime Victims' Rights

Although many agencies reported providing information to crime victims about their rights, victims were not consistently clear about their rights or were not sure if they were informed. This may be due to victims receiving a lot of information following the crime. In many cases, victims' rights were not enforced. The right to receive prompt restitution was the right most often not enforced, according to victims and providers. A variety of problems within the criminal justice system surfaced as barriers to victims exercising their rights, including no or incorrect information, system failures, judicial issues, offender-related issues and victim-related issues.

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Many service providers routinely informed victims about Crime Victims' Compensation and assisted victims in submitting compensation applications. The majority of the victims surveyed applied for compensation. Not knowing about Crime Victims' Compensation was the primary reason reported by those who did not apply.

- ✓ Detailed information about this topic can be found in the Needs Assessment Report in the section entitled: *Oregon Crime Victims' Rights*.

Key findings and recommendations by “themes”

Nine categories were chosen to group the key findings and recommendations. These categories represent important themes heard throughout the needs assessment process. They are:

- Consistent and available information
- Immediate and ongoing victim support
- Offender accountability
- System improvements
- Service linkages and partnerships
- Funding
- Financial assistance and compensation
- Laws and policies
- Training

Recommendations came from respondents and from research team members based on information they received throughout the needs assessment process. Recommendations are in no particular order.

“Prosecutors don’t understand that in [cases of] violent crimes, victims have [a] constitutional right to be involved in plea negotiations. That is not being done.” Key informant representing victims of juvenile offenders and victims of sexual assault



Fact

In almost 90% of the elder abuse and neglect incidents with a known perpetrator, the perpetrator is a family member, and two-thirds of the perpetrators are adult children or spouses. (The National Center on Elder Abuse, American Public Human Services Association. Sept. 1998. *The National Elder Abuse Incidence Study: Final Report*. Washington, D.C.)

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Idea:

The *St. Louis Post-Dispatch* developed privacy issue guidelines that address key issues such as: publishing names and addresses of crime victims and witnesses; interviewing family members of victims; and taking photographs of victims or survivors.

"Some type of [offender] update would have been comforting. I was really scared. I didn't go to a shelter. I lived in fear." Focus group participant

Consistent and available information

- Findings -

Victims and service providers reported not getting enough information in almost every area, including Crime Victims' Compensation, Crime Victims' Rights, service availability, offender status, court dates and other steps in the criminal justice process. This is clearly a problem that needs attention. The lack of information creates problems in every aspect of the victim response system. In some cases, victims don't have updates on their cases and don't know who to ask. More consistent, available information is needed across the board.

- Recommendations -

- Inform crime victims of their rights as soon as possible, preferably by law enforcement officers and/or victim advocates at the scene of the crime or at the hospital.
- Establish policies to ensure crime victim advocates review pertinent Crime Victims' Rights information at various stages of the victim response process in writing and verbally.
- Review current procedures and improve timeliness of provision of case-related information to victims by the court or through the district attorneys' offices. This information should include dates and times for court hearings, offender status updates, and invitations to participate in court proceedings, victim impact statements, and plea negotiations.
- Provide basic victim service and victims' rights information in utility bills, phone directories, web sites, and other public outlets.
- Have every agency representative who comes into contact with a victim provide that victim with a card or brochure that lists Crime Victims' Rights, benefits, available services, and phone numbers. This information needs to be repeated at each step of the system by police, nonprofit and system-based advocates, juvenile staff, prosecutors, judicial staff, and probation and parole officers.

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- Set up a statewide 24-hour Victims' Assistance Center where victims can call for referrals and information. Center personnel would follow up to ensure appropriate services are secured.

Immediate and ongoing victim support

- Findings -

The most important change Oregon can make in the area of victim support is to expand and strengthen advocacy. Victims want to be contacted at the scene or at the hospital by a victim advocate. They want more frequent contact by advocates in the first few weeks following the crime and ongoing assistance as needed. Victims want to be fully supported throughout the criminal justice process by an advocate who is respectful and sensitive to their needs. Advocates who speak the language and understand the culture of victims was another victim request.

- Recommendations -

- Offer every victim support through each step of the criminal justice process. Support should include a well-trained personal advocate, timely information, and appropriate referrals and follow-up.
- Station advocates where they can have the most impact, in locations such as homeless youth shelters, community organizations, parole and probation offices, juvenile departments and law enforcement agencies. Depending on the need, advocates could work in multiple locations during the week.
- Provide crime victim advocates with copies of police reports in cases of violent crime and fraud.
- Make victim advocates available to quickly respond to victims of violent crimes, assisting with law enforcement, medical, media, and family members.

*"Victims' Assistance was always there to assist us through the ordeal of court and explained many things to us."
Victim*



Fact:

Personal crime is estimated to cost \$205 billion annually in medical costs, lost earnings and public program costs related to victim assistance.

(Miller, T., Cohen, M., & Wiersma, B. Feb. 1996. *Victim Costs and Consequences: A New Look*. Washington, D.C.)

