

Arizona Peace Officer Standards and Training

Basic Curriculum Model Lesson Plan

LESSON TITLE: VICTIMOLOGY 6.2

SUBJECT:	Effective Communication with Victims and Arizona Victims' Rights
AZ POST DESIGNATION:	6.2
HOURS:	3
COURSE CONTENT:	<p>Provides basic information on the fears, emotional distress, physical suffering, and financial loss suffered by victims/witnesses of crime. Describes how to effectively communicate with compassion and empathy to victims of crimes taking into account the effects of trauma. Identifies some bias's victims of different social, economic, and sexual identity status' encounter. Describes Arizona's Victims' Rights laws and resources available to victims.</p> <p>Understanding the spectrum of responses to crimes experienced by victims assists responding officers to appropriately interact with and communicate with victims, which translates to increased law enforcement capabilities and improves the ability of the officer to obtain information from victims critical to successful investigation and prosecution of crimes. The study of victimology also assists officers in processing their own experiences as victims of crimes perpetrated upon law enforcement today</p>
PERFORMANCE OBJECTIVES:	<p>Upon completion of this course of instruction, students using notes, handouts, and other support materials as references, within the allotted time, will:</p> <ul style="list-style-type: none">6.2.1 Identify some techniques to communicate effectively with victims of crimes6.2.2 Identify the following as basic psychological responses to victimization:<ul style="list-style-type: none">A. AngerB. DenialC. Feelings of helplessness/lack of controlD. Self-blaming and/or blaming others

E. Fear

6.2.3 Define secondary victimization and identify crime victim types for which the victims are most likely to suffer.

6.2.4 Identify the officer's responsibilities to ensure the rights of the victims pursuant to the Arizona Victims Rights Bill.

DATE FIRST PREPARED: January 2000

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AZ POST – APPROVAL:	Richard Watling	DATE: November 2009
AZ POST – APPROVAL:	Mandy Faust	DATE: February 2021
AZ POST – APPROVAL:	Lori Wait	DATE: December 2021
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INSTRUCTOR REFERENCES: Department of Justice, Office for Victims of Crime and AZ Stakeholders

CLASS LEVEL: Student

TRAINING AIDS: Body worn camera footage, Victim Rights Form
Gokey, Caitlin, and Susan Shah, eds. 2016. How to Increase Cultural Understanding. Police Perspectives: Building Trust in a Diverse Nation, no. 1. Washington, DC: Office of Community Oriented Policing Services. TrustandJustice.org

INSTRUCTIONAL STRATEGY: Instructional objectives will be obtained through the use of lecture, instructor demonstration and Body worn camera footage.

SUCCESS CRITERIA: 70% or higher on a written, multiple-choice examination

COMPUTER FILE NAME: 6.2 Victimology

DATE RELEASED TO THE SHARE FILE: August 2023

I. INTRODUCTION

- A. Instructor – (self) introduction.
- B. Preview of performance objectives.

II. VICTIMOLOGY AND TRAUMA-INFORMED POLICING

- A. Victimology definition: “The study of the victims of crime and the psychological effects on them of their experiences.” Merriam-Webster.
- B. Victimology definition: “Although the field [of victimology] originally focused on the varying degrees of victim blameworthiness, by the 1970s this preoccupation became overshadowed by studies intended to prevent victimization, to improve the way complainants are handled by the police and courts, and to speed recovery.” Britannica.
- C. Crisis intervention is to enter into the life situation of an individual, family or group to lessen the impact of a crisis, reducing stress in order to help mobilize the resources of those directly affected. **INSTRUCTOR NOTE:** *This definition is taken from section “IV Crisis Intervention”*
- D. Trauma-Informed Policing is based on the principle that a law enforcement officer will be better able to facilitate interactions with the various players in criminal investigations if he/she has an understanding of trauma and the impact it has on the human psyche.
- E. In this course, there is not enough time to delve into all trauma-informed approaches to interview and interrogations and contact with people suffering from trauma, so each recruit is encouraged to seek additional training on their own. TrustandJustice.org

III. EMPATHY AND COMPASSION

- A. Empathy definition: “the ability to understand and share the feelings of another.” Merriam-Webster.
- B. Compassion definition: “sympathetic pity and concern for the sufferings or misfortunes of others.” Merriam-Webster.
- C. “As first responders, law enforcement officers must be able to fairly and effectively engage with all communities in their jurisdiction.” Officers are not expected to act like robots while on scene with emotionally distraught victims; therefore, showing empathy and compassion and attempting to understand the trauma the victim or suspects have experienced will lead to a more positive introduction into the criminal justice system.

