Appendices

Appendix 1: Methodology

The combined experience of the members of this Task Force in the victim and criminal justice fields is extensive. While our study was informed by our experience, we wanted to ensure that our conclusions were not the product of an insular or preconceived attitude.

We contacted professionals in those areas that touch on the victim experience, including police officers, hospital personnel, victim service providers, nurses, doctors, prosecutors, judges, private attorneys, probation and parole officers, prison and parole officials, university and law professors, researchers, mental health professionals, school teachers and administrators, members of the press, representatives from private industry, and governors, mayors, and legislators.

We compiled and analyzed as much printed material as we could acquire from governmental, academic, professional, and private sources. The synthesis of these data augments heavily the other aspects of our investigation. Crucial to our approach, however, was the concept that it was necessary to hear directly from those whose lives have been touched by crime. Therefore, we spoke at length and in great numbers with innocent people who have been victimized.

We also wanted to gain as accurate a perception as possible of what is now being done to help victims, as well as what has been tried with both successful and unsuccessful results. We found good programs in some jurisdictions and some fine first efforts in others. But one caveat must be borne in mind. Victims' problems are multifaceted, with components in almost all sectors of society. There are problems with attitudes and perceptions as well as problems with programs. Even where sound victim/witness assistance programs are in place, those victimized by crime still suffer hardship and ill treatment. Well-conceived and operated programs, as important as they are, will not provide the complete solution.

We wanted to make certain that this would not be a parochial scrutiny; to that end, we conducted hearings around the country. We decided not to hold sessions in cities that had been visited recently by other task forces or commissions dealing with criminal justice issues, because we felt we could profit by studying the information they gathered and because we wanted to give citizens from other areas the opportunity to speak to these issues. Our hearings were convened in Boston, San Francisco, Denver, St. Louis, Houston, and the District of Columbia. In addition, a great many citizens from around the nation contributed to the inquiry in personal interviews, by written submissions, by letter, and by telephone communication.

We wish to state as forcefully as possible that this Task Force does not seek to undermine in any way the essential safeguards that protect every citizen, including those accused of crime. The issues we address and the concerns we voice are not the product of any such motivation. On the contrary, it is our firm belief that every citizen must be able to expect fair treatment by his government and the system of justice that that government guarantees. What we have found is that the U.S. criminal justice system now operates in a manner that does not extend that requisite equity to all. Our sole desire is to restore a balance to the scales of justice.

This report is intended as a synthesis of information; it is not a research treatise. Research work has been undertaken by others, and their conclusions have been taken into account. Neither is this report an encyclopedic presentation of all that we have learned. We concluded that overwhelming the reader with material would undermine the impact of our recommendations. In making these recommendations we have attempted to articulate direct and workable solutions.

This report and recommendations are made to the President and the Attorney General. However, the solutions to the problems of victims will be found in federal, state, and local governmental action by executives, legislators, and judges, as well as in the actions of concerned professionals and private citizens. We have organized our report to highlight those areas of responsibility. We recognize that the implementation of these solutions must be approached with flexibility to allow for variations in local conditions. For

this reason, we have intentionally refrained from mandating a single approach to implementation.

Some matters of presentation should be clarified. First, those citizens who are not direct victims of crime but who are inevitably affected by it, such as witnesses or surviving family members of homicide victims, share many of the same problems as victims, particularly with regard to their treatment by the judicial system. However, constant reference to "victims and witnesses" is stylistically cumbersome. We hope the reader will appreciate that the absence of repeated references to witnesses per se in addition to victims should not be read to imply that witnesses are not entitled to the same appropriate treatment. Similarly, both men and women are judges, lawyers, and doctors, as both are victims of crime; the traditional use of the masculine pronoun as inclusive of both genders is not meant to imply the contrary. Finally, we have tried to capture the tone of what we heard during our study by quoting victims directly; however, for the sake of their privacy and security, we have not identified victims by name if they requested anonymity.

Appendix 2: Model Victim/Witness Units

Experience has shown that the only way of ensuring that the needs of victims and witnesses are met is to have a separate unit solely dedicated to their assistance. Prosecutors, police, court personnel, and others in the criminal justice system are already overworked; moreover, these professionals may have to direct their primary efforts in ways not always consistent with response to victim needs.

