

Successes in Victim Rights in Texas
A View from the Field
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Background on TVSA's recent work on Victim Rights

In May 2011, TVSA had Meg Garvin from the National Crime Victims' Law Institute speak about victim rights at our annual conference. Her plenary presentation and breakout session stimulated a concerted effort to examine what could be done to strengthen victim rights in our state. In September of that year, TVSA was one of the co-founders of a work group called *Advancing Victim Rights in Texas (AVR)* that is looking at the issue from three vantage points: Awareness, Compliance, and Enforcement.

At our 14th Annual Conference held in May 2013 in South Padre Island, members of the AVR workgroup presented a plenary session offering examples of how victim service providers can increase victims' access to their rights and services. As part of the session, the 150 participants in the audience identified what was working well in their jurisdiction, what they would "point to with pride" as indicators that victim rights are being provided, and the challenges they were encountering, or what they would "view with alarm." In this article, we provide a summary of the success stories.

Meanwhile, the Advancing Victim Rights work group is working on a plan for community summits – where you can engage your community in a similar assessment of victim rights – what are we doing well that can be repeated, shared and replicated around Texas? What are common challenges – and how can we work together to address those with creativity and collaboration and, commitment to ensuring victims receive what they need to make informed decisions about what rights they choose to exercise and what services they choose to use.

As TVSA members, you'll be getting information about how you can be part of the Advancing Victim Rights Community Summits Project.

For now, here is a great summary that came from that wonderful 2013 conference session. There is always room for improvement to make victim rights a reality, for "every victim, every time" but as these stories indicate the combined commitment *and actions* of individuals and agencies are making the difference for victims in Texas. Let's celebrate those good things as we look at what victim service providers from around Texas tell us they "point to with pride." Items have been grouped by common themes.

It starts with me, it's what I do

I always inform victims about Crime Victims' Compensation.

I volunteer for a local rape crisis center and do hospital accompaniment. First thing I do is immediately make the victim aware of my role. I am not with the cops, and not with the hospital. I am here for them and will let them know their rights in the process at the hospital and will make sure and point them on as their advocate as they continue through the process. Point being – they have rights all along the way. And no one ever prepares to be a victim. Not even master planners.

A lot of time our clients just simply don't know how to navigate through services, or are intimidated and don't even attempt to utilize services. As a social worker, it is my duty to advocate on behalf of clients and build relationships with them in an effort to educate and encourage them to be an avid self-advocate.

Sure other agencies can say this also, but we really do have dedicated advocates that do the paperwork involved and work with the county attorney's office to get protective orders. Our advocates stay with the victims through the whole court process. Very caring advocates who work tirelessly with victims to navigate through this process.

I work really well with our victim coordinator and try to explain the importance of crime victim services to all officers.

As the Program Director in a law enforcement agency, I read every person's crime report submitted by more than 200 deputies. If the deputy fails to put in his report that the victim was given the "Important Information packet," made up of protective order pamphlet, safety plan, CVC application, my card, a letter from me, emergency shelter and VINE information, and important information and numbers pamphlet) I mail the victim all of the information and call the victim to let them know it's on the way. That way, the victim gets the information on scene or in the mail a few days later. Every victim, every time. This packet is a big white envelope that has large blue letters stating "Important information." Many times we see those envelopes being carried by victims all through an entire case.

I have been reaching out to the community and letting them know I have taken the position in my agency, and attend community functions to make my presence known.

My role in my department is to ensure victims turn in a victim impact statement that is used by the assistant district attorney in court. However, the VIS from victims are not respected, they are ignored. But my pride is when a victim thanks me for trying, for listening, for holding their hand. They are never alone. If they are in court and ignored, I get ignored with them.

When I can work with a victim who has been re-victimized by the legal system. Just by listening to their frustration and letting them know or pick up the phone in front of them, make a call to help. Then just see the change in their emotion, the sign of some relief.

I helped Plano Police Department set up their victim assistance program. By doing this, I have been able to network so much that I have used many resources in my community to get my victims the help they need. Within just a year, I have done plenty I'm proud of.

We do right by victims by working together and having good processes in place

Collaboration with DA's office to make sure victims are aware of upcoming hearings; meeting with prosecutors in victim assistance office to allow victims to ask questions, get to know details of the case.

We have formed a collaborative effort which includes agencies in our county. Working together to discuss how we can improve services and leverage resources.

We are falling short but are trying to fill gaps in judicial system by coordinating a local multi-disciplinary team that has victim rights as a priority.

