

**ASSISTANCE FOR CRIME VICTIMS  
AND  
THE ROLE OF THE CRIMINAL JUSTICE SYSTEM**

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**DONALD BARRY MCINTOSH**

ASSISTANCE FOR CRIME VICTIMS

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THE ROLE OF THE CRIMINAL JUSTICE SYSTEM

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Master of Science

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by

Donald Barry McIntosh

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To the Graduate and Research Council:

I am submitting herewith a Research Paper written by Donald Barry McIntosh entitled "Assistance for Crime Victims and the Role of the Criminal Justice System." I have examined the final copy of this paper for form and content, and I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science, with a major in agency counseling.

Harland E. Blair

Major Professor

Accepted for the Graduate and  
Research Council:

William H. Ellis

Dean of the Graduate School



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## CHAPTER I

### Introduction

It is difficult to find any consistency or continuity in probation's involvement with victims over the years. Dressler (1959) noted that: "After the appearance of regulated probation in Massachusetts in the latter part of the Nineteenth Century, several states following that example were quick to incorporate explicit provisions for restitution as a condition of probation."

It would appear that most probation departments have historically been involved to some extent in determining restitution owed to victims, providing information to the courts in that area and assisting in the collection of restitution. Blake (1982) reports on a 1979-80 project carried out by the American Probation and Parole Association and the Blackstone Institute. In this study 800 probation agencies were surveyed, 619 of which replied. Of those, 89 percent stated that they help victims obtain restitution. Unfortunately, that survey did not determine the frequency with which this assistance was provided. Other surveys which have been conducted would seem to indicate that restitution assistance is provided on a random or sporadic basis.

In the area of providing victim assistance, Young (1986) found that only 84 agencies of the 336 which responded (or 25 percent) stated that they gave services to victims. Follow-up contacts, however, disclosed that only 13 of those agencies provided services (other than restitution) on an organized, regular basis.

Community service programs, in which offenders who are unable to pay restitution are ordered to perform specific amounts of work for the benefit of the community, are relatively recent in origin. Historically, work of this type has been performed with custodial inmates, but has not been viewed as a part of probationers service within the community. The emergence of symbolic restitution (community service work) is relatively new in origin (Hudson & Galaway, 1976). While it is a valuable service to the community, it must be kept in mind that symbolic restitution provides no relief to the primary victims of the criminal activity.

The National Organization for Victim Assistance (1985) reports: while the history of probation's involvement in victim service programs is brief and sporadic, the recent developments are encouraging. Several probation departments, during the past ten years, have pioneered efforts in establishing comprehensive victim service programs which include:

1. Crisis counseling for victims shortly after the commission of the crime.
2. Assistance in applying for state compensation.
3. Providing information and counseling regarding the legal process.
4. Transportation and escort services for victims.
5. Victim impact statements to be included in court reports at the time of sentencing.
6. Linkages with other agencies to provide financial assistance, assistance in providing necessary home



repairs or vehicular repairs in order to maintain employment or residence.

7. Locating interpreters when necessary.
8. Arranging care for children of hospitalized victims.
9. Transportation to medical appointments.
10. Contacting relatives, friends, employer and creditors to assist the victim in restoring his life.

"The Victim Offender Reconciliation Program" (CORP) (Martin, 1982) which allows the criminal and the victim to sit down, discuss the experience, vent feelings, and reach a rational settlement. VORP originated in Kitchener, Ontario in 1974 as a project of the city's probation department. VORP offers psychological benefits to victims of crime who frequently feel they have been victimized twice. First, they suffer property loss and a violation of security and privacy. Second, the criminal justice system focuses more on punishing the offender than on meeting victim needs. Property restoration is rare, and often they are not even informed on case proceedings.

It is with cautious optimism that one can view the current trend toward comprehensive victim service programs as being the beginning of a humanizing, caring trend for involvement between probation and victims during the next decade.