Whether the victim/witness assistance unit is placed within some component of the criminal justice system or outside the system in a social service organization is best left to local determination. Excellent units are operating in police departments, prosecutors' offices, probation departments, and social service agencies. Some areas have excellent volunteer victim/witness assistance units. What is important is that the unit be well organized and staffed by dedicated personnel, that it be funded generously enough to provide comprehensive services, and that its actions be coordinated with those of agencies within the criminal justice system, private service groups, and business organizations.

The success of such units is measured by how swiftly and well they meet the needs of victims and witnesses. We have identified the needs that we consider most important, the ones that every victim witness unit should meet. A model victim/witness assistance unit should:

- 1. Assist every victim who reports a crime, whether or not an arrest is made.
- 2. Respond to the scene of the crime to make crisis counseling available. Programs that offer such services include the following: Victim/Witness Unit, Alameda County, Calif.; Victim/Witness Unit, Sacramento County, Calif.; Victim/Witness Unit, Ventura County, Calif.; Victim Information Program, Louisville, Ky.; Crime Victims Center, Minneapolis/St. Paul,

- Minn.; Victim Assistance Program, Glendale, Ariz.; Victim/Witness Unit, Greenville, S.C.; Victim Services Agency, New York, N.Y., and Victim/Witness Unit, Lincoln Police Department, Lincoln, Neb.
- 3. Provide 24-hour telephone hotline service to victims and witnesses for assistance, particularly if threats or intimidation occur. Programs that offer such services include the following: Victim/Witness Advocate Program, Pima County, Ariz.; Crime Victims Center, Minneapolis/St. Paul, Minn.; Victim Services Division, Colorado Springs Police Department, Colorado Springs, Colo.; Victim/Witness Unit, Indianapolis, Ind.; Victim/Witness Unit, Evanston, Ill.; Victim/Witness Unit, Scottsdale, Ariz.; and Victim/Witness Unit, Ft. Lauderdale, Fla.
- 4. Make emergency monetary aid available to help needy victims make their homes secure, replace such things as glasses and hearing aids, and buy food and other necessities. Programs that offer such services include the following: Victim/Witness Advocate Program, Pima County, Ariz.; Crime Victims Center, Minneapolis/St. Paul, Minn.; Victim Services Agency, New York, N.Y.; Victim/Witness Unit, Chester, Pa.; Victim/Witness Unit, Dade County, Fla.; and Victim/Witness Unit, Ft. Lauderdale, Fla.
- 5. Refer victims to appropriate social service and victim compensation programs and assist in filling out forms for compensation. Programs that offer such services include the following: Victim/Witness Assistance Unit. Boulder. Victim/Witness Assistance Colo.: Center. Clark County, Nev.; Victim Assistance Project, Multnomah County, Ore.; Victim /Witness Assistance Unit. St. Louis, Mo.; Victim/Witness Unit, Sacramento County, Calif.; Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Honolulu, Hi.; Victim/Witness Unit, King County, Wash.; Victim/Witness Unit, Denver, Colo.; and Crime Victims Center, Minneapolis/St. Paul, Minn.

- Educate the public about the operation of the criminal justice system and the way it treats victims. Public education is a major focus of the Boston area Victim/Witness programs.
- Assist in prompt return of victim's property. Programs that offer such services include the following: Project Turnaround, Milwaukee, Wisc.; Victim/Witness Unit, Alameda County, Calif.; and Victim/Witness Unit, Sacramento County, Calif.
- 8. Notify the victim of progress of the investigation, the defendant's arrest, subsequent bail determination and status of the case as it proceeds through the system. Programs that offer such services include the following: Victim/ Witness Assistance Unit, Boulder. Colo.: Victim/Witness Assistance Center. County, Nev.; Victim Assistance Project, Multnomah County, Ore.; Victim/Witness Assistance Unit, St. Louis, Mo.; Victim/Witness Unit, Sacramento County, Calif.; Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Honolulu, Hi.; Victim/Witness Unit, King County, Wash.; Victim/Witness Unit, Denver, Colo.; and Crime Victims Center, Minneapolis/St. Paul, Minn.
- 9. Assist victims in making appropriate input on the following: bail determinations, continuances, plea bargaining, dismissals, sentencing, restitution and parole hearings. Programs that offer such assurance on bail determinations include: Victim/Witness Unit, Chicago, Ill., and Victim/Witness Assistance Unit, St. Louis, Mo.; on sentencing, Victim Information Unit, Louisville, Ky.; and on parole, Victim/Witness Unit, Muskogee, Okla.
- 10. Consult with victims and witnesses to facilitate the setting of convenient hearing dates. Programs that offer such services include the following: Victim/Witness Assistance Unit, Boulder, Colo.; Victim/Witness Assistance Center, Clark County, Nev.; Victim Assistance Project, Multnomah County, Ore.; Victim/Witness Assistance Unit, St. Louis, Mo.; Victim/Witness

