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Ensuring Victims' Rights and Inspiring Hope through Community Collaboration

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Abstract

Numerous crime victims who qualify for Victim Witness Assistance Program services through the San Benito County District Attorney's office are not accessing the resources. Research done to support this project revealed that countless crime victims did not utilize the services offered by the program during the time of their victimization. The project conducted was an outreach presentation, which included all the services provided by the Victim Witness Assistance Program, victims' legal rights, and the qualifications for the California Victim Compensation Board. The outreach presentation was developed to increase awareness of victims' rights and the Victim Witness Assistance Program to community organizations, including non-profit and County agencies. By implementing this project, it will widen the awareness of victims' rights among community organizations and increase their knowledge about the services provided by the agency, leading them to share the information to members of their agency who have been victimized.

Keywords: Advocate, victims, support, California Victim Compensation Board, crime

Agency & Communities Served

The agency Victim Witness Assistance Program (VWAP) is located in the District Attorney's office in the City of Hollister, California. VWAP staff includes a program director and three advocates who support crime victims in San Benito County. The agency assists the communities of Hollister, San Juan Bautista, Tres Pino's, Picines, and Aromas. The agency's mission is,

to compassionately and effectively protect the rights of victims while providing services that meet the unique needs of those impacted by crime, through crisis intervention, advocacy, information, and referrals. The goal is to help alleviate the psychological and emotional trauma incurred from victimization. (San Benito County Sheriff, n.d., para. 2)

The purpose of the agency is to assist crime victims emotionally through the criminal justice system and helping them apply for resources and financial compensation through the California Victim Compensation Board (CalVCB). Most importantly supporting victims overcome their trauma due to the crime.

The program offers victim direct services and court-related services including; advocating for crime victims through the criminal justice system, referring them to other resources, and assisting them with applying to CalVCB. CalVCB is a program within VWAP that offers financial compensation for crime victims. CalVCB reimbursements include compensation for lost wages, relocation funds, security, medical, and funeral expenses. Some court-related services offered by the VWAP advocates are knowledge of the criminal justice system, case updates, referrals, coordinating restitution with the Probation Department, victim impact statement, and court support.

Most crime victims qualify to receive services through the California Victim Compensation Board. The requirements are that the victim must be a California resident, the crime falls under the specific crime category, and the crime must have been reported to a law enforcement agency. The qualifying crimes include domestic violence, child abuse, assault, sexual assault, elder abuse, molestation, homicide, robbery, hate crime, drunk driving with an accident, vehicular manslaughter, human trafficking, stalking, and online harassment (CalVCB 2, n.d). The Victim Witness Assistance Program does not deny services to any individuals who have been victimized of a qualifying crime. A non-citizen of the United States may also qualify for services if they have been a victim of crime. San Benito County currently has 61,537 residents according to the United States 2018 Census. San Benito County's highest population is Hispanics or Latino at 53 percent (United States Census Bureau, 2018). This indicates that there is a higher chance of Hispanics or Latinos becoming crime victims.

The main funding source for the Victim Witness Assistance Program is the Victims of Crime Act (VOCA). VOCA was created in 1984, through federal legislation to compensate crime victims. The funds are financed by fines and fees paid by offenders. By 2013, the funds have reached close to 9 billion dollars (Wikipedia, 2017). In 2017, VOCA funded 6,700 organizations around the country. Funds provided by VOCA have helped more than 5.2 million crime victims. Compensation programs are located in all 50 states (The United States Department of Justice, 2019). Without the grants, the agencies would not be able to offer services to crime victims. The Victim Witness Assistance Program was established in 1988 to ensure that all crime victims had their voices heard (California Department of Corrections and Rehabilitation, n.d). Unfortunately, many crime victims are unaware of the services offered by the agency. In 2018, there were 375 qualifying crimes reported in the City of Hollister by the

Hollister Police Department. The crimes ranged from homicide to accidents resulting from drunk drivers (the City of Hollister California, n.d). That same year the California Victim Compensation Board only received 194 applications from the County of San Benito (CalVCB1, n.d). There is a gap between the qualifying crimes reported in San Benito County compared to the total of crimes that occurred only in the City of Hollister during that year. Therefore, forty-eight percent of San Benito County residents who have been victimized are not accessing the services.

