

## **Victims and the Police: A Victim's Journey Through the Criminal Justice System**

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These materials were developed under a cooperative agreement with The U.S. Department of Justice, Office for Victims of Crime (OVC). OVC funded The University of Massachusetts Lowell, Department of Criminal Justice and Criminology, along with partners from the University of Massachusetts Boston, University of Massachusetts Dartmouth, and University of Massachusetts Medical School to develop innovative, multidisciplinary education models that address victimization issues and responses to crime victims.

### **Purpose**

The purpose of this curriculum kit is to provide college students with an overview of the relationship between law enforcement and victims in the crime reporting process. While students may expect the police are aware of and respond to all incidents of crime, this curriculum kit informs them that nearly half of all violent crime is not reported to law enforcement.

Students will learn why this occurs and possibly shift their perspective on the important role of the victim in the police investigation of crime and the provision of public safety. Additionally, students will gain an understanding of the importance of the manner and approach of the first responder, namely the police, and how that may influence the investigation and the rates of future reports of crime.

### **Learning Objectives**

After completing this curriculum kit, students should be able to:

- List the factors that influence whether or not a crime is reported to the police
- Describe the different ways victims and witnesses can report crime to the police.
- Describe what the police do after a crime is reported.
- Explain why some crimes are unfounded.
- Describe how the emotional and physical consequences of crime can impact the victim's ability to communicate information about an incident.
- Explain how the police and victims can work together to enhance public safety.

## **Time Required**

Completion of the PowerPoint presentation requires 50 minutes. There are additional readings, discussion, exercises and activities related to the nature, extent, and impact of victimization that are provided. These can be used to expand the PowerPoint presentation or be used as before or after assignments as desired.

## **Required Materials**

- Equipment needed to use PowerPoint as an instructional tool.

## **Suggested Courses**

This curriculum kit can be modified for use in courses of different disciplines, including but not limited to criminal justice, psychology, sociology, nursing, social work, business and history.

## **Directory of Materials**

1. Faculty Materials
  - a. *Victims and Police: A Victim's Journey Through the Criminal Justice System* Faculty Guide
  - b. *The Victim and Police: A Victim's Journey Through the Criminal Justice System* PowerPoint presentation
2. Student Materials
  - a. Student Reading: "A Victim's Journey Through the Criminal Justice System: Reporting to and Interacting with the Police"
  - b. National Resources for Crime Victims Handout

## **Introduction and a Note to Faculty**

This curriculum kit was created as a part of the National-Scope Demonstration Project to Integrate Crime Victims' Issues into University and College Curricula. The project is funded by a grant from the Office for Victims of Crime (OVC, a component of the Office of Justice Programs within the U.S. Department of Justice) to achieve the project goals of increasing the numbers of students exposed to information about crime victims and interested in working with crime victims, and thereby improve the future provision of services to crime victims.

The statistics that are included in these resources were current when the material was developed; however, statistics can become quickly out-of-date. As you prepare to deliver a curriculum kit, be sure to review the material beforehand and include the most recent crime statistics.

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There are two studies from the U.S. Department of Justice that measure the scope, magnitude, and impact of crime in the United States:

- The FBI Uniform Crime Report (UCR)([www.fbi.gov/about-us/cjis/ucr/ucr](http://www.fbi.gov/about-us/cjis/ucr/ucr))
- Bureau of Justice Statistics' National Crime Victimization Survey (NCVS) (<http://bjs.ojp.usdoj.gov/index.cfm?ty=dcdetail&iid=245>)

A third source for crime statistics is:

- National Crime Victims' Rights Week Resource Guide (<http://ovc.ncjrs.gov/ncvrw/>).

The most recent national statistics lag several years behind the calendar year. For example, in 2013, the latest official national statistics are those collected in 2011, which were published in 2012. This lag results from the amount of time and the number of resources required to collect, analyze, and publish information from nationwide reports and interviews about crime and victimization.

## PowerPoint Presentation/Class Lecture



### Slide 1.

While the first slide is on display, faculty should introduce the purpose of this curriculum kit to the students. The purpose appears at the beginning of this module.

Faculty should be prepared to respond to disclosures from students regarding their own experience of victimization and involvement with law enforcement (either personally or knowledge of a friend or family member's experience). While this curriculum kit does not specifically request the sharing of personal experiences, students may choose to share this information. During this first slide, faculty should remind students to respect the opinions and experiences of others if shared during this lecture and remind them to not share this information outside of the classroom.

For guidance on responding to student disclosures of victimization experiences, please refer to *Teaching About Criminal Victimization: Guidelines for Faculty*, located in the Faculty Involvement section.



