

The FBI Experience: Bringing Victim Assistance into a Law Enforcement Agency



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Despite knowing that law enforcement officers are often the first officials to encounter victims in distress or shock following a crime, we have not always recognized the importance of these interactions. Victimization can shake the very foundation of an individual or a family, and the treatment victims receive at the hands of officials can either help or cause further hurt. When this contact is respectful and helpful, victims are better able to assist investigators and their cases. Unfortunately, many victims do not report crimes because they do not believe they will be treated well by law enforcement.

Not only are law enforcement officers the first officials to interact with victims following a crime; they may be the only ones. It is estimated that less than one-third of crimes ever result in a prosecution. The impact on victims and cases is why a victim assistance component is more than simply a "must do" or "nice to do" function for law enforcement agencies. How victims are treated may also have a long-lasting effect on how well those victims cope over time.

The FBI Experience

Although the Federal Bureau of Investigation was established more than 75 years ago, victim assistance is a relatively recent development in the agency. The first efforts at developing a victim assistance program in the FBI involved a handful of staff located in the Washington, DC, headquarters and about 30 employees in field offices around the country who handled victim assistance as a collateral—or secondary—duty. Originally housed with unrelated offices and programs, the FBI's victim assistance program often consisted of simply mailing a very general brochure about rights to victims.

"When I went through the Academy, we did not receive any training on dealing with victims," said Thomas Pickard, former FBI deputy director. "Certainly, the FBI did not have full-time victim assistance specialists. We thought the best thing we could do for victims was to bring the perpetrators to justice. For the most

part, we did not think about how victims coped. As a result we often did not do the best job we could for victims because we did not understand what they were going through or how to help them."

Robert S. Mueller, III, became FBI director a week before the September 11, 2001 terrorist attacks. As a former federal prosecutor and the Justice Department official who headed the initial investigation into the bombing of Pan Am 103, he wanted the FBI to do more to assist victims.

New FBI Office for Victim Assistance

In December 2001, Director Mueller established a separate Office for Victim Assistance (OVA) and hired an experienced individual to head the office, revamp the program in the field, and establish a special program for assisting victims of terrorism. Around the same time, the FBI received funding from Congress for 112 full-time victim specialist positions in field offices across the country. Building upon the extremely limited existing program required a comprehensive, multi-year strategy.

From the inception of the FBI Office for Victim Assistance, the program received visible support from the FBI Director and other senior management. The program director is a Senior Executive Service level position and reports to an FBI assistant director. The program works across all operational divisions, with the exception of counter-intelligence activities.

Establishing a program that would have credibility with FBI agents, victims of federal crimes, and other victim assistance professionals required a restructuring of

the program and workforce both at FBI headquarters and in the field—a process which took several years. The capacity to create and maintain an effective program had to be expanded. Staff size increased from four employees with relatively little victim-assistance experience to 15 employees with extensive experience working with victims and managing programs. The FBI Office for Victim Assistance now includes an assistant program director, a victim notification system manager, forensic child interview specialists, terrorism victim specialists, regional program managers, program analysts, and a financial analyst. The program is in the process of creating a formal agent advisory committee to ensure that the perspective of FBI agents is represented in all victim assistance activities.

Establishing a solid program foundation involved developing service components that reflected legal requirements, needs of victims, and operational realities. To ensure uniformity and consistency of victim assistance across the FBI, the Office for Victim Assistance developed policies, standards, and protocols that were incorporated in the FBI's internal operations manual. These guidelines form the basis for evaluating program compliance and efficacy across the agency. Victim specialists are now required to have direct interaction with victims, respond to crime scenes, conduct psycho-social assessments, provide immediate crisis intervention, and work effectively as a team with case agents. The office drew on the expertise of internal and external experts to establish sound and effective practice standards for victim services employees.

The FBI victim assistance program carefully evaluates anyone who will work closely with traumatized victims and members of the public for the appropriate level of knowledge, skill, experience, and professional judgment. The victim specialist workforce evolved from 30 employees who handled victim assistance as an ancillary duty to 112 full-time, professional positions, including 31 dedicated to victim assistance in Indian Country.

