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### The Effectiveness of Victim-Witness Advocate Services

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# The Effectiveness of Victim-Witness Advocate Programs



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## Abstract

The objective of this research is to examine the effectiveness of victim witness advocate services in increasing case outcomes and improving the experience of victims during the process. A systematic review of studies conducted to assess the impact of this policy on stated outcomes indicates that the policy is an effective means of increasing victim witness participation in investigative and court proceedings. In addition, this policy has also enhanced the relationship and experience between victims and legal authorities in the criminal justice system.

## Introduction

The victims' movement in the United States occurred due to the development of victimology, the introduction of state victim compensation programs, the rise of the women's movement, and the rise of crime that was accompanied by a parallel dissatisfaction with the criminal justice system. The interest in victimology was due to the increasing concern about crime in America in the late 1960s. Research by Frank Cannavale found that the largest cause of prosecution failure was due to a lack of cooperation among victims-witnesses who stopped helping the justice system because it was indifferent to their most basic needs (Young & Stein, 2004). Research had recently shown that the main reason for unsuccessful prosecutions was that witnesses and victims of crime were not being treated well by the criminal justice system (Lee, 2019). This became a significant factor for why and how victims assistance programs were developed. Early programs assisted in victim compensation, federal Supplemental Security Income, assistance in court proceedings and restitution, resources to social services, transportation, and translation for Spanish-speaking clients (Lee, 2019). It led to establishing a wide variety of services, specializations, and considerations.

Victim advocate programs offer services such as crisis intervention, counseling and advocacy, medical services, support during criminal investigations, support during prosecution, support after case disposition, help victims understand their rights, crime prevention, public education, and training of allied professions. Although, focus for victim and witness advocate programs is primarily domestic violence and sexual assault cases against women, programs began to expand and acknowledge other victims of crime to like elderly victim, victims of homicides, victims of theft, and children. By the end of the 1980s, more than 8,000 victim service programs were in operation (Young & Stein, 2004). The objective of this study is to determine if victim-witnesses of crimes are more likely to continue with and participate in the prosecution of their offender if they use victim witness advocate services and to determine if victim-witness advocate services are beneficial.

## Studies Demonstrating Effectiveness

Results from studies show that assistance from services and victim witness advocates increases victim cooperation, which in correlation helps increase case prosecution. Victims were more willing to cooperate with the prosecution when they were given the opportunity to utilize social service resources and become more educated about the process (Bechtel et al., 2012).

Victim-witness advocacy has helped improve the safety and quality of life for victims of domestic violence, also known as battered women..

Civil protection orders have been increasingly used as a resource against domestic violence. Victims are more likely to obtain a protection order with a supportive actor in the courtroom (Bejinariu et al., 2018).

Research has found that only 15 to 41% of sexual assaults are reported to law enforcement, and only 14 to 18% of those sexual assaults that are reported are prosecuted (Patterson & Tringali, 2015). Victims have poor experiences and relationships with legal authorities. Most women without advocates are reluctant to seek further help after their experiences with the legal system (Campbell, 2006).

Some studies show that victim-witness advocate programs may be more cost and time effective (Kraft et al., 1978).

## Studies Demonstrating Ineffectiveness

Domestic violence and sexual assault crimes are highly underreported. Lack of reporting leads to a lack of individuals reaching out for support and victim-witness advocate services. Victims can fear double victimization by legal authorities. Domestic violence and sexual assault victims have the lowest cooperation when it come to the legal system and prosecution (McLeod, 1983).

A study found there was a higher percentage of lack of victim cooperation in the crisis team cases at 15% compared to 4% for the non-crisis team cases. Victims may initially contact police to stop the domestic violence, but they may not want to continue with an arrest or prosecution (Corcoran & Allen, 2005).

Victims may not seek help due to fear of retaliation by abusers and other barriers. Between 23% and 50% of women who try to obtain protective orders experience revictimization (Mears et al., 2001).

Rural locations lack services and programs compared to more urban settings (Yun et al, 2009).

There is friction between law enforcement and victim witness advocates due to lack of boundaries and roles (Gaines & Wells, 2017).

## Critical Analysis

The criminal justice system and its authorities are not the most inviting or understanding when it concerns victims of sexual assault and domestic violence. A primary barrier of victim cooperation is police views towards victims. Witnesses and victims of crime are not being treated well by the criminal justice system.

It is not uncommon for sexual assault and domestic violence victims to withdraw cooperation from the criminal justice system after initially seeking help and reporting the incident. Regarding sexual assault cases, one fourth of victims decline to initially cooperate or terminate cooperation during case processing. Approximately 80% of domestic violence victims withdraw cooperation (O'Neal, 2016).

Victims have a variety of needs that differ depending on the type of crime and the demographics of the victims. Agencies may turn individuals away due to not having enough funds or they could not provide needed services. The major weaknesses were lack of funding, lack of space, and attrition of volunteers (Lee, 2019). Lack of funding in these programs threatens the existence of such programs.

Victim-witness advocates are at a high risk of experiencing vicarious trauma. Vicarious trauma is the secondhand trauma of workers who work with and learn experiences from those who have been through traumatic experiences (Benuto et al., 2018).

More research is still needed when it comes to victims and victim services.

These barriers deter victims from reporting t and reaching out for services, essentially not using the policies programs. Due to the lack of use can increase the already present lack of funds, staff, and resources for individuals who do need them. This creates a cycle.

## Conclusions

In the late 1960's to 1970's America became interested in studying victims due to an increase in violent crime. Another issue then became apparent, that significant cause of prosecution failure due to a lack of cooperation among victim-witnesses. Victims are mistreated and stigmatized by the criminal justice system causing them to go through double victimization from a system that is supposed to be on their side helping them; therefore, victims do not want to participate and help in the investigative and prosecution process (Young & Stein, 2004). In order to address the issues regarding victim participation and treatment, victim witness advocate programs were created to collaborate alongside law enforcement and courts. Victim advocate programs were developed to offer specialized services to meet the needs of a variety of victims' cases. Some broad categories of the many services are psychological services, medical services, support during criminal investigations and prosecutions, help to inform victims of their rights, help in rebuilding victim lives, compensation and restitution, as well as public education and training of allied professions (Young & Stein, 2004). Overall, the research regarding the effectiveness of this program has been supportive of the policies impact increasing victim cooperation and enhancing victim experience. Victim witness advocate programs have been proved to be especially prevalent in significantly helping domestic violence and sexual assault victims. In addition, the policy has been found to be cost effective for communities. Thus, the development of victim witness advocate programs is a sound criminal justice policy that is utilized within several police departments, attorneys' offices, and courts.

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