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System-based victim advocates identify resources and barriers to supporting crime victims

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Abstract

Often left out of conversations around criminal justice reform are the victims of violent crimes. One group of people who have the needs of crime victims at the forefront of their work are victim advocates. The current study examines barriers and resources for victim advocates in being able to do their work of supporting crime victims. Through interviews with nine system-based victim advocates points of intervention are identified, which if improved would allow victim advocates to better be able to support victims of crimes. Using principles of grounded theory analysis, four themes emerged: building partnerships and community support, intersectionality, resources and supports, and bureaucracy. In order to better support victim advocates in their work, systems need to remove bureaucratic barriers. There is also a need for access to culturally sensitive mental health services and supports.

Keywords

Victim advocates; victim workers; criminal justice; social justice; crime victim

Over the past decade, the annual rate of victims of violence and serious crime has consistently been around 5 million in the United States (Morgan and Thompson, 2021). In 2020, there was a decline in victimization, with a prevalence rate of 4,558,150 million people experiencing a violent victimization, a rate of 16.4 victimizations per 1,000 people age 12 and older (Morgan and Thompson, 2021). Violent crimes include domestic violence, rape, sexual assault, robbery, and aggravated and simple assault. These traumatic experiences have significant and long-lasting impacts on both the individual and on society. At the individual level, a person may be affected across multiple domains, including in their intimate relationships, and in occupational and social functioning (Hanson et al., 2010). Crime victimization is also associated with a myriad of physical and psychosocial health

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problems, with the resulting treatment needs being a substantial cost to both the victim and society (Hanson et al., 2010). In addition, research has shown that some groups are more vulnerable to adverse consequences following crime victimization, including women, people from ethnic minority backgrounds, and people with disabilities (Tan and Haining, 2016).

The prevalence and associated adverse outcomes of violent victimization have led many governmental agencies and community groups to examine how they can support victims of crimes. Many governmental bodies have developed laws, compensation programs, and other supports to better meet the needs of crime victims (Hall, 2010). One way in which this has been realized is with the use of victim advocates, individuals whose sole job it is to provide support and advocacy for victims of crimes. Victim advocates are an integral part of the larger criminal justice response to crime victimization. While previous studies have explored the vicarious trauma advocates experience in their role, (Benuto, 2018a; Powell-Williams et al., 2013), less attention has been given to how advocates are able, or not, to carry out their jobs. The current paper explores barriers and resources victim advocates experience in being able to carry out their professional duties. Through interviews with victim advocates, the paper seeks to identify points of intervention and areas of need that would allow victim advocates to be better positioned to support crime victims.

Victim advocates

Victim advocates are professionals who are trained to support victims of crime. They work at the intersection of the criminal justice system and provide compassionate and logistical support for victims of crimes. The range of services advocates provide has been characterized into *care work* and *legal work* (Gaines and Wells, 2017). Care work includes services that provide emotional support and aims to help victims cope with the criminal justice process and the community response to the crime (Gaines and Wells, 2017). Legal work includes services that help survivors navigate the judicial process (Gaines and Wells, 2017) and often includes connecting survivors to the benefits and supports to which they are entitled.

Victim advocates provide a variety of services, including emotional support, in-person counseling, educational information and referral to resources, assistance with completing paperwork (e.g. restraining orders), and accompaniment to court or other appointments (Benuto, 2018b). The National Center for Victims of Crime describes victim advocates as professionals who are trained to support victims of crime by offering information about different options available to them, and supporting their decision-making process (Benuto, 2018a). Advocates can be broadly categorized as either system-based or community-based. System-based advocates are those who are typically employed by judicial agencies and frequently serve as liaisons between victims and criminal justice personnel (Rich and Seffrin, 2013). Alternatively, community-based advocates often work independently of the judicial system, frequently in non-profit settings. The present study focused on system-based victim advocates.

Current study

Since ‘advocates are in a position to know what *could be* but see and work with *what is*, they offer a more complete perception of barriers that victims face’ (Murphy et al., 2011: 691). Advocates serve as a survivor’s guide through the justice system, navigating the process of connecting to resources and compensation, while also working closely with law enforcement and prosecutors at all stages of a case. As such they have valuable insight into how the judicial system interacts with victims of crime. Despite this wealth of knowledge, there is limited research that has specifically examined the perspective of system-based victim advocates, which results in a failure to capture the scope and nature of the work they do, and the challenges and barriers they face (Globokar et al., 2016) in being able to support crime victims.

