

CRIME VICTIM AWARENESS AND ASSISTANCE THROUGH THE DECADES

BY STACY LEE

In its 1967 landmark report *The Challenge of Crime in a Free Society*, the President's Commission on Law Enforcement and Administration of Justice asserted that one of the most neglected subjects in the study of crime was its victims.¹

"The single biggest factor affecting society's recognition of crime victims was *The Challenge of Crime in a Free Society*," said Barry Ruback, a Penn State University criminology and sociology professor who has a special interest in criminal victimization. "It was this report that indicated how little was known about crime victims. This recognition led to the creation of victimization surveys, which then revealed that the extent of unreported crime was so much greater than anyone had realized."

"During the early 1970s, the status of crime victims occupied a position wherein there was little agreement within the system as to the importance of such a group and about whom little was known," recalled the Rev. Robert Denton, director of the Victim Assistance Program in Akron, Ohio, at a March 1980 NIJ Special National Workshop.²

That began to change in 1974, when the U.S. Department of Justice's Office of Justice Programs (OJP) set its focus on how to meet the needs of crime victims. NIJ-funded research by Frank J. Cannavale³ had recently shown that the main reason for unsuccessful prosecutions was that witnesses and victims of crime were not being treated well by the criminal justice system and, therefore, were not cooperating in prosecutions.⁴ Donald E. Santarelli, the director of OJP at the time, responded by allocating funding to victim-witness programs.

In the same year, NIJ launched a new initiative to fund research that analyzed the needs and problems of crime victims.⁵ This initiative has flourished over the past 50 years, as NIJ has continued to play an integral role in performing and funding research on issues critical to victim recovery and evaluating victim services.



Over the years, NIJ has taken stock of the current state of the field of victimization to develop and enhance a research agenda with a focus on victim services research, victimization of special populations, and system responses to victimization.

“Since its founding, NIJ has been committed to supporting important research on crime victims,” said Thomas Feucht, former senior science advisor at NIJ. “For example, in the 1970s NIJ conducted foundational research to assess state victim compensation programs,⁶ and in the 1990s NIJ supported a pivotal research program to calculate the total costs of crime to victims and communities.”⁷

Feucht added, “NIJ’s commitment to research on issues regarding crime victimization continues today. Throughout the agency’s history, research like this has been essential to understanding victimization and to developing effective strategies to aid victims in their return to wellness and wholeness.”

“The fair administration of justice aspect of NIJ’s mission includes our responsiveness to victims of crime,” said Christine Crossland, a senior social science analyst at NIJ. “Over the years, NIJ has taken stock of the current state of the field of victimization in order to develop and enhance a research agenda with a particular focus on victim services research, victimization of special populations, and system responses to victimization. Most recently, NIJ has moved toward funding more rigorous research and evaluation designs to build solid evidence around programs that are working in responding to victims.”

Early Victim and Witness Programs

In 1974, OJP provided a grant to the National District Attorneys Association to create the first victim and witness programs in Milwaukee, Wisconsin, and Brooklyn, New York.⁸ OJP also provided funding to establish model programs to assist victims in seven other district attorneys’ offices throughout the United States, with the intention of increasing witness cooperation.

In the same year, law enforcement agencies — with funding from OJP — also began providing victim support services.⁹ Police departments in Fort Lauderdale, Florida, and Indianapolis, Indiana, were the first to offer programs to aid crime victims. As more law enforcement agencies provided victim assistance, the programs began to vary in regard to which services were provided and who could apply. Early victim assistance included help applying for state victim compensation¹⁰ and federal Supplemental Security Income, updates on court proceedings and restitution, 24-hour referral to social services, transportation to court and social service agencies, and translation for Spanish-speaking clients.

The first national agency to assist victims, the National Organization for Victim Assistance, was created in 1975.¹¹ Four years later, the National Association of Crime Victim Compensation Boards was formed to establish a national network for victim compensation programs.

In March 1980, NIJ-funded researchers at the University City Science Center in Washington, D.C., described victim-witness programs for elderly individuals in the report *Police Service Delivery to the Elderly*.¹² The researchers mailed surveys to state and local crime-related service programs that either targeted elderly people or served them as part of the larger population and found that 20 out of 119 qualified survey respondents¹³ offered victim-witness assistance programs. The survey results detailed the type of assistance that was provided and to whom it was offered. The study found that nine of the 20

law enforcement agencies provided victim services. The researchers noted that police departments in Indianapolis, Indiana; Evanston, Illinois; and Rochester, New York, offered assistance that was both direct and long term, starting at the notification of a crime and lasting through court case adjudication and sentencing, if applicable.

