

Effective Strategies for Engaging Crime Victims

by
Laura Goodman

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Research Advisor:
Paul Schnell

Signature of Advisor

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Table of Contents

Abstract	3
Purpose of Research.....	4
Analysis of Conceptual Context	8
Research Question and Methodology.....	19
Validity	21
Findings and Interpretations	22
Summary and Recommendations.....	28
References.....	30
Appendix A—Research Instrument.....	32
Appendix B—Quantitative Analysis Results.....	36

“When someone is a victim, he or she should be at the center of the criminal justice process, not on the outside looking in.”--President Bill Clinton

Abstract

My project identifies effective strategies for law enforcement practitioners to use with crime victims and witnesses to engage their active participation in the criminal justice system processes, improve successful prosecutions, and increase opportunities to assist in their recovery and restoration. My methodology included an extensive literature review, interviews with successful practitioners in both law enforcement and victim/witness advocacy, and my own experience. The outcome of my project is a map for a future curriculum to educate law enforcement practitioners on best practice strategies to engage crime victims that is an effective, balanced approach that promotes justice in communities nationally and internationally.

Purpose of Research

My research identifies best practices for law enforcement practitioners (LEP) to engage crime victims in a manner that increases their recovery or restoration and enhances the successful prosecution of offenders. My end goal is a map for a future curriculum I intend to develop to educate LEP on enhanced processes to engage crime victims that are effective, balanced approaches that promote justice. My research process included an appreciative inquiry to concentrate on what works versus what doesn't work (Hammond, 1998).

Engaging crime victims poses a range of ethical dilemmas for LEP's. For example, to what degree can LEP's effectively engage crime victims without harming themselves (compassion fatigue), their objectivity, or their responsibility to their "absolute impartial service to the law" (Peel 1855, page one). I also considered and acknowledged the complex impact that crime has on crime victims' behavior and how those behaviors can be challenging to LEP's (International Association of Chiefs of Police [IACP] 2010).

The outcome of my research will be enduring because it produces a map for future education programs (to expose the issue) and pre/in-service training to assist LEP's in the practical application of the process and benefits of treating victims with understanding, fairness, dignity and respect—actions that build trust and encourage engagement.

My personal experience as a LEP, advocate, crime victim ombudsman and international trainer has been that the victim and the criminal justice system (CJS) benefit when crime victims are fully engaged partners in the criminal justice process (CJP). Engaging victims begins with utilizing effective and empathetic communication skills that are replicated at every touch point in the CJS, but most commonly begin with law enforcement's initial response. Empathy is the

capacity to share another's feelings. This is an important skill for LEP because it helps them understand why victim issues and concerns are important. (IACP 2010)

From simple to complex crimes, law enforcement represents the gateway for victims into the CJS and victims' perceptions of the system can be influenced by the manner in which they are treated at the first response and during the follow-up investigation. (IACP, 2010)

"How law enforcement agencies treat a crime victim is a direct reflection of agencies' philosophy of policing and core values" (IACP, 2010, page 1). The core values of an organization are intended to be fundamental values that serve as reference points for operational decision making on the street and administrative decision making at the executive level. Most law enforcement agencies have an oath of honor that officers are required to pledge (IACP n.d.). This pledge is made publically and is meant for the officer to acknowledge their promise. The oath generally states, "On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community, and the agency I serve" (IACP n.d.). This oath is considered the foundation for police behavior and provides a framework for engaging crime victims. "Organizations that place a high priority on addressing the needs of victims of crime are likely to build greater community confidence, increase crime reporting, leverage significant resources through expanded collaborations with community partners, and eventually reduce crime." (IACP 2010, page 1) Significant benefits result when crime victims are effectively engaged from the onset.

Getting the criminal justice process right at the start is essential. The treatment victims and witnesses receive at this early stage will shape their whole view of the CJS, and could determine their willingness to give evidence and appear in court later. The first contact can

make or break both the current and future relationship and cooperation with crime victims and witnesses. For example, if the first responder exhibits an empathetic, caring response, the victim or witness is more likely to offer information. Often LEP's assume that victims who are reporting crimes will disclose personal information and details of their victimization simply because those asking are LEP's. The questions asked seem more geared toward filling out a report than uncovering a problem or issue to be resolved or even more engaging in a true effort to understand the victim's contextual experience as well as the details of the crime. Empathy is not established by merely showing up or answering the phone. "Empathy can be conveyed by actively listening to and hearing crime victims, recognizing that they are being seen at a most vulnerable moment, and that what is being reflected is often the result of the physical and psychological trauma associated with victimization" (IACP 2010, page 3).

The assumption that victims will disclose all pertinent incident information also fails to recognize that they may feel they contributed to their victimization. As a result, victims may leave out details, minimize, or even lie if they do not trust the LEP to whom they are speaking. What happened to the victim may be humiliating, degrading, or potentially ostracizing in his/her community or culture and s/he simply cannot easily convey what happened. LEP's need to build a relationship of trust with the victim before the victim will tell them the details of the crime. This process has inherent challenges that come with the reality of the pressure of time. The relationship building between LEP's and victim does not have the benefit of time that many other helping relationships have, for instance therapist and patient. On the other hand, being a police officer, prosecutor, advocate, judge, or probation officer alone is not enough to encourage open, honest communication from crime victims. Wearing a uniform is not enough.

LEP's must think differently about how they approach crime victims and begin with empathetic communication.

