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<p>In this next exercise we ask all of you to share some information about your past experiences working with victim advocates, and to think about what information and lessons we can take from our common experience that will benefit and inform our consideration of a victim-centered approach to managing sex offenders. We will be breaking you into small groups so that you each have time to share your individual experiences working with sexual assault victim advocates and then, as a group, identify some of the commonalities and differences you have faced in working with these advocates.</p> <p>LEARNING ACTIVITY: UNCOVERING PAST EXPERIENCE (45 minutes)</p> <ol style="list-style-type: none">1. Arrange participants in groups of 4-6. Have each group select a recorder and a reporter.2. Direct groups to go through a “round robin” process, where each participant will be asked to share an experience they have had with a crime victim or victim advocate (ideally related to sexual assault, but not everyone will have had that experience). This could include work on an individual case, such as a pre-sentence investigation or a revocation hearing, a community meeting or task force activity, or an unsolicited contact about a particular offender.<ul style="list-style-type: none">• What was the basic context of the interaction (why they were talking to or working with this person, what the situation was)?• How they would describe the tone of the interaction. (Encourage people to use their own terms.) Was it friendly and cooperative? Frustrating or challenging? Professional and neutral?• Was there a particular outcome or did either party expect a particular outcome?• What did the person feel went well in the interaction or caused the interaction to go well?• What does the person wish had happened differently, if anything?• What impression did the experience leave?3. After each person has had their turn to share an experience, invite the groups to note commonalities and differences among the experiences that were described or the way the person describing the experience handled the situation. See if the group can come up with any lessons from the experiences – at least one lesson about positive experiences and one lesson about negative experiences.	<p>📖 Learning Activity Materials Uncovering Past Experience</p> <p><i>NOTE: As with any exercise, the tone will depend in large part on the group itself. If the group has had largely positive experiences, focus on lessons that can be applied, such as the value of collaboration, the importance of listening, or how positive feedback from the community can be helpful. If you find yourself with a group whose experiences have been largely negative or difficult, you will want to acknowledge any frustration they may feel and reassure them that there will be an opportunity later to do some strategizing about how to address the challenges they have experienced in the past.</i></p> <p><i>In addition, you will want to be listening for participants who are engaging in victim-blaming. While you may not choose to address it here (unless it comes out in the lessons), victim-blaming behaviors can interfere with the successful involvement of victims</i></p>

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<p>PROCESSING OF EXERCISE: UNCOVERING PAST EXPERIENCES (30 minutes)</p> <ol style="list-style-type: none"> 1. Prior to the group report-out, prepare two flipcharts: one for positive experiences (one column each for commonalities and differences), and one for difficult experiences (set up in a similar fashion). 2. For both positive and difficult experiences, ask each reporter to share the list of commonalities and differences generated by his/her small group. Note the commonalities and differences reported by more than one group, and why they thought the interactions were either positive or difficult. 3. After all the groups have reported, ask if anyone has any additional ideas to add to the list. 4. Select one or two commonalities and differences from each list (emphasize those commonalities or differences reported by multiple groups) and discuss. Ask participants to share the lessons learned in their small groups regarding these commonalities and differences, and to comment on the benefits of these experiences. 5. To close the exercise, summarize what you've heard, with emphasis on the variety of experiences within the audience, and the lessons learned and benefits derived from experiences that created or supported collaborative relationships with victims and victim advocates. 	<p><i>and victim advocates in sex offender management and should be addressed in the course of the training. You should address victim-blaming behaviors (or address them again) in Section 4: Enhancing Victim Involvement in Sex Offender Management (Victim Contact and Interviewing Victims – Interviewing Victims Exercise).</i></p> <p><i>Tips for addressing comments that may display victim-blaming attitudes:</i></p> <p><i>Be cordial and respectful in your response.</i></p> <p><i>Say, “Let’s consider what you just said, and the words you used. Has anyone else ever heard these words or terms to describe victims of sexual assault or rape?”</i></p> <p><i>It’s important to remember that <u>nobody</u> asks or wants to be raped or molested. There may be factors correlated to the assault, but they do not <u>cause</u> the assault to occur. That is a choice made by a sex offender.</i></p>
<p>TOPIC: WHO ARE VICTIM ADVOCATES? (5 MINUTES)</p> <p>ROLE OF ADVOCATES</p> <p>Working with advocates is one of the three essential components in a victim-centered approach to sex offender management. Victim advocates can be some of our best allies in making this approach work well. By collaborating with victim advocates, we can get the information we need to be more effective at confronting the secrecy, manipulation, and deception that characterizes sex offending behavior. They can also assist in gathering the victim input needed to make more informed decisions.</p> <p><i>Who are Victim Advocates?</i></p> <p>Victim advocates are professionals whose primary role is to serve</p>	