President's Task Force on Victims of Crime

On April 23, 1982, President Ronald Reagan established the President's Task Force on Victims of Crime to further address the complexities that crime victims face, which include feeling marginalized and neglected by the criminal justice system.¹⁴

"One of the most important developments to improve the criminal justice system during the past half century has been the recognition of crime victims' role in that process," said the Hon. Ed Meese III, who was appointed by President Reagan as the 75th Attorney General of the United States. "President Reagan emphasized that importance when he initiated the Task Force on Victims of Crime. That talented group accomplished a nationwide assessment of the situation and provided valuable recommendations on how to assist crime victims, treat them fairly, and engender their trust in our nation's system of justice. It also led to the establishment of Victim-Witness Coordinators in every U.S. Attorney's Office."

In the Task Force's final report, Chairperson Lois Haight Herrington appealed to readers to try to understand what it is like to be a victim: "You must know what it is to have your life wrenched and broken, to realize that you will never really be the same. Then you must experience what it means to survive, only to be blamed and used and ignored by those you thought were there to help you. Only when you are willing to confront all these things will you understand what victimization means."

Herrington said that the lives of the Task Force members would be forever changed by the victims they met and the stories they heard. The report

included comments from numerous crime victims, such as "I'm a senior citizen, but I never considered myself old. I was active, independent. Now I live in a nursing home and sit in a wheelchair. The day I was mugged was the day I began to die."

In its final report, the Task Force proposed 68 recommendations for federal, state, and local governments; the criminal justice system; and other organizations to help provide much-needed services and assistance to crime victims. In 1986, the Task Force issued a follow-up report detailing the positive changes that had occurred since its original recommendations were published.¹⁵ In addition to many federal reforms and actions, the Task Force noted an increased emphasis on victimization research, including more than 30 NIJ-funded studies on victims.

In November 1983, NIJ sponsored a conference with the National Judicial College in which two judges from every state learned about the impact they have when they meet with victims face to face.¹⁶ During the same month, the two groups sponsored a symposium for judges to help emphasize the significance of the Task Force's recommendations.

Meanwhile, in light of the Task Force's recommendation to educate students about self-protection, NIJ developed the School Crime and Student Misbehavior Project in 44 schools in three cities. NIJ also organized another program, Laws at Work, which established victim service programs at 10 large private-sector corporations.

The President's Task Force on Victims of Crime — as well as the victims' rights movement of more than a decade earlier — contributed to the creation of the Victims of Crime Act of 1984 (VOCA), which established the Crime Victims Fund. The fund is subsidized by federal criminal fines and penalties, forfeited bail bonds, and special assessments; private donations are also made. In 1988, Congress authorized the Office for Victims of Crime (OVC), which had been formed in 1983, to administer the victim assistance and compensation monies from the

Crime Victims Fund to all U.S. states and territories. The funding can also be used for specific programs, training, and technical assistance for crime victim support and research.

The Violence Against Women Act

By 1990, every state had adopted a victims' bill of rights and the Crime Victims Fund had reached a total of \$146 million. In 1994, Congress passed the Violence Against Women Act (VAWA), which allocated \$1.6 billion over five years¹⁷ for programs to combat violence against women, specifically focusing on intimate partner violence and sexual assault. VAWA criminalized intimate partner violence and violations of protective orders for women and sought to improve criminal justice responses to crimes against women.

NIJ-funded research, particularly the Minneapolis Domestic Violence Experiment, helped shape the formation of VAWA.¹⁸ The experiment, conducted by the Minneapolis Police Department and the Police Foundation from 1981 to 1982, found that arrest was the best law enforcement response for deterring intimate partner violence.¹⁹ However, this approach backfired in other states. Since then, NIJ has awarded numerous research and evaluation grants under VAWA and its reauthorizations.²⁰ (Read the related article "Employing Research To Understand Violence Against Women" on page 24.)

Evaluating Victim Assistance Programs

In 1998, OVC released *New Directions from the Field: Victims' Rights and Services for the 21st Century*, which highlighted progress since the President's Task Force reported its findings.²¹ The report noted, "Today, we can be proud that our nation listened and responded to victims and their advocates. Victims' rights laws have been enacted in every state, more than 10,000 victim assistance programs have been developed around the country, and every state has established a crime victim compensation program."