IV. INITIAL RESPONSE TO CRIME SCENES**P. O. 6.2.2**

- A. With even a basic understanding of the effects of trauma and victimization have on a person, law enforcement officers can adjust their approach to contacts with their community, gaining better information from the involved parties, while ensuring the parties feel heard and understood.
- B. Instructor: present a scenario/s or show BWC video/s of initial response to scenes.
- C. Officers will encounter chaos upon arrival to some scenes.
 - 1. Upon arrival officers are contacted by victims, witnesses, suspects, bystanders all at the same time. Officers need to decipher who is who as quickly and safely as possible.
 - a. A victim may think that an officer is ignoring them however, a quick explanation that officers have protocol to follow and that an interview will take place immediately after will work to help the victim understand what is happening.
 - 2. Taking control of the scene and all the involved parties is required. Start by separating parties, gaining statements from each person, then conferring with partner officers to determine any criminal elements, identifying the suspect/s, deciding whether probable cause exists for an arrest/s.
 - 3. Once the scene and parties are under control, the rest of the investigation should start taking place; however, sometimes the victims of the crimes need time to understand themselves what just happened.
 - 4. This lesson plan is focused on how to communicate effectively, with compassion and empathy with victims of crimes.

V. RECOGNIZING PSYCHOLOGICAL RESPONSES TO VICTIMIZATION AND THE ACUTE CRISIS STATE

- A. Officers must consider the psychological and emotional responses victims may have to being victimized. They may experience:
 - 1. Anger.
 - 2. Denial.
 - 3. Helplessness/lack of control.
 - 4. Self-blaming or blaming another.
 - 5. Fear.

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- B. “Trauma results from physical and emotional harm; it impacts an individual’s mental, physical, social, emotional, or spiritual well-being. How a person responds to trauma often depends on what kinds of internal and external resources they have to help them cope.”
- C. Depending on the crime committed against them, the responses can obviously vary.
 - 1. Those victims having what they believed to be a near death experience or violent experience, i.e. strangulation, being shot at or shot, sexual assaulted, etc. may be extremely calm, versus a victim coming home to find they have been burglarized and the suspect is gone or criminal damage to their vehicle may be more emotional.
 - 2. All these scenarios are scary experiences, and everyone will react differently.
 - 3. Keep in mind that these responses to trauma are not necessarily directed at the officer.

VI. HOW TO COMMUNICATE EFFECTIVELY WITH THE VICTIM**P. O. 6.2.1**

- A. Interviewing the victim and obtaining all relative details can be complicated by the stress of the event and their reactions to it. It is imperative officers communicate effectively while being compassionate and taking into consideration the victim’s feelings using empathy. Below are some basic communication techniques that can be helpful in communicating with someone in crisis:
 - 1. Acknowledge their ordeal and reassure their safety.
 - 2. Call the victim by his/her name – it restores a loss of identity and indicates respect.
 - 3. Establish a one-on-one rapport.
 - a. Let them know you are there to help, and be an active listener.
 - b. Acknowledge a victim’s statements, consider allowing them to tell the story without interruption at least once, as this gives them the opportunity to say what they think is important. Open ended questions produce a dialogue. (For instance: “Tell me what happened?” and “What happened next?”) Also, silence after a question encourages uninterrupted speech.
 - c. Then the officer can delve into the story again gaining necessary details for the criminal elements of the act alleged. Close-ended questions provide structure which helps with clarifying questions so you can report the incident chronologically and include necessary detail (for instance, “What color was the shirt?” and specific questions about the gender, race, height, weight and hair color of the suspect).
 - d. The use of summary / paraphrasing communicates interest and probes for further content. The use of restatement also checks for accuracy in victim

statements and clarifies semantics.