TOPIC: KINDS OF ADVOCACY
(80 MINUTES)

? What are some of the victim advocacy or victim service agencies or organizations that you either work with or are aware of in your jurisdiction? (20 minutes)



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NOTE: The purpose of this section is to understand some of the differences between the types of advocates and advocacy groups that may be providing services in participants' communities, the significance these differences hold for victims, and to understand the opportunities for collaboration. The exercise is not intended as an opportunity to categorize for participants specific advocates or advocacy groups in their communities. Some jurisdictions have different or multiple types of advocacy groups (e.g., child advocacy centers), and the responsibilities of these groups can vary significantly, but they are all considered advocates. Participants who express confusion about the role of specific advocates in their communities should be encouraged to discuss with the advocates in their community the advocate's roles and responsibilities to victims and the system. Emphasize that sharing information about roles and responsibilities is an important step in creating effective collaboration among agencies or individuals with different and sometimes conflicting roles.

>Use Slide #5

Exercise: Victim Advocacy and Victim Service Organizations

Participants will have varying degrees of knowledge about the types of victim advocates. Encourage participants to name as many different types of victim advocacy agencies as possible. Write their answers on a flipchart or on a blank overhead slide.

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<p>CATEGORIES OF ADVOCATES (5 minutes)</p> <p>Most of these agencies can be put in one of two groups: “system-based” advocates and “community-based” advocates. When we talk here about “system-based” advocates, we’re talking about something different from “systemic advocacy.” System-based advocates and community-based advocates can be differentiated by where the advocate is employed, who they are responsible to, and sometimes the nature of their duties.</p> <p>System-based advocates are employed by a criminal or juvenile justice agency, typically a prosecutor’s office, but sometimes by a law enforcement, probation, or corrections department, or by a paroling authority or state Attorney General’s office. System-based advocates generally serve as the primary contact for victims with that particular criminal justice agency, and their responsibilities may include facilitating the victim’s participation in justice processes, interviewing victims, referring victims to appropriate support services, and helping victims connect with criminal justice system-based victim services.</p> <p>The term “community-based” victim advocate refers to people who work in an independent, usually nonprofit, organization dedicated to assisting victims of sexual assault (and sometimes also victims of domestic violence and/or stalking). Some advocacy groups are private but have a mission that links them to the criminal justice system. For example, some private, nonprofit child advocacy centers are designed to make it easier for child victims to provide testimony about their victimization, but this function serves primarily to assist with prosecutions, dependency decisions, and other official functions. Community-based victim assistance programs provide comprehensive services to victims, regardless of whether they choose to report the crime and participate in justice system processes.</p> <p>There are also victim service providers who may not fall into either of these categories, but who sometimes serve as the voice for victim issues in the community. These may include counseling agencies or private therapists who provide services to victims and have a deep</p>	<p><i>Possible answers include: rape crisis centers, child advocacy centers, Sexual Assault Nurse Examiner (SANE) programs, Sexual Assault Response Teams (SARTs), victim witness professionals in prosecutor’s offices or probation departments, etc.</i></p> <p>>Use Slide #6 Types of Advocates</p>