### Slide 2.

The project is designed to:

- Broaden college and university students' awareness of crime victims' issues and knowledge of appropriate responses;
- Increase the number and diversity of students exposed to and educated in crime victims' issues;
- Give victim issues a new level of prominence in university and college curricula.

#### *Note to Faculty:*

Faculty should be aware of the appropriate professional resources for students who are victims of crime. In preparation for this lecture, faculty may find it helpful to develop a short list of campus and local community resources that can be used to refer students to, as well as including some national resources.

Modify the resources on the next two slides and provide appropriate contact information for your campus. It is helpful to have these resources available to share with students who come to the office, as well as available for students to access without talking to faculty, such as including them in the syllabus and online via course and faculty Web pages. National resources are included on the National Resources for Crime Victims handout. Have enough copies to distribute to each student.

## **Student Resources**



### **Slide 3.**

Campus resources to list typically include:

- Counseling.
- Health services
- College chaplain/faith community.
- Dean of students.
- Women's center.
- Campus police.



### **Slide 4.**

Local community resources to list typically include:

- Rape crisis center.
- Domestic violence shelter agency.
- Local or county victim-witness office (often a part of the prosecutor's office).



### **Slide 5.**

## **National Resources Information**

A list of national resources for victims of crime appears at the end of this curriculum kit. Faculty should provide each student with this list; it is included in the Student Materials of this curriculum kit.



### **Slide 6.**

Provide an overview of the topics to be covered.

- Introduction
- Police Reported Crime
  - ♦ Types and rates of reported crime

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- ◆ Reasons for unreported crime
- Reporting Process
- Potential Outcomes of Reported Crime
- Conclusions

Faculty should also review with students the different types of crime:

- Violent (including rape, sexual assault).
- Property (including burglary and motor vehicle theft).



**Slide 7.**

*Note to Faculty:*

This slide should be as current as possible. Faculty should consult the Bureau of Justice Statistics for updated information. Refer to [www.bjs.gov/](http://www.bjs.gov/)

Suggested talking points:

In 2007, an estimated 4.3 million violent crimes, 15.6 million property crimes, and 133,000 personal thefts were committed against U.S. residents age 12 or older in 2007.



**Slide 8.**

Introduce a discussion of the purpose of reporting crime.

*Suggested Talking Points:*

- To identify crime patterns and trends within a city or town.
- To create an accurate picture of crime for the police and citizens.
- To enable police departments to allocate resources appropriately.



**Slide 9.**

Discuss types and rates of reporting crime.

*Suggested Talking Points:*

- Victims of property crimes are less likely to report than victims of violence.

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- Crime victims who are injured are more likely to report a violent crime to the police than those that are not injured.



**Slide 10.**

- Rape and sexual assault are less likely to be reported than other personal (violent) crimes.
- Rape/sexual assault victims may fear reprisal, not want to tell their families, or worry that police won't believe them or treat them with hostility.
- Stalking victims report similar fears.
- Shame and self-blame can be other reasons why victimization may not be reported.



**Slide 11.**

- Motor vehicle theft has highest reporting levels.
- Motor vehicle theft reporting rates are likely high because insurance companies require a police report in order to compensate subscribers for stolen vehicle.

Faculty may want to refer to a table, included in the student reading handout, that shows the varying rates at which different crimes are reported to the police.



**Slide 12.**

Discuss why crimes are not reported.

*Suggested Talking Points:*

Most common reasons provided by victims:

- It was a “personal/private matter” (20%).
- The violence was considered “not important enough” (17%).
- It was “reported to some other official” (14%).

(National Crime Victimization Survey, 2009)



**Slide 13.**

Other crime reporting varies for a variety of reasons ranging from self-blame to belief that the police can't help. Citizens may also not report crimes because they believe someone else already did.



**Slide 14.**

*Suggested Format for Activity:*

Break class into small groups for discussion with report back to the full class.

- What could be done to increase/improve reporting rates?
- What steps would you take to convince victims who feel their crime is not “important enough” to report?
- Could technology help with reporting (e.g., filing reports online)?



**Slide 15.**

Discuss police-initiated action.

*Suggested Talking Points:*

Police-initiated action is low because it is unlikely for police to come upon the scene of a crime.

Police initiated action:

- Occurs in only 6 percent of crime incidents (5 percent violent, 1 percent property).

Citizen reporting (generally victims or witnesses):

- Approach an officer.
- File a report online.
- Call 911.



**Slide 16.**

Call 911 when:

- The situation requires an officer on scene (e.g., assaults, kidnapping, burglaries, domestic disputes).
- A crime is in progress.
- Auspicious or potential criminal activity is in progress (e.g., alarms, shots fired, shout for help, sounds of glass breaking).