Even when well intentioned, the current processes of communicating with crime victims are often ineffective, yet the methods continue to be taught and used by LEP's. Beginning with the first touch point in the CJS—the taking of the report by LEP's—too often, the approach resembles a Joe Friday, “Just the facts Ma'am” attitude. The victim is treated like a data point with no effort given to understand the victim's own interpretation of his/her information. This approach does not instill engagement or trust and may cause the victim to withdraw. For those who have never been affected by crime, an analogy can be made to other professions, such as a visit to a doctor's office. The ability or willingness of the patient to provide information to the doctor is largely based on the patient's sense that the nurse or doctor wants to hear, is interested in and willing to help resolve the problem or discover the issue(s) presented. This is similarly true in the CJS. The main difference between CJS services and the services of other professions is choice. If you don't feel you are being listened to, heard, and helped by your hair stylist, car mechanic or doctor, you can go somewhere else. LEP's have no competition. Victims don't have choice beyond whether or not to engage with the CJS. There is nowhere else for the victim to go to report a crime...to be safe.

My experience has been that some institutional processes that are well intentioned have been largely ineffective in engaging victims and in some instances can be harmful. For example, approximately 15 years ago, in an effort to identify and support victims of domestic violence, medical clinics began to include on their admission's checklist a question that asks the patient if they are safe at home, or if there is violence in the home. The question is asked in a sterile, detached way, usually by a person who is a complete stranger to the patient. The question is

asked without regard to whether or not the patient (if a victim of domestic violence), is there with her perpetrator, whether or not there are cultural issues that may prevent a patient from disclosing, and absent an actual plan to assist if a victim did disclose. There is no engagement with the potential victim. While the reason for asking is well intentioned, it loses its effectiveness because it is a policy that lacks the trust building component necessary for victims to tell their story and feel safe. This effort could be more effective with education and training to the practitioners who are conducting the interview and completing the checklist, similar to what I'm suggesting for LEP's to engage victims more effectively.

My research addressed the above issues and identified best practices of communicating with crime victims that engages them in a way that both alleviates their fears and helps them feel like a supported partner in the criminal justice process. The result is a map for a future curriculum and/or textbook to educate LEP's on a process to engage crime victims that is effective. It is my hope that this research project and the development of a curriculum based on my experience and recommendations will be replicated so it can be used nationally and internationally.

Analysis of Conceptual Context

In order to fully understand the issues around victim engagement, I will identify some key terms beginning with victim engagement? Some years ago while working as a patrol officer with the Minneapolis Police Department, I was dispatched to a possible suicide. Upon my arrival, it was clear that the victim was dead and all evidence indicated that it was a suicide. The victim was a 20 year old female, as was her roommate who discovered her. The victim had written notes to several people, had planned her funeral, including music, and died in the

process of writing down her last wishes...having overdosed on a lethal combination of pills and alcohol.

It was not my first death scene that week and I had calls waiting. The roommate sat at the kitchen table and answered my questions robotically. My questions were geared toward filling out my report—the roommate as witness, my data point. It wasn't a homicide after all, it was a suicide. No crime here. But then, the roommate's emotional control began to waiver and she stifled sniffling breaths under a heaving chest as she tried to suppress her tears. It was only then that I really looked at her and imagined what she was going through at that moment. I put my hand on her shoulder and said, "It's OK. Take your time." I sat down at the table with her. She began to sob and I wanted to sob with her. The thought of coming home from a day at work or school to find your best friend dead is inconceivable. Suicide almost makes it worse. The questions...the pain...the anger...the emptiness...the whys came tumbling forward. Why didn't I notice? Why didn't I prevent this? Why did she do this? The emotional trauma washed over her in torrents, drowning her with sadness, anger, fury, fear, loss, emptiness, depression, and despair.

Only when I began to empathize with her, could I really listen and hear what she had to say. Now she could talk of her experience in bits and pieces, in between tears of which she no longer felt ashamed. I had engaged my own heart and in doing so engaged her (Kouzes & Posner, 2002). It was a lesson I carried with me throughout my career when speaking with victims. Increasing the challenge is the recognition that in these empathic moments, I had to maintain appropriate emotional distance. It would not have been helpful to her for me to cry with her. She needed me to understand what she was going through, to understand her pain, not to feel it for her.

It is important that while engaging crime victims, LEP's also maintain emotional balance or distance. "Caring too much can hurt. When caregivers focus on others without practicing self-care, destructive behaviors can surface. Apathy, isolation, bottled up emotions and substance abuse head a long list of symptoms associated with the secondary traumatic stress disorder now labeled: Compassion Fatigue" (Compassion Fatigue Awareness Project 2010, page 1) And, it doesn't help victim engagement to feel their feelings for them. Crime victims need LEP's to provide the strength and fortitude crucial for them to gain control of their lives after being unwittingly thrown into the chasm of the CJS. It's complex.

Later in my career, when I was working as a sex crimes investigator in the Minneapolis Police Department, I was quite proud of my statistics to successfully investigate, capture, and secure confessions in my cases. I worked hard to learn how to communicate with offenders in a way that allowed them to relieve themselves of the pain and guilt they held inside when they would acknowledge the crimes they committed against others. My colleagues joked that my suspects regularly thanked me as I escorted them in handcuffs to the jail for booking. Prosecutors loved my cases because they were complete... including a confession most of the time. So, imagine my surprise when I called a victim to inform her that the perpetrator...the one who had sexually abused her daughter and many of her daughter's friends had confessed and been arrested... and she replied, "I suppose you think you just did me a favor?" She went on in her admonishment to ask me if I was going to pay the rent, feed her children, and help her survive. I didn't have an answer. I thought I had done my job and that I had served victims through arrests and convictions based on solid investigations. I never thought about what happened to victims after I made my case. My eyes were opened that day to the continuing trauma and recovery that victims endure and I wanted to learn more about how to alleviate

that wrong and engage them. Engaging victims does not begin and end with the first contact. It is an ongoing process.

