

CRIME VICTIMS IN THE ST. LOUIS REGION: THEIR RIGHTS -- OUR RESPONSIBILITIES

A Report of the Crime Victimization Task Force

EXECUTIVE SUMMARY

INTRODUCTION

Crime victims bear the major brunt of violence in our society. Many victims experience physical and emotional pain and material and financial loss. Although the community is slowly becoming aware of its responsibility to assist each person who has been victimized by crime, many needs of victims are not being met.

In response, the Confluence St. Louis Crime Victimization Task Force studied the issue in the metropolitan community by consulting with victims and with local, state and national experts, by conducting a general inventory of services currently provided, and by reviewing a wide range of resource materials. This report summarizes the findings of the task force and challenges the community to a comprehensive response to the needs of crime victims in our region. It proposes a model community policy and outlines a necessary course of action.

FINDINGS

National statistics from 1981 indicate that one third of the households in the United States are victimized each year. In addition to the primary victims of crime, those personally victimized, many family members or close friends feel the pain and experience the anger brought about by the crime. Neighbors and co-workers are often deeply affected as well.

Some victims turn to society for help. Others who choose not to ask for help immediately may need help at a later date and not seek assistance until their eligibility for certain services has expired.

Some of the victims who seek help find that the systems they turn to actually intensify their needs. The criminal justice system, for example, was designed to protect the rights of the accused and assure the safety of the community rather than to protect the rights and needs of victims.

Victims need access to comprehensive services. They also need ongoing information and to be fully involved in the prosecution, sentencing, probation and parole processes.

Confluence St. Louis is a citizens' study and action group organized to address regional issues from an independent perspective. More information on Confluence and copies of the full report on Crime Victimization are available from the Confluence office, 408 Olive, Suite 316, St. Louis, MO 63102 (314) 231-0322.

Crime victims are now receiving some assistance. They are receiving limited restitution, compensation and reimbursement. National and state legislation has been enacted which begins to address the varied and complex problems created by crime victimization. The St. Louis region has responded with a variety of means to address the needs of its crime victims, and services are evolving on a local level.

CONCLUSIONS

Progress: Our understanding of what needs to be done to help victims of crime is growing rapidly: Model laws, the establishment of national organizations such as the National Organization for Victim Assistance, innovative demonstration projects, publications and research, all lead toward the beginning of a comprehensive, balanced criminal/victim justice system.

Problem areas: Challenges remain, however, with needs in the areas of public awareness, financial restitution and compensation, education of community professionals, information to and involvement of victims, service standard setting, and coordination of services. Crime victims in the St. Louis region are not yet receiving all the help and support they need.

Restitution is provided to victims in very limited amounts, and reimbursements are minimal and insufficient to cover losses and costs incurred by the victim. Compensation for medical treatment, a recent development, is still not available to all. Gaps in public awareness keep people from knowing where to call for help, what services are available, and how to cope with the stress reactions associated with victimization.

Counseling/treatment services are inadequate or inaccessible to many victims who need this form of support. Emergency services, including shelters and crisis care, are insufficient.

The judicial system does not currently balance the rights of victims with the rights of the accused. These imbalances and gaps in the system negatively affect crime victims in our region, and should be a concern to all of us. Implementation of the task force's recommendations, based on the following list of victims' rights, will help to ensure that the region's crime victims will be more compassionately and humanely treated, and that their rights will be recognized and upheld.

VICTIM RIGHTS SUMMARY

The entire community will benefit when the following basic rights of victims¹ are as actively acknowledged as are the rights of those accused of crimes.

- Victims have the right to be treated with sensitivity, compassion and dignity by all in the helping network.
- Victims have the right to accurate and timely information about their cases, whether or not there is an arrest.

¹The entire model policy, from which this is taken, is contained in the full report.

- Victims have the right to protection from intimidation and harassment.
- Victims have the right to legal counsel when their decisions on key issues require legal knowledge.
- Victims have the right to reparations and should receive financial assistance for their medical expenses. They should receive restitution in all cases when an offender is convicted of a crime.
- Victims have a right to their property, including prompt return of their goods and information on procedures for reclaiming them.
- Victims have a right to assistance from their employers.
- Victims have a right to due process. This involves procedural safeguards similar to those given the accused; e.g., right to a speedy trial, involvement in plea bargaining, participation in sentencing hearings, and so on.
- Victims have a right to justice.

RECOMMENDATIONS

Enact state legislation and policy for crime victims:

- Pass a strong Victims' Bill of Rights in Missouri with funding for implementation.
- Amend the existing Victims' Bill of Rights in Illinois, including developing a public policy for increased public knowledge of the recently-passed statutes.
- Mandate tracking the ordering and collection of the offender fees involved in the Illinois Victim Assistance and Missouri State Compensation funds.
- Establish offender accountability to victims by ordering and systematically tracking offender restitution.
- Extend victim compensation statutes so they include crime victims who need counseling/treatment services beyond the existing eligibility time.

Call for an in-depth study of regional victims' needs:

This will help focus limited resources on unmet needs. This professionally-conducted needs assessment would provide additional information on which to base some local and regional decisions that affect victims of crime.

Call for regional action in areas of victim support:

- Develop a regional coalition to provide for a system of coordination, protocol, standard-setting, and evaluation of existing resources in the region.
- Provide victim information and referral services 24 hours a day, seven days a week.
- Establish standards of preparation for all professionals and para-professionals serving victims, particularly those in counseling.
- Increase accessibility of crisis and long-term services to victims and availability of counseling services to victims of child abuse, neglect, and intra-family crime.
- Improve the emergency shelter system in the region.
- Establish metropolitan-wide trauma teams to respond to needs of both individuals and groups in community crisis situations calling for numerous cases of counseling.

Call for regional action in these general areas:

- Improve the skill level and knowledge base of those who work with crime victims.
- Promote establishment of company policies that provide assistance to minimize the impact of crime on job performance and the individual.
- Enhance the natural connection between crime prevention efforts, particularly within law enforcement agencies, and crime victim services in the community.
- Involve local crime victimization experts in the development of college and university curricula with a multidisciplinary approach.

We believe these recommendations address current insufficiencies. Implementing them through a spirit of partnership among local governments, citizens, victim service providers, and businesses would be a first step toward assuring that victims will be helped in their recovery while justice is being promoted for all of us. The development of a fully balanced criminal/victim justice system requires that individuals and groups must come forward, speak on behalf of this issue and carry these recommendations toward reality.



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