- Unit, Sacramento County, Calif.; Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Honolulu, Hi.; Victim/Witness Unit, King County, Wash.; Victim/Witness Unit, Denver, Colo.; and Crime Victims Center, Minneapolis/St. Paul, Minn.
- 11. Implement a victim/witness on-call system. Programs that offer such services include the following: Victim/Witness Unit, Denver, Colo.; Project Turnaround, Milwaukee, Wisc.; Victim/Witness Unit, Peoria, Ill.; Victim Information Unit, Louisville, Ky.; Victim Services Agency, New York, N.Y.; Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Greenville, S.C.; and Victim/Witness Unit, Adams County, Colo.
- 12. Intercede with the employers or creditors of victims or witnesses. Programs that offer such services include the following: Victim/Witness Unit, Greenville, S.C.; Victim Assistance Project, Multnomah County, Ore.; and Victim/Witness Unit, Peoria, Ill.
- 13. Assist the elderly and handicapped in arranging transportation to and from court. Programs that offer such services include the following: Jamaica Service Program for Older Adults, Jamaica, N.Y.; Victim/Witness Unit, Clark County, Nev., and Victim Assistance Project, Multnomah County, Ore.
- 14. Provide a translator service. Programs that offer such services include the following: Victim/Witness Unit, Essex County, Mass.; Victim Services Agency, New York, N.Y., and Victim/Witness Unit, Dade County, Fla.
- 15. Coordinate efforts to ensure that victims have a secure place to wait before testifying. Programs that offer such services include the following: Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Portsmouth, Va.; Victim Services Agency, New York, N.Y., and Project Turnaround, Milwaukee, Wisc.
- 16. Provide counseling or companionship during court appearances when appropriate. Programs that offer such services include the following: Victim/Witness Assistance Unit, Boulder,

Colo.; Victim/Witness Assistance Center, Clark County, Nev.; Victim Assistance Project, Multnomah County, Ore.; Victim/Witness Assistance Unit, St. Louis, Mo.; Victim/Witness Unit, Sacramento County, Calif.; Victim/Witness Unit, Ventura County, Calif.; Victim/Witness Unit, Honolulu, Hi.; Victim/Witness Unit, King County, Wash.; Victim/Witness Unit, Denver, Colo.; and Crime Victims Center, Minneapolis/St. Paul, Minn.

Appendix 3: Witnesses Before the President's Task Force on Victims of Crime

Witnesses at each hearing are listed according to the order in which they appeared before the Task Force.

Hearing in Washington, D.C., September 14–15, 1982

William French Smith, Attorney General of the United States

John Heinz, U.S. Senator, State of Pennsylvania Evelvn Blackwell, crime victim

Marlene A. Young, Executive Director, National Organization for Victim Assistance

D. Lowell Jensen, Assistant Attorney General, Criminal Division, U.S. Department of Justice George Sunderland, Senior Coordinator, American

Association of Retired Persons

Edwin C. Meese, counselor to the President

Rufus L. Edmisten, Attorney General, State of North Carolina

Lynn A. Marks, Executive Director, Women Organized Against Rape, Philadelphia, Pa.