- e. Keep in mind this is time permitting, as in some cases the scene may be dynamic, the suspect may be outstanding and information is of a time sensitive nature, in which case, tell the victim you will get the entire story once the scene is under control.
- f. Reassess and recap the interview with the victim at an appropriate time.
4. Offer reassurance that the officer cares and understands the chaos the crime has caused.
5. Validate the victim by saying this is difficult and reassure the victim that his/her feelings are common. Be human now, show empathy, respect, caring, and help the victim process the crisis at hand.
6. That the crime was not their fault and is not to be blamed for the incident.
7. Allow the victim to do what he/she can – pose simple choices to help them regain some control.
8. Explain their options and procedures that will follow.
 - a. If detectives are responding, what is the process, or if the Department of Child Services are involved what is their role, if the Medical Examiner (ME) is coming what happens next.
 - b. If appropriate, inform the victim of the suspect's location i.e. outstanding, in-custody, etc.
 - c. Inform the victim of what he/she can expect from the criminal justice system in terms of prosecution and notifications.
 - d. Inform the victim of their Victim's Rights and services that are available to them.
 - i. The Victims' Rights pamphlets are mandated by state law to be provided to victims upon detection of a criminal offense.
 - ii. They can be lengthy documents, but they provide valuable information highlighting key sections such as how to contact the courts, obtain an order of protection, or change their contact information and it will encourage victims to be well-informed.
9. Make appropriate eye contact, body posture and voice control.
10. If appropriate, change positions – stand if sitting, sit if standing or conduct the interview

in a different room while maintaining visual contact with your partner officer. The goal is to make the victim comfortable to discuss the event.

- a. If your agency utilizes body worn cameras or video, keep in mind a seated position may change the view of the camera and it may need to be adjusted.
11. Expect a range of emotions and allow those emotions to occur.
 - a. Victims may still be very defensive, both physically and verbally, allowing them the time to process that they are now safe with officers.
 - b. Give the victim the time and chance to tell his/her story repeatedly in his/her own words and in the victim's own way.
 - c. Be mindful of the proximity of the detained suspect to the victim ensuring the suspect is not in ear shot or eyesight of the victim to minimize any attempts of intimidation.
 12. Obtain the victim's permission before calling relatives or friends to assist.
 13. Make use of agency resources, community resources and victim advocates.
 - a. For some agencies, the use of the Fire Department Community Response Volunteers or mobile advocates to assist in calming the victim and providing victim resources while still on scene may be an option.
 - b. OPTIONAL: Instructor provided handout: Police and victim services available within your area.
 14. Victim's Rights information: Inform the victim of referral services that are available and how he/she can get further help referring to the Victim's Rights Pamphlet.
 - a. One of the biggest impacts that officers can have is by explaining to the victim, there is a lot of information in the victim's rights pamphlet.
 - b. Advise the victim they should take the time to review it later to know who to contact about important case details, jail information, and to ensure that their lawful rights as a victim are obtained.
 - c. Then let them know what the next step is in the process may be e.g. IA, Arraignment, etc.
 15. Work to remove barriers and problem solve with the victim for issues that keep the victim from obtaining assistance such as shelter services, a Forensic Nurse Examination (FNE) or Sexual Assault Nurse Examination (SANE) or seeking medical treatment at a hospital:

- a. The victim may need a babysitter for a child before going to a shelter, the hospital, or to a Family Advocacy Center (FAC) if you have one near your jurisdiction.
 - b. House pets: Project Save house by the Arizona Humane Society offers a temporary placement program that allows DV victims to foster their pets for 30 days. AZHumane.org
16. Depending on the crime, advise the victim what he/she can expect in terms of his/her own emotional, physical, and psychological reactions. This also includes advising family members and other close relatives.