However, the OVC report pointed out that many crime victims were still excluded from actively participating

in their cases, many crime victims' rights laws were not being administered, and many states were failing to allow victims to consult with prosecutors on plea agreements or to be involved in pretrial release decisions. OVC solicited input from hundreds of individuals — including crime victims, criminal justice practitioners, victim advocates and service providers, VOCA state administrators, and others — to inform the recommendations and action items outlined in its report.

Two studies — one in 2002 and one in 2003 — commissioned by NIJ and funded by OVC examined the needs of crime victims as well as how they use available services.²² Researchers at the Urban Institute in Washington, D.C., and Safe Horizon in New York conducted telephone surveys with all state VOCA assistance and compensation administrators; made site visits to 12 states; hosted focus groups with crime victims; and interviewed via telephone more than 1,800 crime victims who reported specific crimes to law enforcement, used VOCA-funded direct service providers, or filed a compensation claim. The studies found that victims have a wide array of needs that differ depending on the type of crime and the demographics of the victims. The researchers reported that many victims do not use formal victim service programs, which are funded by government or nongovernment agencies to support victims; instead, they use informal supports such as families, friends, and co-workers. The researchers recommended outreach to these underserved victims and an extension of services, arguing that many crime victims do not receive support from informal sources either. Crime victims who used VOCA-funded services reported being satisfied with the services, with 60% indicating that their needs were met.

"This study demonstrated the importance of identifying successes, challenges, and barriers to effective service delivery for victims from diverse populations while keeping in mind that such efforts must be tailored to meet the specific needs arising from the different types of victimization experienced," Crossland said.

In 2007, NIJ funded an impact evaluation of the National Crime Victim Law Institute's (NCVLI)²³ victims' rights clinics.²⁴ The results indicated that these clinics — which NCVLI established to advocate for victims' rights within the criminal justice system — influenced the promotion of victims' rights in individual cases and encouraged more supportive views toward victims' rights among court officials. The clinics also had some influence on the expansion of rights through "involvement in influential appellate decisions and legislative efforts."²⁵

Vision 21

In 2013, OVC released *Vision 21: Transforming Victim Services Final Report*, a follow-up to its 1998 *New Directions from the Field* report.²⁶ The concept began in 2010 when OVC leadership heard from advocates about problems that victims still faced, including being turned away because agencies did not have enough funding or could not provide needed services. Also, there were new issues related to how to treat victims of human trafficking (see sidebar, "The Fight Against Human Trafficking"), child commercial sexual exploitation, and financial fraud. OVC funded the National Crime Victim Law Institute, National Center for Victims of Crime, Vera Institute of Justice Center on Victimization and Safety, National Crime Victims Research and Treatment Center of the Medical University of South Carolina, and OVC's Training

and Technical Assistance Center to study the state of victim assistance. The agencies met with victim service providers and advocacy groups, state VOCA providers, and other stakeholders.

"We were part of the Vision 21 conversation about how to enhance the evidence and knowledge base of the victim services field in establishing these practitioner partnerships with researchers to help inform the programs and services that are being delivered," said former NIJ social science analyst Bethany Backes.

Crossland added that Vision 21 expanded victim services and provided direction for future research and evaluation efforts. The final report identified numerous issues, including the lack of victim reporting, victim-related statistical data, and comprehensive practical data and the difficulty of determining exactly who is included in the victim assistance field. It listed transformative changes under four categories:

- Conduct continuous rather than episodic strategic planning in the victim assistance field to effect real change in research, policy, programming, and capacity building.
- Support the development of research to build a body of evidence-based knowledge and to

The Fight Against Human Trafficking

Human trafficking continues to be a research priority for NIJ; however, many challenges are involved. For example, victims are highly vulnerable and largely hidden from the public, which makes it particularly difficult to obtain accurate statistics on the amount of people trafficked per year.

The United Nations defines human trafficking as "the recruitment, transportation, transfer, harboring, or receipt of persons by improper means (such as force, abduction, fraud, or coercion) for an improper purpose including forced labor or sexual exploitation."¹ On October 28, 2000, the Victims of Trafficking and Violence Protection Act of 2000 (TVPA)² became the first comprehensive federal law to address the issue and provided a three-pronged approach: prevention, protection, and prosecution. On November 15, 2000, the United Nations General Assembly passed the United Nations Convention Against Transnational

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Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.³

“The passage of the TVPA launched trafficking in the spotlight,” said Amy Leffler, a social science analyst who manages NIJ’s Human Trafficking Portfolio. “Since that time, NIJ has developed a robust trafficking research portfolio, which continues to focus on five core areas of knowledge: the nature and extent of trafficking; identifying and investigating traffickers; prosecuting traffickers; services for trafficking victims; and reduction in demand for trafficking.”