With a view toward the future the following should be considered:

1. Criminal Justice system agencies (court systems, law enforcement agencies, district attorneys, probation

departments, etc.) each have an important role to play in humanizing the criminal justice process for the victims of crimes. Also, each should place a much higher priority on providing services to victims.

2. Probation departments have several important roles in providing both direct and indirect services to victims of crime, including the support of private agencies that have demonstrated an interest in providing services to victims of crime.

3. Private agencies and criminal justice system agencies must develop a vehicle for coordination to insure that they will not duplicate program efforts and that will also insure that they share information. These agencies should cooperate in research projects concerned with determining the impact of victim services, in determining the impact of crime upon victims and should cooperate in public education efforts.

## CHAPTER 2

## Review of Related Literature

Why Provide Crime Victim Services

Riboni (1982) reports that today's penal procedure is ideologically more favorable towards the accused and the guilty. The penal system seems to want to redeem itself from centuries of vulgar, cruel, and useless repression. Not as much is done for the victim whose rights have not kept an equal pace with those of the defendant.

The question of why the criminal justice system should invest time, energy and resources on the victim is related to a much larger philosophical issue regarding the purpose of the criminal justice system. If the responsibility of the criminal justice system is to investigate crime, detect, process, and isolate offenders, then a victim service program would either be nonexistent or have very low priority. However, if the system is charged with the responsibility of dealing with crime, its consequences and causalities, then efforts with victims, would have substantial meaning and justification. The approach of the officer investigating a traffic accident seems to apply this overriding philosophical question. The traffic officer focuses his early and primary attention on all injured parties at the scene of the accident, then proceeds to determine the type of violation, if any, and then attempts to determine the responsible party. Society would reject the concept of having only the injured violator receive attention and treatment. This does appear, however, to be the situation involving the victim of a



criminal offense. The offender, if arrested, is transported, informed of his rights, receives medical attention, shelter and legal assistance. Further, the offender, if convicted, receives counseling, treatment, job finding services, or training and, in short, is encouraged and aided to become a more responsible and productive member of society. In contrast, the victim of a crime is not transported, is not informed of procedures and, frequently, never even knows if an arrest occurs. If the offender is arrested, the victim is forced to relive the event frequently through repeated questioning. In addition, the victim faces repeated appearances in court without adequate compensation. One might well come to the conclusion that the victim will recover faster if there is no arrest.

Martin (1982) suggests three distinct phases which victims of crime undergo as they deal with their experience:

1. Initial feelings of shock and disbelief.
2. Alternating periods of anger, self-blame, severe depression, rage, self-pity, and many other feelings which are seemingly contradictory and often out of keeping with the victim's personality and values.
3. The final stage in emotional recovery comes when the victim accepts the experience and manages to get on with life. The time and degree of success victims have in reaching the final stage vary greatly. Some overcome fears gradually, while others retain a permanent sense of bitterness and insecurity, never feeling completely safe again.

Several reports appear to lend support to Martin's suggestions. Sparks (1982) states "Virtually nothing is now known about the long term effects of victimization. Undoubtedly most manage to normalize their subsequent lives in one way or another." Siegel (1983) points out that the victim often suffers alone and with full knowledge that the victimization leaves a residue of psychic scar tissue that never heals. Dlugokinski (1982) reports, many victims are surprised and relieved by the mere process of an evaluation. They often feel that they could tell no one the real story and are relieved when it comes out.

The concept of dealing with the casualties of the crime is a good reason to focus on the victim, but there are several other reasons. Compiling, developing and analyzing victim information could have significant and positive influence on the decisions of the various justice system components. The system pivots on information surrounding the crime and information in reference to the offender: his behavior during the crime, employment, arrest record, etc. The system, not by design or intent, determines and decides many issues in a vacuum without significant information regarding the casualties and consequences of criminal activities (Blackmore 1980). This isolation, as noted, is not by design, but it is the result of the system being faced with an impossible mission and an impossible workload. The fact remains that victim information and information regarding the impact of crime should be beneficial for the system and the victim. Sparks (1982) clarified how limited

the research has been, how many unanswered questions remain, how important is the need for follow up and longitudinal studies, and perhaps most important, how little we really know about helping victims of crime.