 **Slide 17.**

The operator:

- Answers incoming call from the public.
- Retrieves relevant information.
- Determines if police response is necessary.
  - ♦ If yes, the information is passed on to the dispatcher.

 **Slide 18.**

The operator gathers:

- Caller's address.
- What the caller is reporting.
- Who is involved in the incident.

 **Slide 19.**

The dispatcher:

- Assigns available officer(s) to incident or stacks the call using computer aided dispatch.
- Decides how many officers to send to the call as well as the urgency of the call.

*Note to Faculty:*

The goal of the following three slides is to demonstrate that the responding officer has many tasks. Some of these tasks will vary depending on the officer's jurisdiction. Regardless of the specific tasks, the manner in which the police respond to a crime victim is extremely important.

 **Slide 20.**

*Suggested Talking Points:*

Patrol officers are primary responders. Crime scene tasks may include:

- Attending to victims.
- Securing the crime scene for evidence collection.

- Determining the need for and calling emergency medical service.
- Advising other public safety personnel upon their arrival.



**Slide 21.**

Patrol officers are primary responders. Crime scene tasks may include:

- Obtaining information about the incident.
- Collecting evidence.
- Interviewing witnesses at the scene.
- Arresting the offender on the scene.



**Slide 22.**

Responding officer should:

- Introduce himself or herself to the victim.
- Assure the victim of his/her safety.
- Explain the next steps to the victim.
- Inform the victims of their rights.
- Make sure that the victim is safe from re-victimization.
- Take into account age, physical disabilities, or illnesses of the victim.



**Slide 23.**

Discuss police interaction with the victim.

How police respond can impact victims' psychological health and their future relationship with the criminal justice system

- Victims who perceive the police are taking their case seriously are more likely to report future crimes.
- Police should avoid engaging in victim-blaming.

*Note to Faculty:*

At this point, faculty may want to include a brief definition of, and lead a discussion of, the concept of victim-blaming.

Reiterate the importance of the police response and style with the victim. Note that an inappropriate manner of questioning, including victim-blaming, increases the distress of crime victims.

Victim-blaming occurs when the victim of a crime is held responsible entirely or partially responsible for the harm that befell them.



**Slide 24.**

*Suggested Talking Points:*

- Be careful not to play the blame game, which is not productive. We are not here to make victims of crime feel worse about what happened to them, but to learn more about what the issues they face are.
- Questions about the victim's behavior preceding the crime can help understand the dynamics of crime. However victim blaming could have a negative impact on a victim.
- Talking about prevention (how to reduce risk) is important, but that is not the same as blaming (implying a victim is responsible for what happened to them because of their choices). Leave the blame where it belongs – with the person who chose to commit a crime.

*Note to Faculty:*

It may be helpful to give some obvious examples of victim-blaming so participants understand the concept.

Suggested talking points:

Examples of victim-blaming include asking the victim:

- Why were you there at that time of night?
- Were you drinking?
- What were you wearing?
- Why were you carrying so much cash?



**Slide 25.**

Victim-blaming is often subtle, unintentional, and without malicious intent. However, there are certain ways that police officers may ask questions that can lessen any sense of victim-blaming.



**Slide 26.**

Discuss victim participation in response to crime.

*Suggested Talking Points:*

Victim participation is critical. Victims should be treated as co-producers of public safety. Victims may have more information about crime and disorder patterns than police. Community policing with its focus on the police and the community working together to solve crime problems suggests such an approach.

Victims participate in:

- The immediate response to the crime.
- The ongoing investigation of the incident.
- Efforts to prevent a reoccurrence.



**Slide 27.**

Being a crime victim has many potential consequences and this may impact a victim's ability to talk about an incident and recall/share the information the police seek. Trauma can impede the ability to properly remember what happened during the commission of the crime.

It is common for victims to be confused or give contradictory responses. This should not be read as lying or deception, though those are possibilities, but instead as a normal psychological and physiological response to trauma.

There is strong evidence that acute trauma literally impacts the processing of memory formation and recall.



**Slide 28.**

Victims may present communication challenges because they could:

- Be traumatized by the event.
- Be under the influence of alcohol or illegal drugs.

- Be injured as a result of the crime.
- Have language or cultural barrier.

Because of this communication challenge, police may need to utilize assistance or have a plan to gather information from victims in these types of situations.



**Slide 29.**

Discuss unfounded crime.

*Suggested Talking Points:*

- In an unfounded crime, police determine a complaint to be false or baseless; no offense was completed or attempted.
- Decision left to the discretion of the responding officer.
- Less serious crimes are most likely to be deemed unfounded.