Every LEP that works on a criminal case has at some time or another experienced the frustration of intervening with crime victims who seem uncooperative, unresponsive or even hostile toward their efforts to help. Crime victims likewise often experience the intervening CJP as aggressive, out-of touch with their circumstances, or not supportive of their efforts to cope with a bad situation. Too often these differences create obstacles to the victim's safety, restoration, and successful resolution to the criminal case (Praxis International, 2010). The frustration LEP's feel can also cause them to pull away from a case or disengage with what they perceive as "bad victims." This characterization is short sighted, inhibits a real understanding of the victim's condition, and reduces the LEP's capacity to work towards assisting them. Victim engagement is a process of building a trustworthy connection with victims that encourages and values their willing participation in the CJS and breaks down obstacles so that LEPs can understand the victim's condition and communication is effective.

Victim restoration and reparation means to minimize or repair the harm to crime victims and witnesses caused by criminal behavior (Restorative Justice Online [RJO] n.d.). The harm can be experienced as financial, physical, social, spiritual, and emotional anguish. In the United States CJS, crimes (though committed against people), are tried in criminal courts as offenses against the State. As such, the resolution of the crime is based on what is best for the State, not necessarily the individual crime victim. While suspects have rights and remedies codified in our constitution, victims have few. This has been changing in the last 30 years as laws have been created to provide rights and remedies for crime victims and to give them a voice in the criminal justice process. Generally, victim rights fall into four general categories:

- The right to notification, including the initial notification of victims' rights, the content of any plea bargain agreements, changes in the schedule of court proceedings, including the date, time and place of sentencing, the final disposition of the case, the transfer of the offender to a less secure correctional facility, the release of the offender from prison or custodial institution, or the escape and apprehension of the offender from prison or other institution.
- The right to participation, including to inform the court of the impact of the crime at the sentencing hearing, to have input in a pretrial diversion program decision, to request a speedy trial, to bring a supportive person to the pretrial hearing, to object to a plea agreement, to attend the sentencing hearing, and to provide the court with a victim impact statement.
- The right to protection, including that tampering with witnesses is a crime, victims and witnesses do not have to give their addresses in open court, victims and witnesses have the right to a secure waiting area during court, and employers may not discipline or dismiss victim or witnesses who have been called to testify in court.
- The right to apply for financial assistance, including that victims may be eligible for financial assistance from the state if they have suffered economic loss as a result of a violent crime and victims can request the court to order the defendant to pay restitution (National Organization of Victim Assistance [NOVA] n.d.).

Unfortunately, only 32 states have codified these rights into their constitutions and most still have no enforcement mechanisms or remedies to guarantee those rights. When government resources are challenged (especially in tough economic times) and funds have to be cut, the rights of suspects cannot be ignored. In too many states, crime victims' rights laws

have no teeth, so crime victims continue to need and are often denied restorative/reparative justice.

Restoration/reparation is best accomplished through cooperative processes that include all stakeholders in the CJS and include engaging the victim from the onset (RJO n.d., page 1). The International Association of Chiefs of Police National Law Enforcement Policy Center (IACP), which conducts focus groups and research on relevant topics in law enforcement, has twice tackled the issue of the proper treatment of crime victims. In its concept paper, “Response to Victims of Crime” written in 1992 and revised in 2010, the IACP outlined seven critical needs of victims.

- **Safety:** Crime victims need protection from intimidation, harassment, and harm. If LEP’s take the time to listen to crime victims articulate their fears, are assured that their safety concerns are legitimate and respected as such, crime victims are more likely to develop trust and cooperate more readily with the investigative process (IACP 2010, page 2).
- **Support:** Crime victims are unwittingly thrown into the situation they find themselves. LEP’s are required to provide victims with information about their rights. Saying it, while meeting their legal obligation, does not build support. LEP’s must learn to communicate in a nonthreatening, compassionate, informed manner to help victims participate in the justice process. Support as a basic need affords victims a valuable opportunity to take an active role in cooperating and working with law enforcement to hold perpetrators accountable (IACP 2010, page 2).
- **Information:** Victims need and want information about the status of their case and the general workings of the CJS. Most people are not aware of how the CJS works and

after being unwittingly thrown into it, may have unrealistic expectations about what is reasonable. The more information a victim has, the better able he or she is to understand the process and to be a collaborative partner. Victims need to be informed of court proceedings and should be provided the name and number of the person investigating their case (IACP 2010, page 2).

- **Access:** Victims need to have access to the various elements of the CJS and support services available, including assistance in filling out forms and help if their language is not English. Those with identifiable special needs, developmental and physical impairments, linguistic limitations, diminished competency, mental illness, or cultural dissimilarities must have available avenues to allow them the opportunity to participate in the system (IACP 2010, page 2).
- **Continuity:** Victims must be provided consistent service delivery throughout the CJS. Responses from various sources along the continuum of support should reflect consistent and correct information, high quality of service and commitment to providing assistance. This is achieved through effective collaborations with all professional partners in the CJS who are dedicated to the same goal (IACP 2010, page 2).
- **Voice:** Victims' voices are absolutely necessary for the effective investigation, arrest and prosecution of a case. Their stories help LEP's and other victim service responders understand, respect, and address victim concerns. Victims need to know that their experiences are being used to help prevent future crime. LEP's can help empower victims by encouraging them to speak out and by listening to their issues and concerns (IACP 2010, page 2).