FBI Victim Specialists

The FBI's strategy involved developing a new victim specialist position that required the knowledge, skills, and competencies to conform to program and practice standards. The position requires a minimum of a Bachelor's degree in the social and behavioral sciences and at least three years of work experience providing direct services to victims of crime. Concurrently with the development of the new position, the Office for Victim Assistance negotiated a larger role in hiring victim specialists to ensure that highly qualified candidates are recruited and selected.

Because victim assistance issues fall outside the FBI's traditional training programs, the Office for Victim Assistance established a professional development program that included advanced training, mentors, and university credits. Victim specialists were added to the list of employees who are eligible for FBI tuition assistance and reimbursement.

Even though the FBI has victim specialists to handle victim assistance, agents also play an important role in this area. Working effectively with victims as part of

an investigation requires some understanding of what crime does to victims and how it affects their ability to comprehend, cope, and cooperate. Building trust and rapport with a victim is not just about being "nice": it requires understanding how crime affects people. It is about remembering what is important to victims, especially respect and information. It also requires knowing about and using victim assistance resources.

Office for Victim Assistance employees participate as faculty for new agent training at Quantico and ensure that agents receive information on basic victimology, victims' rights and assistance requirements, and program resources. Each year, the victim assistance program presents four to five intensive clinics on

forensic interviewing of children and makes special presentations at training conferences for agents who are involved in evidence recovery teams, crisis and hostage negotiations, counter-terrorism investigations, crisis management, civil rights and human trafficking investigations, crimes against children, and cyber crimes. Field office victim specialists are required to provide training for agents in their offices and are often invited to participate in training for other agencies and non-governmental organizations.

Helping Victim Specialists Do Their Job

Perhaps the most important function of the Office for Victim Assistance is to ensure that field office victim specialists have the tools and resources they need to assist victims. The office makes emergency funds available on

a regular basis to assist in the reunification of abducted children and other kidnapping victims, handle crime-scene cleanup, and provide temporary housing for victims. Two years ago, the office provided access to vehicles for all victim specialists through a special leasing arrangement so they can go to victims when they need immediate help. The vehicles have made a critical difference in the FBI's ability to serve victims in Indian Country and other rural areas.

Victim specialists have significant access to professional training and tuition assistance and receive continuing education credits for annual in-service training. Recognizing that secondary traumatic stress and burnout is a common issue for victim specialists, and that many of them have more training in mental health issues than do field office employee assistance contacts, the Office for Victim Assistance created a specialized program designed to support and retain victim specialists.

Other program resources are designed to enhance the capacity of the FBI to meet special victim needs. The office selected and trained a cadre of experienced victim specialists to function

as victim assistance rapid deployment teams to handle victim assistance in criminal aviation disasters, and highly sensitive or major cases, and to support other agencies in multi-victim crimes and disasters. FBI forensic child interview specialists are deployed on a regular basis to handle particularly difficult or sensitive child interviews, testify as expert witnesses, and provide training to law enforcement professionals in the United States and other countries.

The Office for Victim Assistance maintains victim information in child pornography crimes and serves as the clearinghouse for federal, state, and local law enforcement for this information. The office also houses what may be the only full-service terrorism victim assistance unit in existence. FBI terrorism victim specialists are licensed clinical social workers with extensive experience working with victims of terrorist attacks, bombings, and other catastrophic death and injury. Along with providing crisis intervention services, this unit performs a critical investigative and humanitarian function by coordinating repatriation, autopsy, and forensic identification of victim remains with officials and families and coordinating medical evacuation and services for injured victims.

Working with Non-governmental Organizations

FBI victim assistance headquarters and field staff work closely with a range of non-governmental organizations, including child protection programs, rape crisis centers, and domestic violence shelters. These partnerships are happening more frequently around the issue of victims of severe forms of human trafficking. It is critical that both groups understand and respect the other's role and limitations, especially around the issue of information sharing. An atmosphere of trust and

respect can ensure that law enforcement agencies involve non-governmental organizations in providing services to victims and that these organizations feel comfortable passing along information to law enforcement that will help with investigations.