I'm in the DA's office, and I've been working hard to build relationships with the police department victim services to smooth the transition for victims. I asked to come hang out one day, got a tour, attended their staff meeting and met all their counselors. I invite their interns over for a day to tour our office, to attend docket and see part of a trial. This helps them understand the full process for victims. This has really helped me get to know their process and their counselors. Now we pick up the phone constantly to give a heads up about cases, to process, etc.

I serve on one of the State of Texas Child Fatality Review Teams and we work with all types of entities such as CPS, ISDs, law enforcement, district attorneys, state health depts., school nurses, medical providers, etc. We work closely with these groups to investigate & advocate for families of victims, for example to advocate for legislative changes and laws.

The victim waited to contact the assistant district attorney on her case until she left the abuser. I told her to contact the ADA to let her know all the details that had happened up to that point – the perpetrator found her at the women's shelter and stole her truck. The ADA said she had already offered a plea bargain but it had not been accepted. The ADA took the plea off the table and asked the victim what punishment she wanted and the dialogue went on from there.

Restitution is a sore spot with victims. Probation is actually more successful in collections than one might realize. The district attorney's office and probation have made it possible for victims in our county to receive approximately one million dollars in a year's time with 350 victims added yearly. Probation is not law enforcement and cannot force one to pay, however, we do refer cases back to the court when violations occur, and it is the court's discretion to continue with probation or revoke if they have not paid restitution.

Always making sure that rights are afforded to victims, and always looking for ways to do it and to better serve the victims. Putting the victim first is our top priority.

The Texas Department of Criminal Justice Victim Services Division generates a weekly report of those "new" victims who have been registered with their notification system. Regional Victim Service Coordinators follow up with those "new registrants" who were added via the Victim Impact Statement. We remind and advise them of other services that we provide in order for our agency to ensure we continue to afford them their rights. This is a very positive tool. Many victims have expressed how the follow-up is appreciated as it makes them feel like they matter. Some, many in fact, did not realize they still had rights post-conviction. This has enabled victims to continue to participate in the criminal justice process who would otherwise not have known.

The El Paso District Attorney's Office has different units where victims are notified immediately of their rights and their specific case.

- 24 hour contact unit meets with domestic violence victim within 24 hours of the offender's arrest.
- Special crime unit meets with survivors of the victims' family to inform them of their rights and their case.
- Rape and child abuse unit notifies victims of their rights and case.

Applying best practices – doing what we know works

We get to the victim on scene if possible or within the first 24 hours. Those victim's we have seen within that time seem to accept help more and want out of the situation more. If we wait and just send a letter or make phone calls, our success is not as great as first 24 hour's response. Letting the victim know of the help they can receive is so important for them to know there is help and that someone cares enough to advocate for them.

Implementing a Lethality Assessment Program to better identify high-risk victims of domestic violence and ensure they get immediate assistance and protection. Victim assistance has faster follow-up since implementing the program.

Live intake and case-by-case determination on what each particular victim needs. Programs like TLSC and Salsa project!

I want to have a thorough understanding of victims, trauma, their rights, and services available to them. To do this, I identify opportunities to work with victims in a variety of settings – including law enforcement victim services, the SARRT, and research.

Hire someone who is passionate about their job! In our CASA, all employees work together to ensure victim is served.

Kudos - Leadership matters

Have a lot of support from the community and supervisors to make sure that victims are taken care of from the scene all the way to court. Supervisor gives us free reign to take care of victims without going outside the law.

I would like to point to my new boss – he is very victim-oriented and will help me anytime I need to get help regarding getting law enforcement to understand that victims have rights. I have been here eight years, and this is the first year that we have had a victim rights program. We will be setting up outreach for domestic violence in October.

Our police department is good in having victim notification for victims of family violence or assault.

How the staff and the board of local sexual assault agency stood strong in adversity and threat to their ability to exist and work for victims.

Making a difference or why I do this work

I gave a family from outside of this country an opportunity to see their daughter's body for the last time before burial. Family only spoke Vietnamese and suspect's family had placed request for victim's body to be cremated. The day before scheduled cremation we were able to fully explain CVC through interpreter and schedule for transport of the victim to her home country. The victim did not have any relatives in U.S. other than suspect's family.

I had a case of aggravated assault with bodily injury. The offender happened to be a man who had psychiatric issues and was not seeking treatment and had decompensated. The initial response per old business was to close case, but after several meetings with supervisors and district attorney's office, the case was presented to grand jury and indicted. As a result, mental health officers keep up with the offender.

We had to correct and re-charge on a sexual assault victim perpetrator. Charged again due to rape charges dropped. With the assistance of local legal aid office, we worked together to accomplish this great achievement.