**Slide 30.**

Explanation for unfounded crimes include:

- Citizens may not understand the criminal law and report events that are not crimes.
- There may be insufficient evidence that a crime was committed.
- Officers may misuse their discretion when unfounding crimes.
- Unfounding crime can be a way for police to make their community appear safer than it is.

Research suggests that police are more likely to write reports about serious crimes, crimes where the victim prefers a crime report, crimes committed by strangers, and crimes where the victim is deferential to the police officer. This means that less serious crimes are more likely to be unfounded (Walker, S., & Katz, C. 2010).



**Slide 31.**

Discuss some outcomes of unfounded crime.

- No crime committed: Citizens may need a referral to a different municipal agency.
- Insufficient evidence: What a citizen perceives as an attempted break-in may instead be the wind banging a loose door (Walker and Katz 2010).

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- Misuse of discretion: Police may unfound a crime if they are biased against the victim.
- Appearance of safety: Problem that often results when the police department is under pressure from political leaders to reduce the crime rate.

It is difficult to find exact numbers on how many crimes are unfounded nationally. If a crime complaint is determined to be unfounded or false, the FBI removes it from the agency's count. As a result, the FBI does not collect national statistics on the unfounding of crime reports. This information can be found in local police departments.



**Slide 32.**

Discuss potential outcomes for the offender.

*Suggested Talking Points:*

Approximately 80 percent of arrests of offenders are made on scene by patrol officers, not later by detectives.

Not all cases are referred for additional investigation. For example, a study by the Rand Corporation (Walker & Katz, 2010) estimates that detectives work approx. 30 percent of all residential burglaries.

When there is no arrest at scene:

- The case will be referred to a detective for further investigation.
- The assigned detective should contact the victim as the investigation progresses.

When there is an arrest at scene:

- The offender will make initial court appearance – usually within 24 hours
- Criminal justice process moves out of the hands of the police and into those of the prosecutor and courts.



**Slide 33.**

Discuss domestic violence outcomes.

*Suggested Talking Points:*

Fortunately, current law enforcement agencies are more informed than in the past when it comes to responding to domestic violence.

Historically, their response was not as victim-focused. Specifically, they saw it as more of a family problem, rather than as a serious crime that requires intervention from the criminal justice

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system. For example, a common response was to calm down the parties involved and separate the offender from the victim by telling the offender to “take a walk to cool off.” The offender generally was not arrested. The pervasive attitude of law enforcement and the legal system was that the disturbance was a family matter that should be settled within the family. As a result, there was a lack of cooperation: Victims did not call, refused to press charges, and did not want to pursue a case against their abuser.

Mandatory and Pro-Arrest are examples of two newer policies that address these issues. These policies control the use of officer discretion and address the common reasons arrests were not historically made).

- Mandatory policy is police must arrest, provided legal criteria for arrest are satisfied.
- Pro-Arrest policy is arrest as the preferred response.

Unfortunately, the implementation of mandatory arrest laws and policies has resulted in cases of victims being arrested together with the offenders in what are known as dual arrest situations. In such situations, the police arrest both people rather than trying to thoroughly assess which person is the victim and which is the offender. Police should have training on how to make such determinations and should make a careful assessment so they can make an appropriate arrest.

These cases can still be challenging for officers and family members because victims may still choose not to cooperate due to the impact of domestic violence. This can be emotionally taxing for all involved.



**Slide 34**

Faculty should summarize that absent a report, police are unable to help the victim or prevent the recurrence of victimization. Therefore, the manner in which the police respond to crime victims can impact future reporting to, and opinions of, the criminal justice system – which will ultimately impact the sustainability of crime and provision of public safety.

- Crime victims have the power to initiate the criminal justice process.
- Police are responsible for helping crime victims regardless of whether or not an arrest is made.
- The victim and the police are co-producers of public safety: Establishing trust and partnership is paramount.

### **Additional Readings**

The following are suggested reading materials and resources for faculty. Faculty may also require students to review one or more of the following prior to the class lecture, if desired.

Campbell, R. (2005). What really happened? A validation study of rape survivors' help-seeking experiences with the legal and medical systems. *Violence and Victims*, 20(1), 55-68

Hirschel, J. D., Buzawa, E., Pattavina, A., Faggiani, D., & Reuland, M. (2007). Explaining the prevalence, context, and consequences of dual arrest in intimate partner violence cases: final report. Washington, D.C.: U.S. Department of Justice. Available at: [www.ncjrs.gov/pdffiles1/nij/grants/218355.pdf](http://www.ncjrs.gov/pdffiles1/nij/grants/218355.pdf).