While non-governmental organizations provide excellent, skilled services to vic-

tims of crimes and can be an effective partner in assisting victims, they cannot always take the place of victim assistance specialists who operate within a law enforcement agency. Law enforcement investigators must be somewhat skeptical and untrusting individuals. It is easier for them to rely upon and access victim assistance professionals who are part of the same agency, who they see daily, and who can respond to a crime scene with them. FBI victim specialists usually possess the same level of security clearance as agents and will generally have access to sensitive investigative information.

Incorporating victim assistance within a law enforcement setting involves recognizing appropriate parameters. For instance, FBI victim specialists may have mental health training and pro-

fessional experience, but their job does not involve providing mental health therapy or treatment. They can provide crisis counseling to help victims cope with the immediate aftermath of a crime. They can educate victims on normal reactions to victimization and signs that may indicate a need for more intensive help. They know how to identify when victims need mental health services and to make referrals to appropriate service providers. By necessity, confidentiality of communi-

cations between victims and FBI victim specialists is more limited than it would be with therapists and non-government service providers. If a victim reveals information that is relevant to the investigation or indicates danger or threat to the victim or another person, then that information must be shared with the appropriate entities. FBI victim specialists must coordinate with the case agent on any case-related information provided to the victim. Communication between the victim specialist and the case agent is essential.

Producing Results

Today, the FBI Office for Victim Assistance has more than 100 full-time victim specialists in all 56 field offices, including 31 in Indian Country. These dedicated professionals are making a critical difference. They have extensive experience working with crime victims and other traumatized individuals as social workers, victim advocates, or psychologists. More than half have a master's degree. They work with victims of a wide range of crimes, including identity theft, cyber stalking, child pornography, child abduction, violent crimes in Indian Country, bank robberies, human trafficking, and kidnapping. They provide death notification, crisis counseling, emergency housing and transportation, help with victim compensation forms, return of personal property, and intervention with creditors and employers. They participate in multidisciplinary child abuse teams. They reunite missing children with their families. They keep victims informed of major case developments. They stay in touch with victims to monitor their situation and

advise the case agent if there are issues of concern that could affect the investigation. They serve as the victim's primary point-of-contact thus freeing the agent's time to focus on investigative tasks.

The program has yielded a significant and measurable increase in the FBI's compliance with legal requirements for victims' rights and assistance.

In 2001, fewer than 15,000 victims were identified and only a fraction received any services. In 2005, FBI victim specialists identified more than 188,000 victims, provided notifications to more than 110,000 victims, and provided direct services to more than 18,000 victims. Of these victims, a little more than 4,600 were Native Americans.

The ultimate goal of building a victim assistance program is to move from being viewed as a "fluff" program to being accepted as an essential component of a law enforcement agency. Acceptance is based on two fac-

tors: credibility and value. It takes time to demonstrate competence and build trust. Investigators must believe they can trust and rely upon victim assistance personnel and that they share the same goals: justice and helping victims cope with the impact of crime.

Support from senior officials is critical to creating a viable victim assistance program. Victim assistance is not and never will be the primary mission or function of a law enforcement agency. It is a

helpful and necessary ancillary function that can benefit victims and investigations and build public support for the agency. This is the main selling point for senior managers who may view victim assistance as just one more mandate.

The success of the FBI's program can be measured by how many agents have become ambassadors for the victim assistance program. Four years ago, one of the most vocal critics of the program said that "this victim assistance stuff is not what the FBI is about." He now heads one of the FBI's largest field offices. Recently, he asked, "When can I get another victim specialist for my office? I don't know what we ever did without them. They make an incredible difference."

Law enforcement agencies receive much criticism in court, in the media, and from the public. Investigators have a tough and often thankless job, and need to be assured that their work has value beyond a paycheck. FBI agents who become discouraged or

wonder why they work so hard become re-inspired after reading some of the letters and e-mails the Office for Victim Assistance receives from victims and their families, whose lives have been touched in deep and profound ways by the FBI victim assistance program.

Law enforcement employees must always remember that no one has a greater interest in the outcome of an investigation or prosecution than do the victims of those crimes. Criminal justice professionals move on to the next case, but victims and their families will live with the impact of the crime for the rest of their lives. They are the reason to bring perpetrators to justice.

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