Problem Description

Crime victims who qualify for services provided by the VWAP are not being accessed by San Benito residents. San Benito County is built of small, mostly rural communities. According to the 2018 Census, San Benito had 61,537 residents. The amount of Grant money offered to a county depends on the size of the population, causing limited funds. The staff is taking on excessive caseloads with no spare time dedicated to an outreach program. The lack of outreach may be a significant reason why there are not more victims accessing services.

Contributing Factors

Defendant-Centered

Unfortunately, the criminal justice system has a defendant-centered approach. When a crime is committed victims are overshadowed by the process because law enforcers priority is to detain and prosecute the defendant. The focus needs to be redirected to the victims, they are the ones who have endured the pain and need support. "In a victim-centered approach, the victim's wishes, safety, and wellbeing take priority in all matters and procedure" (Office for Victims of Crime Training and Technical Assistance Center, n.d). Having a victim-centered approach will

allow crime victims to receive priority and receive the services they are entitled to. Due to the high focus around the defendant, crime victims can be overlooked, leaving them to be a low priority.

Lack of Awareness

In 2018 there were 375 crimes in the City of Hollister in which victims of those crimes could have qualified for the California Victim Compensation Board (CalVCB). Crimes ranging from homicide to accidents with drunk drivers, that could have qualified for reimbursement by the state. Between 2017-2018, there were 194 claims filed to the CalVCB by San Benito County residents (CalVCB1, n.d). We see a divide between the total of qualifying crimes that occurred only in the City of Hollister compared to the claims filed by the whole County of San Benito in two years. There are several possible reasons with one being that the agency doesn't have an outreach program that could inform San Benito residents about the services. Other reasons may be that victims are not noticing the information on Marsy's Card provided by law enforcement and can be distracted by the trauma caused by the crime.

Consequences

Proper Support

When a crime victim requests services from the VWAP they are assigned to an advocate that will assist them throughout the case. The criminal justice system can be confusing to individuals who aren't familiar with the process. The VWAP advocates support crime victims by guides them through the criminal justice system and providing them information about the case, resources, and referrals. Also, VWAP advocates provide emotional support by accompanying them to interviews, medical examinations, and courtroom proceedings. They also assist crime

victims in filing applications for CalVCB by explaining the possible services and/or reimbursement they are entitled (End Violence Against Women International, n.d).

Many advocates can attest to how difficult this process can be for victims, especially given the attitude of doubt and blame that are seen in our society when it comes to sexual assault. This is why at least one expert has described the process of advocating for victims within the criminal justice system as holding their hand on a walk-through hell. (End Violence Against Women International, n.d)

Advocates become critical allies for victims. Their primary focus is the safety, wellbeing, and interest of the victim.

Financial Burden

CalVCB compensates several valuable services cost-free to crime victims. If qualifying crime victims require financial assistance for funeral and/or burial, medical and/or mental health services, and don't have the means to finance them, they can be left with hopelessness and frustration. If they don't receive financial assistance through the agency's services they can fall under financial burden. In 2016, the national average cost of a funeral with viewing and burial was 7,360 dollars (National Funeral Directors Association, n.d). Most people don't have the funds to finance an unexpected death. According to the Emergency Medical Treatment and Active Labor Act, requires that every hospital treats every patient regardless of their financial status. In 2017, the average cost for a visit to the emergency room was 1,389 dollars. In most cases, if patients are not able to pay their medical bills, they are turned over to collection agencies. More than 75 million people expressed that they were having issues paying for medical debt. Medical debt is the number one cause of bankruptcy (Debt.org, 2019). The average cost of

a therapy session is between 65-250 dollars per hour (Good Therapy, 2019). Not all crime victims have health insurance and some insurance may not cover some expenses leaving the victim and/or their families with financial burdens.

Capstone Project Description and Justification

Project Purpose

The project incorporated an outreach presentation and informational package of resources. The purpose of this project is to share awareness of the agency to the community organizations and most importantly to crime victims. The goal is to spread the knowledge of the agency's services to local organizations that work with individuals who have been victimized by crime. By sharing this knowledge, it allows for community organizations to share the resources with their clients. This is why community organizations must be aware of the services the Victim Witness Assistance Program provides.