Dorothea Morefield, crime victim

Morton Bard, Professor of Psychology, City College of New York

Crime victim (name withheld on request)

Crime victim (name withheld on request)

Deborah P. Kelly, Assistant Professor, University of Maryland

Howard Safir, Assistant Director for Operations, U.S. Marshal's Service

David L. Armstrong, Commonwealth's Attorney, 30th Judicial District, Louisville, Ky.

Reggie Walton, Judge of the Superior Court of the District of Columbia

Stanley S. Harris, U.S. Attorney for the District of Columbia

Rev. H. A. Hunderup, Portsmouth, Va., Police

Department Chaplaincy Corps

Lieut. R. K. Gaddis, Portsmouth, Va., Police Department

Kathy Musser, crime victim

Ann W. Burgess, D.N.Sc., Associate Director of Nursing Research, Boston City Hospital

Kenneth Lanning, Special Agent, Behavioral Science Unit, Federal Bureau of Investigation

Michael Watson, Special Agent, Federal Bureau of Investigation

Daniel J. Popeo, General Counsel, Washington Legal Foundation

Sylvia Bacon, Judge of the Superior Court of the District of Columbia, and Immediate Past Chairperson, American Bar Association Section on Criminal Justice

Laurie O. Robinson, Director, American Bar Association Section on Criminal Justice

Susan W. Hillenbrand, Victim/Witness Assistance Project, American Bar Association Section on Criminal Justice

John Walsh, crime victim

Joyce Thomas, R.N., Director, Child Protection Unit, Children's Hospital National Medical Center, Washington, D.C.

David Lloyd, Attorney-at-Law, Child Protection Unit, Children's Hospital National Medical Center, Washington, D.C.

Gary D. Gottfredson, Director, Program in Delinquency and School Environments, Johns Hopkins University

Chiquita Bass, crime victim

James Ahrens, Law Enforcement Specialist

Susan Salasin, Chairperson, Committee on the Mental Health Services Needs of Victims of Violence, World Federation for Mental Health

Rev. Herman Head, Prison Fellowship

Hearing in Boston, Mass., September 21–22, 1982:

William F. Weld, U.S. Attorney, Boston, Mass. Kevin M. Burke, District Attorney, Essex County, Mass.

Margaret Grogan, crime victim

Barbara E. Gray, Massachusetts State Representative Mary Jo Zingarelli, crime victim

Lucy N. Friedman, Ph.D., Director, Victim Service Agency, New York City

Rev. Neal J. DeStefano, S.J., Chaplain, Quincy, Mass., Police Department; Chaplain, Boston City Hospital Ronald C. Zweibel, President, National Association of Crime Victim Compensation Boards

Daniel McGillis, Ph.D., Center for Criminal Justice, Harvard Law School; Consultant, Abt Associates Inc. Patricia Smith, Abt Associates Inc.

Sally Bowie, Lic.S.W., Director, Rape Crisis Intervention Program, Beth Israel Hospital, Boston, Mass.

Robert Dumond, Director, District Attorney's Victim/Witness Assistance, Northern Essex County, Mass.

George Carroll, crime victim

Julio Vargus, crime victim

Mrs. Alan Dixon, crime victim

David Lowenberg, Director, Victim/Witness Program, Pima County, Ariz.

Lorna Bernhard, R.N., B.S., Head Nurse, Pediatric Emergency Room, Boston City Hospital Susan J. Kelley, R.N., M.S., Nurse Coordinator,

Massachusetts State Office of Emergency Medical Services

William G. Robinson, Massachusetts State Representative

Barbara Kaplan, crime victim

Karen McLaughlin, Director, Victim Assistance Program, Essex County, Massachusetts District Attorney's Office

Richard M. Cook, crime victim

Charles Austin, Reporter, WBZ Television News David J. Millet, Lieutenant, Police Department, Marblehead, Mass.

Michael Levitt, Reporter, WNEV Television News

Emily Chandler, R.N., M.S., Director of Psychiatric Services, Boston Department of Health and Hospitals Maureen Ellis, R.N., M.S., Psychiatric Clinical Specialist for Pediatric Nursing, Boston City Hospital Martin A. Walsh, Cochairperson, Greater Boston Civil Rights Coalition

Joseph Feaster, Jr., Cochairperson, Greater Boston Civil Rights Coalition

Dennis J. Roberts II, Attorney General, State of Rhode Island

Sister Annunciata Bethell, Director, Bedford Park Multi-Service Center for Senior Citizens Inc., Bronx, N.Y.