The current study sought to address this gap by tapping into the knowledge and experience of system-based victim advocates. The specific aim of the study was to give voice to the work of victim advocates and to explore what resources and barriers are present as they try to do their job. The present study involved interviews with nine system-based advocates in California. These advocates were housed within a District Attorney’s office. The advocates worked closely with law enforcement, prosecutors, and victims of violent crime.

Method

Researchers

The researchers have previously worked at the intersection of trauma and the judicial system, with a focus on understanding how to better support victims of violent crime. Through this broader body of work, it has become evident that there is a need to better understand each aspect of the judicial system in order to best design effective prevention and intervention efforts for victims of violence. This study aimed to better understand the experiences of system-based victim advocates, a group that has not received the same level of research attention when thinking about the full spectrum of people who work within the criminal justice system.

Participants

Participants included victim advocates who were recruited from a Victim Services Division in a California District Attorney’s Office. There was difficulty in recruiting participants given the demanding schedules of the advocates, and the need to be flexible for court proceedings and other tasks that often came up unscheduled during the course of their days. The interviewer had a pre-existing relationship with the then director of the department, and this director was the person who forwarded the email recruitment invitation. While participants were told the study was confidential, and the director would not know who participated or what was shared, the proximity may have deterred some participants. The interviewer had not met the advocates interviewed prior to the research study. Participants were provided with a US\$50 stipend for their participation.

The participants for this study had a range of experiences and represented different divisions within the office. Two worked in intake, which means they work with any crime victim

who comes in during walk-in hours, and who has *not* experienced a crime of domestic violence, human trafficking or elder abuse. Three worked in general felonies, which includes robberies, assaults, attempted homicides, and anything else that is charged as a felony that is not specified. Two worked in the homicide division, one worked in the domestic violence division, and one worked in the human trafficking/sexual assault division. There was also variability in how long the participants had worked as victim advocates, with as little as 2 months experience (this person had worked previously as an intern) to as long as 2 years of experience. Eight of the participants identified as women, and one as a man. The advocates were diverse in race and ethnicity and reflected the diverse communities which they served. Most of the advocates were fluent in English and a second language.

Data collection

The first author conducted in-person interviews that ranged between 24 minutes and 1 hour in length (average interview time was 35 minutes). Interviews were conducted at the offices where the advocates worked. With permission from the participants, the interviews were audio-recorded and fully transcribed. A semi-structured interview protocol was used and was informed by a review of the literature, and in consultation with the third author given their expertise in the field. The University of San Francisco Institutional Review Board approved all procedures for this study.

Data analysis

Using Dedoose (2016) software, the data were analyzed using principles of grounded theory methodology. Specifically, coding followed Strauss and Corbin (1990, 1998) and Auerbach and Silverstein's (2003) methodological guidance. Two authors coded the transcripts (the first and second authors). The two authors included in data analysis coded the first transcript together, meeting through video conferencing over four meeting sessions. Coding was approached as a cyclical act (Saldaña, 2016), and as such the code book was developed in an iterative process which included going back and changing or clarifying codes as the need arose. Once a code book was agreed, each of the two authors then coded a transcript individually. In some instances, codes were revised, and some were added. In these cases, the authors communicated via email around proposed changes, and with consensus, updates were made to the codebook. The two authors then coded the remaining transcripts. After all transcripts were coded, the two authors examined the most significant codes and systemized and organized the information (Charmaz, 2014). Care was taken throughout the coding process to maintain participant voice whenever possible throughout the codes. In addition, participants were sent a document that outlined the final themes that were identified, along with quotes that exemplified each of the themes. Participants were invited to offer feedback, edits, or comments. None of the participants provided any responses to the themes that were shared.

Results

While there were nuanced and diverse perspectives among the advocates, four common themes emerged that speak to the barriers victim advocates face when doing their job. The

four themes include: building partnerships and community support, intersectionality, needed resources and supports, and bureaucracy.