National Sheriffs Association. 2008. First Response to Victims of Crime. Office for Victims of Crime. Washington D.C.

Office of Community Oriented Policing Services. 1998. Bringing Victims into Community Policing. Department of Justice. Problem Oriented Policing Guide. Washington D.C.

Walker, S., & Katz, C. (2010). *The Police in America: An Introduction* (5th ed.). Boston: McGraw Hill.

Xie, M., Pogarsky, G., Lynch, J.P., & McDowell, D. (2006). Prior police contact and subsequent victim reporting: Results from the NCVS. *Justice Quarterly*, 23(4), 481-501.

### **Additional Related Activities or Assignments**

If faculty would like to expand upon the lecture, the following are suggestions of student activities and assignments that can augment the primarily didactic PowerPoint.

1. Less than half of crime is reported to the police. For example, 20 percent of victims do not report crimes to the police because they do not think the crime was important enough.

You have been asked by your local police department to conduct outreach to this portion of the population who do not think that their victimization is important enough to report to the police. What steps would you take to convince these victims of crime to report their victimizations to the police?

*Note to Faculty:*

This may be done as an in-class small group activity or a take-home written assignment for students.

2. Ask the class about the use of technology and the police in your community. List the different ways that the use of technology has changed policing both for reporting crime and other functions. Discuss each new technology beginning with the use of the patrol car and the

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telephone. Do students think this makes the police more accessible to the community? Specifically to victims of crime?

*Note to Faculty:*

This activity is intended to be an in-class small or large group discussion activity.

3. Ask the class to research clearance rates (percentage of crimes solved by the police) in your community. Where do they learn about clearance rates? Have there been newspaper accounts of the clearance rates? Does the police department report these numbers? The UCR?

*Note to Faculty:*

Students can either work individually on this written assignment or can be divided into groups by faculty and asked to research or contact resources selected by faculty (e.g. local newspaper, specific police department, community group). If the latter approach is preferred, students can present their findings in a subsequent class period. Faculty can facilitate a large group discussion comparing the findings and analyzing the importance and usefulness of this information.

## **References**

Morabito, M. (2013). "The victim and the police: A victim's journey through the criminal justice system." Lowell, MA: University of Massachusetts Lowell.

## **National Resources for Crime Victims**

Crime victims and those who know them or work with them can face a number of issues for which support can be helpful. Listed below are a number of national resources. Other places to look for support can be Employee Assistance Programs (EAPs) at work, campus resources for college students, and state victim assistance programs.

### **Victims of Crime**

The National Center for Victims of Crime

[www.victimsofcrime.org/help-for-crime-victims](http://www.victimsofcrime.org/help-for-crime-victims)

### **National Organization for Victim Assistance**

800-TRY-NOVA

[www.trynova.org/](http://www.trynova.org/)

Office for Victims of Crime Directory of Crime Victims Services

<http://ovc.ncjrs.gov/findvictimservices/>

### **Child Abuse**

Stop It Now! (sexual abuse)

888-PREVENT

[www.stopitnow.org/](http://www.stopitnow.org/)

### **Clery Center for Security on Campus**

Office: (484) 580-8754

[www.clerycenter.org/](http://www.clerycenter.org/)

### **Drunk Driving**

MADD Victim/Survivor Helpline

877-MADD-HELP (623-3435)

[www.madd.org/victim-services/](http://www.madd.org/victim-services/)

**Elder Abuse**

National Center on Elder Abuse  
800-677-1116 (M-F, 9 a.m. – 8 p.m.)  
[www.ncea.aoa.gov](http://www.ncea.aoa.gov)

**Homicide**

National Organization of Parents Of Murdered Children  
888-818-POMC  
[www.pomc.com/](http://www.pomc.com/)

**Identity Theft**

Federal Trade Commission's Identity Theft Hotline  
877-ID-THEFT (438-4338)  
[www.consumer.ftc.gov/features/feature-0014-identity-theft](http://www.consumer.ftc.gov/features/feature-0014-identity-theft)

Identity Theft Resource Center Victim Assistance Center  
888-400-5530  
[www.idtheftcenter.org/v\\_resources/v\\_intro.shtml](http://www.idtheftcenter.org/v_resources/v_intro.shtml)

**Intimate Partner Violence and Family Violence**

National Domestic Violence Hotline  
800-799-SAFE (7233)  
[www.ndvh.org/](http://www.ndvh.org/)

**Sexual Violence**

RAINN National Sexual Assault Hotline  
800-656-HOPE (4673)  
[.http://online.rainn.org/](http://online.rainn.org/) (online hotline)