- Justice: Victims want justice. This is most effectively achieved when CJP work together with victims as partners to build strong cases that hold offenders accountable (IACP 2010).

“In order to build an effective victim response, law enforcement agencies need to develop and integrate the necessary skills and professional attitudes throughout all operational levels” (IACP 2010, page 3). From the person who answers the phone, to the officer who responds to the call, to the investigator who investigates the case, to the leadership of an intervening agency...every person at every level needs to communicate an empathetic and engaging attitude to crime victims.

The IACP has identified four necessary organizational and individual sets of values and skills to assist agencies to ensure that their responses to crime victims are effective (IACP 2010, page 3). They are...

- Effective communication skills are essential in building trusting relationships with crime victims. Most people are aware of nonverbal body languages such as facial expressions, body movements and postures that may signal when LEP's are insincere or untrustworthy. Victims easily pick up on these cues. LEP's should also be aware of their voice volume, quality and tone. If victims feel that LEP's are sincere and trustworthy, they are more likely to view LEP's in a good light and turn to the CJS for continuing support (IACP 2010, page 3).
- Empathy is the capacity to share another's feelings. This is an important skill for LEP's, because it allows them to understand why victims' feel the way they do and connect with the issues and concerns that are important to them and their recovery. Once understood, the victim's experience can alter the response by LEP's. Empathy

demonstrates a sincere desire to connect victims with appropriate resources and ensure the continuum of support is evident through all levels of the department (IACP 2010, page 3).

- Professionalism and integrity must be codified in the policies, processes and culture of a department. These skills are dependent on the agencies leadership, vision and values to take them seriously. Victims are intuitive and can easily discern when these skills are demonstrated. As customers of LEP's, it is imperative that victims feel confident that professional conduct and integrity are values that permeate the entire department (IACP 2010, page 3).
- Honesty and confidentiality are measures of integrity. When LEP's make sound judgment calls, promote respect for all parties, show regard for the privacy and dignity of every victim, and consistently evaluate behaviors and methods to ensure compliance with high standards of conduct, integrity occurs (IACP 2010).

It is interesting to note that these values and skills are both organizational and individual. As such, my research instrument questioned who is responsible to ensure that these values and skills are utilized? Leadership that models and rewards these values and skills is essential to the process of victim engagement.

Throughout the years, crime victims' issues have waxed and waned. When a victim is killed, community groups, the press, politicians, and family members frequently confront the apparent failures of the system. Providing victims with rights and remedies is one way to help families of victims and witnesses in their recovery and restoration. Victim rights can also help engage them in the criminal justice process, if their case rises to a criminal complaint and makes its way to trial. To ensure those rights, all states need to improve their statutes by providing

mechanisms to enforce them. However, whether or not states do that, LEP's must recognize that they can easily take steps to change the status and experience of crime victims.

In the United States, it is estimated that one half to one third of all crimes do not get reported to the police (Wroblewski & Hess, 1997). One of the reasons identified for this is insensitive or callous treatment of victims, including...

- Insensitive questioning
- Innuendoes that the victim was somehow at fault
- Mediocre investigations and report writing
- Stereotypes and other prejudices getting in the way of professional response
- General displays of indifference (Wroblewski & Hess, 1997)

This alone is reason enough to engage crime victims, but there are others. "Research during the past 15 years has shown that doubling the number of cars patrolling the streets did not affect the levels of serious crime or fear of crime; that rapid police response did not affect the probability of making an arrest; and that forensic technology contributed less to the investigative process than the stories of crime victims and witnesses" (Barnett & Bowers, 1990).

An uncooperative victim is unlikely to get follow up police service in the form of an investigation. If the case is not investigated and the elements of a crime established, the case will not realistically be routed to the prosecutor's office for a charging decision. If the case doesn't get charged, it doesn't go to the courtroom for a trial. One needs only to watch the local news to realize how often forensic science is ignored in favor of the stories told. Some very public examples of this are the O.J. Simpson case where DNA and other factual evidence were completely ignored in favor of the story provided by the defense witnesses (Rothwax 1996). Here in Minnesota, the Guevara case, which involved the disappearance and assumed

murder of a five year old girl, similarly had DNA introduced into evidence that was ignored in favor of the story created by the defense that painted the mother in a bad light, along with the inability of the CJS to help the victim's mother convey the context for her actions and tell a compelling story that would vindicate her. My experience has shown that when crime victims and witnesses are engaged early on and become partners in the CJ process, they will testify and tell their story.

So why engage crime victims? Engage crime victims because it will improve investigations and enhance the number of successful convictions. Engage crime victims because it will develop stronger, more reliable witnesses. Engage crime victims because it will build trusting relationships that will increase the reporting of criminal activity at all levels. Engage victims because they will eventually cooperate and assist in the process. Engage victims because whether their case results in a prosecution or not, a caring response can aid in recovery and reduce fear.

The CJS is absolutely dependant on crime victims and witnesses to cooperate. Without victims and witnesses to come forward to report and testify, it is impossible to hold criminals accountable. A LEP's effectiveness is directly proportional to the amount and the accuracy of the information provided by other people, including crime victims and witnesses (Wroblewski & Hess, 1997). Gaining the trust and respect of crime victims and witnesses by engaging them is the key to increased reporting, stronger cases, more successful prosecutions, increased personal safety and principle centered community leadership.