Sparks (1982) also reports that many other important questions of public policy require information about victims and victimization. For example, in recent years, increasing amounts of resources have been devoted to crime prevention through a variety of means (improved street lighting, emergency telephone numbers for calling the police), and considerable attention has been given to crime prevention through environmental design. Now, the planning, implementation, and evaluation of programs of these kinds require information about the identity of victims and the distribution of victimization, especially if the programs are aimed toward particular groups (cab drivers, the elderly) who are supposed to be special risks. Are there categories of persons who have an abnormally high risk of becoming victims of crime? If so, what are the reasons for those risks, and are the proposed preventive means feasible? Are there identifiable places or situations (high-rise buildings, school play grounds) in which the risk of victimization are abnormally high, regardless of the people who usually go there? Without information on these things, planning of crime prevention may be carried out in the dark and the information that is needed is not merely about numbers of events but about the people to whom those events happen.



### Needs of the Crime Victim

Until the early sixties, the crime problem has been historically dealt with almost exclusively by the criminal justice system. During the sixties, the system started opening up to citizens and community involvement. Why not involvement and input from the victim? If not input from the victim, the system should at least know the long range impact of crime. Except for the police officer that is exposed to the immediate loss or injury to the victim, there is very little awareness or understanding by the system of the real impact of crime. Fortunately, many victims are not seriously impacted by the offense, and others that do experience significant impact turn to friends or relatives for assistance. Some victims initiate a call for help to police, church, neighbors and insurance companies. Many victims, however, that experience high impact do not call for help. Bard and Sangrey (1979) describe the crime victim as having been assaulted emotionally and physically by a predator who has shaken the victim's world to the foundation. They retreat or become immobile while others become so fearful that they change residences or moves to another city and, in short, their lifestyle is substantially changed. It is for the later group of victims that the system must become more concerned. The criminal system must reach out to the victims whose behavior or lifestyle is altered or changed because of the crime. Many of the victims that experience high impact need are receptive to help. It is for this group of victims that the community and criminal justice system should be

concerned. Information regarding the impact of the crime of this group of victims could influence police action, plea bargaining, probation department recommendations and court disposition.

Another and equally important reason for a victim program is in reference to crime prevention. Community education and efforts to influence the actions and reactions of citizens are viewed as important crime prevention activities. Numerous studies have called for greater community involvement in the affairs and activities of criminal justice systems. These calls for community involvement are viewed as a step toward a more comprehensive effort in prevention and community education. The National Advisory Commission on Criminal Justice (1974) called for increased community education and community involvement work by police, probation and courts. This type of effort, particularly if delivered on a planned basis, should be viewed as an important dimension of a comprehensive crime prevention effort. A victim assistance program does provide an opportunity to provide information directly to members of the community that are probably the most concerned, the victim. This information helps remove the mystery and mystique surrounding the criminal justice system. This information is not only helpful and beneficial to the victim, but it could be a long term investment that could foster an improved community climate for the system. The desire for information is the need most frequently expressed by victims contacted by victim advocates. To meet this need, victims

could be provided a pamphlet that contains information regarding legal terms, court procedures, compensation programs, social service information and important telephone numbers for victims.

Growing concern for the victim of personal violence has led to new legislative efforts in many states and in the Congress to secure better treatment for crime victims, to protect victims of crime, to establish crime victims' assistance funds, and even to compensate in some manner the victims of crime (Siegel, 1982).

It is imperative that the entire criminal justice system, not just some segments of it, recognize its joint responsibility for establishing service programs for victims (National Organization for Victim Assistance, 1984). The following findings are a summary of many crime victim advocates. These impressions reflect clearly that there is a need for a coordinated effort from the criminal justice system to develop an effective victim services program.