VII. BE MINDFUL OF OTHER FORMS OF TRAUMA ON THE VICTIM

- A. The victim is already thinking about the future impact on their lives that the event will force upon them. It is not helpful to advise them to not think about the impending divorce, the funeral, or where they are going to live. Keep the following in mind and help a victim work through some of the issues that arise by offering hope, resources, and compassion.
- B. Financial impact such as:
 1. Divorce filings/proceedings.
 2. Medical bills.
 3. Counseling costs.
 4. Work termination leading to a loss of insurance.
 5. Damage to uninsured property.
 6. Funeral expenses.
 7. Moving expenses.
 8. Loss of assets – due to no power of attorney.
- C. Physical impact such as:
 1. Permanent damage to their lives.
 - a. Death of a child, spouse, parent, etc.
 - b. Disability, whether permanent or temporary.

- c. Brain function.
 - d. Extended hospitalization and/or rehabilitation.
 - 2. Injuries, minor abrasions, cuts, and bruises.
 - 3. Sexually transmitted diseases, pregnancy, etc.
- D. Additional psychological trauma:
 - 1. It is important to acknowledge that trauma can have physical impacts on the brain.
 - 2. Sends a message that crime can happen to everyone.
 - 3. Communication with other people can be paralyzed.
 - 4. Primary psychological impact on the mental well-being of the victim – generated by the incident or perpetrator.
 - 5. Secondary psychological impact – generated by the system.
 - a. Frustrating with charges not being filed, or lack of notification of release of a suspect, canceled court dates, etc.
 - 6. Guilt, insecurity, depression, shame, etc.
- E. Secondary victimization such as: **P. O. 6.2.3**
 - 1. The post-crime harm caused by individuals and institutions around the victim. Also known as victim-blaming.
 - a. Blame, stigma, isolation may be caused by any person.
 - 2. Secondary victimization may be caused by families and friends:
 - a. The victim may not disclose all details of the crimes committed against them to family and friends as a matter of privacy.
 - b. Family and friends may not understand the depth of the crime and therefore say hurtful, victim-blaming statements.
 - 3. Clergy may offer misguided compassion in working to repair relationships in domestic violence situations.
 - 4. Law enforcement can contribute to Secondary victimization through:

- a. Negative attitudes and/or minimal investigation by the responding officers.
 - b. A failure to utilize appropriate resources for the victim on scene.
 - c. A failure to provide victim's rights information, etc.
5. The media was on scene and continued reporting of the incident.
 6. Hospital/emergency room personnel may fail to provide treatment or identify the incident as crime related.
 7. The Medical Examiner could make a poor death notification, or be insensitive at the scene, etc.
 8. Social services may be unavailable to provide service, or have insufficient training on victim issues, etc. Keep in mind, Social Media can harm victims and survivors. Public opinion can be taken as facts of a case, harming the victim further.
 9. Mental health professionals may be heavy handed in prescription of drugs, or have insufficient training in victim issues, etc.
 10. Social Media can impact and harm victims. What they see or hear in the media, whether true or not, can victimize them again. Suggest to the victims that they limit their exposure to social media.
- F. When cultural considerations and the types of crimes committed against the victim are not taken into account some victims may feel ignored, and/or their trauma may be compounded by coming forward about the crimes:
1. During sexual assault cases, the victim is often put on trial.
 - a. Discuss "Denim Day, April 24." People are encouraged to wear jeans to raise awareness of rape and sexual assault which grew out of 1998 Italian court ruling that overturned a rape conviction because the victim wore tight jeans. 1998 Italian rape conviction reversal.
 2. Domestic violence; "It is a family matter."
 - a. When officers respond to the same residence repeatedly, statements such as "you again," or "why haven't you left yet," do not make a victim believe the officers can or want to help them.
 3. Child victims, including child abuse may not be believed, or may be displaced from the home, not by their request, etc.
 4. Homicide survivors feel as though they have no role in the criminal justice system.