Building partnerships and community rapport

An important part of the advocates' job is to connect victims of crime to needed supports and services. In order for advocates to be able to fulfill this role there are two important aspects. First, advocates must build connections to community-based organizations and service providers, so they know what services are available and how to access them. Second, advocates must build connections with the local community, so that crime survivors will trust them and be willing to access their office and the accompanying services. The local community includes the neighborhoods, housing developments, and other spaces in which residents reside. All of the advocates discussed the process of navigating in these roles, with an added understanding of how this is affected by being under the umbrella of the district attorney's office (as a systems-based advocate as opposed to a community-based advocate). While there were benefits of being connected to the district attorney's office, including a closer working relationship with the prosecutors of cases and access to pertinent case information, challenges were also noted. The primary challenge was gaining trust with the communities they serve: 'that's a huge barrier, building that trust with the community'.

Reasons for why the community is hesitant to engage with the advocates can include a crime victim's prior involvement with the judicial system as either a suspect or defendant. Sometimes this was a victim's personal involvement, or one that occurred to family members or close friends.

It goes hand in hand because most of the time they're victims because of the same reason they were convicted in the first place like gangs or domestic violence or sex trafficking, something like that. It's sad to see. It's a cycle.

The advocates talked about needing to be immersed and connected to communities so that trust could be built. However, this type of relationship building takes time—not only time from an already overstrained workday or week but it also takes months or even years to build this type of trust.

Building relationships with the community was not the only connecting advocates were working on. They also strived to build connections with community-based organizations that could provide support and services for victims. In this way, sometimes being under the umbrella of the District Attorney's office was helpful. The advocates described that community-based organizations were familiar with their office and the services provided, and this familiarity allowed at times for a more efficient connection of crime survivors to needed services. Indeed, Victim Services offices often have formal relationships through funding or operational agreements to collaborate on cases, receive and refer clients to services, and to provide cross-training.

Intersectionality

All of the advocates discussed how intersectional factors complicated the experiences of many victims. For too many crime survivors, fear of the larger system prevented them from

accessing services. For instance, victims were fearful of how their immigration status or English language proficiency, among other factors, would interact with their status of being a victim of a crime. The various identities that victims held affected how safe they felt interacting with the judicial system.

Those, like my monolingual Spanish speaking, they are not coming forward or they're just afraid to be in this building.

Advocates noted that victims were aware of how the social and political climate plays a role. Advocates shared how many crime victims, for a multitude of reasons, just did not feel safe to engage with the judicial system, even if they wanted to. The advocates discussed multiple issues facing marginalized victims including racism, previous personal or family involvement with the judicial system as defendants, and a general lack of faith in the system being able to provide justice for people of color, especially those with less economic resources.

Given these realities, advocates worked hard to help their clients understand their rights as crime victims. The advocates also were intentional in acknowledging the concerns of survivors and had honest discussions about the risk survivors felt. It was evident from the advocates' discussions that the advocates themselves were attuned to the reality of ethnically and racially diverse crime survivors and the additional challenges they faced in being able to access support, but that in general, the system was naïve or not responsive to these factors. This naïvete from the system made it harder for advocates to provide services to some subsets of crime survivors.

Resources and supports

The advocates discussed what resources and supports were crucially needed to support victims of violent crimes. More mental health services were consistently noted as a high priority need by the advocates. The advocates discussed time after time trying to connect crime survivors with mental health resources, and none being available.

It would be cool but also difficult to have an on-duty psychologist or therapist or something that was here for clients. If we have someone who is desperately in need of some--even if it's just right then in their crisis therapy to get them through until we can get them into another agency, I think that would be helpful.

Advocates identified factors like a lack of linguistically competent therapists and low reimbursement rates for victim of crime compensation as reasons for a significant shortage of mental health services for victims. Advocates acknowledged that many of these resources and supports would be difficult to implement due to financial limitations.

Obviously, we could always use more money, but doesn't everyone?

The advocates also discussed the limited amounts of financial resources available to support victims in other ways. For example, the California Victim Compensation fund provides financial support for specific items like medical bills, or home repairs related to safety issues. All of the advocates noted, in addition to the significant delays in being able to access these funds, there was just not enough available to realistically meet the needs of crime survivors. In addition, other services like emergency shelters or housing relocation were

often not available, even when it was clear what the survivor needed in order to try to start to recover from the crime victimization.

These financial constraints are magnified in high-cost living areas. In particular, the advocates noted significant challenges with victims being able to move or relocate after a crime, because often the victim simply cannot afford to. This is especially true when a crime victim is living in public housing or rent controlled housing, and cannot afford to rent in the open rental market. As a consequence, the advocates were not able to meet the financial and logistical needs of many crime victims, and consequently some victims would leave the city and the communities in which they lived, losing access to important connections and social supports.