I got a victim some false teeth through CVC, two years after he lost them in a fight.

I had a victim who was told by the DA that she could not attend the trial. I was there at the meeting and stood up for the victim, and requested for him to request that the judge allow them to attend. I also requested that the family give a VIS and they did.

Working for Texas Legal Services Center, I am grateful for the opportunity to be able to assist victims all over the state. My most memorable experience was representing a client with getting a protective order, after being told by the district attorney that they would not be able to assist her. She was able to get a protective order and use it to limit/eliminate the perpetrator's rights to her daughter.

We did an awareness program in partnership with our local shelter at all the local high schools. We did a presentation on teen dating violence/family violence and healthy relationships then had a poster contest with the high school students and created an awareness calendar to hand out to the public.

In-house training on ways to assist victims is provided by our state and national offices in Texas and it includes training for new advocates as well as strategies specific to our field (drunk driving).

We were having difficulties with deputies properly filling out EPO forms. We put every piece of information that is required to be completed in red. That way, each deputy or victim knows that this line must be filled in.

Our county sends victim information to all victims of crime, not just violent crimes. Any case that has a victim, we send info to.

SHOUT OUT

In identifying what they wanted to “point to with pride” several respondents gave credit to their agencies ... we salute them here and give them a collective SHOUT OUT.

The **Texas Department of Criminal Justice Victim Services Division** sincerely cares and is focused on ensuring victims are afforded their rights as related to the agency. If a problem is identified it is addressed with the objective of “What is the victim’s right and how can we best afford them that right?”

I am most proud of having recruited people at **Texas Legal Services Center** who are smart, enthusiastic, and committed to ensuring that Texas victims are afforded their rights: D’An Anders, Erica Alvarado, Keri Ward, Robert Brothers, Susan Lefler, and Rachel Leinen. I am blessed in being able to work with such talented people every day, and I am thankful Texas victims can turn to them.

We have an awesome **victims’ coalition** in **Midland, Texas!**

Every victim who comes through the **Advocacy Center for Crime Victims and Children** is assigned a caseworker. The caseworker meets with them during the initial visit and reads them their rights, and completes the CVC application.

I am the only victim coordinator in the **juvenile arena in Ellis County** and my assistant district attorney is victim-oriented. My children’s advocacy group is very involved with us collaboratively.

Great collaboration between victim services at different agencies in **Harris County, HPD, ME, DA**, etc.

The **Turning Point Rape Crisis Center** continuously trains the community, law enforcement, DA’s office, schools, religious organizations, and other organizations on services available to crime victims and rights available to crime victims. As an advocate, I continue to inform victims of their rights and our agency provides free services and legal advocacy to help connect victims to resources to get their needs met. In short, we fight to make sure victims are aware of their rights and do all we can to build a team within the community so that they are standing by victim rights as well.

YWCA of the Sack Valley assists victims with emergency orders of protection; court advocates work very hard to follow-up with victims when abusers break the order of protection.

Dickinson Police Department works hand-in-hand to insure victims are provided with vocal, written and continuing education on victim’s rights. This includes first officer on scene, the detective division, the dispatchers, the captains, sergeants and crime victim liaison. Lastly, we provide VIS as well as the education at first contact.

Child Advocates of Fort Bend has supported many victims through the years. One case that touched many of us involved a teenager who made an outcry of sexual abuse from her father that started when she was a very young child. She was interviewed at CAFB, a staff member completed the CVC application, and this young girl was able to be a child again in our play therapy room. The case was indicted and I was her criminal court advocate and was able to keep her informed of the criminal case. I

attended the meeting with her and the district attorney's office. The case went to trial and the defendant received a life sentence for continuous sexual abuse of a child.

CASA of Palo Pinto and Parker counties has focused on victim rights for our children and trained our volunteers to educate the community.

Our DA rarely prosecutes sexual assault or family violence cases so we have almost no opportunity to go to court with our victims. We had to call Texas Advocacy Project and they sent a lawyer out to help us get a protective order. Use **Texas Advocacy Project!**

The **Bexar County Family Justice Center** has recently moved in to a new building and all partners/agencies are now housed on the same floor. This gives all workers a chance to work together easier when dealing with a case.

As the **Angelina County Adult Probation Victim Services Coordinator** I collaborate with other agencies in keeping up with victims. An example is with the **Lufkin Police Department** – they email me every month with different offenses of bodily injury, assaults, family violence, and I send out letters to these victims letting them know of their rights. I receive a lot of responses from victims through this procedure.