Project Justification

Researchers compared the effectiveness of crime victims who received advocacy assisting through the criminal justice system to those who did not have any assistance. Research showed that crime victims who worked with advocates showed less distress after interacting with the legal system. Fifty-nine percent of victims working with an advocate had a better chance of having a police report taken compared to forty-one percent of crime victims who did not have an advocate. Twenty-four percent of victims who had support from an advocate had a better chance for investigators to do further investigation compared to eight percent of crime victims who did not have advocacy support. Sixty-nine percent of crime victims who did not have support from

an advocate were treated "impersonally or coldly" compared to thirty-six percent of victims who had an advocate (End Violence Against Women International, n.d).

Project Implementation

To make this project possible there were several activities completed. First, there was research done to determine potential community organizations and agencies who could benefit from the outreach presentation. Targeted community organizations and agencies contacted were Hollister Police Department, San Benito Sheriff Department, Gavilan College Administration of Justice, Hazel Hawkins Memorial Hospital, San Benito Health Foundation, Hollister Migrant Program, First Five, and Youth Alliance in Hollister.

The organizations were contacted through email and calls with an offer to deliver the presentation to their organization cost-free and how their members would benefit from the information in the presentation. Also, a survey was developed to measure audience responses. The questions will determine how beneficial the audience found the presentation. The presentation was thirty minutes long and included the Victim Witness Assistance Program's information, information about Marsy's Law, and the California Victim Compensation Board qualification. The presentation was accompanied by a resource packet. The documents include a copy of Marsy's Law, CalVCB eligibility, compensation benefits guide, and a Victim Witness Assistance Program resource pamphlet for the agencies to share with their clients. After all the tangible material is developed the presentation was presented to a local organization First Five that benefited from such information. A detailed implementation plan and timeline can be seen in the Scope of Work in Appendix A.

Assessment Plan

The objective is to deliver the presentation to at least five organizations and collect feedback from the audience to measure the effectiveness of the project. The feedback will be taken by a survey through Google Forms and a printed version. The survey included three questions:

- On a scale from one to ten, how beneficial was the information presented today?
- Were you aware of VWAP before this presentation?
- Would you recommend the information on the presentation to others?

These questions on the survey determined how useful the presentation was to the staff members of the organizations in the community.

Expected Outcomes

The expected outcome for this project was to widen the awareness of the Victim Witness Assistance program. The objective was to deliver the presentation to staff and/or clients of at least five of the agencies listed above and build collaborative relationships. The expectations for this project are to build relationships with community organizations and collaborate to ensure that crime victims receive resources. By providing outreach presentations to community organizations they will be knowledgeable of the mandatory services available to crime victims and would be able to share the message of VWAP services to the community.

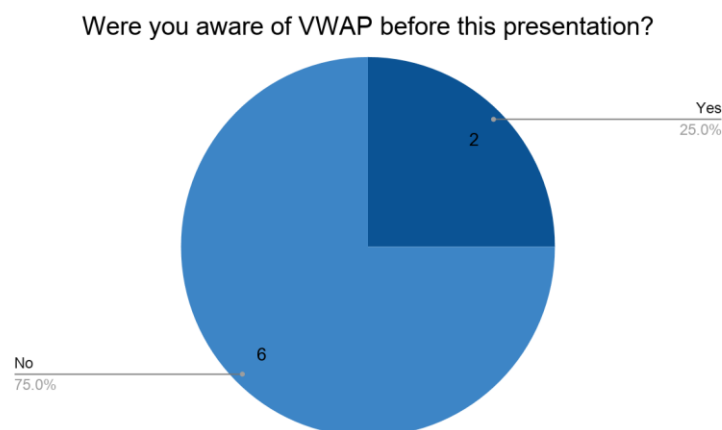
Project Results

The primary purpose of this project was to determine the benefits of the outreach presentation. The presentation was implemented to the staff of First Five San Benito. First Five

works with families residing in San Benito County to promote health, early learning, and social-emotional well-being of children prenatal through age 5 (First 5 San Benito, n.d). The presentation was presented to 8 staff members at the First Five Agency Office in Hollister. The results were gathered through a survey.

The project outcome was not met regarding the targeted presentations. The objective was to present at a minimum of five organizations. The presentation was delivered to a single community organization with eight staff members who work closely with local families. The outreach presentation achieved the expected outcome. It delivered the information required for the staff of First Five to increase their knowledge of the VWAP.