Bureaucracy

For many people, the criminal justice system is viewed as a bureaucracy that is complicated and moves at a pace that seems frustratingly slow. The advocates described this perception as magnified in reality. The advocates described the cumbersome process of engaging with the criminal justice system, and the toll it takes on advocates, and by extension the victims. As described by one advocate:

They're all frustrated obviously because the criminal justice system is very frustrating for everybody.

The bureaucracy that is the judicial system often leads victims to feeling as though their needs are not being met, or at the least, their needs are not a priority. This bureaucracy also creates barriers that make it difficult for advocates to get support in place. There are many forms to complete, and hoops to go through. As a result, the support or compensation often comes many months later. For many advocates, these bureaucracies consumed a lot of their already overtaxed days, and affected their ability to provide other supports to crime victims.

There's a specific form of bill that needs to be submitted for the actual payment to go through to the provider. People get frustrated after a while that 'I keep on getting my bills. Now I'm in collections.' Even though we tell them like, 'You're going to have to let them know that you applied for a victim's compensation and it's going to take a while.'

The type of delay that results from such a cumbersome bureaucratic process will affect vulnerable groups more. Those individuals who do not have the time or capacity to navigate these hurdles may feel frustrated and stop the process. Less economically resourced victims, or individuals without private health insurance, are also more likely to be greatly affected by the financial burdens these scenarios create.

Collectively, the advocates painted a picture of a cumbersome system that creates an additional barrier for them being able to support victims of crimes. Some of these barriers may lead to victims having feelings of frustration and neglect, while other barriers may cause victims to lose services they are entitled to or to not receive them in an opportune time.

Discussion

Victim advocates provide a unique lens through which to view the judicial system given their personal connection to survivors of crime, and their professional duties within the system. They are supporting an individual through what is often the most emotionally difficult and traumatic experience of their life, getting a glimpse into the emotional turmoil that is the reality of the survivor's life.

The advocates in this study identified four main areas that could be a focus of reform and which could support the advocates' ability to more effectively do their job. These areas included dedicated time to engage in efforts to build community partnerships and relationships, attending to the intersectionality of crime survivors and the marginalization many survivors experience, increasing the level of resources and support available to help survivors, and minimizing bureaucracy. From these identified areas, possible areas of intervention are discussed.

Raise awareness

Raising awareness would be an important intervention step to allow for increased community engagement, both with community members and with other professional supports. In the United States, where victim services and referrals are not provided by default, the lack of awareness of victim services is a significant barrier (Bryce et al., 2016). Very few people understand the role of victim advocates, or even that they exist. In fact, many advocate workers lacked awareness of victim services until they themselves were in their current professional position (Globokar and Erez, 2019). In order to maximize the work that victim advocates do it is important to better educate not only service providers but also the general public about the role victim advocates play within the judicial system. In addition, if law enforcement and attorneys are aware of the job duties of victim advocates, this can lead to better collaboration and possibly better outcomes for crime victims. This may be accomplished with brief information sessions, and opportunities for more interactions between victim advocates and law enforcement and attorneys.

Awareness among the general public of the role of victim advocates can assist in relationship and trust building. If community members, especially those from traditionally disenfranchised communities, know victim advocates and the roles they play, they may be more likely to seek support. Gaining trust is especially important within the criminal justice system given the history of mistreatment in the US judicial systems. As the advocates shared, communities of color have an increased resistance to interacting with any system connected to law enforcement. This is an understandable resistance given the many racist policies and practices ingrained in institutions like the criminal justice system (Alexander, 2012).

Victim advocates need time to spend in the communities in which they work so that these relationships can be built. This may include outreach efforts, attendance at community events and festivals, or even opportunities to volunteer in the community. These community engagement activities would need to be a part of the advocates' stated job duties, which admittedly would be a significant challenge given the current workloads faced by victim

advocates. In addition, jurisdictions must work to actively recruit, hire, and retain advocates that reflect the racial, linguistic and cultural makeup of the communities in which they work. Communities must see themselves represented in the people that are serving them, especially when those individuals are closely aligned with the justice system.

Policy

Policy changes that address some of the identified barriers would be required to help victim advocates to carry out their duties. This would include reducing paperwork requirements or minimizing forms, and making access to funds happen more quickly (e.g. Victim Compensation Funds). This would require jurisdictions to be flexible in their requirements, with an acknowledgment that advocates should be able to more easily access, and then provide these supports to crime victims.