My research identified best practices for engaging crime victims so that LEP's can build effective interpersonal communication skills that help build trust, alleviate fears and effect more successful prosecution of criminals.

Research Question and Methodology

RESEARCH QUESTION

As first responders, what are the best strategies for LEP's to use with crime victims and witnesses to engage them, gaining their cooperation throughout the criminal justice process?

METHODOLOGY

I conducted a literature review of journals, white papers, concepts and issues papers, as well as books written to analyze findings and identify themes to develop an understanding of the current knowledge and practices used by LEP's when dealing with crime victims.

A review of literature indicated that little information exists that specifically addressed my research question. Much of the literature that exists is about the psychology of victims, including why victims don't report and advocacy for victims, including how to help victims recover from crime. Literature on restorative justice is most closely related to my research because it calls for the victim to be an equal party in the criminal justice process where historically the CJP regards the victim and witnesses as evidence in the criminal case, which is a crime against the State, not the individual. New research from Scotland, the UK, and the United States is beginning to acknowledge the need for the CJS to become more victim centered, which includes engaging crime victims in the process from the onset. In her book, *Smart on Crime*, L.A. prosecutor, Kamala Harris, describes step four of "The Smart Game Plan" as "supporting and empowering victims" (Harris 2009, page 198).

Next, I interviewed four law enforcement practitioners who have demonstrated success in connecting with crime victims in ways that have resulted in successful prosecutions while also expediting the recovery or restoration of those victims. I began with an expert interview with LEP Expert #1 who is currently a professor at a University, but previously was an investigator

for the Cold Case Unit at a law enforcement agency. During his tenure, Expert #1 was renowned for his ability to effectively engage crime victims and offenders alike through a particular method of interviewing that he developed. His process resulted in retrieving accurate, timely information and building trust with interviewees. That trust served to both engage crime victims and solicit confessions from suspects.

For balance, I interviewed three crime victim advocates to hear what strategies they have learned through their experiences dealing with crime victims that they believe would assist LEP's. I began this set of interviews with Dr. Ellen Pence (name used with permission). Dr. Pence is a co-founder of the Duluth Domestic Abuse Intervention Project (DAIP). The DAIP revolutionized the way domestic assault cases are handled by becoming the first city to initiate a mandatory arrest policy and implement a coordinated community response to domestic violence to protect victims and hold offenders accountable. This model has been replicated nationally and internationally. Dr. Pence is also the founder of Praxis International, which provides training and technical assistance to rural communities confronting violence against women and children. She is the author of several books and a renowned international speaker and trainer. Dr. Pence is a leader in the field of domestic violence advocacy, community building, and public policy reform. I also asked and received recommendations from Dr. Pence on who she knew to be successful practitioners in advocacy and law enforcement to interview.

While my interviews began with a set of specific questions designed to solicit data to answer my research question, I was also able to capture other information that came to light when interviewing these highly successful practitioners. During these interviews, I used an appreciative inquiry method of interviewing (Hammond, 1998). My interview questions were therefore designed to discover strategies that work versus what has not worked.

As a successful practitioner myself, I drew from thirty years of personal experience working in the criminal justice field as a law enforcement practitioner and as the Ombudsman for Crime Victims for the State of Minnesota.

Validity

I have 30 years working in the field of law enforcement and ombudsman service. LEP's are trained from the onset to be objective and evidence based in their reports and investigations. Cases are won or lost based on concrete evidence, not because of LEP's opinions. As an ombudsman, my role was to be an objective reporter of the facts—that is not an advocate for crime victims or a defender of the CJS, but an advocate for fairness, based on facts. Still, my passion for this subject gave me an obvious prejudice towards what I believe to be the most effective way to engage crime victims. As such, it was imperative for me to design my questions in a manner that did not inadvertently influence the answers of my interviewees.

To do so, I used a rich data approach beginning with interviews with two experts who were not likely to tell me what I wanted to hear. I also repeated back what I heard from them to ensure that I correctly captured their ideas. I used triangulation by collecting information from a variety of sources, including a literature review, interviews of law enforcement and victim advocacy practitioners, and my own experience in the field. I also relied on my advisor and colleagues to test for and challenge possible researcher bias. The risk of bias was reduced through the use of these varied resources.

My profession has required me to learn to write objectively and allow the evidence to prove or disprove a case. I used that experience to facilitate valid data analysis for the purposes of this project.

Findings and Interpretations

The conclusion of my research is that engaging crime victims is very important to the criminal justice process and to crime victims and witnesses. While some LEP's intuitively know the benefits of engaging victims, many learned this with time and experience in the field. Some LEP's never understand the dynamic and need leadership in the department to push this as an organizational value for which they will be held to account. As one interviewee said, "LEP's are rule followers. So, they are likely to do it if the department requires them to do it."

My research project identified best practices to engage victims that have been successfully implemented by LEPs and that if used more widely would ensure a more balanced system of justice for crime victims. These tools require different skill sets from those that LEP's are generally taught in both pre and in-service law enforcement training. The successful application of these tools requires police leadership that values victim-centered institutional practices and holds LEP's accountable to those values as demonstrated through performance reviews, awards, and promotions.

My research was consistent with the literature review that indicated that a victim-centered process is a necessary component of justice. In countries around the world, law enforcement agencies and criminal justice practitioners are beginning to recognize the need to ensure that policies and laws are in synch with the idea that the victim is central to a criminal case.