The results revealed that on a linear scale from one to five, eight out of eight First Five staff members believed that the presentation included valuable information. It also determined that two staff members were already familiar with the VWAP before participating in the presentation. For six staff members, the information on the presentation was new knowledge. The staff was asked if they would recommend the information to others. Eight out of eight staff members agreed that they would share the information with other staff members or clients who have been victimized.



Conclusion & Recommendations

The results of the survey suggested that the presentation was beneficial. All audience members agreed that the information on the presentation was beneficial to their organization and could potentially be shared with clients who have been victims of crime. Research showed that crime victims benefit from having advocate support who assisted them through the criminal justice system. If crime victims were well informed about their rights and services available, they would benefit emotionally and financially from the services helping them alleviate their trauma throughout the criminal justice process. Continuing to deliver the outreach presentation to local organizations will allow for this knowledge to grow among the community.

A recommendation for the agency would be to develop an outreach program. Having an individual go out into the community to share information about the agency would benefit the community. As advocates for crime victims, VWAP needs to do their due diligence to explain victims' rights and ensure victims receive the services they are entitled to.

Personal Reflection

Throughout this project, I learned that there are many services available for individuals in need. What I learned most from working on my capstone project was the need for awareness in the community. Many community members are not aware of the services provided by the program. This was verified by the statistics through the Hollister Police Department of the number of qualifying crimes reported and the victims of the crimes who received Services. I was not aware of the VWAP myself before interning with the agency. I had to research and investigate what the agency contributed to the community. I have learned the valuable services provided by the agency. I was disappointed that not all community members

were aware of the agency. The issue was that not all qualifying crime victims were accessing the services. I thought what is a different way to reach crime victims other than directly in a crime scene. A different way was collaborating with different community organizations and widening the awareness of the agency. If a crime victim is hurt, they will typically go to a local hospital or clinic. If the staff is well informed of the resources, they would be able to refer victims to the agency. Similar to the game of “telephone”.

This journey has been bittersweet, I enjoyed implementing the project and collaborating with community organizations. I was disillusioned when only one organization replied to my requests. I contacted several organizations; due to their agendas and schedules, it was not possible to present to those organizations. My greatest success with my capstone was reaching out to the community and spreading awareness about the Victim Witness Assistance Program. Another success was building relationships with community organizations. My mentor and I have discussed continuing to implement the presentations among the community. Unfortunately, fall was not the appropriate time to execute the presentation. We will contact previous organizations and new organizations to offer the presentation and hopefully have the chance to carry out the presentation.

The broader issue about the educational issue I addressed was that crime victims are unaware of their rights as victims. The criminal justice system can be complex especially to someone who is not familiar with the process. It's important that the community is educated about their rights and are aware of what they are entitled to.

Besides the strategy, I chose to address the causes of this problem, another approach that could have been done was re-designing the Marsy's Card. The Marsy's Card is the card that law enforcement officers give crime victims when they interact with them during a crime. The

current card is busy to the eye. Many crime victims may overlook the information due to their emotional state at the time due to the setup of the information. The objective would have been to redesign the card with an appealing design that would facilitate the information to the crime victims and be beneficial for law enforcement. The advice I would give to another student who might begin at my internship site in the fall is to begin working on their Capstone Project during the second semester. Especially during the fall semester with all the holidays. I would suggest them to plan and beginning to develop and organize their project a semester before. Having everything ready for their project so that when they come back to their last interning semester, they will begin the semester implementing their project.

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Appendix A

Scope of Work

Activities	Timeline/Deadlines	Supporting Staff
<ul style="list-style-type: none"> ● Research community organizations ● Brainstorm necessary information needed on presentation ● Contact local organizations via email/ phone calls ● Develop presentation and survey to collect feedback ● Deliver presentation ● Collect feedback/ Data 	<ul style="list-style-type: none"> ● September 30- October 11 ● September 30- October 11 ● October 7-18 ● September 30-November 15 ● November 15 ● November 15 	<ul style="list-style-type: none"> ● Mentor- Patricia Salcedo ● Advocate- Amanda Ketcher ● Teacher- Caitlin Stinneford