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<p>understanding of victim issues, but who are not officially involved in the criminal justice system aspects of sexual assault issues. This type of provider may also include sexual assault nurse examiners (SANEs) or child advocacy center staff who have a role in the criminal justice system but who are independent of it; or leaders of victim support groups.</p> <p>Inevitably, some communities have greater victim advocacy resources than others. Communities that have both system-based and community-based victim advocates are particularly fortunate, since each has different services they can offer to victims and the community. It is important to understand some of the differences in the services these advocates are able to offer. You may be in contact with either or both types of advocates, depending on what is available in your community, whom the victim has chosen to contact, or what is happening with the offender. When these various victim advocacy groups work together, their services can complement and enrich each other.</p> <p>COMPARING COMMUNITY-BASED AND SYSTEM-BASED VICTIM ADVOCATES (10 minutes)</p> <p>Although both community- and system-based advocates can and do provide valuable services to victims, it is important to know the differences between these types of advocates. These include:</p> <ul style="list-style-type: none"> • <u>Working with reporting and non-reporting victims:</u> Community-based advocates serve both victims who report their victimization to the criminal justice system as well as those who do not. System-based advocates generally offer services to those victims whose cases are being processed in the criminal justice system (although some offer services to all victims). • <u>Access to criminal justice system professionals:</u> Both kinds of advocates generally will be knowledgeable about the criminal justice system. System-based advocates will likely have particular knowledge about the component or agency they are working for, and are likely to have better access to those system component professionals. Community-based advocates may have more flexibility, both in terms of which parts of the system they are able to approach and work with, and their ability to limit their involvement if the victim is not comfortable with participating in the process; however, access to system professionals may be more limited. • <u>Availability to victim:</u> System-based advocates are sometimes limited to working with victims only while their case is within the agency the advocate serves. In other words, a police-based victim advocate may not be available to assist a victim once their case has been passed on to the prosecutor's office; a 	<p>>Use Slide #7 System-based Advocates</p> <p>>Use Slide #8 Community-based Advocates</p> <p>📖 Refer to Handout Comparing Community-Based and System-based Victim Advocates</p> <p><i>NOTE: When reviewing the roles of each type of advocate, emphasize the fact that the roles may differ from jurisdiction to jurisdiction. For instance, a rape crisis center may do a lot of court accompaniment, while probation-based victim advocates may perform specialized training and help with accessing compensation information.</i></p>

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<p>corrections-based victim advocate may not have contact with a victim until the case has been adjudicated and the offender sentenced. In contrast, a community-based victim advocate may be available to a victim at any point from the time she/he has been assaulted (even if the victim doesn't seek assistance until years following the incident(s)), and the advocate may continue serving the victim whether or not the victim decides to report the crime or be involved in criminal prosecution.</p> <ul style="list-style-type: none"> • <u>Limits on confidentiality:</u> Because they are employed by criminal justice agencies to serve a particular function, system-based advocates are usually not able to offer victims confidential services. Information derived from an interview by a victim advocate in a prosecutor's office, for example, will in most cases be passed on to the prosecutor to assist with the case. Victim communication with community-based advocates is typically protected by law and/or agency policy (in many states they have privilege similar to attorney/client or doctor/patient privilege). This distinction will likely be very important to victims. • <u>General and specialized advocates:</u> Some system-based advocates work with all crime victims, regardless of the offense. They may or may not have received specialized training in sexual assault victim advocacy. Community-based advocates usually specialize in sexual assault victim advocacy (and possibly domestic violence and stalking) and receive specialized training on sexual assault issues. Training and specialized experience enables advocates (whether community- or system-based) to better address the needs of sexual assault victims and to better prepare them for the experience of working with the criminal justice system. Community-based sexual assault advocates see their role as not only helping victims navigate the system, but also to provide crisis intervention, information, and resources and to protect victims from possible system inequities. • <u>Services to secondary victims:</u> Community-based advocates are available to work with both primary and secondary victims of sexual assault. Some rape crisis centers, for example, run support groups for partners of rape victims. • <u>Availability of advocates:</u> Many community-based victim advocates are available to provide services 24-hours-a-day, 7-days-a-week. They use hotlines and volunteer networks to ensure this availability. System-based advocates may only be available only during standard office hours, although in many jurisdictions system-based advocates may be on-call. • <u>Other victim service providers:</u> In some communities, victim service providers –child advocacy center staff, for example – may provide some of these advocacy services to their clients and may be the ones to represent victim issues on local task forces and policy initiatives. Child advocacy centers and 	