1. The representatives of criminal justice system agencies have very little understanding or awareness of the long range impact of crime on victims.
2. All too often, the criminal justice machinery complicates the victim's life even more than the crime itself.
3. Probation Departments should provide direct services and should help provide leadership in the development of victim and witness services.
4. A significant percentage of victims do experience



impact to the degree that they will respond to assistance and referrals for needed services.

5. A small percentage of victims experience impact to the degree that it will affect them for a long time and possibly for life.

6. Victims want and deserve information regarding the procedures and policies of the criminal justice system.

7. A significant number of victims of violent crimes respond to the offer of psychological assistance.

In a country where crime is a prevalent part of daily life and a growing cause of fear and disruption, it is disturbing that we have not been more sensitive to the rights and needs of the victims who suffer the direct and indirect consequences of crime. The phrase, "The Criminal Justice System" is ironic in that it precisely defines the way in which we have chosen to respond to the crime problem; i.e., by focusing all of our energies on providing "justice" for the offender.

While the criminal justice system must remain concerned about providing justice to the offender, it must be equally concerned about humanizing the criminal justice system for victims of crime. Until recent years, the efforts of the criminal justice system in dealing with victims has been largely focused on obtaining restitution, with little interest or involvement in the fears, frustrations and concerns which abound internally with victims of crime (Young, 1986). It is hard to imagine that the criminal justice system invests so much energy to protect the rights

of criminals and so little effort to allay the fears of victims.

Samenow (1984) reports that initially, criminal activity inflicts damage to the victim either physically, monetarily, or emotionally. Most agencies within the criminal justice system have been concerned only with dealing with the physical or monetary damages suffered by the victim. There has been little concern with the emotional scars which linger long after the act of rape, assault, or burglary has taken place. There is a failure to recognize the deep-seated fears that remain with victims long after the physical violation has occurred.

As a just and humane people, Americans should support the rights of those who are victimized by crime with the same pride as we provide protection to those accused of crime. Rights which are designed to reduce the hardship and losses that many victims suffer are as important to the distribution of justice as rights which ensure fair and equal treatment of all citizens. Victims which are entitled to such rights include not only the direct victim of a crime, but dependents and family members (Tennessee Criminal Injuries Compensation Act, 1987). Witnesses, whether or not they are victims, also need to be accorded many of the same rights in their dealings with the criminal justice system.

The National Organization for Victim Assistance (1984) supports the adoption of a bill of rights for victims and witnesses. The following list is a summary of rights this organization has been advancing in recent years:

1. Victims and witnesses have a right to protection from intimidation and harm.
2. Victims and witnesses have a right to be informed concerning the criminal justice process.
3. Victims and witnesses have a right to counsel.
4. Victims and witnesses have a right to reparations.
5. Victims and witnesses have a right to preservation of property and employment.
6. Victims and witnesses have a right to due process in criminal court proceedings.
7. Victims and witnesses have a right to be treated with dignity and compassion.

The national adoption of a bill of rights such as those advocated above, is a necessity if the criminal justice system is to be humanized for victims and witnesses.

As many writers (Elias, 1983b; Knudten, 1976; Knudten, Knudten & Meade, 1975; Ziegenhaugen, 1977) have noted, most victimizations do not end with the crime. Often crime victims are victimized again by the treatment of obstacles they face after the crime, mostly at the hands of law-enforcement officials throughout the criminal process. Victims regularly encounter delays, financial losses, lost work time, lack of consideration, belittling treatment and other negative consequences from their involvement. This generally bad treatment only adds to the alienation of being victimized in the first place. In fact, one could suggest that many victims would be better off not reporting their case, so as to avoid a second victimization.



Sales, Baum & Short (1984) suggest that improving victim attitudes is also an important consideration for two reasons: (a) the reduction of victims' alienation with the criminal justice system and society, and (b) the contribution victims may make to law enforcement.