Crime victim (name withheld on request)

Amy Singer, Director, Victim/Witness Program, Middlesex County, Massachusetts District Attorney's Office

Crime victim (name withheld on request)

Robert Grayson, crime victim; Chairman, New Jersey Council on Crime victims

Gail Pisarcik, R.N., M.S., C.S., Coordinator, Emergency Services for Rape Victims, Massachusetts General Hospital

Janet Yassen, M.S.W., Lic.S.W., Clinician, Cambridge-Somerville, Massachusetts Mental Health & Retardation Center; Member, Boston Area Rape Crisis Center

Margaret Kelly, crime victim

Rose Cropper, crime victim

Rosemary Kelly, Coordinator, Victim/Witness Assistance, Suffolk County, Massachusetts District Attorney's Office

Newman Flanagan, District Attorney, Suffolk County, Mass.

Hearing in San Francisco, Calif., September 30— October 1, 1982

Dianne Feinstein, Mayor, City of San Francisco Michael Salerno, crime victim Harriet Salerno, crime victim Marilyn Hall Patel, U.S. District Judge, San Francisco, Calif.

Annette Carlson, crime victim

Elizabeth Stewart Carlson, crime victim

George Nicholson, Coauthor, California Victim Bill of Rights

Donald McGrath, II, Attorney-at-Law

Merrill J. Schwartz, Attorney-at-Law

Thomas Peters, Ph.D., Director, Office of Forensic Services, San Francisco Department of Public Health

Margaret Reiss, M.S.W, Center for Special Problems,

San Francisco, Department of Public Health

Linda Eberth, M.S.W, Sexual Trauma Services, San Francisco Department of Public Health

Marge Harrer, Ph.D., Child/Adolescent Sexual Assault Resource Center, San Francisco General Hospital

Nancy J. Bowman, crime victim

Robert P. Owens, Chief of Police, Oxnard, Calif.

Robert L. Buhrig, Corporate Security Manager, Southland Corporation

Beth P. Doolittle, Program Coordinator, Rape Crisis Center, Marin County, Calif.

John J. Meehan, District Attorney, Alameda County, Calif.

George Bush, Vice President of the United States

Daphne D. Moore, crime victim

Anna Foy, crime victim

Mary Nordby, crime victim

Carol Corrigan, Professor of Law

James Rowland, Chief Probation Officer, Fresno County, Calif.

Lucy Berliner, M.S.W., Harborview Medical Center, Seattle, Wash.

Douglas Cunningham, Executive Director, California Office of Criminal Justice Planning

Mary Miller, crime victim

Veronica C. Zecchini, Program Coordinator, Victim/ Witness Program, District Attorney's Office, Sacramento County, Calif.

Harold O. Boscovich, Director, Victim/Witness Assistance Bureau, District Attorney's office,

Alameda County, Calif.

Joseph Yomtov, Director, Santa Clara, California Victim/Witness Program

Anne Daley, Director, Victim/Witness Assistance
Program, San Francisco, California District
Attorney's Office
Frank Jordan, Lieutenant, Crime Prevention Division,
San Francisco Police Department
Mark Forrester, Director, Senior Escort Outreach
Program, San Francisco Police Department
Gwendolyn Dillworth-Battle, Executive Director, San
Francisco SAFE Crime Prevention Project
Elvis Regalia, crime victim
Edith Benay, crime victim

Hearing in Denver, Colo., October 5–6, 1982

Robert N. Miller, U.S. Attorney for the District of Colorado

Robert Hedges, crime victim

Dale Tooley, District Attorney, Denver, Colo.

Mary E. Taitt, crime victim

Eugene Taitt, crime victim

Barbara Chaffee, crime victim

Bette H. North, Director, Victim/Witness Unit,

Adams County, Colo.

Roy Ter Horst, crime victim

Barbara Kendall, Director, Victim/Witness Unit,

Boulder County, Colo.