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<p>SANEs participate in the criminal justice system in very prescribed ways, usually in the prosecutorial stage. Child advocacy centers also work closely with child protective services to establish whether a child is in need of services. There are also national groups that provide victim services to individuals at the local level, while conducting systemwide advocacy at the state or national level. These service providers are difficult to generalize about, but may be important resources for victims in your community.</p> <p>As you can see from this comparison, each advocacy position has its strengths and its limitations, which is why communities benefit most from having advocates and other service providers available in a variety of locations both within the system and outside of it. But many communities without this abundance of resources have adapted to the needs of sexual assault victims by expanding the capacity of the advocates who are available to serve in whatever ways they can. You will find tremendous variation from jurisdiction to jurisdiction, both in terms of what services are available and who provides them.</p> <p>The important things to take away from this comparison are:</p> <ul style="list-style-type: none"> • If you are not already familiar with all of the victim advocacy resources in your community, it's important to take the time to investigate what advocacy groups exist and what kinds of services they offer. Victim advocates can contribute to the effective management of sex offenders, but only if supervision officers understand what services and options are available. You may find that your community's resources closely follow the pattern described here, or they may not. • Different victim advocates bring different strengths to this issue. All of the perspectives are useful and each potential resource should be tapped to the extent possible. 	<p>>Use Slide #9 Important Lessons</p> <p><i>Note: See the Office for Victims of Crime's on line Directory of Crime Victim Services for information about available resources in your community. The online guide can be viewed at http://www.navaa.org/extlnk/lnkframe.htm?http://ovc.ncjrs.org/find/victimservices/.</i></p> <p>📖 Refer to Handout Important Victim Assistance Resources</p> <p><i>NOTE: Participants should keep this handout for future reference. It includes comprehensive information about victim assistance programs, victims' rights, crime victim compensation, and information and referral information for a number of state and local victim organizations.</i></p>



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<p>LEARNING ACTIVITY: VICTIM SERVICE INVENTORY (18 minutes)</p> <p>Let's take a few moments to do a quick inventory of the victim services you each have in your communities. Each of you has been given a handout to complete for your community. Take a look at the handout. It consists of a blank chart for you to fill in, with one example already provided. It asks you:</p> <ul style="list-style-type: none">• To identify the name of the office or agency where victim services are provided (see example, DA's Office Victim/Witness Unit);• Specify what type of victims are served there;• At what point in the criminal justice process (see example, victims of all crimes after the case has been charged);• If any categories of victims are excluded (see example, those who do not want to cooperate with the prosecution or anyone not directly involved as a victim or witness);• How victims access these services (see example, the victim/witness unit contacts victims based on police reports and invites them to use their services); and• What services are provided (see example, court accompaniment; liaison with prosecuting attorney; assistance with victim compensation application; referrals for counseling or other services). <p>List all of the victim services you can name in your community, and indicate how much you know about them. Take a few minutes to jot down a few notes on your chart.</p> <p>PROCESSING OF EXERCISE: VICTIM SERVICE INVENTORY (2 minutes)</p> <p>Some of you may find that your chart is still relatively empty. This constitutes your homework – over the next couple of weeks, seek out the information to fill in your chart. One way to do this is to meet with the various victim advocacy agencies on your list to gather information about how they function. Some of these advocacy agencies will also be able to direct you to advocates not on your list so that you can make contact with them. Contact the sexual assault coalition in your state – they can also help you gather information about victim services in your area.</p> <p>CONFIDENTIAL COMMUNICATIONS</p>	<p>📖 Learning Activity Materials Victim Service Inventory Handout</p> <p><i>Note: Links to state coalitions can be found at the National Sexual Assault Coalition Resource Sharing Project, at http://www.resource-sharing-project.org/index.html. We will return to this handout later in the training. Telephone and address information for each state coalition, as well as information about national sexual assault programs, can be found in the Trainer's Resources section of this curriculum.</i></p>