### Responsibilities of the Criminal Justice System

Criminal justice system administrators should collectively decide that the system has responsibility to be directly involved in the delivery of services to victims and witnesses. The California Office of Criminal Justice Planning (1982) dealt with this issue when it reported: "If the criminal justice agencies do not assume these responsibilities, increased interest in the problems from other groups will result in other less appropriate agencies taking the lead. This would mean that others are doing what the criminal justice agencies should do."

Victim services or victim advocacy programs, along with witness assistance efforts, have blossomed throughout the United States. However, there is no consistent organizational pattern for such programs, since they are based in district attorney offices, law enforcement agencies, a few Probation Departments, and numerous private agencies. The issue surrounding the organizational placement of such programs is an important consideration and one that deserves considerable discussion by citizens and representatives of criminal justice systems.

It is time that the agencies within the criminal justice system refocus priority to maximize the consideration given



to the victim and make every effort possible to humanize and explain the process that is occurring. This responsibility cannot be delegated to any one agency within the system but must be shared equally by all agencies, with different points of emphasis as the criminal case moves through the system. The Task Force on Criminal Justice Research and Development (1978) reported the following; Law enforcement, at the initial investigation, should make an effort to advise the victim as to what will occur following the initial investigation and should make regular follow-up contact with the victim to let them know what progress is being made in solving the crime. Law enforcement should also advise the victim as to where they can seek assistance of various types and should also provide counseling as to what steps they can take to prevent a recurrence of the crime. The District Attorney's Office should assume the primary responsibility for advising victims about the nature of the court proceedings and to provide assistance to the victim in testifying and appearing within the courtroom.

Law enforcement should assume the initial responsibility for referring the victim to assistance, and explaining the justice system process. Law enforcement should also assume the responsibility for advising the victim of the progress of the investigation and the apprehension of the criminal (Shelley, 1981).

Prosecuting attorneys should assume responsibility for advising the victim of the charges filed, or reason for not filing, court dates, testimony needed, etc. They should also

insure that a witness assistance program is developed (Washington Post, 1981).

The court, in addition to hearing the victim's testimony, should also help the victim understand the nature of the proceedings and facilitate the victim's requests or needs for information to use civil litigation (Department of Justice, 1981). Sentencing judges should have victim impact information at the time of disposition and the information should be a regular part of the pre-sentence report.

Probation Departments should assume responsibility for crisis counseling and crisis services for victims. They should be involved with providing victim impact statements and determination and collection of restitution (National Organization for Victim Assistance, 1985).

Probation departments should offer specific services and programs for victims of crimes and should also advocate the development of victim and witness services by other agencies (National Organization for Victims Assistance, 1984). Probation has an important, but not exclusive, role with victims and witnesses. Probation administrator's commitment to victim and witness service programs is related to perception regarding the role of probation services. If the administrator perceives the role or mission of probation to be limited to recommending dispositions and to supervising probationers, then the concept of victim services is an alien one. However, if the mission of probation is perceived to include delinquency and crime prevention, community education, dealing with the impact of crime and building good

community support for quality correctional services, then the administrator will place a high priority on providing services to victims, particularly victims of violent crime (California Office of Criminal Justice Planning, 1982).

These factors were recognized by the Chief Probation Officer of California when he adopted and published Probation Standards. He recognized that the purpose of probation was not the narrow, traditional viewpoint, but rather adopted the position that "the fundamental purpose of probation services is to aid in reducing the incidence and impact of crime in the community." In these standards, the need for both witness and victim programs were recognized as was the necessity of the Chief Probation Officer assuming a leadership role. In Standard No. 124, the position was taken that: "The Court should develop policies and practices to assure the witnesses, jurors and all others called to court proceedings shall be treated in an atmosphere of respect and, insofar as possible, comfort. It should be recognized that these individuals are performing a service for the Court and the people of the State of California. The Chief Probation Officer and other agency heads within the justice system shall work with the court to insure that these policies and practices are carried out." California Standard No. 371 stated: "The Chief Probation Officer shall develop policies and procedures designed to protect the rights, interests and concerns of the victim."