Kathleen Skelton, crime victim

Crime victim (name withheld on request)

Crime victim (name withheld on request)

Crime victim (name withheld on request)

Bea McPherson, Director, Society's League Against Molesters (SLAM), Littleton, Colo.

Irving Prager, Professor, LaVerne College of Law, Calif.

Dorothy Minkle, crime victim

Priscilla Conrad, Director, Victim/Witness Unit, Denver, Colo.

Edith Surgan, crime victim; Chairman, New Mexico Crime Victim Reparations Board and President,

Crime Victims Assistance Organization

Crime victim (name withheld on request)

Anne Compton, Boulder County Rape Crisis Center, Boulder, Colo.

Phyllis Wisse, crime victim Sue Conley, crime victim Richard D. Lamm, Governor, State of Colorado Pat Wyka, Coordinator, Victim Services Division, Colorado Springs Police Department, Colo. Crime victim (name withheld on request) Crime victim (name withheld on request) Dr. Lenore Walker, psychologist Melodye Feldman, Colorado Domestic Violence Coalition Jerry Williams, Chief of Police, Arvada, Colo. Roberta Conway, crime victim

Hearing in St. Louis, Mo., October 13-14, 1982

Hyman Eisenberg, crime victim Crime victim (name withheld on request) Carol Vittert, community volunteer Harold Tuthill, crime victim Fern Y. Ferguson, M.S.W., Director, Social Services Department, St. Mary's Hospital, E. St. Louis, Ill. B. David Brooks, Ph.D., Director, Safe Schools— Safe Streets Project, Thomas Jefferson Research Center, Los Angeles, Calif. Frank M. Ochberg, M.D., Mental Health Center, St. Lawrence Hospital, Lansing, Mich. Justice William Callow, Supreme Court, State of Wisconsin

Linda Jackson, crime victim

Thomas Amberg, Staff Writer—St. Louis Globe-Democrat, St. Louis, Mo.

Pamela Klein, Director, Rape and Sexual Abuse Care Center, Southern Illinois University

Betty Jane Spencer, crime victim

Ernest Allen, Executive Director, Criminal Justice Commission, Louisville-Jefferson County, Ky.

Buzz Westfall, Prosecuting Attorney, St. Louis County, Mo.

Betsy Munro, Executive Director, Victim Service Council, St. Louis County, Mo.

Marjorie Susman, community volunteer Louise Ann Bauschard, A.C.S.W., Executive Director, Women's Self Help Center, St. Louis, Mo.

Ginny Davis, crime victim

Ed Stout, Executive Director, Aid for Victims of Crime, Inc., St. Louis, Mo.

Rose Flynn, crime victim

Suzanne F. Valdez, crime victim

Judy Miller, crime victim

Patricia A. Resick, Ph.D., Department of

Psychology, University of Missouri—St. Louis

Judy K. Raker, Assistant Circuit Attorney, City of St. Louis

Robert L. Toms, Board Member, Hollywood,

California Presbyterian Medical Center

Diane S. Kerckhoff, community volunteer

Marilyn Lane, Victim/Witness Unit, Circuit

Attorney's Office, St. Louis, Mo.

Crime victim (name withheld on request)

Ricky Smith, crime victim

Linda Riekes, Director, Law and Education Project,

St. Louis Public Schools, Mo.

Delphine McClellan, Partners Against Crime

Together, St. Louis, Mo.

Ann Slaughter, Partners Against Crime Together, St.

Louis, Mo.

Hearing in Houston, Tex., October 19, 1982

Ann Keith, crime victim

Marilyn Nessel, Houston Area Women's Center

Nancy Owen, crime victim

Maureen McGrath, social worker, The Methodist Hospital, Houston, Tex.

Ted Poe, Judge, District Court of Harris County,

Houston, Tex.

Suzanne McDaniel, Director, The Witness Office, Harris County District Attorney's Office, Houston, Tex.

Robert Delong, Attorney-at-Law

Robert J. Rubel, Ph.D., Center for Improved

Learning Environments, San Marcos, Tex.

Raymond H. C. Teske, Professor, Criminal Justice

Center, Sam Houston State University

Robert Reiff, psychologist

Thomas Taitt, administrative assistant, Clark County,

Nev. District Attorney's Office

Deborah Emm, crime victim