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<p>(20 minutes)</p> <p>Let's talk a little bit further about the issue of confidential communications. This is often an area that can be frustrating to criminal justice personnel, especially in the context of a comprehensive response to sex offenders where information sharing is particularly valued. Most states provide some kind of protection to communications between victims and their advocates/counselors, similar to the privilege afforded to doctors and lawyers and their patients or clients. Unless a victim signs a waiver consenting to the release of information shared with a counselor or advocate, it is against the law for the advocate to share information a victim has divulged to them. In states without such laws, agency policy will sometimes dictate that information provided by victims cannot be shared unless the victim signs a waiver, and the waiver is usually specific about to whom the information can be released. In this situation, the information would be vulnerable to subpoena but would not be available for general discussion.</p> <p>To those within the criminal justice system charged with the management of sex offenders, it may appear in these situations that victim advocates are withholding information unnecessarily. This can be frustrating in the context of both individual cases and in trying to set policy that will facilitate collaboration among criminal justice system agencies. Sometimes victims will have shared information about the offender that would be useful to the person supervising or treating the offender, or information that could affect the victim's or others' safety. At times like this, the victim advocate's insistence on maintaining confidentiality may seem not only uncooperative but potentially harmful, and it is important to consider why these laws and policies are in place. Far from being unnecessary, they are essential to protecting and empowering victims by encouraging them to share information freely with their advocates without fear that the information will be shared without their consent.</p>	<p>>Use Slide #10 Confidentiality</p> <p><i>NOTE: This aspect of community-based victim advocacy is discussed separately for two reasons:</i></p> <ul style="list-style-type: none"> • <i>Confidentiality is important for victims. Community-based programs are often the only places victims can turn where they know what they say will not be disclosed.</i> • <i>It is often this restriction on information-sharing that causes tension between community-based victim advocates and criminal justice professionals. Prosecutors and probation officers, for example, sometimes believe the advocate is 'holding back' information that would be useful to their work with the case and resent the advocate on that basis. It is important to address this issue with participants so they will understand the reasons why confidentiality is important; that advocates don't "withhold" information that would be useful; rather, they protect legitimate and essential confidentiality limits.</i> <p>📖 Refer to Handout Summary of State Laws Related to Advocate Confidentiality</p> <p><i>Encourage the participants to find out what kind of communication is protected in their state. See the attached state matrix of confidential communications laws.</i></p>



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<p>? Can you think of some examples of information that advocates may possess to which you would like to have access?</p> <p>? Do any of you have any ideas about <i>why</i> laws are in place protecting communications between victims and their advocates/counselors?</p> <p>It is important to remember that the laws and policies restricting the information that advocates can share are in place for a purpose, to protect victims in the places to which they turn for assistance. Anyone who works in the field of sexual assault knows that sexual assault is a painful experience that can be difficult to talk about. However, sharing information about the assault and the victim's experience in the aftermath of the assault may go beyond that kind of emotional difficulty. Just as a victim may be in the best position to know how an offender operates and how dangerous the offender may be, the victim may also be in the best position to know what information can be shared without harming the victim or putting the victim at risk of harm.</p> <p>For example, information about the victim's mental state, shared with an advocate as part of an effort to secure therapy or other mental health services to deal with issues raised by the assault, may be used to discredit her in a civil or family law case that follows the sexual assault. Criminal and civil legal systems can cause victims real harm when information about their experience gets into the wrong hands, and creates danger for them or is used to discredit them.</p> <p>In order for some victims of sexual assault and abuse to heal and recover, they need to know that they can talk to an advocate without fearing that what they say may be shared, even if the intentions for sharing it are well-meaning (such as a belief that the victim will be protected if the information is revealed). This is a protection that generally only community-based advocates can offer victims, and it is this assurance that what they say is confidential that enables many victims to seek support.</p> <p>Another important implication for victim privacy is related to</p>	<p><i>Examples could include: that the offender contacted the victim, which is a violation of his/her conditions of probation; that the offender is engaging in other activity that violates conditions.</i></p> <p><i>Hopefully, some participants will point out that the principle behind confidential communications is essential to protect victims. If not, continue with the next paragraph, explaining the principle.</i></p> <p><i>Note: For additional</i></p>