The following factors explain why Probation must be aggressively involved in the delivery of direct and indirect



services to victims and witnesses:

1. Probation departments interface with all other agencies of the criminal justice system, and probation staff have access to criminal justice information.
2. Probation is a county wide, community protection and casework agency.
3. Probation is knowledgeable regarding local services and resources throughout the community that could be helpful to victims.
4. Probation departments have a history and proven tract record with volunteerism.
5. Probation officers are mandated by law to assist the court during the dispositional phase of cases. Victim information should be provided to the court at the time of sentencing.
6. Probation departments have either legislatively mandated or judicially mandated responsibility in the area of financial restitution (American Bar Association, 1981).
7. Probation departments understand the languages, procedures and policies of other criminal justice system agencies that victims and witnesses must deal.
8. Probation departments should be involved in crime and delinquency prevention. Successful victim services can be an important element of prevention services.

The victim and witness movement that involves the delivery of direct services is still in its infancy, but is gaining stature and maturity with the active support of such



prestigious an organization as the American Bar Association, National Organization for Victim Assistance and the National District Attorney's Association. It is timely and appropriate for probation organizations to join with these and other organizations to make the criminal justice system more responsive and humane for victims that become entangled in the procedures of the criminal justice system (National Organization for Victim Assistance, 1985).

The California Office of Criminal Justice Planning (1982) stipulates that the probation department should attempt to establish a comprehensive victim service program that would provide intervention and assistance to the victim as soon as practical following the report of the crime to the police. Such a program can be established during volunteer victim aids, and by developing close communications with the police. These aids should be able to respond immediately upon being notified by the police, and can provide initial assistance and assessment to the victim. This assistance may include emergency cash, groceries, or housing, cleaning up bloodied or damaged homes, transportation, funeral arrangements, child care and contacting relatives or employers. The thrust of these immediate services is to aid victims in coping with the stress, confusion and disruption which frequently results from crime.

In addition to these primary, initial services, probation departments should also include victim impact statements in all court reports, and should provide assistance to victims in completing victim compensation forms

(Hudson et. al., 1975). Further, every probation department should establish a vigorous and aggressive restitution policy in an effort to help the victim recover from the financial impact of the crime.

## CHAPTER 3

## Summary, Conclusions, and Recommendations

It is an inescapable fact that the government, in efforts to reduce crime, has done very little for the increasing number of victims. Failing in its crime reduction efforts, the government has perforce failed the crime victim. It has been postulated that as a society, we have failed to put sufficient pressure on government to address this situation (Siegel, 1983).

The criminal justice system agencies each have an important role to play in humanizing the criminal justice process for the victim of crimes. The victim of a crime frequently feels more abused and misused by the criminal justice system than they were by the criminal. The criminal justice system has frequently operated on the basis of creating additional disruption and trauma to the lives of victims, with no sensitivity toward the feelings of the victims. This has been true of insensitive law enforcement interrogations, cold and distant treatment of victims as witnesses by the prosecuting attorneys, pre-emptory disregard for the concerns of victims by the courts, and cold and unfeeling inquiries into the monetary impact by the probation department. All agencies within the system must recognize that victims are human beings. In order to provide support and assistance for them, the agencies themselves must change their approach to a more human and caring style. The victim must be assured at each stage of the proceeding that the agencies are interested in the victim as a person, and

care about the feelings and trauma that the victim has suffered.

It is only since the early 70's that we can find the first systematic indications of an analysis of deviant behavior which also includes a more sympathetic account of the victim. This development has taken place in the fields of law, criminology and social psychology (Gulotta, 1976).