Over the years, NIJ-funded research has revealed many important details about both labor and sex trafficking, which has helped guide policy and practice throughout the country. For example, an official White House statement on the passage of the Allow States and Victims to Fight Online Sex Trafficking Act of 2017 (FOSTA) cited a 2014 NIJ-funded study by the Urban Institute. The study reported that the internet introduced new markets for sex work and sex trafficking advertisement and recruitment, and that perpetrators consider pimping to involve less risk than other crimes, such as drug trafficking. According to the study, pimps move in circuits among other cities with underground commercial sex economies and use social networks to gain information and arrange transport. Offenders also rely on people already under their control to recruit others for sex work.⁴

“This groundbreaking study not only provided the first scientifically rigorous estimates for the revenue generated in the underground commercial sex economy, but also included rich qualitative analysis of trafficking operations, law enforcement perceptions and response, and victimization,” Leffler said.

Understanding more about the victims of trafficking is important as we strive to better identify this population. A 2011 NIJ-funded study by the Urban Institute found that most labor trafficking victims were recruited to come to the United States from within their home country, which was usually in Latin America or Asia. The study found that 71% of the victims surveyed came to the United States legally on a temporary visa. However, by the time they escaped their labor trafficking situation and pursued help from a service provider, 69% had lapsed visas. The employers often used immigration status as a threat to control their victims along with other forms of force, fraud, and coercion. Labor trafficking occurred in many industries, the most common being agriculture, domestic service, and hospitality.⁵

Also in 2011, the Vera Institute of Justice used NIJ funding to develop, test, and validate a screening tool for victims of human trafficking. It determined that 87% of the screening tool questions identified human trafficking victimization and 53% of the 180 screening question respondents were human trafficking victims. The final report indicated that the screening tool has the potential to help not only victim service providers but also investigators and prosecutors of human trafficking cases.⁶

Evaluation of victim services is important for gauging proper protection and prevention of such crimes. In 2009, NIJ awarded a grant to RTI International to evaluate three programs funded by the Office for Victims of Crime (OVC) that serve victims of sex and labor trafficking who are under age 18. The study found that human trafficking victims are diverse and, although these programs did relate to some trafficked youth, they did not meet the needs of others. It ultimately determined that “OVC-funded programs offered unique expertise in trauma and resiliency, understanding of street economies, and the ability to align themselves with young people in a way that formal agencies rarely could.”⁷

To gain a holistic understanding of human trafficking, we must understand the demand. A 2008 NIJ-funded study by Abt Associates examined criminal justice strategies and collaborative programs around the country that decrease the demand for commercial sex. As a result of the study, the website DemandForum.net was launched in 2012. The website details successful tactics used around the country to deter men from buying sex and offers a guide for cities, counties, and practitioners to begin, improve, and maintain anti-demand initiatives.⁸

NIJ-funded research⁹ has shown that human trafficking can happen anywhere in the United States; it does not occur only in large cities. There is a common misconception that human trafficking victims are mostly brought to the United States from other countries; however, many victims are U.S. citizens. Leffler stated that NIJ remains committed to research that will develop the building blocks needed to better understand sex and labor trafficking and the unique challenges that affect victims, law enforcement, and the judicial system, and also to dispel misconceptions and provide clarity to this complicated crime.

Notes

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3. *United Nations Convention Against Transnational Organized Crime and the Protocols Thereto*, United Nations Office on Drugs and Crime, 2004.
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9. The studies highlighted here are a small sample of the research that NIJ has funded on human trafficking. For more information, visit NIJ.ojp.gov, keyword: human trafficking.

generate, collect, and analyze quantitative and qualitative data on victimization, emerging victimization trends, services and behaviors, and enforcement efforts.

- Ensure the statutory, policy, and programmatic flexibility to address enduring and emerging crime victim issues.
- Build and institutionalize capacity through an infusion of technology, training, and innovation to ensure that the field is equipped to meet the demands of the 21st century.

More Research Is Needed

In December 2014, NIJ hosted a Technical Working Group on Violent Victimization Research that included a discussion on providing victim services.²⁷

“Historically, researchers have not been well-funded to study victim services that are not specific to domestic or sexual violence,” said Backes. “Service provision is a complex practice and providers are often overburdened and underfunded, making it difficult to participate in research.”