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Idea:

Place offenders who are ordered to pay restitution with local businesses for employment. The offenders are paid minimum wage and keep one-third of their earnings. The remaining two-thirds is paid to victims. *Earn-It Program, first created in Quincy, Mass.*

"I wish it [the criminal justice system] could move faster, but mostly I wish other people had the same experience I did. It made a terrible situation more bearable." Victim

Offender accountability

- Findings -

Victims reported feeling re-victimized when offenders were not prosecuted, received plea bargains, or were given lenient sentences. Victims believed the criminal justice system is unfair and favors offender rights over victim rights. Victims asked for harsher penalties for serious crimes, more victim-focused involvement from parole and probation officers, and support for the collection of restitution. Service providers and victim advocates also called for more offender accountability and increased victim participation in the court process.

- Recommendations -

- Assure all victims are asked to participate in plea negotiations.
- Arrest restraining-order offenders in the county in which they violated the order, not only the county where the order was issued.
- Have civil protective orders for rape victims when cases are not prosecuted.
- Have parole and probation officers more involved in victim response and victim notification of offender status.
- Implement a statewide restitution-tracking program.
- Prioritize payment of restitution to victims.

System improvements

- Findings -

Victims and service providers called for better, more coordinated ways to serve and support crime victims. Areas identified as needing the greatest improvement within the criminal justice system included increasing victim focus and streamlining the system. Changes needed for the overall victim response system included increased sensitivity to and support for cultural

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minorities, coordination of the complex system, improved payment and restitution processes and better data collection and monitoring.

- Recommendations -

- Execute a statewide comprehensive coordinated plan for victim assistance that sets statewide standards for dissemination of Crime Victims' Rights, identifies core services and protocols for VAPs, and outlines expectations for consistent, ongoing communication with victims regarding the criminal justice process.
- Have greater emphasis on timely services, including mental health evaluation and treatment for victims to avoid long waiting lists.
- Provide for more shelters and focus on specific victim needs (elders, teens, sexual minorities, religious minorities, etc.).
- Have intervention and counseling alternatives without activating the criminal justice process.
- Expand the use of technology to better support rural Oregon communities.
- Use technologies such as an automated victim notification system.

Service linkages and partnerships

- Findings -

Agencies and individuals are partnering more often to provide crime victims with a coordinated response. Multidisciplinary teams exist or are being established that focus on crisis response, child abuse, elder abuse, sexual assault, and domestic violence. Protocols are being developed to include medical, law enforcement and service communities. Having law enforcement play a larger role, especially in interagency communication and collaboration, would help. Agencies also want to do a better job linking with programs outside of the criminal justice system. Providing better services to crime victims is the primary goal agencies have for more

"The officer who kept our granddaughter company until we arrived at the police station was very kind, compassionate and reassuring to our granddaughter." Co-victim



Fact

On average, one out of three high school students is, or has been, in an abusive dating relationship, and only four out of 10 of these relationships end when violence and abuse

begins. (National Council of Jewish Women. 1993. *Description of Teen Violence Intervention and Prevention Project.*)

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Idea:

ADT Security Services has begun a nationwide program to donate security systems and emergency electronic necklaces to aid battered women. A woman in danger can squeeze the necklace and a silent signal will be sent to a security operator, who contacts police.

"People don't care about what happens to homeless victims of crime. Kids should be 'cute and fuzzy.' System is more for the "mainstream" population. Even Legal Aid is not geared towards homeless youth." Key informant representing homeless youth victims of crime

collaboration. They also see the benefits of saving money and cutting costs.

- Recommendations -

- Encourage more communities to form coordinated crisis response teams, such as Child Abuse Teams, Domestic Violence Response Teams, Sexual Assault Response Teams, Child Abuse Assessment Centers, and Elder Abuse Prosecution Units.
- Look at ways to provide services through a consortium of agencies rather than a department, particularly in less-populated areas.
- Consider incentives to encourage collaboration and partnerships that result in better use of funds and improved services.
- Have victim advocates work with community agencies to co-case manage victims from other cultures, victims with disabilities and victims who are mentally ill.

Funding

- Findings -

Agencies rely on a variety of funding sources, utilize many volunteers and employ several outreach methods. Many providers reported expanding, enhancing or otherwise changing their services to better meet the needs of victims over the last two years. Almost two-thirds of the victim service providers reported that their funding had changed in the previous two years, with 31% of the agencies reporting an overall increase in funding, 25% reporting an overall decrease, and 44% reporting fluctuations in funding. However, many communities, especially in rural Oregon, lack basic victim services due to insufficient funding. Victims told us that although services existed in their communities, long waiting lists made it difficult to receive the services when they were needed.

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- Recommendations -

- Provide rural Oregon with additional resources for administration, services, shelters and transportation.
- Fund additional crime victim advocate positions, especially for populations of underserved victims of crime.
- Hire “peer advocates” who live in the community and speak the language of the crime victims served.
- Fund positions for rural victim advocates who represent multiple agencies.
- Reduce the number of funding streams for victim services by combining services in one statewide office. Data collection could then be more uniform and grant monitoring could be better coordinated. It would be easier to evaluate programs and projects and reduce overlap.
- Blend, braid or pool funds from various agencies within the same communities, or across county lines, to increase resources for crime victims.