5. Catastrophic physical injury victims, including motor vehicle accidents – no support at all.
6. Racial minority victims – little outreach available, no knowledge and fear about access to the criminal justice system, language barriers, cultural differences, etc. **INSTRUCTOR NOTE:** *Honor Killings / violence in understanding victims from religious and culturally conservative communities (specifically FLDS and traditional Islamic communities – Somalian and Iraqi – that AZLE are likely to interact with)*
7. Physically or mentally challenged victims – little outreach available, access to the criminal justice system may seem limited, etc.
 - a. Officers fail to work to overcome language barriers or fail to employ crisis intervention techniques.
8. Elderly – age discrimination, already experiencing loss, frequently isolated, etc.
 - a. Officers dismiss the victim’s complaints once the suspect alleges dementia or Alzheimer’s disease.
9. Rural victims – lack of access to services, familiarity, etc.
10. LGBTQ victims – little outreach available, disclosure issues, etc.
 - a. Even though we have come a long way in some areas, we, as a community, still have a long way to go in respecting a person’s sexual identity.
11. Burglary victims often are perceived as not being victims of a serious crime.
12. Vandalism victims often are perceived as not being victims of a serious crime.
13. Police officers and other first responders as victims are often not taken seriously or not treated as victims.
14. Witnesses/family members are often overlooked throughout the process.
15. Victims of police officers, fire fighters and other government employees - of thefts, domestic violence, sexual assault, are often mistreated, not believed, etc. by the responding officers.
 - a. They do not believe the police can investigate on their own.

VIII. SPECIAL CONSIDERATIONS FOR CHILD VICTIMS/WITNESSES.

- A. Get on the child’s level and speak in a language that he/she will understand.

- B. Do not make promises you cannot keep.
- C. Do not criticize the defendant in front of the child.
- D. Do not minimize or maximize the incident by words, inflections, gestures, or expressions.
- E. Do not touch the child, do not help the child by providing the answer to them.
- F. Use a multidisciplinary investigative team, if applicable and when available, i.e. Child help forensic interviews or the use of the detectives with specialized training for interviewing children.
- G. Consider talking to a witness child on the scene even if he/she is not the “identified” victim.
- H. Identify the child's lawful representative for the victim's rights purposes.

IX. ARIZONA’S VICTIMS’ RIGHTS LAWS AND CRIME VICTIMS’ RIGHTS**P. O. 6.2.4**

- A. Who is a victim?
 - 1. Definition of a victim from A.R.S. 13-4401.19 states in part: “A person against whom the criminal offense has been committed, or if the person is killed or incapacitated, the person’s spouse, parent, child or other lawful representative...except if the person is in custody for an offense or is the accused.” **INSTRUCTOR NOTE:** Discuss the difference between automatic and requested rights. [Arizona Attorney General Website for Victim Services and Victim's Rights](#)
 - 2. A victims’ rights for juvenile offenses apply to acts that are committed by a juvenile and that if committed by an adult would be either a misdemeanor or a felony. (Status offenses do not require notification of victim’s rights. A status offense is an offense which can only be committed by a minor such as truancy, running away, refusing to obey a parent, etc.).
 - 3. If at the time of contact with a law enforcement agency the victim is physically or emotionally unable to request or waive applicable rights, the law enforcement agency shall presume that the victim invoked the victim’s right to request applicable rights to which the victim is entitled, on request, unless the victim later waives those rights. A.R.S. §13-4405B.
 - 4. Certain legal entities and neighborhood associations have “special and limited” victim’s rights A.R.S. §§ 8-385 and 8-385.01.
- B. The law enforcement officer is required pursuant to A.R.S. 13-4405 and A.R.S. 8-386, to consistently fill out and deliver to the victim the Victims’ Rights form provided by your agency.

P. O. 6.2.4

1. The victim has the responsibility to keep his/her address, telephone number, etc., current with each entity that is responsible for providing victims with their rights.
- C. Types of rights: **P. O. 6.2.4**
1. To be treated fairly and respectfully.
 2. Receive notice of initial appearance, terms and conditions of release, pre-trial, criminal proceedings, conviction, acquittal or dismissal, post-conviction review and appeal proceedings, release or escape, prisoner status, post-conviction release, probation modifications, termination or revocation, notice of release or discharge or escape from a mental health treatment facility.
 3. To stay informed:
 - a. At the time the offense occurs.
 - b. Following the arrest/detainment.
 - c. At, or after, the time of charging.
 - d. Upon conviction/adjudication.
 4. To be present at the time the defendant is in court and heard at certain hearings (initial and sentencing).
 5. Confer and give opinions and views.
 6. Receive prompt restitution.
 7. Speedy trial disposition.
 8. Safeguards for protection.
 9. Refuse to speak with the defense attorney.
 10. Recover evidence no longer needed by the law enforcement agency or prosecutor.
 11. Motion/petition.
- D. Police officer responsibilities can vary, check with your agency for individual department requirements and current forms for victims. Some responsibilities are:
1. Information requirements responsibilities – officers are required to complete and distribute the Victims' Rights form to victims.