These policy changes may also have the unintentional benefit of crime victims gaining a more positive perception of the judicial system. As many advocates pointed out, many victims are frustrated with the amount of time it takes to access resources they are entitled to, including compensation funds. These funds are often necessary for victims to access every day necessities such as medical care. Having quicker access to funds would allow advocates to better meet the needs of the crime victims they are serving.

Hurt people hurt people

Within the area of trauma treatment, there is a common understanding that hurt people hurt people. In other words, experiencing trauma and victimization and not receiving support to address the attending consequences, leaves people hurt. As the advocates indicated, there is a dire need for mental health services for survivors of crimes, yet a lack of resources to provide these services, especially for children or in languages other than English. Advocates are spending a significant amount of their days and weeks trying to secure mental health services for crime survivors, often unsuccessfully.

Financial support needs to be provided by State and County jurisdictions so that appropriate mental health services can be provided. This can include funding therapist positions, or at least a portion of client caseloads, that are dedicated to providing immediate and time-limited services for victims of crimes. For example, jurisdictions might explore options to develop partnerships with community-based mental health programs. Therapist positions could be funded by county grants that specifically require providing services to victims of violent crimes. These services need to be accessible; culturally, developmentally, and linguistically responsive; and trauma survivor informed. To this end, it will also be essential to create incentives to recruit linguistically and culturally competent therapists to meet the intersectional needs of victims of crimes. This may include hiring bonuses or funding educational degrees in return for service commitments.

Another important tool for increasing the mental health services available is to pay providers at a rate that is commensurate with the services they provide. State Victim Compensation funds and related programs need to increase the pay rate for mental health providers so that therapists are able to provide their services without foregoing their own professional needs. In addition, similar to the delays noted for victim compensation, providers also need

to be compensated in a timely manner. Often providers do not want to work with crime compensation funds because of the cumbersome reimbursement process that often requires the therapist to wait weeks or even months to be paid. Increasing the prospects of mental health providers to be able to support crime victims will allow advocates an opportunity to make quick referrals for the survivors they aim to support and will free up valuable time in their workdays and weeks.

Study limitations

A primary limitation of the current study is the small number of participants included in this study. Despite providing an incentive, the demands of the job resulted in there being limited availability of advocates. However, this limitation may be less significant as the study did reach saturation, with additional advocate interviews not yielding new insights. Another limitation is that all of the advocates came from one district attorney's office. As such the results have limits to their generalizability. A final limitation is that crime victims were not interviewed. It is not known whether crime survivors would have a different perspective on the barriers faced. Despite these limitations, the study provides insight into barriers that victims' advocates face in being able to fulfill their job duties.

Future research would benefit from larger scale data that tap into the knowledge of many more victim advocates in order to clarify if the themes identified in the current study are consistent. Also, there is a need for larger scale explorations of the experiences of crime victims, including an examination of how intersectional factors influence their willingness to access services.

Conclusion

Victim advocates play an integral role in supporting victims of violent crimes, and we need to better understand the resources and barriers in place that support or hinder them in being able to do their job. It is essential that jurisdictions provide funding to increase the number of these positions to ensure victim advocates are able to continue to provide the high level of support they do, while reducing the chances of burnout. Frequently advocates carry a case load between 400 and 700 cases a year, making it impossible to provide the level of relationship building and care needed.

Advocates have a challenging job, one that requires them to attend to the human reality of violent crimes. Even with all of these challenges, many victim advocates note that their jobs are rewarding mostly because they are providing victims of crime with services that will hopefully improve their lives. This sentiment is exemplified by the following quote provided by one of the victim advocates:

It's rewarding at the end of it if you work towards it. I just feel a lot of people nowadays, just from my own personal experience, they go for immediate satisfaction, so like biotech companies, like Google or places that give them beer on tap while they work or something like that. Sometimes my colleagues, me and my co-workers joke around saying, 'Why don't we get anything like that?,' but then,

knowing that we're working to hopefully change people's lives, especially affected by crimes, pretty satisfying.'

Advocates play a crucial role in our judicial systems, doing all they can to support the sometimes forgotten or neglected victims of crimes. We must support advocates by learning how to better support them in being able to complete these essential duties.

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