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<p>mandatory child abuse reporting laws. Collaborating with advocates requires respecting these boundaries around information shared by victims.</p> <p>In your own efforts to collaborate with victim advocates within your jurisdiction, it will be important for your organization to seek out information about the current state law regarding confidentiality between advocates and victims, and the specific policies of your collaborative partners, and to discuss the application of these laws and policies as part of the collaborative process.</p> <p>WORKING WITH ADVOCATES (5 minutes)</p> <p>Remember that advocates in your jurisdiction may be as unfamiliar with victim-centered approaches to managing sex offenders as you or others may be, and might be hesitant or skeptical about collaborating with agencies or individuals who work with offenders. Some advocates may be reluctant to collaborate with the criminal justice system because of the difficult history victims of sexual assault have experienced in seeking justice within that system. They also often have historical concerns about not being included in any partnerships that address offender management and public safety, or being invited to participate once such processes have already been established. It is important to engage victim advocates <i>early</i> and <i>often</i> in all sex offender management efforts, and recognize the value they bring to the team.</p> <p>The advocacy movement began because sexual assault victims felt that the criminal justice system was not meeting their needs, and in many ways favored perpetrators of sexual assault over victims. In addition, certain kinds of sexual assault have historically been virtually ignored. Unlike victims of other crimes, sexual assault victims have been accused of making up the stories of their victimization unless they had serious bodily injuries – and even then, it has sometimes been argued that they “liked rough sex.” Victims have had their personal histories put on trial, and if they were sexually active with anyone, that sexual history has been used in some cases to excuse or explain the sexual assault. The victim advocacy community has worked hard to dispel these myths, to change laws and practices to enable victims of sexual assault to seek justice, and to provide accountability for perpetrators. Unfortunately, these types of practices still exist in some jurisdictions, and even those jurisdictions that have made strides in remedying these problems are likely still faced with a legacy of skepticism and mistrust of the system.</p> <p>While many advocates may understand that they have an important role to play in sex offender management and are eager to collaborate, others may not understand that supervisory and other criminal justice</p>	<p><i>NOTE: Reluctance by some victim advocates to partner with criminal justice agencies may be an issue raised in the previous exercise about past experiences. If so, you can refer back to the examples given by participants and remind participants of the lessons learned and benefits realized by pursuing such partnerships.</i></p>

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<p>agencies share the same fundamental goal of preventing future victimization. They also may believe that their resources cannot or should not be applied to anything that supports work with offenders, because it would result in fewer resources for victims. In the world of sexual assault victim advocacy – as in community corrections – limited resources have always been a significant issue. Be prepared, as you would be in any new collaborative relationship, to spend some time building trust gently, challenging each other’s assumptions, and discussing shared expectations. Remember that advocates have typically not been included in any correctional or offender management initiatives. It will be important to share with them that their contributions to these efforts will be valued, important, and worthwhile.</p> <p>TOPIC: Conclusion (5 MINUTES)</p> <p>In this section we have provided information about the many different types of advocates that might be available to serve victims in your community. If you are not familiar with the full range of services that are provided in your community, learning more about the organizations that can provide such services will undoubtedly prove beneficial to you in your work. It is important to recognize that that each of these offices and agencies provide a variety of often distinct services to aid victims as they move through the criminal justice and medical systems. Many of these advocates are experts at working with victims of sexual assault, and can be consulted if you have questions about how you can better interact with and respond to victims’ needs. We have also discussed the limits of confidentiality for both victims and victim advocates. It is important that we remain mindful of the implications of these laws in your state.</p>	<p>>Use Slide #12 Conclusion</p>