Financial assistance and compensation

- Findings -

Emergency funding is needed for crime-related expenses such as safe, temporary housing, transportation, crime scene clean up, and reimbursement for lost income. This is especially true for low-income victims. Although some of these expenses may be covered by Crime Victims' Compensation, this source of funding is not always available right away. Of the 274 victims responding to a question about compensation, 66% said they didn't apply. The primary reason was not knowing about Crime Victims' Compensation. Eligibility problems (in the cases of financial fraud, for example) and complexity of the process kept other victims from applying.

“We take care of our own in rural areas and a lot of the time we don't know how. We have distance, language, awareness, and cultural barriers.”
Key informant representing rural victims of crime



Fact

Persons younger than 25 were the most vulnerable to serious violent crime, regardless of how age patterns were analyzed. They made up almost 50% of all persons suffering a serious violent crime and almost 56% of rape and sexual assault victims. (Perkins, C.A. Sept. 1997. Age Patterns of Victims of Serious Crimes. Washington, D.C.)

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Idea:

In the Navajo Nation, justice is administered through a peacemaking system in addition to a western legal process. In this system, victims, offenders, and their families are brought together to solve all kinds of problems.

“As a victim, I was seated three feet away from the offender with no searches or metal detectors of any kind. I feared he would try to hurt me.”
Victim

- Recommendations -

- Explore ways the system can assist victims of financial fraud, including mental health services and financial counseling.
- Make Crime Victims' Compensation forms more user-friendly.
- Continue to make funds available in the immediate aftermath of the crime, such as with discretionary emergency funds.
- Expand civil legal assistance.
- Shorten the turnaround time for decisions and payments on Crime Victims' Compensation claims by making the process more efficient through technology and additional staff (where needed).

Laws and policies

- Findings -

Victims were frequently critical of the overall criminal justice system and had specific concerns about laws and policies, law enforcement, district attorneys and the courts. Victims, service providers and key informants asked for changes in Oregon law and agency policies that they believed would benefit future victims. They were particularly interested in changes that would prioritize victims' rights, improve notification regarding offender status and court dates, and enhance victim protection.

- Recommendations -

- Put the restraining order process in victim-friendly locations, not courthouses.
- Involve victims in the development of policies, procedures, laws and guidelines.
- Extend the 30-day window banks allow customers to report bank errors.
- Allow homeless youth to receive emergency medical care without the threat of law enforcement notification regarding possible warrants.

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- Assign lead investigators to fraud cases that have multiple jurisdictions.
- Take social security numbers off of all identification cards (hospital, insurance, etc.).

Training

- Findings -

Comments made by victims said that more training for professionals could improve the overall usefulness of the service system. Specific professional training needs included sensitivity training for law enforcement officers and district attorneys. Training came up repeatedly with individuals who work with crime victims. Most of their comments centered on training for judges, law enforcement officers and district attorneys.

- Recommendations -

- Work with the Bureau of Police Safety, Standards and Training (BPSST) to more fully develop a victim sensitivity and response component to their training program. Ask the Oregon District Attorneys' Association, Oregon Judicial Department, Oregon Nurses' Association, and Oregon Association of Defense Counsel to incorporate a victim sensitivity and response component in yearly trainings.
- Conduct cultural awareness and sensitivity training for each agency's personnel and provide information on how services could be tailored to the needs of special populations.
- Provide cross-training to victim response agencies so they know how each system works, i.e., mental health/criminal justice system; advocates/DHS; parole and probation/domestic violence agencies. Agencies should be aware of the continual need for communication and information-sharing with partners.
- Provide training to emergency room personnel and other medical staff likely to first encounter victims about victim needs, sensitive approaches to victims, and information and referral systems.

"Judges make decisions every day that affect lives and often they have very little education on the subject. If they don't understand the cycle of violence and how abusive men use their kids, they often make poor decisions for vulnerable victims." Service provider

Fact



Approximately 60% to 80% of the nation's correctional population has used drugs at some point in their lives; this is twice the estimated drug use of the total U.S. population. (Office of National Drug Control Policy, Drug Police Information Clearinghouse, August 1998. *Drug Treatment in the Criminal Justice System.*)

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Idea:

In Pinellas County, Florida, the state's attorney's office has designated a prosecutor to handle all elder exploitation and neglect cases. The prosecutor visits victims at their residences to conduct and videotape interviews.

"We need more federal and state funding so that all of the agencies -- nonprofit and county -- can continue to build personnel and material resources. We can only provide a certain level of service with minimal staff. Can't expect volunteers to do it." Key informant representing victims of juvenile offenders and victims of sexual assault

- Give advocates, police, prosecutors and judges additional training to learn more about the trauma victims experience and how they can respond with more understanding, empathy, sensitivity and support. Victims treated with compassion and respect can provide better information to investigators.
- ✓ To receive the full 2002 Oregon Crime Victims' Needs Assessment Report, contact the Crime Victims' Assistance Program, Oregon Department of Justice, (503) 378-5348. You can also download a PDF version of the final report from the CVAS website at: www.doj.state.or.us/crimev/index.shtml.