According to Backes, there are also challenges in conducting victim services research — for instance, researchers and providers frequently do not speak the same language; there are ethical and privacy challenges in studying victims, especially those in crisis; and the needs of crime victims vary greatly from person to person. “Understanding how valuable these programs are to victims is still unknown,” said former NIJ social science analyst Carrie Mulford.

To address these issues, NIJ and OVC have provided opportunities for building researcher-practitioner partnerships to concentrate on gaps in the evidence base of programs and services. NIJ and OVC have also collaborated to evaluate promising programs and practices for crime victims. For example, OVC established a grant program to support wraparound legal services for victims; NIJ is currently evaluating the program. The goal is to provide comprehensive legal services to address each victim based on individual needs.

In addition to large-scale evaluation efforts, NIJ — with funding from OVC — began publishing a Victims of Crime solicitation in fiscal year 2015. This effort continues, and for fiscal year 2018 NIJ and OVC focused on developing evidence in three main areas of victim assistance: legal assistance, housing and shelter, and technology-based victim services.

“NIJ’s victims of crime program of research was developed to improve knowledge and understanding of violence and victimization at the individual, family, and community levels and fill critical research gaps,” Crossland said. “With support from its sister agencies, NIJ supports the development of a body of evidence-based knowledge for the field, including the ability to generate, collect, and analyze quantitative and qualitative data on victimization, emerging trends, services, enforcement efforts, and victim needs.”

About the Author

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Notes

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2. Rev. Robert Denton, “Evaluating Victim Assistance Programs: A Historical Understanding of the Information We Wish We Had,” Special National Workshop, March 17-19, 1980, Criminal Justice Program Evaluation, Selected Workshop Papers, Washington, DC: U.S. Department of Justice, National Institute of Justice, 1981, NCJ 075713, <https://www.ncjrs.gov/pdffiles1/Digitization/75712NCJRS.pdf>.
3. NIJ published Cannavale’s findings on witness and victim cooperation in addition to a handbook of witness management titled *Improving Witness Cooperation* in 1976. In the book’s foreword, then-NIJ Director Gerald M. Caplan discussed the importance of witness and victim cooperation in a case, noting a recent NIJ-funded study on the criminal investigation process that determined information from victims and witnesses is vital in solving crimes. Marlene Young and John Stein, *The History of the Crime Victims’ Movement in the United States*, Washington, DC: U.S. Department of Justice, Office for Victims of Crime,

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 8. These were not the first victim assistance programs in the United States, but they were the first to be funded by the federal government. The first victim assistance programs were Aid for Victims of Crime in St. Louis, Bay Area Women Against Rape in San Francisco, and D.C. Rape Crisis Center in Washington, D.C. All of these programs were founded in 1972.
 9. Young and Stein, *The History of the Crime Victims' Movement in the United States*.
 10. State victim compensation began in California in 1964. Other states, including New York, followed its lead soon after.
 11. The idea for a national agency to assist victims was introduced at the first crime victim assistance conference, sponsored by OJP, in 1973.
 12. Stephen Schack, Grant Grissom, and Saul Barry Wax, "Police Service Delivery to the Elderly," Final report to the National Institute of Justice, grant number 76-NI-99-0137, March 1980, NCJ 090238, <https://www.ncjrs.gov/pdffiles1/Digitization/90238NCJRS.pdf>.
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 23. Professor Doug Beloof created the National Crime Victim Law Institute in 1997 at the Lewis & Clark Law School in Portland, Oregon, as a national resource for crime victim lawyers and victims to promote victims' rights in criminal and civil processes.
 24. Robert C. Davis, James M. Anderson, Susan Howley, Carol Dorris, and Julie Whitman, "No More Rights Without Remedies: An Impact Evaluation of the National Crime Victim Law Institute's Victims' Rights Clinics, Executive Summary," Final report to the National Institute of Justice, grant number 2007-VF-GX-0004, April 2013, NCJ 241753, <https://www.ncjrs.gov/pdffiles1/nij/grants/241753.pdf>.

25. Ibid.

26. Office for Victims of Crime, *Vision 21: Transforming Victim Services Final Report*, Washington, DC: U.S. Department of Justice, Office for Victims of Crime, May 2013, NCJ 239957, https://ovc.ncjrs.gov/vision21/pdfs/Vision21_Report.pdf.

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