Criminal justice system agencies, including probation departments, should place a much greater priority on providing services to victims than they have done in the past. The victim of criminal offenses has historically been the forgotten person within the criminal justice system. Siegel (1983) defines victim not in terms of what trauma has been wrought, but in terms of what has happened within the person. While the victim's life has been traumatically disrupted by the criminal activities, criminal justice system agencies have traditionally viewed the victim only as a source of information. The criminal justice system has continuously failed to recognize that many needs exist within the victims and within the victim family, and have ignored the fact that victims need support, information, and assistance to reassemble their lives. While all criminal justice system agencies have consistently verbalized their primary mission as being to provide services to and protection for the community, they have ignored the fact that the victim is, in reality, that community. Criminal justice system agencies must shift their focus and become fully involved with victims, as partners, in restoring their lives



to the fullest extent possible.

Probation departments have several important roles in providing both direct and indirect services to victims of crime. A probation department, by virtue of its role within the criminal justice system, has a unique opportunity to provide a wide array of services to victims. Because of the technical expertise and training background of its personnel, probation departments are qualified to provide crisis intervention counseling of victims. Some promising treatment approaches have developed in the last few years. For the most part, these approaches involve three intervention stages: encouraging ventilation and actively listening; facilitating regaining of equilibrium and cognitive control through educative modeling and forecasting; and developing a service plan, including follow-up counseling (Symonds, 1980). By virtue of the fact that the probation officer is responsible for preparing a pre-sentence investigation on defendants and is responsible for monitoring and supervising the performance of the defendant during the period of probation, the probation officer is in a unique position to influence and collect restitution on behalf of the victim. The probation officer is also in a position to provide the technical assistance and information which victims need to complete compensation claims forms as well as generating action within small claims courts. The probation officer also has a thorough knowledge of other agencies which function within the community and is able to effectively refer victims to those agencies.

Probation departments also can provide several services to victims which are non-direct in nature. One of the most important of these is the preparation of victim impact statements and their inclusion as part of the pre-sentence investigation report to the court. The knowledge of the impact that the crime has had on the victim will frequently influence the court's sentencing practices. Although this does not directly help a particular victim, it does provide a real service toward holding defendants accountable for their behavior and, in many cases, determining the most effective program of custody and treatment for the defendant in order to avoid future criminal behavior. The probation department is also able to provide a powerful advocacy, both for new programs and for needed legislation that will provide assistance and services to victims.

Probation departments should provide support to private agencies that have demonstrated an interest in providing services to victims of crimes. Probation departments should be attuned to the needs of the community and resources which are available within the community. Private agencies historically have provided more assistance to the victims of crime and other disasters than have governmental entities. Rather than trying to duplicate the services available through these private agencies, probation departments should support the expansion of private agency programs and lend their technical expertise within the criminal justice system to assist private agencies in establishing a solid, workable program for dealing with victims of crimes.

Criminal justice system agencies each have an equally important role to play in providing direct and indirect services to victims of crime. It has been far too easy for the various parts of the criminal justice system to point an accusing finger at each other and say, you are responsible. It is time for each of the component parts of the criminal justice system to recognize that they are all joint and equal partners, with each having a full responsibility to maximize the services that are provided to victims. Each contact the victim in a different way and at a different point in time, but that in no way diminishes the responsibility of any agencies within the process. Sensitivity and concern for the needs of victims must be exhibited from the first contact with law enforcement through the last contact the victim has with a probation department regarding restitution.

Criminal justice system agencies must be coordinated in their efforts to assist the victim. While it is critical that all criminal justice system agencies assume their full responsibility in providing services to the victims of crimes, it is equally important that these efforts be provided in a coordinated manner. It would be frivolous and wasteful to have the agencies within the criminal justice system duplicating each other's services and thereby wasting their resources. This coordination can only take place through a coordinated effort by all agencies within the criminal justice system. Through this effort, it is imperative that each agency define how it can best provide services to the victims and how these services can be



coordinated with and linked to the agencies provided by other agencies.

Recently there has been a good deal of public and official interest in the potential for incorporating reparation into the criminal justice system (Blagg, 1985). Public opinion appears to favor some kind of addition to the system that would permit reparation by the offender directly to the victim; this interest arises, moreover, at the same time as growing dissatisfaction with a criminal justice system apparently incapable of achieving its aims of rehabilitation and deterrence (Downes, 1983).