My own experience as a LEP and that of my interviewees has been that when a victim is engaged, s/he becomes a partner in the process and assists LEP's in opening doors, providing information, and building trust. "Victim advocacy rights groups exist today because of law

enforcements' failures" (Police interview #1). Where there is a failure, so too is there an opportunity for progress.

The Findings

My research instrument included both qualitative and quantitative components. (See *Appendix B—research instrument and Appendix C—quantitative results*). Several themes arose from these interviews.

Theme # 1—Presence: You never have a second chance to make a first impression.

One thought that consistently surfaced was that LEP's as the first responders to crime victims "are the criminal justice system" (Police Interview #2). This observation presents either an opportunity for LEP's to initiate a trust building relationship that encourages communication and participation at the time of the incident and in the future. Or, LEP's can do harm. "You're setting the stage for the next officer or the next interaction the crime victim will have with law enforcement" (Police interview #3). "If LEP's get it wrong, there's a lot of cleanup to do to build trust the next time" (Police interview #2). Crime victims aren't going to tell LEP's their story or follow through just because they're cops. "They probably won't participate in the criminal justice process initially, but they may eventually if they feel believed, supported, and a trusting relationship has been established" (Victim Advocate #1).

"Even if the case is not resolved satisfactorily, the trusting relationship is everlasting, if the victim feels believed and supported. She may even tell other crime victims about her experience." (Police interview #1). "If the first contact with LEP is reinforcing, barriers come down. The community sees this and it is a powerful example in building trust" (Victim Advocate #2). Too often LEP's treat crime victims like data points drawing conclusions about that data without discussing with crime victims the meaning of their own information. "LEP's need to

connect and understand crime victims on their terms and then help them” (Victim Advocate #1).

It is very important that LEP’s arrive at the scene as quickly as possible and make the victim feel that the LEP is doing everything they can. They should secure the scene, try to alleviate fear, be respectful to all parties, collect evidence, and be empathetic. They should try to understand the victim’s trauma and what she/he needs. “Military Police are trained to be respectful all the time. They say, yes sir—yes ma’am and they have less complaints against them” (Victim Advocate #1). “Being kind/respectful is not a weakness; it’s a strength. When relationships are developed, interveners and the parties at a crime scene win” (Police interview #1). This begins upon the first interaction.

“It’s not always the outcome that matters or equates to justice, but the victim’s ability to play a part in the process and feel like they have a voice—to know their voice was heard” (Police interview #4).

Theme #2—Listening

“It’s important to recognize that the victim has a story to tell and it’s usually not pretty. Listen without judging—this is their life circumstances” (Advocate #1). Many victims will articulate that they have been treated with disrespect. Listen to them—let them vent. LEP’s tend to be defensive and react negatively to the victim’s distrust of them. “Instead of defending the police profession, listen to them” (Police interview #1). “Police officers can give crime victims the capacity to speak, or get distracted by things that don’t matter” (Advocate #1). “Even if you can’t understand, you can try to be empathetic to what the victim is saying. “You can’t be a counselor, but you can provide resources” (Police Interview #4).

“Talk to the victim like you would want to be spoken to. Don’t lie, don’t be over empathetic and don’t talk down to them. Talk to them—not at them. You can’t change the cards they were dealt, but you can help them deal with it by hearing them out and providing options” (Police interview #2). When victims feel heard, it builds rapport. They’ll remember it the next time. Many victims live in survival mode. The LEP can provide a stable presence in the victim’s unstable environment. “Listen and be sincere. Show compassion. Be their voice. Support them. Gain their trust. If you don’t gain their trust, they won’t tell you anything or they’ll just tell you what you want to hear” (Police interview #2).

“Good cops do the right thing. They listen to victim’s concerns and worries. They know their abusers and they know whether they are into drugs, gangs, guns and other things” (Police interview #3). Victims want and need to be heard. Take time to really communicate with them.

Theme #3—Creative Problem Solving

Exemplary officers know the communities and various cultures that they serve. They know the dynamics of crime and that crime has different dynamics in diverse neighborhoods. They know the myths surrounding crimes and they understand why a victim may feel that they contributed to their own victimization. “Officers need to alleviate these myths and help victims understand that they’re the victim” (Police interview #1).

Excellent officers are cognizant and respectful of cultural traditions or practices that might impact whether or not the victim reports and may have other implications. “[Exemplary officers] are knowledgeable beyond the immediate crime” (Victim Advocate #1). They ask permission from the victim prior to asking questions and inform the victim of the rationale for the information they are seeking.

“Their approach is victim centered. They understand the victim’s trauma” (Victim Advocate #2). Exemplary officers have the capacity to understand what the victim is going through and to work with them to meet their needs. Exemplary officers ensure that the victim gets something from the process. “It’s creative law enforcement. Figure out meaningful solutions so you don’t have to keep coming back” (Police interview #3). Exemplary officers know and provide appropriate resources and in doing so give power back to the victim.

Theme #4—Follow up

“Officers should follow up with a crime victim through at least a phone call. You can call and ask the victim if she has anything to add...provide another opportunity for the victim to be heard. It will mean a lot to the victim” (Police interview #3). Give the victim your business card and “tell the victim to tell cops on the street that they’re working with you” (Police interview #3). Follow up...especially in domestic violence cases where the suspect is [gone on arrival]. Call the victim. Ask her if she’s safe. Tell her you’re still looking for the perpetrator” (Police interview #3).