2. Traffic offenses – this law applies to traffic misdemeanor and felony offenses if a victim is involved, for example, in a hit and run or D.U.I. involving a crash.
 - a. The information does NOT have to be distributed to accident victims if the traffic offense is not a violation of a STATE CRIMINAL STATUTE.
 - b. This means that the Victims’ Rights laws do not govern civil traffic offenses.
 - c. For those traffic offenses that are victim rights applicable, officers are required to secure the right's request/waiver designation, victim contact information and to provide victims with their rights via pamphlet or tear off form.
 3. Arrests notification – A.R.S. §13-4406 “Notice of Initial Appearance” requires the victim to be notified of the date, time and place of the initial appearance of a suspect after the suspect has been arrested.
 4. Probable cause arrests (non-warrant arrest) – when officers or detectives arrest a suspect based upon probable cause or at the scene of the crime, they are required to notify the victim of the arrest.
 5. A.R.S. § 13-4405F -- If a suspect has not been arrested at the time of contact with the victim pursuant to subsection A of this section, the law enforcement agency that is responsible for investigating the offense shall notify the victim of the arrest of a suspect at the earliest opportunity after the arrest and of the time, place and date for the initial appearance.
 6. Warrant arrest – when a suspect is arrested pursuant to a warrant, the original investigating agency is responsible for notifying the victim in accordance with departmental policy.
- E. Standing – A.R.S. §14-4437 “Standing” allows the victim to recover damages from an individual or governmental entity that violates the Victims’ Rights Act. Consequently, it is important that the provisions of the law be complied with.
1. This goes through a civil process on a state level.

X. ARIZONA VICTIM COMPENSATION PROGRAM

- A. Victim Compensation Program fund:
1. Established by the state treasury.
 2. Administered by the Arizona Criminal Justice Commission.
 3. Each county in the state has its own victim compensation housed within the County Attorney’s office.

4. The money comes from surcharges placed on fines assessed to offenders.
 5. Victim compensation is NOT RESTITUTION.
 6. Contact information is in the Victims' Rights Pamphlet.
- B. Victim compensation can provide up to \$25,000 for the following crime-related expenses:
1. Funeral expenses are limited to \$10,000.
 2. Medical expenses.
 3. Mental health counseling up to \$5,000.
 4. Crime scene clean-up, up to \$2,000.
 5. Travel expenses for medical and mental health treatment up to \$1,500.
 6. Wage loss for the victim. Loss of support to dependents of a deceased victim.
 7. Counseling is available for the following:
 - a. The victim – three (3) years.
 - b. In some situations, relatives of a victim and a witness to a crime may be eligible.
- C. Eligibility criteria:
1. The crime occurred in which the county that you are filing.
 2. The crime was reported to the police within 72 hours, unless good cause is shown to justify a delay.
 3. The application must be filed with the Victim Compensation Bureau within two (2) years of the crime, unless good cause is shown.
 4. The crime caused physical injury, extreme mental distress and/or death.
 5. The victim/claimant is not serving a sentence of imprisonment in a detention facility.
 6. The victim/claimant is neither the offender nor an accomplice of the offender.
- G. Resources include:

1. Training on additional resources, offered through Employee Assistance Units, police associations and through personal insurance.
2. Consider contacting insurance for behavioral health resources for the officer and family members. The key is to recognize a difference in oneself, and/or acknowledge the difference your family says they see in you and reach out for help.
3. Critical Incident Stress Debriefing (CISM) or peer mentoring, if available in your agency, should be utilized as soon as you recognize an issue.

XI. CONCLUSION

- A. Review of performance objectives.
- B. Final questions and answers.
- C. Instructor closing comment(s).