Reparation, according to Blagg, (1985) should be considered for two reasons: first, to alleviate the distress of the victim and, secondly, to show the assailant the repercussions of his aggressive behavior. Riboni (1982) suggests that in the penal proceedings the injured party has not lost any of his rights, but his powers of intervention are limited. One form of intervention by the injured party is a request for punishment. Many countries oblige a request by the injured person for infractions.

Private agencies may be better able to provide primary victim and witness services within some jurisdictions than are the criminal justice system agencies. Each community is unique, and the characteristics of the individual community must be evaluated to determine which service within that community can be better provided by public agencies and which ones can better be provided by private agencies. There is no clear cut answer as to who can best provide the services, but



the emphasis must be based on careful evaluation, in light of available resources, to determine who can provide the most effective victim service programs within a given community. For every act of violence, there is a victim or victims. Many criminals are caught, but every victim is always punished. Psychology can perhaps make its greatest contribution to the victim of crime and violence.

Private agencies have an important role to play in providing specialized services to assist victims of sexual assault and family violence. Crimes of sexual assault and family violence frequently go unreported because of the victim's fear of the criminal justice system and especially because of their fear of having to testify in an open courtroom regarding these highly sensitive and personal matters. Consequently, the victim does not report the crime and does not seek help to deal with it emotionally. A private agency, by virtue of the fact that it is nongovernmental in nature, is able to set up programs which will provide specific emotional help for the victim of these crimes without the victims fearing the judicial process. Frequently, as a result of the counseling and guidance provided in these programs, the victims can be encouraged to involve themselves in the criminal justice system in order to hold the offender accountable.

Private agencies and criminal justice system agencies must develop a vehicle for coordination to insure that they will not duplicate program efforts and that will also insure that they share information. In a time of diminished fiscal

resources, it is imperative that all agencies which are attempting to provide services for victims effectively communicate with each other so that they will not duplicate services and squander resources which are difficult to obtain. It is equally important that these agencies share information on a regular basis, so that they will know what each other is doing, thereby being able to make more effective referrals for victims.

Public and private agencies should cooperate in research projects concerned with determining the impact of victim services and to determining the impact of crimes upon victims. Shapland (1984) reports "It is well known that the victim, beyond material injury, almost always suffers from an injury of an emotional character." While it is easy to raise sympathy for the plight of victims based on an emotional appeal, it has been extremely difficult to raise adequate funds for victim service programs with the absence of hard statistical data. It is time for both public and private agencies to band together to determine what type of research is needed and then to develop a strategy for conducting the research regarding the value of victim service programs and also the impact of crimes upon victims. With this information, the agencies are no longer limited to an emotional appeal for funds, but can concretely demonstrate the value of the program that they are attempting to provide.

Public and private agencies concerned with the victim of crimes should cooperate in a public education effort. The public must be educated by all agencies involved in the

provision of victim services as to the real impact of crimes upon victims and services that are available to victims. We regularly read in newspapers and hear on television the dramatic escalation of crime figures. We rarely see anything coming from any agency regarding the overall impact of crime upon its victim. One of the best opportunities to provide a concentrated public education program is through an extremely well planned and well coordinated effort. The consortium of agencies providing services to victims within a given community must meet and plan how they will approach the public education effort. It should include presentations at all service groups, P.T.A.'s etc. It should include radio, television and newspaper announcements and should include presentations to school age children within the community.

It is my contention that the system has as much responsibility to deal with victims and witnesses as it does offenders, even though values and financial resources are weighted in favor of the offender.

Once the system decides that it has a responsibility for victims and witnesses, then the next issue is what agency of the system should provide leadership and possibly assume responsibility for the delivery of services. It is important to note that all agencies have an important responsibility, but it is the writer's contention that the probation department is the logical agency to provide leadership to deliver direct services.



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