“Don’t give up. Work through hostility. Do your job, no matter what comes next” (Police interview #3). Continue to try to make connections, to ensure the victim’s safe and build trust. “The greater responsibility for follow-up goes to law enforcement. The victim is not thinking clearly” (Police interview #4). LEP’s need to get out of the mindset of “just the facts” and be creative—think outside the box. LEP’s have access to all kinds of resources available to assist crime victims. Use them to help.

“I go by the rule of seven. That means that by the 7th contact with the victim, they may feel comfortable talking. The consistent efforts promote a constant, stable presence that begins to build trust. Always leave the door open” (Police interview #2).

Theme #5—Leadership

Leadership sets the tone, mission, and expectations of the department. “Well entrenched systems that guide normal police response feel ossified” (Victim Advocate #2). Policies regarding the treatment of crime victims are often poorly written or not addressed at all. LEP’s are often young, have little life experience, and are given freedom to act. This discretion absent accountability, quality control, or follow-up is a setup for failure. “Cops see cases as ‘my case’. It’s not your case. Departments have an obligation to ensure mentors or a team aspect that would ensure critique and accountability...or better cases” (Police interview #1). Feedback from others would help identify and guide officers who are not engaging crime victims.

LEP’s may realistically not know what to do. “If the department doesn’t value victim engagement, line officers won’t either. It’s like an infection—it becomes the norm” (Police interview #4). “Law enforcement officers start from the premise that the victim is lying and research and training over the past thirty years has not changed that” (Victim Advocate #2). Institutionally, LEP’s are not expected to engage victims. “Institutional needs trump the needs of victims” (Victim Advocate #1).

Police leadership is responsible to ensure officers have the knowledge, skills and abilities to engage crime victims and that it is valued by the department. This begins with policies and procedures that guide officers’ behavior and changes institutional discourse, including the language used, promoted and allowed. Clear expectations need to be communicated that define victim engagement as part of officers’ responsibilities. Systems of accountability need to be in place to ensure success. Leadership needs to provide tools, in depth training and resources that support victim engagement. They didn’t learn defensive tactics in a day; they’re not going to learn victim engagement in an hour. Resources

could mean that shift schedules provide the opportunity for officers to build relationships and pocket manuals could be developed according to patrol area needs/opportunities.

Summary and Recommendations

There are law enforcement practitioners who are effective in engaging crime victims. The successful habits of these practitioners are identifiable models that can be replicated. The responses from effective practitioners fall within five broad themes, which I have just identified—Presence, Listening, Problem Solving, Follow-up, and Leadership. Effective victim engagement can be institutionalized by reinforcing the behavior of successful practitioners.

Because my MAOL program is centered on ethical leadership with a focus on strategic management, I offer the following more comprehensive recommendations to police leadership and policy makers:

1. Policies and procedures should be created, adopted, and implemented that are victim centered and that promote LEP's engagement of victims.
2. Professional standards for engaging victims should be linked to position descriptions, performance reviews, awards, and be considered a mechanism for seniority, promotions, and appointments to key leadership positions.
3. Everyday officers who engage victims with their simple acts of kindness should be revered. Their stories should be told over and over and viewed as a measure of value.

Conclusion

In conclusion, the experience I gained during this project has encouraged me to continue my research because I truly believe that I can offer LEP's better training in the skills needed for victim engagement that will improve the CJS, enhance the experience of the victim, serve as a reminder of the incredible difference LEP's can make, and grow safer communities. I envision

developing a curriculum with a manual and video-taped vignettes that demonstrate the different ways LEP's can intervene with victims so that line officers can critique various approaches. A well thought out curriculum needs to be embedded in the theories and practices outlined in my paper by researchers, practitioners, and my own experiences. This will be the next chapter in my life in the law enforcement field.

References

- Barnett, C.C., & Bowers, R.A. (1990) *Community Policing: The new model for the way the police do their job*. Public Management 72, no. 6
- Compassion Fatigue Awareness Project. (2010) *Did you know?* Retrieved from <http://www.compassionfatigue.org/>
- Hammond, A.H. (1998) *The thin book of appreciative inquiry* (2nd ed.) Bend, OR: Thin Book Publishing Company.
- Harris, K.D. (2009) *Smart on crime*. San Francisco, CA: Chronicle Books LLC
- International Association of Chiefs of Police. (2010 August). *Response to victims of crime*. Retrieved from <http://www.theiacp.org/portals/0/pdfs/ResponsetoVictimsofCrimePaper.pdf>
- International Association of Chiefs of Police. n.d. *Leadership model*. <http://www.theiacp.org/Training/LeadershipinPoliceOrganizations/LeadershipModel/tabid/161/Default.aspx>
- International Association of Chiefs of Police. (n.d.). *What is the law enforcement code of honor?* Retrieved from <http://www.theiacp.org/PoliceServices/ExecutiveServices/ProfessionalAssistance/Ethics/WhatistheLawEnforcementOathofHonor/tabid/150/Default.aspx>
- Kouzes, J.M., & Posner, B.Z. (2002) *The leadership challenge* (3rd ed.) San Francisco, CA: Jossey-Bass
- Organization for Victims Assistance. n.d. *Crime victims and witness rights*. Retrieved from <http://www.trynova.org/about/victimrights.html>
- Peel, R. (1855). *The nine principles*. Retrieved from http://www.magnacartaplus.org/briefings/nine_police_principles.htm#en1

Praxis International. (2010, August). *Strategies for effective victim engagement to increase safety*.

<http://www.praxisinternational.org/files/praxis/files/Rural%20Project/Aug2010ACTbinder.pdf>

Restorative Justice Online. n.d. *What is restorative justice?* Retrieved from

<http://www.restorativejustice.org/university-classroom/01introduction>

Rothwax, H.J. (1996) *The collapse of the criminal justice system*. New York, NY: Random House.

Wroblewski, H., & Hess, K.M. (1997) *Introduction to law enforcement and criminal justice*, (5th ed.)

Minneapolis: West Publishing Co.

Appendix A—Research Instrument

Purpose of interview: To glean from the respondent's knowledge of and/or experience with the best strategies for law enforcement practitioners to use to engage crime victims.

Objectives:

1. To hear from respondents how victim engagement might increase victims' active participation in the criminal justice system, the enhancement of successful prosecutions, the recovery and restoration of crime victims, and justice overall and why.
2. To learn what respondents think are the best strategies for engaging crime victims, what knowledge, skills, and abilities (KSA) are required to engage victims and who is responsible to ensure those KSA are provided/received.
3. To identify what challenges exist that prevent law enforcement practitioners from engaging crime victims and how those challenges might be overcome.
4. To determine if there are different strategies for different crime victims and what they are.
5. To offer respondents an opportunity to provide additional information that may be helpful in identifying ways to engage victims.

Definition: To minimize respondent distortion and ensure that the respondent and I are talking about the same issue/activity; I will describe my definition of victim engagement and allow them to define it in their own terms.

Scope: The scope of my research is limited to law enforcement practitioners (as the gateway for victims into the criminal justice system) and how they have successfully engaged victims.

Interview Questions

1. Biographical history?
 - Field/Position?
 - Years of experience?
 - When was your last regular involvement with direct service to crime victims?
2. To what extent do you think engaging a crime victim promotes his/her active and continuous participation in the criminal justice process? Why? / Why not?

3. To what extent do you think engaging a crime victim promotes improving successful prosecutions? Why? /Why not?
4. To what extent do you think engaging a crime victim is to promoting his/her recovery and restoration? Why? /Why not?
5. To what extent do you think engaging a crime victim is to promoting justice? Why? /Why not?

Importance?	Active & continuous participation in the CJS?	Improving successful prosecutions?	Recovery and restoration?	Promoting justice?
Very Important				
Somewhat important				
Somewhat unimportant				
Unimportant				

6. Describe a time when you (or someone you know) felt you/they really engaged a crime victim in a meaningful way?
 - What were the circumstances?
 - What LEP behaviors/actions were used?
 - What were the results of that engagement?
7. Drawing upon your experience, how would you describe/identify best strategies for Law Enforcement Practitioners (LEP) to engage victims?
 - What knowledge and skills are required? How do LEP's acquire these skills? Who is responsible for ensuring that LEP's get these skills?
 - What circumstances improve the possibility of victim engagement? How can these circumstances be replicated to become the new normal when dealing with victims?
 - What are the biggest challenges to victim engagement by LEP's?
8. Are there different strategies for different types of crime victims? What are they?

- Difficult victims? (i.e. Uncooperative, unresponsive, hostile, etc.) Please give an example.
- Personal crime victims? (i.e. Domestic violence, sexual assault, trafficking, child abuse, etc.) Please give an example.
- Identifiable special needs? (i.e. developmental and physical impairments, linguistic limitations, diminished competency, mental illness, cultural dissimilarities, etc.) Please give an example.

9. What influence, if any, do you think ethical issues have on LEP's ability to engage victims? What are the issues? How do they influence LEP?

10. What influence, if any, does compassion fatigue have on LEP's ability to engage victims? Why? / Why not?

11. What influence, if any, do you think time/resources have on LEP's ability to engage victims? Why? / Why not?

12. What department values, policies or cultures influence LEP's ability to engage victims?

Influence?	Ethical issues? (Objectivity)	Compassion Fatigue? (Taking on emotion)	Time/Resources? (Calls/staff ratio, training, other?)	Departmental Values? Policies? Culture?
Very influential				
Somewhat influential				
Minimum influence				
No influence				

13. Please rank in order from most important to least important what you perceive to be the needs of crime victims?

- ___ Safety
- ___ Support
- ___ Information
- ___ Access
- ___ Continuity
- ___ Voice
- ___ Justice
- ___ Other? Please define.

14. What are your recommendations regarding best strategies for LEP's to engage crime victims?

15. Is there anything that I have neglected to ask that you think is important to identifying best strategies for engaging victims?

Appendix B—Quantitative Analysis Results

	Active & continuous participation in the CJS?	Improving successful prosecutions?	Recovery and restoration?	Promoting justice?
Very Important				
Somewhat important				
Somewhat unimportant				
Unimportant				

Influence?	Ethical issues? (Objectivity)	Compassion Fatigue? (Taking on emotion)	Time/Resources? (Calls/staff ratio, training, other?)	Departmental Values? Policies? Culture?
Very influential				
Somewhat influential				
Minimum influence				
No influence				

Ranking Needs	Police #1	Police #2	Police #3	Police #4	Advocate #1	Advocate #2	Advocate #3
Safety	2	1	1	3	3	2	2
Support	3	4	3	2	4	5	3
Information	4	2	7	5	6	4	4
Access	5	3	6	4	5	1	5
Continuity	6	5	4	6	7	6	6
Voice	1	6	2	1	2	3	1
Justice	7	7	5	7	1	7	7
Other							8 Acknowledge Success

Key

| = Law Enforcement Practitioner

| = Victim Advocate